

California Fish and Game Commission



Compilation of Public Comments on Petition 2023-32MPA

This PDF file compiles public comments that were included as exhibits in meeting materials and supplemental handouts for Commission and Marine Resources Committee (MRC) meetings since November 2023. Additional exhibits and supplemental handouts will be added after each Commission meeting, including those received by the public comment deadline, until the Commission takes final action on the petition.

Note: Commission meeting materials include a representative selection of comments, rather than a comprehensive suite of all related comments received. Given the large volume of public comments received, the Commission has directed staff to summarize comments and provide a representative selection in meeting materials to reflect the range of perspectives shared. Commissioners are able to review a diversity of perspectives while still having access to all individual comments submitted, which are part of the Commission's administrative record. Members of the public may contact staff for access to any written comments not included in this document.

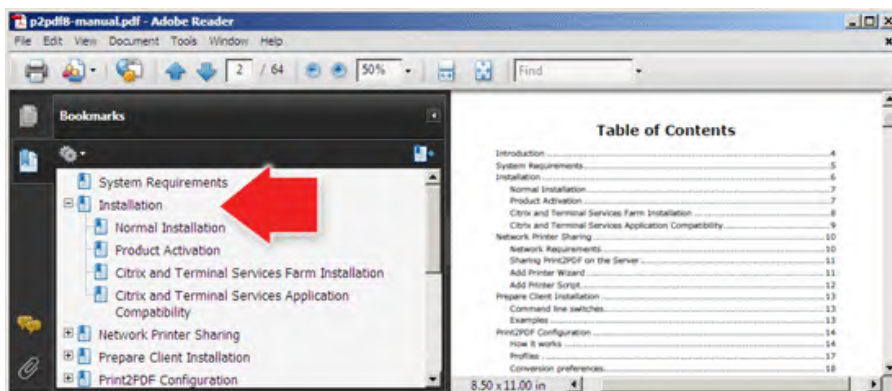
Last updated: through November 2025 MRC


EASY GUIDE TO USING THE PACKET

1. Download and open the binder document using your Adobe Acrobat program/app.
2. If a bookmark panel does not automatically appear on either the top or left side of the screen, click/tap on the “bookmark symbol” located near the top left-hand corner.



3. To make adjustments to the view, use the Page Display option in the View tab. You should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the comments in the packet. It's helpful to think of these bookmarks as a table of contents that allows you to go to specific points in the packet without having to scroll through hundreds of pages.
5. You can resize the two panels by placing your cursor in the dark, vertical line  located between the panels and using a long click /tap to move in either direction.
6. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
7. Do not hesitate to contact staff if you have any questions or would like assistance.

From: FGC
Sent: Tuesday, August 13, 2024 9:28 AM
To: [REDACTED]
Subject: 2023-32MPA_Allen
Attachments: CDFW MPA Allen review 2023.pdf

From: sarah allen <[REDACTED]>
Sent: Thursday, November 30, 2023 4:39 PM
To: FGC <FGC@fgc.ca.gov>
Subject: Comment Letter on North Central Coast Region MPAs Decadal Review

Dear President Sklar and Honorable Commissioners:

I respectfully submit the attached letter for comment on the North Central Coast Region MPAs decal review.

Should you have any questions, I can be reached at this email, since I retired from the National Park Service.

Sincerely,

Sarah Allen

November 25, 2023

To:

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244
fgc@fgc.ca.gov

From:

Sarah G. Allen, PhD

[REDACTED]
Inverness, CA [REDACTED]
[REDACTED]

Re: Decadal Review Recommendations for the California North Central Marine Protected Areas

Dear President Sklar and Honorable Commissioners:

The California Marine Life Protection Act has been a model for other states and countries on how to establish a network of MPAs and provide protection to critical species and ecosystems that are fundamental to the biodiversity and economic health of California. Designation also involves periodic reevaluation and adaptive management of the sites. You are currently reviewing the North Central Coast Marine Protected Areas (MPAs) for the first decadal evaluation, and I wish to comment on and contribute to your review. For 50 years, I have studied marine life in California with an emphasis on marine birds and mammals, and was a scientist on the Scientific Advisory Team with expertise in marine mammals during the initial selection of sites within the North Central Coast Region. Twenty-six of those years, I was employed with the U.S. National Park Service as an ecologist and later as Science Program Lead for the Pacific West Region. During that time, I served on numerous federal/state collaborative committees and working groups, including, but not limited to, representative for the National Park Service on the staff committee for the California Biodiversity Council and for the nascent Parks and Protected Areas working group. While still working with and since retiring from the National Park Service in 2019, I have continued to study marine birds and mammals throughout the region, and am co-author of the University of California Press *Field Guide on Marine Mammals of the Pacific*.

My recommendations based on professional experience and continued study of pinniped and seabird colonies are as follows:

1. **Expand all Special Closure Areas** in the North Central Coast Region from 300 ft. to 1000 ft. to provide better protection for nesting seabirds including at North and Southeast Farallon Islands, Point Reyes Headlands, Point Resistance Rock, Double Point/Stormy Stack, and Egg Rock. From my years of studying nesting seabirds, I have noted that birds may begin reacting to boats as far as 1000 ft. away by head bobbing, and will leave eggs and chicks at shorter distances. Additionally, during surveys over the past several years, I have directly observed fishing boats disturbing nesting seabirds beyond 300 ft. at Double Point/Stormy Stack, and violating the 300 ft. buffer. When disturbing nesting seabirds, boats expose eggs and chicks to predators such as ravens and gulls, and a single disturbance can affect the productivity for an entire nesting season if seabirds do not return.

2. Expand the Duxbury Reef MPA north to include the Double Point/Stormy Stack Special Closure. The marine ecosystems of this area are exceptional as documented in its designation as an Area of Special Biological Significance (see Chan 1979). Double Point is home to one of the largest harbor seal (*Phoca vitulina*) breeding colonies in the state of California and to a significant seabird nesting site on Stormy Stack and the adjacent mainland cliffs. Ashy Storm Petrels (*Hydrobates homochroa*) a species of Conservation Concern in California, nest at this site, one of only a few breeding sites in the state. Black Oystercatchers (*Haematopus bachmani*), also nest there and are designated by the California Audubon Society as a Climate Endangered species because of their vulnerability to sea level rise. Other significant seabirds include >1000 Common Murres (*Uria aalge*), hundreds of cormorants, and tens of Pigeon Guillemots (*Cephus Columba*), an indicator species of MPA recovery because of their delimited foraging/nesting habitat. Additionally, several hundred Brown Pelicans (*Pelecanus occidentalis*) roost at the site during the year.

Current protections of Stormy Stack and Double Point are insufficient. During surveys over the past several years, I have observed commercial party and recreational fishing boats violating the 300 ft. buffer and also disturbing nesting seabirds even beyond 300 ft. Fishing party boats on occasion produce noise through loud speakers as they circle around the area, which disturbs seabirds and seals at distances greater than 300 ft. By flushing nesting seabirds, boats expose eggs and chicks to predators such as ravens and gulls. One disturbance can affect the productivity for an entire breeding season if seabirds do not return to lay another egg.

3. Expand the Duxbury Reef MPA south to include the southern extension of Duxbury Reef that currently is not protected from people walking over and harvesting invertebrates and algae. There is a small but significant harbor seal colony on the southern extension of the reef that serves as a way station for seals to rest while traveling north to Point Reyes from San Francisco Bay and out to the Farallon Islands (Green et al. 2006). The seals are present consistently year round, and every year several pups occur there.

4. Elevate the expanded Duxbury-Double Point MPA to State Marine Reserve. The sensitivity and biological diversity of both Duxbury Reef and Double Point/Stormy Stack deserve full Marine Reserve status, as described in above points 1-3. Current marine reserves in California protect only approximately 9% of the state waters from harvest. The area has a long scientific history documenting biodiversity and significance, and consequently, is a good candidate for elevating to full reserve status (Chan 1979). Recently, the College of Marin broke ground to rebuild the historical Bolinas Field Station, which will continue and expand on the long history of scientific research about the coastal ecology of the area.

4. Combine Drakes Estero SMCA with the Estero de Limantour State Marine Reserve in order to extend reserve status protection to the middle and upper reaches of Drakes Estero. Drakes and Limantour esteros form a complex of tidal sand bars where harbor seals give birth and rest onshore year round, and is one of the largest concentrations of seals in California (Codde & Allen 2015). Recreational take of clams is the only activity allowed in this SMCA. Currently under this designation, seals are regularly disturbed by recreational clam diggers who come by kayak to dig for clams on the sand bars where the seals haul out. These sandbars are inaccessible to people on foot from the mainland and are only exposed and accessible to the seals during medium to low tides. During the harbor seal pupping season (March 1-June 30), non-motor boat access in the estero is restricted by Point Reyes National Seashore regulations, and restricted to all motor boats year round because Drakes Estero is within federally designated Wilderness. Nevertheless, there is no restriction to non-motor boats after June 30 when seals are hauling out to molt their fur. The molt (June-August) is energetically costly to the seals, requiring longer times to rest

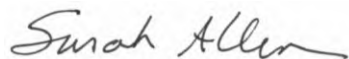
onshore. The National Park Service supported conversion from SMCA to SMR to California Fish and Game Commission in a detailed letter dated November 14, 2022.

5. Create a Special Closure of 1000 ft. at Northwest Cape Rocks, north of Fort Ross. These rocks have significant seabird nesting colonies and have one of the few Steller sea lion (*Eumetopias jubatus*) breeding colonies in the state (<https://www.fortross.org/animals/steller-sea-lion>). Steller sea lions were delisted from the federal endangered species list several years ago; however, the California sub-population continues to decline with an estimate of only around 2,000 (NOAA Stock Assessment 2020). The site was proposed for MPA and Special Closure designation when I was an advisor on the Science Advisory Team, but was not included at that time. Since then, the Steller sea lion colony has continued to decline at this location and state-wide.

California has been able to rebuild some of the unique and critically significant coastal ecosystems over the past decade through the establishment of an MPA network. Nevertheless, only 16% of state waters are designated as MPAs and there are only 14 Special Closures statewide. The 30x30 California Initiative advocates for 30% of the state be protected by 2030. Increasing the number and areal extent of MPAs in state waters will be a positive action to meet the goals of the initiative and a prudent management strategy to meet the immense challenges from changes in climate that already are harming California's marine resources.

Thank you for your service to protect the exceptional resources of California.

Sincerely,



Sarah G. Allen, PhD
Retired Senior Science Advisor
National Park Service

cc: Ashley Eagle-Gibbs, Environmental Action Committee of West Marin

References

- Chan, G. 1979. California Marine Waters Areas of Special Biological Significance Reconnaissance survey reports. Double Point and Duxbury Reef. California State Water Resources Control Board. Water Quality Monitoring Report No. 79-14 and 15.
- Green, D.E., Grigg, E., Allen, S., & Markowitz, H. 2006. Monitoring the potential impact of the seismic retrofit construction activities at the Richmond-San Rafael Bridge on harbor seals (*Phoca vitulina*): May 1, 1998 – December 31, 2004. Final Report, IHA 11/19/03-11/18/04. 100pp.
- Codde, S. & S. Allen. 2015. Pacific harbor seal (*Phoca vitulina richardsi*) monitoring at Point Reyes National Seashore and Golden Gate National Recreation Area: 2013 annual report. Natural Resource Report NPS/SFAN/NRR—2015/919. National Park Service, Fort Collins, Colorado.

From: FGC
Sent: Tuesday, August 13, 2024 9:29 AM
To: [REDACTED]
Subject: 2023-32MPA_Boehm, Marine Mammal Center
Attachments: PEA TMMC Comment FW Commission Duxbury Reef.pdf

From: Jeff Boehm <boehmj@TMMC.org>
Sent: Thursday, November 30, 2023 2:31 PM
To: FGC <FGC@fgc.ca.gov>
Cc: ashley@eacmarin.org
Subject: Marine Mammal Center comment on proposed changes to Duxbury Reef MPA status

Dear Commissioners,

Please see the attached letter regarding the status of the Duxbury Reef MPA.

I'm happy to address any questions that you might have.

Sincerely,

Jeff Boehm

Dr. Jeff Boehm (he-him)
Chief External Relations Officer
boehmj@tmmc.org | T: 415.289.7337 | MarineMammalCenter.org
The Marine Mammal Center, 2000 Bunker Road, Sausalito, CA 94965



November 30, 2023

via email (fgc@fgc.ca.gov) & U.S. Mail

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Re: Petition for modification of Duxbury Reef Marine Protected Area

Dear President Sklar and Honorable Commissioners,

I am writing on behalf of The Marine Mammal Center (the Center) in support of the petition submitted by the Environmental Action Committee of West Marin (EAC) regarding the Duxbury Reef Marine Protected Area.

As the world's largest marine mammal teaching hospital, the central mission of the Center is to advance global ocean conservation through marine mammal rescue, scientific research and education. The Center's federally authorized response operations includes over 600 miles of California's coast from Mendocino to San Luis Obispo counties, as well as in Hawai'i, from the main Hawaiian Islands, northwest through the entire archipelago.

In California, one of the three primary marine mammal species the Center responds to is the harbor seal (*Phoca vitulina*). Harbor seal females are attentive to their pups for several weeks after birth but are easily startled or flushed from their birthing sites, leading to abandonment of their pups. This occurs many times each birthing season throughout our range, and is a risk across the Point Reyes peninsula, including the shoreline of Duxbury Reef.

In light of the risk to harbor seals, and concern for the health of the reef, in general, and for the reasons stated below, the Center believes that to preserve unimpaired the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations, and to minimize the negative impacts of visitors to its intertidal habitat and species, all three of the requests of EAC regarding the Duxbury Reef State Marine Conservation Area (SMCA) should be approved by the Commission.

1. Extend the northern boundary of the Duxbury MPA to the Double Point/Stormy Stack Special Closure (the "Northern Reef Extension")

The proposed Northern Reef Extension commences at the North boundary of the current

SMCA, roughly at the outfall of Arroyo Hondo Creek, and would extend to the northern point of Double Point, to take in all of the Double Point cove and to include the Stormy Stack Special Closure. Double Point is the home of one of the largest breeding colonies of harbor seals in California. The cove, the large rock off of the south point and the tide pools at Double Point are used for birthing, nursing and raising pups by harbor seals. Harbor seals are easily flushed by recreational and commercial boats approaching these seal haul outs. Unfortunately, the special closure area currently protects only the area within 300 feet of Stormy Stack (the rock formation off of the northern tip of Double Point). However, the parts of the Double Point cove most frequented by harbor seals are well outside of that 300 foot Stormy Stack special closure zone.

2. Extend the southern boundary of the Duxbury Marine Protected Area to the most southerly tip of Duxbury Reef exposed at mean lower low water (the “Southern Reef Extension”)

The Southern Reef Extension is at this time outside of and unprotected by the current SMCA. I understand that this unprotected area constitutes about 5/6's of that portion of Duxbury Reef extending off the southern tip of the Bolinas peninsula.

On the Southern Reef Extension there is a harbor seal haul out which has been used year-round by harbor seals for decades as both a resting haul out for both adults and pups and as a minor birthing location. In addition, the intertidal area in the Southern Reef Extension is truly exceptional and there is currently no law protecting its invertebrates and algae from harvesting or casual collecting, thus encouraging foot traffic disruptive to harbor seals.

3. Change the designation of the Duxbury Reef State Marine Conservation Area to a “State Marine Reserve.”

Designating the entirety of the Duxbury MPA as a State Marine Reserve is imperative, whether or not the boundaries of the current MPA are expanded as urged above. A designation of Duxbury Reef as a “State Marine Reserve” will prohibit all taking (including all fishing from shore), damage, injury or possession of any living, geological or cultural marine resource, except under a scientific collecting permit for authorized research, restoration or monitoring. Under Duxbury’s current designation as a State Marine Conservation Area fishing from shore is permitted and some species are unprotected. Again, this encourages greater foot traffic, disrupting harbor seals and leading to resource damage and depletion.

Within the current Duxbury SMCA there is a harbor seal haul out which has been used daily in moderate and low tides by harbor seals for many decades. It is a haul out that is disturbed by visitors to the reef during low tides. Although shore-based fishing from Duxbury is reported to have become less popular over the years, harbor seal flushing in the current SMCA is nevertheless usually the consequence of shore-based fishermen venturing out to the further areas of the current designation. Prohibiting shore-based fishing, I believe, would substantially reduce disturbance to that harbor seal haul out. In addition, the elimination of shore-based fishing from the entire reef would remove a source of confusion on the part of visiting casual visitors as to the propriety of their own trampling, invertebrate handling or collecting, and rock-overturning activity, as they currently witness these actions while be guided to act otherwise.

We believe that designating an expanded Duxbury MPA as a State Marine Reserve will serve the objectives of California's 30x30 Initiative and place under protection California's largest intertidal reef ecosystem, its resident marine mammals and other sensitive marine resources that are under pressure from multiple sources.

Thank you for your consideration of these points.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Boehm", with a large, stylized initial "B" that loops around the first few letters.

Jeffrey R. Boehm, DVM, ACAW
Chief External Relations Officer

cc. Ashley Eagle-Gibbs, Environmental Action Committee of West Marin

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Ke Kai Ola

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Kailua-Kona, HI 96740
P 808.987.0765

Monterey Bay

PO Box 778
Moss Landing, CA 95039
P 831.633.6298 • F 831.633.5927

San Luis Obispo

1385 Main Street
Morro Bay, CA, 93442
P 805.771.8300 • F 805.771.8304

Anchor Bay-Fort Bragg

P 415.289.SEAL

From: FGC
Sent: Tuesday, August 13, 2024 9:14 AM
To: [REDACTED]
Subject: 2023-32MPA_Khtikian
Attachments: Josh Churchman letter to F&G Comm re Duxbury MPA Petition (signed).pdf

From: Kent Khtikian <[REDACTED]>
Sent: Friday, December 1, 2023 9:43 AM
To: FGC <FGC@fgc.ca.gov>
Cc: ashley@eacmarin.org
Subject: Petition for modification of Duxbury Reef Marine Protected Area

President Sklar & Honorable Commissioners:

Attached please find a letter from Josh Churchman which is submitted in support of the petition submitted by the Environmental Action Committee of West Marin ("EAC") to modify the designation of the Duxbury Marine Protected Area to a State Marine Reserve and to expand the boundaries of the current marine protected area at Duxbury Reef. The original of the letter was sent to you by U.S. Mail by Mr. Churchman.

Respectfully submitted,
- Kent Khtikian

Josh Churchman



November 29, 2023

via email (fgc@fgc.ca.gov) & U.S. Mail

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Re: Petition for modification of Duxbury Reef Marine Protected Area

Dear President Sklar and Honorable Commissioners,

I am writing to you in support of the petition submitted to you by the Environmental Action Committee of West Marin ("EAC") regarding the Duxbury Reef Marine Protected Area.

My experience/background relevant to this matter.

I am a fisherman in Bolinas for sixty seven years. I started as a sport fisherman and progressed into commercial fishing as I got older. I am now and have been a member of the Bolinas Rod & Boat Club for fifty years and I was a stakeholder on the long and painful road to forming MPA's along our coast.

For the enjoyment, education and inspiration of current and future generations, and to minimize the negative impacts of the ever increasing number of visitors to Duxbury Reef's intertidal habitat, all three of the following additions and modifications of the Duxbury Reef State Marine Conservation Area ("SMCA") which EAC has requested should be approved by the Commission.

1. Change the designation of the Duxbury Reef State Marine Conservation Area to a "State Marine Reserve".

Designating the entirety of the Duxbury MPA as a State Marine Reserve is upon us. It is time for us to prohibit all taking of anything, including all fishing from shore (except under a scientific collecting permit for authorized research, restoration or monitoring).

2. Extend the southern boundary of the Duxbury Marine Protected Area to the most southerly tip of Duxbury Reef exposed at mean lower low water (the "Southern Reef Extension")

I understand that the Southern Reef Extension is at this time outside of and unprotected

by the current MPA boundaries. This part of the reef should be included in the new boundaries.

3. Extend the northern boundary of the Duxbury MPA to the Double Point/Stormy Stack Special Closure, that is the northern point of the area known as Double Point (the "Northern Reef Extension")

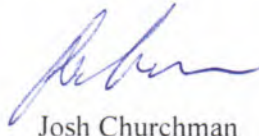
I understand that the Northern Reef Extension is outside of and unprotected by the current SMCA. It is my understanding that this unprotected area commences at the North boundary of the current SMCA, roughly at the outfall of Arroyo Hondo Creek, and would extend to the northern point of Double Point. This is a much more abundant reef area and should have been included long ago.

No New Exclusions of Offshore Commercial Fishing

Finally, I wish to clearly state that while I am strongly in favor of providing full protection as a State Marine Reserve to the entire Duxbury intertidal reef, I am concerned that a thousand foot outer boundary is excessively punitive to the Bolinas fishing community. If the regulations would exclude the taking of Salmon and Halibut, or the outer boundary could be moved in to three hundred feet it would still protect the intertidal zone and not adversely impact the local fishermen as dramatically. Salmon and Halibut are "pelagic" and they do not influence the health of the reef in any significant way. However, there are times when both congregate along that shoreline and in very close to the beach.

Summary

I think it is time to exercise "adaptive management". Increase the intertidal protections and, at the same time, protect the future of a healthy Bolinas fishing community.
Respectfully submitted,



Josh Churchman

cc. Kent Khtikian



From: Aubrie Fowler <[REDACTED]>
Sent: Wednesday, January 31, 2024 5:12 PM
To: FGC <FGC@fgc.ca.gov>; Ashcraft, Susan@FGC <[REDACTED]>
Cc: Calla Allison <[REDACTED]>; Claire Arre <[REDACTED]>; Jamie Blatter <[REDACTED]>
Subject: FGC Meeting Binder Submission

Hi Susan and Commission staff,

Please see the attached exhibit (saved as a PDF and Excel sheet, whichever formatting is preferred) to please be added to the meeting binder for the February Fish and Game Commission meeting on 2/14-2/15/2024.

The link to the Google sheet can be found [here](#) as well; this was the format that the MPA Collaborative Vetted Regulation Recommendations was previously shared with Commission and Department staff.

Please let me know if there's more context you need from me.

Thank you,
Aubrie

Aubrie Fowler (she/her)
South Coast Specialist
[MPA Collaborative Network](#)
cell: [REDACTED]
[Sign-up for our Quarterly Newsletter](#)
[Find and join your local Collaborative](#)

| County | MPA | Current Regs Summarized | Compliance concerns and/or management problem identified | Regulation Recommendation for Adaptive Management | Consensus? | Justification | Supporting Management Suggestion | Petitioner Lead | Contact Information | Recommendation Category | Designation Change? |
|-----------|---|--|---|--|------------|--|---|-----------------------|------------------------|-------------------------|--|
| Del Norte | Pyramid Point SMCA | Rec take of surf smelt by dip net or Hawaiian type throw net. Tolowa Dee-ni' exempt | Onshore and offshore hook and line fishing, collecting sand crabs as bait, kayak fishers, violations from boaters registered in both CA and OR | Remove allowance for surf smelt by dip net or Hawaiian type throw net; Change to No-Take SMCA with Tribal exemption for Tolowa Dee-ni' | Yes | Smelt is culturally important species to Tolowa and No Take designation will be clearer to public, reducing violations | Signs being vandalized, ripped out. Outreach to gain compliance needed (Guardian Watchmen) | Tolowa Dee-ni' Nation | rosa.laucci@tolowa.com | Take Allowance Change | Yes, from SMCA to No-Take SMCA with Tribal exemption |
| Del Norte | Pyramid Point SMCA | Rec take of surf smelt by dip net or Hawaiian type throw net. Tolowa Dee-ni' exempt | Elk Valley Rancheria is interested in exploring the possibility of being included in exempt status | Add Elk Valley Rancheria to exempt Tribes if requested by Tribal Council | Yes | Elk Valley Rancheria has ancestral ties to the area | | | | Take Allowance Change | |
| Del Norte | Pyramid Point SMCA | Rec take of surf smelt by dip net or Hawaiian type throw net. Tolowa Dee-ni' exempt | Boundary is in Oregon | Change northern boundary to align with recognized California/Oregon state line | Yes | Original boundary used a mapping system that does not align with on-the-ground state line. | | Tolowa Dee-ni' Nation | rosa.laucci@tolowa.com | Boundary Change | |
| Del Norte | Point St. George Offshore Reef SMCA | Rec take of salmon by trolling and Dungeness crab by trap. Commercial take of salmon with troll fishing gear and Dungeness crab by trap. Elk Valley and Tolowa Dee-ni' exempt | | No change | Yes | | | | | | |
| Del Norte | Sea Lion Rock Special Closure | 300' | No data | No change | Yes | | | | | | |
| Del Norte | Castle Rock Special Closure | 300' | Poke poling at Preston Island and Battery Point and Hook Finger Point during extremely low tides. Kayaks near closure | No change | Yes | | | | | | |
| Del Norte | False Klamath Rock Special Closure | 300' from 3/1-8/31 | Low flyovers by US Coast Guard helicopter. Kayaks near closure, kaking kelp. Dogs off leash | No change | Yes | | Signs needed at Wilson Creek. Potential site for CoastSnap to crowdsource changes around rock | | | | |
| Humboldt | Reading Rock SMCA | Rec take of salmon by trolling; surf smelt by dip net or Hawaiian type throw net; Dungeness crab by trap, hoop net or hand. Commercial take of salmon with troll fishing gear; surf smelt by dip net; Dungeness crab by trap. Trinidad, Resighini and Yurok exempt | Hook and line fishing and take of sand crabs regularly occur, especially at southern boundary Gold Bluffs beach traditional smelt camp Track amount of surf smelt taken (25 lbs current limit). Hawaiian Type throw net inappropriate | Work with California Tribes and indigenous people to change "Hawaiian type throw net" to a term that is more reflective of Indigenous Californian net based take methods | Yes | Reference to Hawaiian nets when indigenous terms exist for this take type is inappropriate and disrespectful | Monitor Surf smelt as a part of state monitoring plan. | | | Language Change | |

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|----------|--|--|--|--|-----------------------------------|--|---|--|--|-----------------------|--|
| Humboldt | Reading Rock SMCA | Rec take of salmon by trolling; surf smelt by dip net or Hawaiian type throw net; Dungeness crab by trap, hoop net or hand. Commercial take of salmon with troll fishing gear; surf smelt by dip net; Dungeness crab by trap. Trinidad, Resighini and Yurok exempt | | Recommend implementing limits on commercial take of surf smelt | Yes | Culturally important species | | | | Take Allowance Change | |
| Humboldt | Reading Rock SMR | No Take | Drifting commercial crab pots | No change | Yes | | | | | | |
| Humboldt | Samoa SMCA | Rec take of salmon by trolling; surf smelt by dip net or Hawaiian type throw net; Dungeness crab by trap, hoop net or hand. Commercial take of salmon with troll fishing gear; surf smelt by dip net; Dungeness crab by trap. Wiyot exempt | Difficult to determine boundaries | Work with California Tribes and indigenous people to change "Hawaiian type throw net" to a term that is more reflective of Indigenous Californian net based take methods | Yes | Reference to Hawaiian nets when indigenous terms exist for this take type is inappropriate and disrespectful | Monitor recreational and commercial (through landing/block reports) take of salmon by troll and surf smelt by dip net and assess effect on population; Signs with you are here map at Mad River | | | Language Change | |
| Humboldt | South Humboldt Bay SMRMA | No Take except waterfowl may be taken. Wiyot exempt | Invasive grasses, loss of eelgrass, general threats to habitat. Non Tribal members clamming. Difficult to identify boundaries within South Humboldt Bay | Determine reason it does not extend to southern water's edge and extend if no reason | Yes | Clearer for outreach purposes to say from southern end of bay to 2nd hunter pull out | Direct enforcement to look for unlawful clamming | | | Boundary Change | |
| Humboldt | Sugarloaf Island Special Closure | 300' | | No change | Yes | | | | | | |
| Humboldt | South Cape Mendocino SMR | No Take | Minimal patrol | No change | Yes | | Develop a plan for evaluating remote area MPAs to determine impact, such as temporary M2 radar/drone surveillance; support southern Humboldt patrol by LED | | | | |
| Humboldt | Steamboat Rock Special Closure | 300' 3/1-8/31 | Confusion on when it is open to swim out to and when it is closed | No change | Yes | | Sign that highlights special closure and closure dates | | | | |
| Humboldt | Mattole Canyon SMR | No Take | Minimal patrol. Some commercial crab pots observed during USCG flyover | No change | Yes | | Develop a plan for evaluating remote area MPAs to determine impact, such as temporary M2 radar/drone surveillance; support southern Humboldt patrol by law enforcement division | | | | |
| Humboldt | Sea Lion Gulch SMR | No Take | Backpackers harvest mussels along entire Lost Coast Trail; people getting too close to new elephant seal colony. No cell connectivity to determine boundaries of MPA | Move southern boundary south to Cooskie Creek | BLM support but need fisher input | Creek is more identifiable feature for land based outreach to fishers hiking the Lost Coast Trail | | | | Boundary Change | |

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| Humboldt | Big Flat SMCA | Rec take of salmon by trolling and Dungeness crab by trap, hoop net or hand. Commercial take of salmon with troll fishing gear and Dungeness crab by trap. Multiple Tribes exempt | Backpackers harvest mussels along entire Lost Coast Trail; surf fishing occurs at Miller Flat. No cell connectivity to determine boundaries of MPA | No change | Yes | | More outreach needed for fishers hiking lost coast. Include more detailed information in BLM Lost Coast map | | | | |
| Mendocino | Double Cone Rock SMCA | Rec take of salmon by trolling; Dungeness crab by trap, hoop net or hand. Commercial take of salmon with troll fishing gear and Dungeness crab by trap | Unknown. Limited patrol. Report of excessive urchin and need for grazer suppression. | Reassess restoration policy in SMCAs impacted by climate change/kelp loss | Yes | Loss of kelp habitat needs to be addressed in this SMCA | Allow for restoration work/grazer suppression to address urchin barrens (reds and purples) | California Sea Urchin Commission - allow for commercial take of urchin | | Other | |
| Mendocino | Vizcaino Rock Special Closure | 300' 3/1-8/31 | | No change | Yes | | | | | | |
| Mendocino | Ten Mile SMR | No Take | Primary concern is shore-based fishing (rod and reel at seaside creek beach). Recreational fishers take rockfish and lingcod, crab pots "walk themselves" into MPA at southern boundary. Dogs off leash | No change | Yes | | OK/boundary sign needed at northern boundary. Simplify outreach language around MPA clusters | | | | |
| Mendocino | Ten Mile Beach SMCA | Rec take of Dungeness crab by trap, hoop net or hand. Commercial take of Dungeness crab by trap. Many Tribes exempt | Unlawful take of fish (rockfish, lingcod); dogs off leash in snowy plover habitat. Potential sand dump site south side of Ten Mile Beach | No change | Yes | | Simplify outreach language around MPA clusters | | | | |
| Mendocino | Ten Mile Estuary SMCA | Waterfowl may be taken. Many Tribes exempt | Limited access for fishers | No change | Yes | | Simplify outreach language around MPA clusters | | | | |
| Mendocino | MacKerricher SMCA | All rec take allowed. Commercial take allowed except for bull kelp and giant kelp | Multiple violations occur daily since closest to Fort Bragg city center (general fish and game code violations). North boundary (Laguna Point) hotspot for intertidal take | Add protection for intertidal zone, per State Parks, in support for protection of the resource and ease of enforcement/outreach | Many in support but no full consensus | There are limited areas in the county to lawfully take intertidal animals such as mussels, turban snails, limpets, etc. | More enforcement support needed due to limited State Parks personnel. Focus on tidepool education. Intertidal specific take signs are needed | State Parks pending review | | Take Allowance Change | |
| Mendocino | Point Cabrillo SMR | No Take | Lighthouse sees lots of boats fishing offshore of Frolic Cove on northern end of Point Cabrillo SMR or inside | No change | Yes | | OK boundary signs would be beneficial on both boundaries for kayak fishing | | | | |
| Mendocino | Russian Gulch SMCA | All rec take allowed. Commercial take allowed except for bull kelp and giant kelp | General fish and game code violations | No change | Yes | | | | | | |

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| Mendocino | Big River Estuary SMCA | Rec take of surfperch by hook and line from shore only and Dungeness crab by hoop net or hand. Many Tribes exempt. Waterfowl may be taken | Increased use for swimming and recreation has led to safety concerns, including close calls between swimmers and hunters. Swimmers mixing with motorized boats may lead to accidents | Hunting should be prohibited due to high public use/public safety issues, per State Parks | Yes | Community reported incidents of near misses between hunters/boaters and swimmers | | State Parks pending review | | Allowed Activity Change | |
| Mendocino | Big River Estuary SMCA | Rec take of surfperch by hook and line from shore only and Dungeness crab by hoop net or hand. Many Tribes exempt. Waterfowl may be taken | Can MPA restrict motorized vessels if not ecological reserve? | Restrict all motorized vessels with allowance for public safety, per State Parks | Yes, with clarification that motorized vessels are only restricted going east (up river) | West access from launch should be allowed for boaters going out to ocean | Data on crab fishery is needed to determine whether allowance is sustainable. Need clear signage restricting snare traps. Pick up after dog signs needed | State Parks pending review | | Allowed Activity Change | |
| Mendocino | Van Damme SMCA | All rec take allowed. Commercial take allowed except for bull kelp and giant kelp | Overtake and take of undersize fish | No change | Yes | | | | | | |
| Mendocino | Navarro River Estuary SMCA | Rec take of salmonoids by hook and line. Many Tribes exempt. Waterfowl may be taken | People illegally breach sandbar (but outside MPA?) | No change | Yes | | | | | | |
| Mendocino | Point Arena SMR | No Take | Fishing in SMR reported by lighthouse manager | No change | Yes | | OK boundary signs needed | | | | |
| Mendocino | Point Arena SMCA | Rec take of salmon by trolling. Commercial take of salmon with troll fishing gear | | No change | Yes | | | | | | |
| Mendocino | Sea Lion Cove | Rec and commercial take of finfish | Urchin barrens | Reassess restoration policy in SMCAs impacted by climate change/kelp loss | Yes | | Allow for restoration work/grazer suppression to address urchin barrens (reds and purples) | California Sea Urchin Commission - allow for commercial take of urchin | | Other | |
| Mendocino | Saunders Reef SMCA | Rec take of salmon by trolling. Commercial take of salmon with troll fishing gear and urchin | Citations issued for people diving and taking at Schooner Gulch; illegal shore fishing from Hearn Gulch | No change | Yes | | Additional enforcement personnel/efforts are needed | | | | |
| Sonoma | Del Mar Landing SMR | No Take | Fishing at north end | No change | Yes | | Trail pamphlets with MPA information | | | | |
| Sonoma | Stewarts Point SMR | No Take | Poaching at 3 mile line. Difficult for fishers to determine where 3 mile line is and difficult to enforce from land | Allow for trolling of salmon. Change to SMCA? | No. Discussed with no strong opposition but more info needed | Impact to commercial salmon fishing can be addressed with minimal impact to other resources | More signage needed at public access points | | | Take Allowance Change | Yes, would change SMR to SMCA. No consensus |
| Sonoma | Stewarts Point SMCA | Rec take from shore only of marine aquatic plants other than sea palm, marine invertebrates, finfish by hook and line, surf smelt by beach net, species authorized by hand-held dip net | Tribal based MPA | Prohibit all take and add Kashia Pomo to Tribal exemptions to make affirmative rights of Tribal Members re: collection, harvesting, and research | Yes | MPA is only accessed by Kashia Tribal members from shore (owned by Tribe) so would be same protection while acknowledging Tribal rights | | | | Take Allowance Change | Yes, change from SMCA to No-Take SMCA with Tribal exemption |

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| Sonoma | Salt Point SMCA | Recreational take of abalone and finfish allowed | Take of abalone during closure; poaching of intertidal species. Confusion regarding intertidal take | No change | Yes | | Needs more signage on collecting/take of shellfish and other non finfish | | | | |
| Sonoma | Gerstle Cove SMR | No Take | Excessive intertidal take. Rec fishers fishing the line | No change | Yes | | Need for good tidepooler rules signs to address harmful tidepooling | | | | |
| Sonoma | Russian River SMRMA | No take except waterfowl may be taken | Marine mammal disturbance occurring. County of Sonoma needs to conduct restoration work as part of management plan | Allow for restoration work in SMRMA | Yes | Restoration will not impact haul out sites, marine mammals or birds | | | | Other | |
| Sonoma | Russian River SMCA | Rec take of Dungeness crab by trap, and surf smelt by hand-held dip net or beach net. Commercial take of Dungeness crab by trap | Illegal onshore and offshore fishing; seal disturbance "seal selfies" near Goat Rock. Trash/dogs off leash | No change | Yes | | More outreach for out of town fishers/permanent signage | | | | |
| Sonoma | Bodega Head SMR | No Take | Take of rockfish and trolling for salmon; fishing on northern boundary off rocks Difficult "fan" shape and hard to identify northern boundary makes enforcement difficult | No change | Yes | Would require new outreach | | | | | |
| Sonoma/Marin | Bodega Head SMCA | Rec take of pelagic finfish by trolling, Dungeness crab by trap, and market squid by hand-held dip net. Commercial take of pelagic finfish by troll fishing gear and round haul net, Dungeness crab by trap, and market squid by round haul net | Take of rockfish and trolling for salmon; fishing on northern boundary off rocks Difficult "fan" shape and hard to identify northern boundary makes enforcement difficult | No change | Yes | | | | | | |
| Sonoma/Marin | Estero Americano SMRMA | No take except waterfowl may be taken | Confusion as to boundary "high tide line" and who manages strip of beach between ocean and estuary that is often closed; Difficulty identifying eastern boundary. No way to see boundary from shore | No change | Yes | | More signs needed at access points here to address compliance concerns | | | | |
| Marin | Estero de San Antonio SMRMA | No take except waterfowl may be taken | Some take (animal remains) and illegal fishing | No change | Yes | | | | | | |
| Marin | Point Reyes SMR | No take | Sand dollar and fossil take, rod and reel fishing from vessels, party boats troll for salmon; violations are limited offshore | No change | Yes | | Signage and more enforcement needed, especially at Drakes Beach and Coast Guard Station. Consolidated mixed messaging signs, with dog information. | | | | |

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| Marin | Point Reyes SMCA | Rec take of salmon by trolling and Dungeness crab by trap. Commercial take of salmon with troll fishing gear and Dungeness crab by trap | Commercial crabbers set coonstripe shrimp traps on top of crab traps; Boundaries in MPA cluster hard to identify; NPS jurisdiction limited to | No change | Yes | | | | | | |
| Marin | Point Reyes Headlands Special Closure | No access from mean high tide line to a distance of 1000 feet seaward | Recreational vessels fishing in summer; Disturbance spiked in 2020; USFW continues to monitor this area | No change at this time | Yes | Might need to revisit making adjustments in the future if data shows changes/increases in disturbance | | | | | |
| Marin | Estero de Limantour SMR | No take | Difficult to determine boundary between SMR and Drakes Estero SMCA makes enforcement difficult. There are suspicions that poaching of clams occurs in the SMR from people on kayaks from Drakes Estero | Extend SMR designation all the way into Drakes Estero | Yes | NPS in support of expanding SMR because federally designated wilderness, major harbor seal haul out, and critical nursery habitat for leopard shark and bay rays | | EAC Marin with NPS letter of support | | Boundary Change | |
| Marin | Drakes Estero SMCA | The recreational take of clams is allowed | Difficult to determine boundary line between Drakes Estero SMCA and Estero de Limantour SMR leading to poaching. Cows accessing/pooping from NPS ranch leased land | Prohibit clamming in Drakes Estero SMCA. Merge with Estero de Limantour SMR. | Yes | SMCA designation was originally due to oyster farm that is no longer there. NPS in support of making into a SMR due to federally designated wilderness area | Give people direction/ outreach materials on where they CAN clam safely | EAC Marin with NPS letter of support | | Take Allowance Change | Yes, change from SMCA to SMR |
| Marin | Point Resistance Rock Special Closure | No access from mean high tide line to a distance of 300 feet seaward of rock | Seabird flushing by vessels. USFW monitoring area. | No change | Yes | GFNMS thinks current regulations are good, very important to their mission and public outreach | | | | | |
| Marin | Double Point/Stormy Stack Special Closure | No access from mean high tide line to a distance of 300 feet seaward of rock | Seabird flushing by vessels and surfers, who enter harbor seal rookery. Increased visitation due to people hiking to Alamere Falls | No change | Yes | GFNMS thinks current regulations are good, very important to their mission and public outreach and don't want to extend to shore to allow shore access | Put signs with regulations and text about importance of special closure at trailhead; more outreach to boaters about special closures needed | | | | |

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| Marin | Duxbury Reef SMCA | Recreational take of finfish from shore and abalone* is allowed | Difficult to enforce and outreach about why you can take finfish but not invertebrates. Beach Watch data at this site for 30 years show slight decrease in activities in last 10 years, but take of invertebrates has been observed, and the Greater Farallones National Marine Sanctuary Superintendent has provided information about the need to consider additional conservation measures at Duxbury Reef. Maria Brown (NMS) submitted a letter saying Duxbury Reef would benefit from increased protection of unique and important habitat of entire reef (largest shale reef in N. America). EAC MPA Watch data shows | Change to SMR because of difficulty of interpretation and enforcement. Extend southern boundary further out to sea (south) and northern boundary to Double Point to fully cover reef | No | No agreement on extending boundaries to cover the reef and changing to SMR. More research needed on benefits of changing existing ribbon from SMCA to SMR; Might be important fishing access point for public | More signs needed and more support for onsite education and enforcement from CDFW to agate beach and land-side terrestrial Duxbury | EAC Marin | | Take Allowance Change | Yes, would change SMCA to SMR. No consensus |
| Marin | Duxbury Reef SMCA | Recreational take of finfish from shore and abalone* is allowed | Heavy use and impacts, intertidal take – buckets and tools (e.g., crow bars, tire jacks) used to take black turban snails and purple urchin that are nestled into cracks. People need to break the reef to get to purple urchin | Potential compromise would be to add specific tidepool protections, similar to OC | TBD | NMS would like to continue conversation to explore potential compromises | Research other tidepool docent programs in MPAs with mixed use of allowed fishing/tidepool protections | | | Language Change | |
| San Francisco | North Farallon Islands SMR | No Take | Commercial crab case here | No change | Yes | More data needed for this MPA cluster | Increase CDFW LED patrols during peak months. Need for CCFRP program here | | | | |
| San Francisco | North Farallon Islands Special Closure | No vessel shall be operated or anchored at any time from the mean high tide line to a distance of 1000 feet seaward of the mean lower low tide line of any shoreline of North Farallon Island, or to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of the remaining three southern islets | | No change | Yes | | | | | | |

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| San Francisco | Southeast Farallon Islands SMR | No Take | Small recreational boats. A number of encroachments occur into SMR during better weather months | No change | Yes | | Increase patrols from LED and consider M2 radar at this location | | | | |
| San Francisco | Southeast Farallon Islands SMCA | Recreational take of salmon by trolling and commercial take of salmon by troll fishing gear | Salmon fishers use salmon gear to fish for halibut | No change | Yes | | | | | | |
| San Francisco | Southeast Farallon Islands Special Closure | Closed 300 feet seaward year-round, except Fisherman's Bay to East Landing, southeastern tip of the island and southeastern side of Saddle (Seal) Rock, which is closed from December 1 through September 14. 5 mile per hour speed limit 1000 ft seaward of mean lower low tide of any shoreline Exhaust system requirements for commercial dive boats | Boats cut across the special closure | No change | Yes | Predates MLPA process, careful consideration went into crafting special closure regulations | | | | | |
| San Mateo | Egg (Devil's Slide) Rock to Devil's Slide Special Closure | A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of any of the three rocks comprising Egg (Devil's Slide) Rock; Transit in between the rock and the mainland between these points is prohibited at any time. | Reported violations include fishing boats inside boundaries and low flying aircraft/drones | Change name to "Devil's Slide Special Closure" | Yes | Egg rock is no longer a name used/recognized locally. Devil's Slide is more appropriate and simpler for outreach | | | | Language Change | |
| San Mateo | Montara SMR | No Take | A top cited MPA in Central Coast, highest in San Mateo; fishing offshore and tidepool take; Difficulty interpreting southern boundary | Move Montara SMR onshore southern boundary to current Pillar Point SMCA southern boundary (north end of Maverick's Beach), then extending out to current offshore southern SMR boundary point | Yes | Easier for enforcement and makes SMR boundaries consistent with Fitzgerald Marine Reserve boundaries | | | | Boundary Change | |

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| San Mateo | Pillar Point SMCA | The recreational take of pelagic finfish by trolling, Dungeness crab by trap, and market squid by hand-held dip net is allowed. The commercial take of pelagic finfish by troll or round haul net Dungeness crab by trap, and market squid by round haul net is allowed. | Unclear boundary leads to poaching in intertidal Difficult for local law enforcement to ensure compliance of tidepool take regulations due to high volume of consumptive visitors | Extend southern SMCA boundary further south to edge of harbor jetty, extending out to existing offshore southern point. Onshore northern boundary would be same as Montara SMR onshore southern boundary | Yes | Would cover entire reef in MPA for ease of allied agency outreach and enforcement. | | | | Boundary Change | |
| San Mateo | Pillar Point SMCA | The recreational take of pelagic finfish by trolling, Dungeness crab by trap, and market squid by hand-held dip net is allowed. The commercial take of pelagic finfish by troll or round haul net Dungeness crab by trap, and market squid by round haul net is allowed. | | Change regulations to allow for recreational hook and line take of finfish from shore and take of mussels, crabs, snails and seaweeds for equity and access purposes | Yes | Allowing for shore based hook and line and some intertidal take maintains access for consumptive users while applying some protection for a heavily impacted habitat | | | | Take Allowance Change | |
| San Mateo/Santa Cruz | Año Nuevo SMR | No Take | Unlawful take of snails; fishing; wildlife disturbance. Boats driving squid out of MPA. Confusion because sign at top of trail to Greyhound Rock says fishing beach but must go left at bottom to legally fish | Move southern boundary line to have whole of Greyhound Rock in SMR | Yes, at both Santa Cruz and San Mateo Collaborative meetings | Clearer boundary makes enforcement easier | Ensure sign with map at bottom of trail. Utilize social/digital/traditional media for public outreach | State Parks pending review | | Boundary Change | |
| San Mateo/Santa Cruz | Greyhound Rock SMCA | Rec take of giant kelp by hand harvest only, market squid, salmon. Other finfish by hook and line only from shore. Commercial take of giant kelp by hand harvest only, salmon and market squid | Take of mussels at southern boundary Confusion with Año Nuevo SMR boundary/whether fishing is allowed at Greyhound Rock Split between 2 counties | Move northern boundary line to have whole of Greyhound Rock outside of SMCA and in SMR; Move southern boundary south to beginning of Scott Creek bridge | Yes, at both Santa Cruz and San Mateo Collaborative meetings | Reef should be fully protected or fully open. Preference to cover reef but either way will have clearer boundary for outreach/enforcement. Move of southern boundary would cover reef to address intertidal impacts | Need for sign with map at Scotts Creek | State Parks pending review | | Boundary Change | |
| San Mateo/Santa Cruz | Greyhound Rock SMCA | Rec take of giant kelp by hand harvest only, market squid, salmon. Other finfish by hook and line only from shore. Commercial take of giant kelp by hand harvest only, salmon and market squid | Confusing regulations | Replace comma with semi-colon in regulations after "giant kelp by hand harvest only", or otherwise edit | Yes | Clearer language needed to clarify you are not required to catch salmon and squid by hand harvest only | | State Parks pending review | | Language Change | Section 100 change |
| Santa Cruz | Natural Bridges SMR | No Take | Hard to identify boundaries; safety concerns with fishers and swimmers at Natural Bridges State Park beach | Shift both boundaries south to more identifiable features (4 mile point and Natural Bridge) | Yes | State Parks would like SMR to cover the beach at Natural Bridges SP for public safety reasons | Need for interpretive signs with maps/good tidepooler rules, why MPAs, etc. | State Parks pending review | | Boundary Change | |
| Santa Cruz | Soquel Canyon SMCA | Rec and commercial take of pelagic finfish | Split between 2 counties | No change | Yes | | | | | | |

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| Monterey | Elkhorn Slough SMR | No Take | Fishing occurs regularly at Kirby Park pier/dock, was originally built for fishers with disabilities with SFRA grant. Inconsistent enforcement. | Move northern boundary south of Kirby Park pier/dock. Shift entire MPA to maintain size | Yes, at both Santa Cruz and Monterey Collaborative meetings | Opens fishing area as originally intended to limit poaching; supports increased enforcement presence in area | If Kirby is open, must be concerted cross-jurisdictional effort to enforce shore waste of fish/debris and other F&G Code violations. Need for good fishing practices outreach | Elkhorn Slough Foundation | | Boundary Change | |
| Monterey | Elkhorn Slough SMCA | The recreational take of finfish by hook and line only and clams is allowed. Clams may only be taken on the north shore of the slough in the area adjacent to the Moss Landing State Wildlife Area [subsection 550(a)]. | Difficult to determine where SMR/SMCA boundary is (i.e., where kayak fishers can no longer fish). | Move SMR line to bird watching platform (eastern side) | Yes, at both Santa Cruz and Monterey Collaborative meetings | Bird watching platform provides a clear boundary for shore and kayak fishers and would maintain size of SMR with shift off Kirby | | Elkhorn Slough Foundation | | Boundary Change | |
| Monterey | Elkhorn Slough SMCA | The recreational take of finfish by hook and line only and clams is allowed. Clams may only be taken on the north shore of the slough in the area adjacent to the Moss Landing State Wildlife Area [subsection 550(a)]. | Clamming disturbs sea otter rafts. Huge amounts of trash (fishing receptacles full) | Removing allowance for clamming to address impact to otters and human health considerations | Maybe? | Need more info on impact to recreational clambers and safety of consuming clams | Need for more trash receptacles/removal | Elkhorn Slough Foundation | | Take Allowance Change | |
| Monterey | Moro Cojo Slough State Marine Reserve | No take | Some access on eastern end. Agricultural influence. Elkhorn Slough NERR in support of no change | No change | Yes | | | | | | |
| Monterey/Santa Cruz | Soquel Canyon State Marine Conservation Area | Recreational and commercial take of pelagic finfish is allowed | Many violations, especially illegally set crab traps (commercial) and rockfish take (recreational). Whale disturbance. More impact due to depth restrictions lifted | No change | Yes | | | | | | |
| Monterey | Portuguese Ledge State Marine Conservation Area | Recreational and commercial take of pelagic finfish is allowed | Many violations, especially rockfish take (recreational). Whale disturbance | No change | Yes | | | | | | |
| Monterey | Edward F. Ricketts State Marine Conservation Area | Recreational take of finfish by hook and line. Commercial take of giant kelp and bull kelp by hand | Fishing debris from Coast Guard pier. Abalone and other intertidal poaching at breakwater | Explore regulations to limit fishing gear loss from Coast Guard pier (such as requiring use of breakaway leaders or no braided line) | Yes | Fishing gear loss impacts wildlife, habitat, and safety of divers due to entanglement | Partner with MBNMS on outreach of litter/delict fishing gear | | | Language Change | |
| Monterey | Edward F. Ricketts State Marine Conservation Area | Recreational take of finfish by hook and line. Commercial take of giant kelp and bull kelp by hand | New regulations may restrict fishing for rockfish from boat close to shore after October 1 | Change to SMR and join with Lovers Point Julia Platt SMR | Maybe | No strong opposition but no fishing reps present | | Giant Giant Kelp Restoration Project (G2KR) | | Take Allowance Change | Yes, would change from SMCA to SMR |

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| Monterey | Edward F. Ricketts State Marine Conservation Area | Recreational take of finfish by hook and line. Commercial take of giant kelp and bull kelp by hand | | Allow restoration/urchin culling without requiring SCP | No | May lead to destruction of healthy urchins | | Giant Giant Kelp Restoration Project (G2KR) - applies to Ed Ricketts, PG Gardens, and Carmel Bay SMCAs, and will include suggestion for buoys on sites | | Other | |
| Monterey | Lovers Point- Julia Platt State Marine Reserve | No Take | Fishing off Lovers Point rocks, undersize and immature fish, spearfishers and fishing boats catch halibut, illegal tidepool take; confusion around northern boundary line | Move southern boundary line so Lovers Point is either all in or all out (with preference for all in reserve) | No | Disagreement about where to move line | Boundary marker or fishing/no fishing arrow sign needed if boundary doesn't change | | | Boundary Change | |
| Monterey | Lovers Point- Julia Platt State Marine Reserve | No Take | | Move southern boundary to end of Lovers Point, splitting point equally in half | Yes | Fishing/No fishing arrow signs would make sense/be more accurate | Fishing/no fishing arrow sign needed at Lovers Point | | | Boundary Change | |
| Monterey | Pacific Grove Marine Gardens State Marine Conservation Area | Recreational take of finfish. Commercial take of giant kelp and bull kelp by hand | Spearfishing violations, especially from kayaks and dinghies; illegal take of scallops and crustaceans; undersize and immature fish taken Point Pinos is key oystercatcher nesting habitat | Move both boundary lines so Lovers Point and Point Pinos are all out of SMCA and in SMRs because both are key oystercatcher nesting sites | No | Rock outcropping and buoy at Point Pinos (southern boundary) are currently good boundary indicators for boaters | | | | Boundary Change | |
| Monterey | Pacific Grove Marine Gardens State Marine Conservation Area | Recreational take of finfish. Commercial take of giant kelp and bull kelp by hand | | Move northern boundary to end of Lovers Point | Yes | Fishing/No fishing arrow signs would make sense/be more accurate | Fishing/no fishing arrow sign needed at Lovers Point and Point Pinos | | | Boundary Change | |
| Monterey | Pacific Grove Marine Gardens State Marine Conservation Area | Recreational take of finfish. Commercial take of giant kelp and bull kelp by hand | New regulations may restrict fishing for rockfish from boat close to shore after October 1 | Change to SMR, join with Lovers Point SMR | Maybe | No strong opposition but no fishing reps present | | Giant Giant Kelp Restoration Project (G2KR) | | Take Allowance Change | Yes, would change from SMCA to SMR |
| Monterey | Asilomar State Marine Reserve | No Take | Onshore and offshore fishing common, hook and line from nooks and crannies; harmful tidepooling, tidepool take; wildlife disturbance common Northern boundary at Point Pinos is confusing, splits rocks in half | No change | Yes | | Fishing/No Fishing arrow signs needed at Point Pinos | | | | |
| Monterey | Carmel Pinnacles State Marine Reserve | No Take | Offshore violations common | No change | Yes | | | | | | |
| Monterey | Carmel Bay State Marine Conservation Area | Recreational take of finfish. Commercial take of giant kelp and bull kelp by hand | Intertidal take common, including abalone and mussels. Golf balls go into MPA and are not collected. Some kelp take at Stillwater Cove | No change | Yes | | Work with Pebble Beach on reducing golf ball litter either through requiring biodegradable balls at key holes or ensuring balls are collected by divers | | | | |
| Monterey | Point Lobos State Marine Reserve | No Take | Take occurs. Boundaries are confusing | No change | Yes | | | | | | |

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| Monterey | Point Lobos State Marine Reserve | No Take | | Allow restoration/urchin culling | No | Difficult for enforcement/interpretation in no-take area | | Giant Kelp Restoration Project (G2KR) | | Other | |
| Monterey | Point Lobos State Marine Conservation Area | Recreational take of salmon and albacore and the commercial take of salmon, albacore, and spot prawn is allowed | | No change | Yes | | | | | | |
| Monterey | Point Sur State Marine Reserve | No Take | Violations common between SMR and SMCA, southern corner is hard to enforce. Abalone case reported | Encompass the whole coastline of Point Sur in MPA | No | Keep boundaries as is | | | | Boundary Change | |
| Monterey | Point Sur State Marine Conservation Area | Recreational and commercial take of salmon and albacore | | Add bluefin tuna to list of species allowed for take | No | Lessens protection | | | | Take Allowance Change | |
| Monterey | Big Creek State Marine Reserve | No Take | L-shape of SMR within SMCA is confusing | No change | Yes | | | | | | |
| Monterey | Big Creek State Marine Conservation Area | Recreational take of salmon and albacore. Commercial take of salmon, albacore | Potential unlawful fishing off Marine Lab | No change | Yes | | | | | | |
| San Luis Obispo | Piedras Blancas State Marine Reserve | No take | Missing signs. Onshore fishing violations (poaching mussels at Point Sierra Nevada). Wildlife disturbance. Extreme angle makes kayak fishers look like they are fishing in SMR | No change | Yes | | Use boundary images on signs to help reference angle at pullout. | | | | |
| San Luis Obispo | Piedras Blancas State Marine Conservation Area | Recreational and commercial take of salmon and albacore | Occasional poaching observed. Fishing for rockfish. No albacore, limited salmon observed by fishers/wardens | No change | Yes | | | | | | |
| San Luis Obispo | Cambria State Marine Conservation Area | All recreational take is allowed | Harmful tidepooling occurring throughout MPA. Difficult to message good tidepooler rules without designated protections | Add tidepool protection language similar to Crystal Cove and Dana Point SMCA's | Yes | Would make it easier to message about responsible tidepooling and reduce inadvertent take | Tools for existing SP tidepool docent program needed here, such as Natural Bridges State Park tidepool cart | State Parks pending review; Environment California? | | Take Allowance Change | |
| San Luis Obispo | Cambria State Marine Conservation Area | All recreational take is allowed | Boundary between Cambria SMCA and White Rock SMCA is confusing, leading to accidental poaching by kayak fishers putting in at boundary at Wedgewood | Shift White Rock SMCA northern boundary to end of neighborhood at Lampton Park. Shift southern boundary south 1/2 mile accordingly to not lose any protection and cover some kelp habitat | Yes | May be some pushback from commercial live rockfish fishery for southern shift but recreational anglers in support | | Environment California? | | Boundary Change | |
| San Luis Obispo | Cambria State Marine Conservation Area | All recreational take is allowed | No commercial take allowed but there is an existing kelp lease? | Remove kelp lease 209 OR clarify that lease holder cannot harvest within Cambria SMCA | Yes | Commercial harvest of kelp is incompatible with MPA regulations that allow recreational take only | | Environment California? | | Other | |

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| San Luis Obispo | White Rock State Marine Conservation Area | Commercial take of giant kelp and bull kelp with valid lease | Boundary between Cambria SMCA and White Rock SMCA is confusing, leading to accidental poaching of kayak fishers putting in at boundary at Wedgewood | Shift White Rock SMCA northern boundary to end of neighborhood at Lampton Park. Shift southern boundary south 1/2 mile accordingly to not lose any protection | Yes | May be some pushback from commercial live rockfish fishery for southern shift but recreational anglers in support | | Environment California? | | Boundary Change | |
| San Luis Obispo | White Rock State Marine Conservation Area | Commercial take of giant kelp and bull kelp with valid lease | | Prohibit commercial take of giant kelp and bull kelp with valid lease and change to an SMR | Yes | Original intent was a reserve but there was existing kelp lease. Current lease holder is fine with relinquishing/ disallowing take of kelp | | Environment California? | | Take Allowance Change | Yes, would change from SMCA to SMR |
| San Luis Obispo | Morro Bay State Marine Recreational Management Area | Waterfowl hunting allowed. Recreational take of finfish north of line at Pasadena Point. Aquaculture allowed | Poaching occurs at southern side that does not allow take of finfish. Line is confusing and unclear on maps and outreach materials. Illegal invertebrate take (e.g., sea stars at jetty, ghost shrimp at Windy Cove). Signs needed at blue pier | Shift no fishing boundary 150 yds north to public access at Pasadena Park (between Santa Ysabel and Baywood Way) | Yes | Makes it easier for county to manage and educate more accurately about fishing/no fishing line | Signs needed, especially at Blue Pier. County can install sign at Pasadena Park | | | Boundary Change | |
| San Luis Obispo | Morro Bay State Marine Recreational Management Area | Waterfowl hunting allowed. Recreational take of finfish north of line at Pasadena Point. Aquaculture allowed | Hunting "within" a bird sanctuary (City of Morro Bay) is confusing, safety concerns for paddlers with increased visitors who are unaware hunting is allowed. Concern about safety issues around hunting around neighborhoods. Trampling of plants occur on shoreline in Baywood Park. | No change to regulations at this time | Yes | Important hunting area. Confusion should be addressed through outreach | Overlay hunting map on SMRMA for outreach purposes Mixed message signs/more education needed about estuary impacts/erosion: "tread lightly" in Los Osos | | | | |
| San Luis Obispo | Morro Bay State Marine Reserve | No Take | Some hunting violations, hugging line; Boardwalks work to protect birds! Might be good to have one at Baywood Park at 1st Street | No change (reluctantly) | Yes | Some desire to extend SMR west and into bottom part of bay beneath Baywood Peninsula but do not want to impede on aquaculture | More education and outreach needed | | | | |
| San Luis Obispo | Point Buchon State Marine Reserve | No Take | Regular poaching offshore, trolling, and stopping to drop a line in water. Busiest MPA in SLO, most violations observed/cited | Move northern boundary to actual Point Buchon | Yes | Clearer boundary for fishers coming from Port San Luis | Boundary marker needed here. Make "flagpole" more visible (hang flag?) if boundary doesn't change | State Parks pending review | | Boundary Change | |
| San Luis Obispo | Point Buchon State Marine Conservation Area | Recreational and commercial take of salmon and albacore allowed | Regular poaching, rockfish and lingcod, maybe some squid boats? | No change | Yes | | | | | | |

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| Santa Barbara and Ventura (Santa Barbara Channel) | Vandenberg SMR | No Take | Vandenberg Space Force Base (VSFB) allows active-duty officers, their dependents/families, and guests to fish off Vandenberg. Leads to confusion since officially a no-take area. Regulations should match take allowed. Petition has been submitted by City of Lompoc to allow shore fishing at Surf Beach | Change designation to SMCA that allows hook and line for finfish from shore only | Yes | Would increase actual protection due to past 5 Base Commanders' decision to allow all legal take on base and would address equity concerns by allowing access for non-military at Surf Beach | | Greg Helms to propose intertidal ribbon | | Take Allowance Change | Yes, would change from SMR to SMCA |
| Santa Barbara and Ventura (Santa Barbara Channel) | Vandenberg SMR | No Take | | Reevaluate MOA with VSFB that is being interpreted as allowing for full military recreational take in a no-take SMR | No, not needed if designation is changed to SMCA | Vandenberg conservation officer will enforce updated take regs on military personnel | | | | Other | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Point Conception SMR | No Take | Recent groundfish case. Difficult for enforcement to access from land through Dangermond Preserve. M2 radar at Pt. Conception shows a lot of boating activity, may | No change | Yes | | Provide continued support for M2 radar with ground truthing and continued coordination/info sharing between agencies | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Kashlayit SMCA | Rec take of finfish, invertebrates (except rock scallops and mussels) and giant kelp by hand harvest. Santa Ynez band of Chumash exempt | Illegal and dangerous access down the bluffs on Gaviota. Fishing without a license. Access issues for pier fishers with Gaviota pier closed. Difficult to interpret | Reword regulations for clarity of outreach: "Recreational take of finfish, invertebrates, and giant kelp allowed" | Yes | Simpler regulations will make outreach easier, increasing compliance, with minimal impacts to the resources | Have FGC/State push for pier repair at Gaviota Pier (SB County/State Parks) for safety/access reasons | State Parks pending review/Greg Helms | | Language Change | Section 100 change |
| Santa Barbara and Ventura (Santa Barbara Channel) | Naples SMCA | Rec take by spearfishing of white seabass and pelagic finfish. Commercial take of giant kelp by hand or mechanical harvest. Santa Ynez Band of Chumash exempt | Hook and line fishing and access issues occur here, and most days there are at least two vehicles for fishing or surfing parked near Naples. Impact to hook and line fishers | Add hook and line to allowed method of take | No | Numbers/impact/level of take different between hook and line and spearfishing. Would drastically reduce protection | | | | Take Allowance Change | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Campus Point No-Take SMCA | No Take | Onshore and offshore hook and line fishing continues to be observed | Change purple to red for outreach purposes | Yes | Easier to explain "no take" if consistent with red SMR | | Greg Helms | | Other | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Goleta Slough No-Take SMCA | No Take | Trespassing (e.g., illegal swimming, dogs). People occasionally use nets to fish here and/or fish off bridges at the finger boundaries of the slough. Dumping of sediment still occurs in Goleta Bay | Consider water quality designation for Goleta Bay | Yes | Goleta Bay is between two MPAs and there is a need to address impacts of sediment dumping to subsistence fishers off Goleta Pier | | Greg Helms | | Other | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Goleta Slough No-Take SMCA | No Take | | Change purple to red for outreach purposes | Yes | Easier to explain "no take" if consistent with red SMR | | Greg Helms | | Other | |

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| Santa Barbara and Ventura (Santa Barbara Channel) | Richardson Rock SFMR | No Take | | No change | Yes | | | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | San Miguel Island Special Closure | Allowance for sea urchin divers between Castle Rock and Judith Rock SMR western boundary (Point Bennet) between 3/15-4/30 and 10/1-12/15. | Commercial urchin poaching. Purpose to reduce disturbance to pinniped populations. Is closure still necessary? Point Bennet has one of the largest pinniped (six species) rookeries on the West Coast of North America | Reevaluate need for special closure (SC); Clean up language to address confusion between 300 yards describing SC and 100 yards keeping boats from whole Island 102 A.1.(a) | Yes | | M2 radar at NMFS marine mammal station | Greg Helms | | Language Change | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Harris Point SFMR | No Take | CDFW sees some fishers that are taking from shore, although it is not common | No change | Yes | | Use land-based range markers (e.g., O & K) to mark boundaries | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Judith Rock SFMR | No Take | | No change | Yes | | Use land-based range markers (e.g., O & K) to mark boundaries | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Carrington Point SMR | No Take | Confusing angle relative to pier | No change | Yes | NPS outreach on angle has been good | More permanent boundary markers/signage is needed | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Skunk Point SMR | No Take | Difficult to determine how far offshore boats are (in or out) | No change | Yes | | | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | South Point SFMR | No Take | | No change | Yes | | | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Painted Cave SMCA | Rec take of spiny lobster and pelagic finfish | People are taking non-pelagic fish species, rockfish, California sheephead, and live fish | No change | Yes | | | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Gull Island SFMR | No Take | | Have state discuss with NMS changing federal area to FMCA to allow for take of pelagics | No | More data/justification needed | | | | Take Allowance Change | Yes, would turn federal MRs into federal MCAs. No consensus |
| Santa Barbara and Ventura (Santa Barbara Channel) | Scorpion SFMR | No Take | Fishing/take in little coves at eastern boundaries. Lobster traps | No change | Yes | | More on-island enforcement presence needed | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Anacapa Island Special Closure | No net or trap may be used in waters less than 20 feet deep. Brown Pelican closure from Portuguese Rock to Frenchy's Cove 1/1-10/31 | Brown pelican area makes it difficult for Island Packers and others to land legally at Frenchy's | Add exemption to allow access/landing Frenchy's Cove | Yes | Intent was to allow landing at Frenchy's Cove but aligning brown pelican closure with SMR/SMCA boundary closed off access to safe landing | | Greg Helms | | Allowed Activity Change | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Anacapa Island Special Closure | No net or trap may be used in waters less than 20 feet deep. Brown Pelican closure from Portuguese Rock to Frenchy's Cove 1/1-10/32 | Depth hard to enforce due to sheer drop off from island | Reassess need for Special Closure and consider removing if not justified | Yes | May only need brown pelican closure rather than full island special closure to protect seabirds | | Greg Helms | | Allowed Activity Change | Yes, would remove special closure |

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| Santa Barbara and Ventura (Santa Barbara Channel) | Anacapa Island SFMCA | Rec take of spiny lobster and pelagic finfish. Commercial take of spiny lobster. Santa Ynez Band of Chumash exempt | Confusion regarding what "pelagic" means may lead to unlawful take | No change | Yes | | Outreach needed around pelagics | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Anacapa Island SFMR | No Take | Violations for unlawful take | No change | Yes | | | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Footprint SFMR | No Take | Lots of violations. Boats drift in because they cannot anchor | Have state discuss with NMS changing federal area to FMCA to allow for take of pelagics | No | More data/justification needed | | | Take Allowance Change | Yes, would turn federal MRs into federal MCAs. No consensus | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Begg Rock SMR | No Take | The MPA violations here are commercial and come from experienced | No change | Yes | | | | | | |
| Santa Barbara and Ventura (Santa Barbara Channel) | Santa Barbara Island SFMR | No Take | Osborne Bank. CPFV/commercial lobster poaching. Overlapping jurisdictions | Have state discuss with NMS changing federal area to FMCA to allow for take of pelagics | No | More data/justification needed | M2 radar needed to monitor remote MPA | | Take Allowance Change | Yes, would turn federal MRs into federal MCAs. No consensus | |
| Los Angeles (Mainland) | Point Dume SMCA | Rec take by spearfishing of white seabass and pelagic finfish. Commercial take of swordfish by harpoon and coastal pelagic species by round haul net, brail gear, and light boat. Santa Ynez band exempt | Frequent noncompliance with MPAs and limited enforcement | Delete allowance for commercial take of Swordfish by harpoon | Yes | Swordfish fishing does not occur that close to shore | Additional enforcement personnel/efforts are needed | State Parks pending review; Heal the Bay | Take Allowance Change | | |
| Los Angeles (Mainland) | Point Dume SMCA | Rec take by spearfishing of white seabass and pelagic finfish. Commercial take of swordfish by harpoon and coastal pelagic species by round haul net, brail gear, and light boat. Santa Ynez band exempt | | Allow hook and line fishing for allowed method of take of white seabass and pelagic finfish | No | Lessening of protection/unclear impacts | | | Take Allowance Change | | |
| Los Angeles (Mainland) | Point Dume SMR | No Take | Angle of eastern boundary is confusing/extends due west and is close to shore | No change | Yes | | Use of surveyed boundary images in outreach can help address confusion with eastern boundary at Paradise Cove | | | | |
| Los Angeles (Mainland) | Point Vicente No-Take SMCA | No Take | Frequent noncompliance with MPAs and limited enforcement | No change | Yes | | Additional enforcement personnel/efforts are needed | | | | |
| Los Angeles (Mainland) | Point Vicente No-Take SMCA | No Take | Confusion of significance of purple designation | Keep allowance for maintenance but change color from purple to red for ease of public interpretation | Yes | Easier to explain "no take" if consistent with red SMR | | | Other | | |

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| Los Angeles (Mainland) | Abalone Cove SMCA | Rec take by spearfishing of white seabass and pelagic finfish; and market squid by hand-held dip net. Commercial take of swordfish by harpoon and coastal pelagic species by round haul net, brail gear, and light boat | Harmful tidepooling impacts/take from tidepools. Frequent noncompliance with MPAs and limited enforcement | Delete allowance for commercial take of swordfish by harpoon | Yes | Swordfish fishing does not occur that close to shore | Additional enforcement personnel/efforts are needed | Heal the Bay | | Take Allowance Change | |
| Los Angeles (Mainland) | Abalone Cove SMCA | Rec take by spearfishing of white seabass and pelagic finfish; and market squid by hand-held dip net. Commercial take of swordfish by harpoon and coastal pelagic species by round haul net, brail gear, and light boat | | Allow hook and line fishing for allowed method of take of white seabass and pelagic finfish | No | Lessening of protection/unclear impacts | | | | Take Allowance Change | |
| Los Angeles (Catalina Island) | Arrow Point to Lion Head Point SMCA | All rec and commercial take allowed. Take of invertebrates prohibited | Poaching lobster and abalone. Hoop nets. Difficult to identify 1,000 feet from shore at Indian/Endemic Rock | No change | Yes | | Need for a locally managed (research) buoy to mark 1,000 feet point | | | | |
| Los Angeles (Catalina Island) | Blue Cavern Onshore No-Take SMCA | No Take. No anchor area in original refuge boundaries | Fishing/using hoop nets close to shore at Big Fisherman Cove. Poaching at Yellowtail Point and Bird Rock; Confusion around no anchor zone | Change purple to red for outreach purposes | Yes, only if all current maintenance/access activities are still allowed | Easier to explain "no take" if consistent with red SMR | Need for some boundary marker at Yellowtail Point. MPA Watch transect would help identify use/ compliance issues here | | | Other | |
| Los Angeles (Catalina Island) | Blue Cavern Offshore SMCA | Rec take of pelagic finfish by hook and line and spearfishing and white seabass by spearfishing and market squid by hand held dip net. Commercial take of pelagic finfish by hook and line and swordfish by harpoon | Take via illegal gear types | No change | Yes | | | | | | |
| Los Angeles (Catalina Island) | Long Point SMR | No Take | Trolling through MPA occurs. Misconception that MPA is only close to shore. Rental boats go past Long Point and fish | Make a distance from shore rather than lat/long for ease of outreach. Cut off corner and flip and move west (offshore) to maintain size | Yes | Clearer outreach to trollers to stay certain distance from shore, IF maintains size | | | | Boundary Change | |
| Los Angeles (Catalina Island) | Lover's Cove SMCA | Rec take by hook and line from the Cabrillo Mole is allowed. Feeding fish allowed | Fishing from shore at the ramp near the Mole. Angle is difficult at eastern boundary. Food torpedoes are shot from tourist subs to attract fish to windows | Remove allowance for feeding of fish | Yes | Against intent of MLPA, affecting behavior of fish/habitat; public safety issue as fish become more aggressive and bite | | | | Allowed Activity Change | |
| Los Angeles (Catalina Island) | Casino Point No-Take SMCA | No Take. Feeding fish allowed | Boundaries don't match dive park buoys. Feeding fish may be incompatible use. 40-50' depth at MPA line. | Remove allowance for feeding of fish. | Yes | Against intent of MLPA, affecting behavior of fish/habitat; public safety issue as fish become more aggressive and bite | Might need to utilize a weaning off process for fish used to being fed | | | Allowed Activity Change | |

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| Los Angeles (Catalina Island) | Casino Point No-Take SMCA | No Take. Feeding fish allowed | | Change purple to red for outreach purposes for outreach | Yes | Easier to explain "no take" if consistent with red SMR | | | | Other | |
| Los Angeles (Catalina Island) | Farnsworth Onshore SMCA | Rec take by spearfishing of white seabass and pelagic finfish; marline, tunas and dorado by trolling and market squid by hand held dip net. Commercial take of swordfish by harpoon, coastal pelagics by roundhaul net, brail gear and light boat | More difficult to assess whether poaching is occurring on the backside. Challenging/confusing for fishers | No change | Yes | | More outreach to fishers needed on why deep habitat/fish are protected here | | | | |
| Los Angeles (Catalina Island) | Farnsworth Offshore SMCA | Rec take of pelagic finfish by hook and line or by spearfishing; white seabass by spearfishing; marlin, tunas and dorado by trolling and market squid by hand held dip net. Commercial take of swordfish by harpoon, coastal pelagics by roundhaul net, brail gear and light boat | CPFVs (party boats) are seen illegally fishing in Farnsworth Offshore SMCA, moving out if they see the CDFW patrol boat approaching. Regs restricting take of rockfish can be confusing for fishers/challenging to prove rockfish on board was taken outside | No change | Yes | | | | | | |
| Los Angeles (Catalina Island) | Cat Harbor SMCA | Rec take of finfish by hook and line or by spearfishing, market squid by hook and line, and spiny lobster and sea urchin. Commercial take of sea cucumbers by diving only and spiny lobster and sea urchin. Aquaculture of finfish | Some take of undersized fish | No change | Yes | | | | | | |
| Orange | Bolsa Bay SMCA | Rec take of finfish by hook and line from shore in designated areas only | Confusion between Bolsa Bay and Bolsa Chica Basin MPAs | Potentially combine Bolsa Bay with Bolsa Chica Basin MPAs? | No | State Lands requirement to have fishing | | | | Boundary Change | Yes, would change from SMCA to SMR. No consensus |
| Orange | Bolsa Chica Basin No-Take SMCA | No Take. Allows for maintenance of artificial structures | Water management infrastructure is failing - needs management and repairs. Shoaling and potential closing of inlet - need cost effective alternative to dredging and \$ to implement. Could ultimately change boundaries of MPAs | MPA should cover all waters in ecological reserve. Move northeastern boundary to Graham | Yes | Makes enforcement easier so CDFW can cite for unlawful fishing using 632 instead of no trespassing | | OC Coastkeeper | Wendy Berube | Boundary Change | |
| Orange | Bolsa Chica Basin No-Take SMCA | No Take. Allows for maintenance of artificial structures | Confusion between Bolsa Bay and Bolsa Chica Basin MPA regulations and whether take is allowed. Bridge inconsistency | Change purple to red for outreach purposes | Yes | Easier to explain "no take" if consistent with red SMR | | OC Coastkeeper | Wendy Berube | Other | |

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| Orange | Upper Newport Bay SMCA | Rec take of finfish by hook and line from shore in designated areas only | Ecological Reserve and MPA overlapping jurisdiction. Fishing from floats by PCH bridge and using gill nets at Jamboree | No change | Yes | | Harbor and estuary signs needed at Newport Dunes. Additional enforcement personnel/efforts are needed | | | | |
| Orange | Crystal Cove SMCA | Rec take of finfish by hook and line or by spearfishing and spiny lobster and sea urchin. Commercial take of sea urchin, spiny lobster by trap, and coastal pelagic species by round haul net, brail gear and light boat | Harmful tidepooling and undersized lobster. Nighttime poaching. Angle is difficult at southern boundary | Better define tidepool definition to encompass rocky intertidal habitat | Yes | "Area encompassing the rocky pools" is confusing, makes it sounds like it is only the pools, not intertidal zone when dry | Night vision for State Parks officers to address nighttime poaching | State Parks pending review; OC Coastkeeper | Wendy Berube | Language Change | |
| Orange | Crystal Cove SMCA | Rec take of finfish by hook and line or by spearfishing and spiny lobster and sea urchin. Commercial take of sea urchin, spiny lobster by trap, and coastal pelagic species by round haul net, brail gear and light boat | | Add "non-living, geological or cultural" marine resource to tidepool take prohibition for consistency with 632(a)1(C) | Yes | Clarifies tidepool protections to include rocks and shells | | State Parks pending review; OC Coastkeeper | Wendy Berube | Language Change | |
| Orange | Laguna Beach SMR | No Take | Poaching in gated/private communities; angle is difficult at northern boundary | No change | Yes | | More enforcement needed in private community. Bring back community scientist/anglers (i.e., CCFRP) to OC | | | | |
| Orange | Laguna Beach No-Take SMCA | No Take. Maintenance allowed | Angle is difficult at southern boundary | Change purple to red for outreach purposes | Yes | Easier to explain "no take" if consistent with red SMR | Produce map that has layer that shows allowed maintenance/artificial structures and scientific take | OC Coastkeeper | Wendy Berube | Other | |
| Orange | Dana Point SMCA | Rec take of finfish by hook and line or by spearfishing and spiny lobster and sea urchin. Commercial take of sea urchin, spiny lobster by trap, and coastal pelagic species by round haul net, brail gear and light boat. Tidepools protected | Fishing without a license. Night poaching at 3 Arch. Take of limpets at north end. Shift in fishing pressure. Angle is difficult at southern boundary. Harmful tidepooling | Add "non-living, geological or cultural" marine resource to tidepool take prohibition for consistency with 632(a)1(C) | Yes | Clarifies tidepool protections to include rocks and shells | | OC Coastkeeper | Wendy Berube | Language Change | |
| Orange | Dana Point SMCA | Rec take of finfish by hook and line or by spearfishing and spiny lobster and sea urchin. Commercial take of sea urchin, spiny lobster by trap, and coastal pelagic species by round haul net, brail gear and light boat. Tidepools protected | | Better define tidepool definition to encompass rocky intertidal habitat or utilize a different term. | Yes | Tidepools are specific to pools but intertidal habitats protected can be free of pools in some cases. "Area encompassing the rocky pools" is unclear whether all rocky intertidal habitat is included here. | | OC Coastkeeper | Wendy Berube | Language Change | |
| San Diego | Batiquitos Lagoon No-Take SMCA | No take. Boating, swimming, wading and diving prohibited | Confusion between ecological reserve regulations west of 5 and MPA regulations east of 5 | Expand SMCA west of I-5 bridge to encompass all of ecological reserve | No | Expands MPA size, unclear on impacts to recreational fishing | | | | Boundary Change | |

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| San Diego | Batiquitos Lagoon No-Take SMCA | No take. Boating, swimming, wading and diving prohibited | | Change to blue SMCA with designated fishing areas | Maybe | If does not reduce fishing opportunities under I-5 and 101 bridges, or lessen existing protections | | | | Take Allowance Change | Yes, would change from No-Take SMCA to SMCA |
| San Diego | Batiquitos Lagoon No-Take SMCA | No take. Boating, swimming, wading and diving prohibited | | Change purple to red for outreach purposes if boundaries remain the same | Yes | Easier to explain "no take" if consistent with red SMR | | | | Other | |
| San Diego | Swami's SMCA | Rec take by hook and line from shore and rec take by spearfishing of white seabass and pelagic finfish | Harmful tidepooling, especially at Seaside reef. Enforcement for take of lobster is hard at southern boundary since it splits 2 jurisdictions and the reef (hard to know where they are actually taking from and who is responsible for enforcing what.) | Move southern boundary to jurisdictional boundary between State Parks and City of Solana Beach for full tidepool protection of reef | No | Increases size of MPA, reducing fishing access, and may impact take of halibut | | | | Boundary Change | |
| San Diego | Swami's SMCA | Rec take by hook and line from shore and rec take by spearfishing of white seabass and pelagic finfish | | Shift entire shape south (lifeguard tower to state/Solana Beach line to cover tidepool on south side) | Yes | Compromise. Keeps same size MPA but covers impacted tidepool area on southern boundary. Lifeguard tower clear boundary at north end | | State Parks pending review; Wildcoast | | Boundary Change | |
| San Diego | San Elijo Lagoon No Take SMCA | No take. Boating, swimming, wading and diving prohibited | Lots of people fishing at entrance to San Elijo lagoon under bridge and in channel | Move boundary to west side of the bridge (prohibiting fishing under the bridge) as long as accommodations are allowed for dredging | Yes | Signs are currently posted on west side of bridge to prohibit people from entering the San Elijo Lagoon. Makes outreach clearer | | State Parks pending review; Wildcoast | | Boundary Change | |
| San Diego | San Elijo Lagoon No Take SMCA | No take. Boating, swimming, wading and diving prohibited | | Change purple to red for outreach purposes | Yes | Easier to explain "no take" if consistent with red SMR | | | | Other | |
| San Diego | San Dieguito Lagoon SMCA | Rec take of finfish by hook and line from shore. Boating, swimming, wading and diving prohibited | Confusion between ecological reserve boundaries and regulations and MPA boundaries and regulations. Speculation that extent of water has changed since restoration. Original intent of 632 was to align with 630 in overlapping waters. Non-MPA areas are more restrictive which leads to confusion | Have MPA cover all water within ecological reserve. | Need more information | Check with Joint Power authority because would lessen protections if SMCA (that allows fishing) is expanded to all state waters | Sea level rise impacts should be considered | | | Boundary Change | |
| San Diego | San Diego-Scripps Coastal SMCA | Rec take of coastal pelagic species, except market squid, by hook and line only | Harmful tidepooling. People using gear types for fishing for species other than coastal pelagics but gear type cannot assume intent. Makes enforcement difficult. Also safety concerns with surf casters into high use swim/surf area | Add, "except from shore" to prohibit surf hook and line | Yes | Surf fishing from shore causes safety concerns (hooks getting caught on surfers/swimmers). Still allows kayakers to fish for bait fish on way out, which was original intent | | | | Take Allowance Change | |

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| San Diego | Matlahuayl SMR | No Take | Harmful tidepooling. Kayak fishing. Caves are being defaced/graffitied | Add place name (La Jolla) to traditional Kumeyaay name (Matlahuayl) | No | Keep Kumeyaay name only for Tribal acknowledgement. Would also add confusion between other La Jolla MPAs | More focused patrols on caves in La Jolla to address littering/defacement of MPA | | | Language Change | |
| San Diego | South La Jolla SMR | No Take | Most highly cited MPA. Poaching of lobster and offshore fishing. Harmful tidepooling. Challenges of parking and access (coastline related challenges due to sea level rise, climate disturbance) | No change | Yes | Focus on local management/outreach/enforcement | Need for more focus on tidepools (outreach/enforcement). More staff for allied agencies to help enforce. Encourage city to maintain safe accessways and deal with coastal erosion problems. More education on marine mammal disturbance | | | | |
| San Diego | South La Jolla SMCA | Rec take of pelagic finfish by hook and line only | | No change | Yes | | | | | | |
| San Diego | Famosa Slough No Take SMCA | No Take | Homeless encampments. Construction run-off. Dogs and cats disturbing birds | Change purple to red for outreach purposes | Yes | Easier to explain "no take" if consistent with red SMR | | | | Other | |
| San Diego | Cabrillo SMR | No Take | Harmful tidepooling. Offshore boats but NPS unable to contact other than through megaphone | Work with Kumeyaay to rename MPA to traditional Kumeyaay name | Yes | Kumeyaay name exists for this location. Need to confirm spelling | Additional enforcement personnel/efforts are needed | | | Language Change | |
| San Diego | Tijuana River Estuary SMCA | Rec take of coastal pelagic species, except market squid, by hand held dip net. Commercial take of coastal pelagics, except market squid by round haul net | Difficult take regulations to interpret in the field and take by hand held dip net not really occurring, per Imperial Beach lifeguards | No change | | | | | | | |

Cell: K138

Note: was not sure about this categorization

-MPA Collaborative

From: FGC
Sent: Tuesday, August 13, 2024 9:14 AM
To: [REDACTED]
Subject: 2023-32MPA_Schramm

From: Mary Jane Schramm <[REDACTED]>
Sent: Wednesday, January 31, 2024 3:58 PM
To: FGC <FGC@fgc.ca.gov>
Subject: Comment in support of Duxbury Reef expansion and reclassification

Att: Eric Sklar, President
California Fish & Game Commission

Good day, Mr. Sklar,

I request approval of the following February agenda items:

Petition 2023-32MPA: Reclassify Duxbury Reef SMCA as an SMR and expand northern and southern boundaries

Duxbury Reef's northward and southward expansions, coupled with a SMR no-take designation, would protect the health and integrity of species intertidal assemblages. Past visitation and extraction have been very destructive, and relief from those stressors would be advisable, especially in light of increasing climate disruption. The rocky intertidal zone has been a valuable indicator of ocean conditions and climate change impacts. Scientists have documented an increase in habitat shift for southerly species into our northern coastal zone. Areas like Duxbury function as *de facto* early warning systems that can reflect climate and invasive species impacts. This area can be easily accessed and monitored, and ongoing studies can reveal with specificity those species and ecosystem linkages that are being most affected by climate and usage impacts.

Regarding extraction, a SMR no-take status will eliminate visitor uncertainty about species and sites that are no-take zones. It should also enhance effective enforcement by both NOAA's Office of Law Enforcement and state enforcement officers.

Thank you for the opportunity to comment on this proposal.

Sincerely,

Mary Jane Schramm

Mary Jane Schramm

*Marine Life Naturalist & Communications
Jurist, International Ocean Film Foundation*



*They say the sea is cold, but the sea contains the hottest
blood of all. - D.H. Lawrence, "Whales Weep Not!"*



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February 1, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: **Comments on Fish and Game Commission February Agenda Item 10(B)
XVII Petition No. 2023-31MPA**, EAC's Petition for Regulation Change at
Drakes Estero

Dear President Sklar and Commissioners,

The Environmental Action Committee of West Marin (EAC) respectfully submits this letter along with Attachment 1 for your consideration for **Petition No. 2023-31MPA**, which requests a designation change for Drakes Estero from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) and your consideration to combine Drakes Estero with Estero de Limantour SMR as a single SMR.

I. Additional Support Received for Regulation Change at Duxbury Reef

Our original petition, submitted November 30, 2023, included support from organizations who operate at the national, state, and local level. These organizations' interests involve marine habitat protection, restoration, access, and education. We also submitted individual letters demonstrating support for the petition from the National Park Service, Marin County Supervisor President Dennis Rodoni, and former National Park Service Senior Science Advisor, Sarah Allen, PhD. In addition, as stated in our original petition, there was a full consensus in support of our petition at the August 24, 2023, Golden Gate MPA Collaborative meeting.

We now supplement our initial submission with additional points to consider, as well as additional organizational support for strengthening marine protected area (MPA) protection at Drakes Estero. (See Attachment 1). Note that the Attachment also includes support from Joe Sanchez, President of Huukuiko, Inc., Coast Miwok Tribal Non-profit.¹

¹ Coast Miwok Tribal Council of Marin, available at: <https://www.coastmiwokofmarin.org/index.html>.

II. Reiteration of Conditions Change at Drakes Estero Demonstrating a Need for Regulation Change

Our submitted petition relies on recommendations from the Blue Ribbon Task Force, the National Park Service, the need for consistency with the Phillip Burton Wilderness Area, and data collected from Marin MPA Watch. In 2008, the Integrated Preferred Alternative presented by the Blue Ribbon Task Force stated, “**if at any time it becomes feasible to create an SMR at Drakes Estero, this proposal recommends doing so.**”² The 2012 expansion of the Phillip Burton Wilderness Area into Drakes Estero by the National Park Service makes an SMR designation in Drakes Estero not only feasible, but consistent with requirements promulgated by The Wilderness Act.³

“Wilderness” within the Wilderness Act is defined as “an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain.”⁴ Practically, it is the responsibility of agencies administering areas designated as wilderness to “preserve the wilderness character” in a manner consistent with the “purposes for which it may have been established.”⁵ This includes a prohibition on “commercial enterprise” and “no use of motor vehicles, motorized equipment or motorboats... no other form of mechanical transport, and no structure or installation” within wilderness areas, “except as necessary to meet minimum requirements for the administration of the area.”⁶

As included in our petition submission, the removal of the commercial oyster operations at Drakes Estero and the federal designation of Marine Wilderness creates appropriate circumstances to redesignate Drakes Estero as an SMR. An SMR designation is consistent with the National Park Service’s completion of their estuary restoration project and reflective of the important habitat composing the wilderness area.

As included in our petition submission, Marin MPA Watch has observed through review of camera data repeated instances on consecutive days of a group of vehicles arriving in SUVs at Drakes Estero. This group carries coolers/buckets/oyster tubes into and from kayaks, which are presumably used to collect sea life. While the recreational take of clams is permitted within the SMCA,⁷ the scale of the repeated use suggests a small commercial operation. While rare, motorized boats have also been used there. These activities are difficult to enforce and are not consistent with the highest level of protection in accordance with the Wilderness Act.

Additionally, there is no clear physical delineation between the Drakes Estero SMCA and the Estero de Limantour SMR, which potentially leads to instances of poaching in the SMR. This further complicates enforcement. Enforcement would be efficient by unifying the SMRs to create a contiguous no-take reserve.

² *Side-by-Side Comparison (maps and proposed regulations) of the North Central Coast Marine Protected Area (MPA) Proposals 0 (existing MPAs), 1-3, 2-XA, 4 and Integrated Preferred Alternative: Subregion 3: Bodega Head to Double Point* at 5, (April 30, 2008), available at https://drive.google.com/file/d/132etwbkrP5zkNhsBqn_mxAlVtWk8e69a/view?usp=sharing; See also *California MLPA North Central Coast Project Integrated Preferred Alternative Marine Protected Area (MPA) Proposal* at 13-14, (April 27, 2008), available at https://drive.google.com/file/d/15PQ-D1sPJ94dnUBy8o_tBAHgkP96YcY6/view?usp=sharing.

³ 16 U.S.C. § 1131-1136.

⁴ 16 U.S.C. § 1131(c).

⁵ 16 U.S.C. § 1133(b).

⁶ 16 U.S.C. § 1133(c).

⁷ 14 Cal. Code Regs. § 632(b)(47(B)).

III. Conclusion

Thank you for your consideration of our petition submission and this supplemental information. Please contact me with any questions, and we look forward to the February meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley Eagle-Gibbs", with a stylized flourish at the end.

Ashley Eagle-Gibbs, Esq.
Executive Director

Attachment 1

ATTACHMENT 1



February 1, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: Support for **Petition No. 2023-31MPA**, Environmental Action Committee of West Marin (EAC)
Petition to the California Fish and Game Commission for regulation change at Drakes Estero SMCA

Dear President Sklar and Commissioners,

The undersigned organizations submit these comments in support of EAC's petition regarding changes to the regulations for Drakes Estero State Marine Conservation Area (SMCA); petition no. 2023-31MPA. The undersigned organizations are committed to coastal protection and the marine protected area (MPA) network.

Drakes Estero contains one of the last fully intact wetlands in the state of California, is a biologically rich estuary that consists of extensive eelgrass beds, tidal flats, wetlands, sand bars, and open water that supports a variety of fish, invertebrates, shorebirds, waders, waterfowl, and mammals including harbor seals and river otters.

Currently, in Drakes Estero, it is lawful to recreationally harvest clams. To more effectively protect Drakes Estero's biologically rich marine life for the enjoyment, education, and inspiration of current and future generations, and to minimize the negative impacts of "take" (e.g., harvest, disturbance, and collection) to Drakes Estero's habitat and species, we urge the California Fish and Game Commission to modify the existing SMCA regulation by **changing the designation of Drakes Estero from SMCA to State Marine Reserve (SMR)** as described in California Code of Regulations (CCR) Title 14 § 632(a)(1)(A), in which no take is allowed.¹

Drakes Estero SMCA was established in 2010 at a time when a commercial aquaculture operation was in business. As referenced in the National Park Service support letter, the 2010 designation as SMCA relied on the presence of commercial aquaculture operations. Department of Interior authorization of commercial aquaculture ended in 2012, and operations ceased in 2014. Drakes Estero was designated as Marine Wilderness in 2012. Following the Marine Wilderness designation, the Point Reyes National Seashore completed an expensive

¹ Protection of Resources in MPAs and MMAs, as defined in Public Resources Code Section 36710: (A) State Marine Reserves: In a state marine reserve, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except under a scientific collecting permit issued by the department pursuant to Section 650 or specific authorization from the commission for research, restoration, or monitoring purposes.

restoration project in the waters of Drakes Estero.

The SMCA regulations at Drakes Estero allow for the harvest of clams. Currently, recreational take of shellfish sometimes occurs, though it requires long kayak trips in the wilderness area with no cell service and limited emergency response. Because the commercial aquaculture no longer exists, stronger protection afforded by establishing it as an SMR would align with its pristine condition and its connectivity with adjacent Estero de Limantour SMR and Point Reyes SMR and would protect the highly sensitive estuarine ecosystem, including extensive harbor seal pupping and haul out areas.

We enthusiastically support California's MPA Network. In the case of Drakes Estero, we assert that strengthened protection is urgently needed to preserve the estuary's marine life and habitat for future generations.

Sincerely,

| | |
|--|--|
| Deb Castellana Director of Strategic Alliances Mission Blue | Chance Cutrano Director of Programs Resource Renewal Institute |
| Laura Deehan State Director Environment California Research and Policy Center | Neal Desai Senior Program Director, Pacific Region National Parks Conservation Association |
| Rikki Eriksen, Ph.D. Director of Marine Programs California Marine Sanctuary Foundation | Suzanne Hume Educational Director & Founder CleanEarth4Kids.org |
| Megan Isadore Executive Director River Otter Ecology Project | Barbara Salzman President Marin Audubon Society |
| Scott D. Sampson, Ph.D. Executive Director California Academy of Sciences | Joe Sanchez President Huukuiko, Inc. |
| Terri Thomas President Marin Conservation League | Tomas Valadez California Policy Associate Azul |
| Robert Vergara Roger Arliner Young (RAY) Ocean Conservation Fellow Natural Resources Defense Council | Laura Walsh California Policy Manager Surfrider Foundation |

II. Additional Support Demonstrating a Need for Regulation Change at Duxbury Reef

Duxbury Reef habitat and marine life is highly vulnerable and experiences visible stress from environmental factors and human visitation including tidepooling and collecting. This is supported by existing literature and assessments of rocky intertidal areas. For example, the Topic Briefing on Rocky Shores, provided at the Greater Farallones National Marine Sanctuary Advisory Council meeting on December 15, 2023 stated that:

Rocky intertidal habitat has a high vulnerability score based on high exposure to increased air and sea temperatures, changes in precipitation, salinity, pH, sea level rise and debris flow from storms; high sensitivity to increased sea surface temperature, sea level rise, disturbance regimes, and recreation (trampling); and high adaptive capacity (a decrease from very high) due to documented impacts from MHW [marine heatwave] events. The vulnerability of rocky intertidal habitat increased since the original assessment, due to documented disruptions from the marine heatwave including temperature stress and cascading impacts of changes to key species (seastars, intertidal kelp, urchins).¹⁰

In consideration of Duxbury Reef's increasing vulnerability and significance to the North Central coastal region, our petition requested changes to the MPA regulations at Duxbury Reef based on the assertions that:

- (1) The entirety of the Duxbury Reef habitat to the south and north should be included within the Duxbury Reef MPA and,
- (2) Limited take in this rocky intertidal SMCA causes confusion regarding what constitutes permitted take, resulting in excess potential poaching and harm to Duxbury Reef's highly vulnerable marine life.

Our requested changes are also supported by the decadal management review analysis. In the 2022 report, it is indicated that, "[s]pecies diversity in rocky intertidal habitats was higher inside MPAs over time than reference sites", which supports the need to expand boundaries to maintain biodiversity.¹¹ The importance of rocky intertidal habitat connectivity was also highlighted.¹² The report also indicated increased visitation during the pandemic to these types of habitat areas.¹³

A. Significance of a Northern & Southern Boundary Expansion.

Our submitted petition demonstrated that the vulnerable and highly sensitive Duxbury Reef intertidal habitat extends both north and south of the current MPA boundaries for Duxbury Reef. This is supported with the inclusion of maps and letters of support from experts. Of particular concern is Marin MPA Watch data finding regular instances of individuals handling and collecting marine life, including with buckets entering the MPA. Additional impact occurs from visitors accessing the contiguous habitat beyond the MPA boundaries, collecting sea life not permitted within the MPA, and then re-entering the MPA with that sea life before leaving the area. This is in addition to regular invertebrate and wildlife disturbances observed within the ecologically contiguous

¹⁰ Greater Farallones National Marine Sanctuary Advisory Council, *Resolution No. SAC-192-2023*, (December 15, 2023), available at <https://nmsfarallones.blob.core.windows.net/farallones-prod/media/docs/202312-resolution-to-support-staff-recommendations-within-the-rocky-shores.pdf>.

¹¹ California Department of Fish and Wildlife, *California's Marine Protected Area Network Decadal Management Review* at 40, (2022), available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=209209&inline>.

¹² *Id.* at 100. This was also highlighted as a goal of the CDFW MPA Petition Process Guiding Principles.

¹³ *Id.* at 89.

habitat that falls outside of the northern and southern boundaries. These repeated incidents, along with MPA implementation guidelines set out by the California Department of Fish and Wildlife (CDFW) in the 2016 Master Plan [hereinafter “Master Plan”], support a boundary expansion, consistent with the goals of the Marine Life Protection Act (MLPA), specifically goals 1-4.

The CDFW 2016 Master Plan for all MPAs under the MLPA found that “intertidal zones” were recommended habitat in the initial implementation period between 2004-2012 and continue to be a primary habitat of concern today.¹⁴ The Master Plan provides guidance consistent with a boundary expansion which would include the entirety of the ecologically contiguous habitat. This is very similar to what was originally proposed¹⁵ in 2008 by two separate proposals: one representing cross-interest groups¹⁶ and the other from conservation groups.¹⁷ Inclusion of the full habitat proposal was rejected late in the process.

The Master Plan recognizes intertidal zones as “difficult to define,” but does provide guidance for boundaries containing such habitat.¹⁸ For example:

- The use of major lines of latitude and longitude for MPA boundaries is encouraged *except* when those lines ‘split’ a beach or rocky intertidal area with heavy consumptive use.”¹⁹
- Boundaries should be easily understood by visitors on the ground through the use of recognizable “landmarks.”²⁰
- Boundaries should extend “from the intertidal zone to deep waters offshore... if intertidal protection is desired.”²¹

Additionally, the Assessment of Rocky Intertidal habitats for the California MPA Monitoring Program for the DMR cited the rarity of rocky intertidal habitat types and the need to protect them:

¹⁴ California Department of Fish and Wildlife, *California Marine Life Protection Act Master Plan for Marine Protected Areas* [hereinafter “Master Plan”], appendix A at 9, 37, (Adopted by the California Fish and Game Commission on August 24, 2016), available at <https://wildlife.ca.gov/Conservation/Marine/MPAs/Master-Plan>.

¹⁵ The historical documents and map show similar boundary proposals to our Northern boundary extension request. The original conservation and cross-interest proposals encompassed a larger geographic area than what was put into regulation, thus proposing to include more contiguous ecological habitat.

¹⁶ *California MLPA North Central Coast Project Narrative Rationale for NCCRSNG Proposal (Round 3) Proposal 1-3*, (March 19, 2008), available at <https://drive.google.com/file/d/17Mt2S0E191b7poQOBv1VRPXlvepudfBD/view?usp=sharing>; See also *California MLPA North Central Coast Project Regional Stakeholder Group (NCCRSNG) Marine Protected Area (MPA) Proposal 1-3* at 13-14, (May 27, 2008), available at https://drive.google.com/file/d/1a4eV4EBro5kHTTSb_YfbED7lyKN5DFKP/view?usp=sharing; See also *Side-by-Side Comparison (maps and proposed regulations) of the North Central Coast Marine Protected Area (MPA) Proposals 0 (existing MPAs), 1-3, 2-XA, 4 and Integrated Preferred Alternative: Subregion 4: Double Point to Point San Pedro*, (April 30, 2008), available at https://drive.google.com/file/d/1Omgh80BBpHV9O6_HefFy5HPRN3F8mPOr/view?usp=sharing.

¹⁷ *California MLPA North Central Coast Project Narrative Rationale for North Central Coast Regional Stakeholder Group (NCCRSNG) Marine Protected Area (MPA) Proposal 4*, (March 27, 2008), available at https://drive.google.com/file/d/1cfnGtYg_2CQHNDK0ffSEvQn9xjQU8qJA/view?usp=sharing; See also *California MLPA North Central Coast Project Regional Stakeholder Group (NCCRSNG) Marine Protected Area (MPA) Proposal 4* at 7-10, (May 22, 2008), available at <https://drive.google.com/file/d/1ZQWKGnlokRhq1jRnmYApGPDf9x4Py0M/view?usp=sharing>; See also *Side-by-Side Comparison (maps and proposed regulations) of the North Central Coast Marine Protected Area (MPA) Proposals 0 (existing MPAs), 1-3, 2-XA, 4 and Integrated Preferred Alternative: Subregion 3: Bodega Head to Double Point*, (April 30, 2008), available at https://drive.google.com/file/d/132etwbkrP5zkNhsBqn_mxAlVtWk8e69a/view?usp=sharing.

¹⁸ *Master Plan*, appendix A at 23.

¹⁹ *Id.* appendix A at 20, 23 (emphasis added).

²⁰ *Id.* appendix A at 20, 23, 33, 35.

²¹ *Id.* appendix A at 23.

Although seeming ubiquitous, rocky intertidal ecosystems exist as a narrow linear feature. Based on extensive mapping by our MARINE (Multi Agency Rocky Intertidal Network; <https://marine.ucsc.edu/>) surveys, the estimate of rocky intertidal habitat in our state is only ~5 square kilometers. This small overall footprint designates rocky intertidal habitats as the rarest of ecosystem types and makes them particularly sensitive and vulnerable to anthropogenic disturbances. Based on vulnerability and threats from numerous sources of anthropogenic stresses, the rocky intertidal ecosystem was targeted for protection in the MLPA Master Plan.²²

Taken together, these recommendations provide that intertidal habitat should be fully connected, especially in an area like Duxbury Reef which experiences high visitation. Instead, the Master Plan recommends that the Fish and Game Commission err on the side of caution in favor of intertidal habitat protection. The current boundaries of the Duxbury Reef MPA, a site of significant intertidal habitat, do not fully reflect this because portions of the intertidal habitat fall outside of the MPA.

In a study led by researchers at UC Santa Cruz, and in collaboration with the Ocean Protection Council through UC Sea Grant California, data collected on intertidal habitat population, community, and species distribution changes, and other potential network-level effects on intertidal habitats found that the intertidal habitat sites inside of MPAs are showing greater resiliency to disturbance from human activity and climate change.²³ Therefore, given the increasing and particular vulnerability of rocky intertidal habitats from human activity in combination with environmental stresses make the case to include the southern and northern parts of the reef in the MPA more urgent.

B. An SMR Designation Would Prevent Excess Harm to the Reef.

Our petition submission contained Marin MPA Watch Data which recorded increased incidents of take within Duxbury Reef in recent years and at levels much greater than other Marin MPA Watch survey sites. A designation change from a SMCA to a SMR would create a real and observable positive impact on the protection of the highly vulnerable habitat. Letters of support submitted previously and with this letter explain personal and repeated observations by docents and professionals that demonstrate the confusion by reef visitors when they see fishing occurring on the reef, and also explain how some fishers harvest invertebrates there for bait. Additionally, Attachment 1 details an example of fisher people planning to sell their catch, thereby making their activity commercial fishing, an obvious violation of the existing regulations. The same letter also indicates particular damage and confusion related to poke pole fishing, which occurs in the deepest tidepool, and is currently permitted in the SMCA.

²² Raimond *et al.* *Assessment of Rocky Intertidal habitats for the California Marine Protected Area Monitoring Program: Decadal report* at 10-11, (January 12, 2022), available at <https://caseagrant.ucsd.edu/news/california-marine-protected-area-long-term-monitoring-program-final-reports-2019-2021#California%20Collaborative%20Fisheries%20Research%20Program>.

²³ Id. at 2-4; See also Caitlin Scully, *California Marine Protected Area Long Term Monitoring Program Final Reports*, (January 24, 2022), available at <https://caseagrant.ucsd.edu/news/california-marine-protected-area-long-term-monitoring-program-final-reports-2019-2021#California%20Collaborative%20Fisheries%20Research%20Program>.

C. The SMR Designation Would Ease Enforcement Efforts.

The simplified proposed regulatory change to SMR would help to eliminate confusion and ease enforcement efforts, which was identified as a governance guiding principle by CDFW as part of the public petition process.²⁴ Unfortunately, visitors see legal taking occurring within the current SMCA and assume that taking of anything is allowed.

D. Fully Protected MPAs are More Successful.

Two journal articles (referenced below) support the idea that full MPA protection is more successful socially and ecologically than partial protection.²⁵ This is not to say that all SMCAs should become SMRs, but for specific highly vulnerable rocky intertidal habitats like Duxbury Reef, eliminating fishing from shore and on the reef would have a positive impact on the rocky intertidal marine life by making the no-take designation much easier to understand by visitors, thus reducing take and harm to marine life. At the same time, the relative impact of socio-economic loss of recreational fishing or consumptive use would be limited. Personal observations expressed in Attachment 2 indicate that recreational fishing at Duxbury Reef is fairly limited. In addition, even with the proposed change, there will continue to be local areas where recreational shore fishing can take place.²⁶

While the focus of our petition has been on local support and scientific research, we highlight a couple relevant studies that speak to the value of full protection.

No-take Marine Reserves are the Most Effective Protected Areas in the Ocean.

A 2017 journal article focuses on the direct fish biomass effect of full protection versus partial protection worldwide. The article explains that there is a greater biomass in marine reserves versus partial protection, and recovery is stronger, also conveying ecological benefits.²⁷

Evaluating the Social and Ecological Effectiveness of Partially Protected Marine Areas.

A 2021 Australian based article is applicable to our requested designation change at Duxbury Reef. It concludes that partially protected areas create an illusion of protection and consume scarce conservation resources yet provide little or no social or ecological gain over open areas. Fully protected areas, by contrast, have more fish species and biomass and are well understood, supported, and valued by the public. They are perceived to have better marine life and are improving over time in keeping with actual ecological results. The article concludes by stating conservation outcomes can be improved by upgrading partially protected areas to higher levels of protection including conversion to fully protected areas.²⁸

²⁴ Department of Fish and Wildlife: Summary of Marine Protected Area (MPA) Regulation Change Petition Framework Discussion, (Revised August 17, 2023), available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=216395&inline>.

²⁵ See also group NGO letter dated February 1, 2024 submitted on this topic in support of the MPA network.

²⁶ For example, see CDFW, California Beach Fishing, <https://wildlife.ca.gov/Fishing/Ocean/Beach-Fishing#570623356-marin-county>. There are also locations in San Francisco Bay (see Attachment 1) and adjacent counties.

²⁷ Enric Sala, Sylvaine Giakoumi, *No-take marine reserves are the most effective protected areas in the ocean*, 75 ICES Journal of Marine Science at 1166–1168 (2018), <https://doi.org/10.1093/icesjms/fsx059>.

²⁸ Turnbull JW, Johnston EL, Clark GF, *Evaluating the social and ecological effectiveness of partially protected marine areas*. 35 Conservation Biology at 921–32 (2021), <https://doi.org/10.1111/cobi.13677>.

III. Conclusion

Thank you for your consideration of our petition submission and this supplemental information. Please contact me with any questions, and we look forward to the February meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Eagle-Gibbs", with a stylized flourish at the end.

Ashley Eagle-Gibbs, Esq.
Executive Director

Attachments 1-3

ATTACHMENT 1

Kent Khtikian

email: [REDACTED]

telephone: [REDACTED]

January 27, 2024

via email (fgc@fgc.ca.gov) & U.S. Mail

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

**Re: Supplemental Statement in Support of
Petition for modification of Duxbury Reef Marine Protected Area**

Dear President Sklar and Honorable Commissioners,

I am writing to you in support of the Petition For Regulation Change submitted to you by the Environmental Action Committee of West Marin ("EAC") regarding the Duxbury Reef Marine Protected Area. This letter is intended to supplement the letter from me addressed to you dated July 3, 2023, which is "Attachment 9" to EAC's Petition, and should be considered in conjunction with my July 3, 2023 letter.

I

In my July 3, 2023 letter I stated:

"When speaking with visitors, who have been engaged in non-consumptive, casual or recreational collecting, I have consistently heard confusion about what is or is not allowed within the current SMCA. Visitors see legal taking occurring within the current SMCA and assume that taking of anything is allowed. In addition, when permitted taking is observed, the ability of docents to protect the SMCA from not only recreational collecting, but also to minimize the usually unintended negative impacts of trampling, moving rocks for viewing, and temporarily removing animals from tide pools.... Visitors compare, rationalize and measure their own trampling, invertebrate handling or collecting, and rock-overturning activity against the permitted taking. Simply put, continuing to permit some taking from Duxbury undermines the realization of the Commission's proscription that 'it is unlawful to injure, damage, take, or possess any living ... marine resource' (14 C.C.R. § 632(a)(1)) that is not otherwise excepted from taking in the Duxbury SMCA."

- Attachment 9 at pp 1-2.

The following is offered as but one example of the general problem described above as related to only one species, *Cebidichthys violaceus*, on Duxbury Reef.

Pursuant to the regulatory parameters currently applicable to the Duxbury Marine Conservation Area, poke-pole fishing is permitted for the eel-like *Cebidichthys violaceus* (aka

Monkeyface Pricklebacks) . At Duxbury *C. violaceus* is present in the lowest intertidal pools. The most common spot for the poke-pole fishing for *C. violaceus* is in a single large pool directly offshore from the base of the Agate Beach parking lot path, in the middle of the area in which occurs approximately 80% of visitors' intertidal exploration. The people fishing are often wearing thigh-high wading boots and stand knee deep in the pool for part of their angling time. The most significant problem posed by this activity is the several confusions it causes. For example, visitors who have been engaged in non-commercial collecting believe that their minor collecting is permitted because they see, or have seen on a previous visit, the poke-pole fishing - "if that fellow can poke a pole around in the pool with a hook on the end and take out those eels, why can't I [or my kid] take a few crabs away?" As a further example, visitors think that taking invertebrates is permitted as the *C. violaceus* which they see the fisher people catching appears to most people to be an invertebrate eel and not a "finfish".

This same confusion also precipitates from visitors seeing shore-based line fishing.

In addition, to the extent that this type of fishing often entails some period of standing in the pool, it is very probable that it results in invertebrate trampling difficult to measure as it occurs in pools that are relatively deep and only accessible during the lowest tides. I would note that I have been engaged in the MARINE intertidal surveys for the past 10 years at 4 different sites in Marin County and 1 on Alcatraz, and none of our survey transects run through pools as deep as the *C. violaceus* fishing spots on Duxbury because such a pool is simply too deep to be a practical survey area.

Finally, it might be noted that peak spawning time for *C. violaceus* is from February to April. After mating, the female deposits her eggs in a mass on very low intertidal and subtidal rocky crevices. *C. violaceus* will then curl itself around the eggs to protect them. This egg-laying and protecting activity occurs at Duxbury under the very ledges in those pools where this species is sought by fisher people. I would further note on one occasion when I asked about the number of *C. violaceus* that were being taken, the three fisher people I was then speaking with told me that they were going to sell them to a restaurant in San Francisco.

If all on-shore fishing is prohibited on Duxbury Reef, many alternatives to Duxbury Reef exist for people interested in fishing for *C. violaceus* as this species is widely found on the California Coast, including in numerous locations on the San Francisco waterfront in San Francisco Bay.

References:

Eschmeyer, W.N., E.S. Herald and H. Hammann, A Field Guide to Pacific Coast Fishes of North America. 1983. Boston (MA): Houghton Mifflin Company

"*Cebidichthys violaceus*" in FishBase, June 2023 version, at <https://www.fishbase.us/summary/SpeciesSummary.php?ID=3779&genusname=Cebidichthys&speciesname=violaceus&AT=Cebidichthys+violaceus&lang=English>

"Net Gains", The New York Times Magazine, May 6, 2012 at <https://archive.nytimes.com/www.nytimes.com/interactive/2012/05/06/t-magazine/06remix-selby.html>

II

In my July 3, 2023 letter I stated:

“ Other species I have seen on the Southern Reef Extension are now relatively rare, but had once been more numerous, on the more frequently visited part of the reef - within the current SMCA - due to collecting/poaching of that species itself (e.g. *Lottia gigantea* (Owl Limpet))....”

- Attachment 9 at p 2.

The following is offered as but one example of the general problem described above as related to only one species, *Lottia gigantea*, on Duxbury Reef.

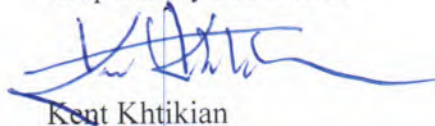
Lottia gigantea (Owl Limpet) is substantially larger (to 10 cm diameter) than any other species of limpet on Duxbury Reef. *L. gigantea* is normally on relatively steep, surf-beaten rock faces in the high and middle intertidal zone. The larger specimens are 10 to 15 years old. In the Duxbury SMCA, in the past they were common on the West face of the large intertidal berm that extends Southward from the base of the parking lot trail. On those occasions on which I have observed shore-based fishing, it is often done from the section of that berm on which the *L. gigantea* had been found. I have observed that specimens that were present one day, followed by fishing on the section of the berm where they had been located, were gone when I returned several days later. The berms were not exposed to any unusual wave force in the intervening days. This happened several times. There are now no *L. gigantea* on one portion of the berm on which there had been over 10 previously. Their numbers have not decreased on other more remote and difficult to access parts of the berm on which I have not seen any shore-based fishing. In addition, their numbers appear to be unchanged in other locations in which there has been no shore-based fishing observed by me. Therefore, I believe that there is a correlation between the shore-based fishing and the removal of the protected *L. gigantea* and that they can only be protected by prohibiting shore-based fishing on Duxbury Reef.

References:

Morris, R.H., D.P. Abbott, E.C. Haderlie, Intertidal Invertebrates of California. 1980. Stanford (CA), Stanford University Press.

I am available to answer any questions and provide further information regarding any of the matters mentioned in either this letter or in my letter dated July 3, 2023.

Respectfully submitted,



Kent Khtikian

cc. Ashley Eagle-Gibbs, EAC

ATTACHMENT 2

Colleen Hicks

email: [REDACTED].commailto:[REDACTED]

telephone: [REDACTED]

January 27, 2024

via email (fgc@fgc.ca.gov) & U.S. Mail

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Re: Petition for modification of Duxbury Reef Marine Protected Area

Dear President Sklar and Honorable Commissioners,

I am writing to you in support of the petition submitted to you by the Environmental Action Committee of West Marin ("EAC") regarding the Duxbury Reef Marine Protected Area.

My experience/background relevant to this matter.

I have continuously been a full-time resident of Bolinas for approximately 55 years from 1968 to the present. I am of Cherokee and Lakota lineage. From 2005 to 2017 I was the Executive Director of the Museum Of The American Indian ("MAI") in Novato, California. My duties as Executive Director of the MAI included: creating, planning and curating exhibits, educational programs, educational resources, and live events; writing and editing MAI's newsletter; and, other responsibilities all related to informing the public of the values, culture and history of Indigenous Peoples of Northern California. Those duties all required a knowledge of the past and present practices, culture, values, and interests of Indigenous Peoples of the Americas generally and Indigenous Peoples of Northern California more specifically. The museum had over 4,000 school children visit every year to learn about native life ways, which included respect and care for the Earth. We taught the school children that it is our duty to preserve the land for future generations as we were taught by our ancestors.

During my 55 years in Bolinas I have spent literally 1,000s of hours on Duxbury Reef, including on the northern portion of the current Duxbury Reef Marine Protected Area that comprises the shoreline of the former RCA broadcasting facility (now occupied by Commonweal).

For the reasons stated below, I strongly believe that in order to preserve unimpaired the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations and to minimize the negative impacts of visitors to Duxbury Reef's intertidal habitat and species all three of the following additions to and modifications of the Duxbury Reef State Marine Conservation Area ("SMCA") which EAC has requested should be approved by the Commission.

I believe that designating the entirety of Duxbury Reef, including both the "Northern

and Southern Reef Extensions”, as a State Marine Reserve is consistent with and will promote the interests and values of Indigenous Peoples of Northern California, and will not negatively impact that community.

1. Change the designation of the Duxbury Reef State Marine Conservation Area to a “State Marine Reserve”.

Designating as a State Marine Reserve the entirety of the both the current Duxbury MPA and the Duxbury MPA expanded to the North and South as requested by EAC, is imperative. I understand that a designation of Duxbury Reef as a “State Marine Reserve” will prohibit all taking (including all fishing from shore), damage, injury or possession of any living, geological or cultural marine resource, except under a scientific collecting permit for authorized research, restoration or monitoring, whereas in Duxbury’s current designation as a State Marine Conservation Area fishing from shore is permitted and some species are unprotected. The designation of the entirety of Duxbury Reef as a State Marine Reserve is consistent with and will promote the interests and values of Indigenous Peoples of Northern California, and will not negatively impact that community.

I have observed that fishing from the shore has become less frequent over the years. It still occurs but I do not recall seeing any people who made return trips to Duxbury for shore fishing in the past 6 or so years. I believe that such a change would only improve the condition of the reef, in some part by the reduction of that now-allowed taking, but also because of the effect that observing that fishing probably has on the behavior of the recreational, non-fishing visitors.

I have observed that the number of recreational visitors to the Duxbury MPA dramatically increased beginning in 2017. It is my impression that the increase in average visitation to Duxbury Reef in the past 6 years is far larger than the increase in the average visitation during any other 6-year period during the 49 years preceding 2017. The time for increasing the protection of Duxbury Reef is now.

2. Extend the southern boundary of the Duxbury Marine Protected Area to the most southerly tip of Duxbury Reef exposed at mean lower low water (the “Southern Reef Extension”) and designate the entire Reef as a State Marine Reserve

I understand that at this time the Southern Reef Extension is outside of and unprotected by the current SMCA. I understand that this unprotected area constitutes about 5/6's of that portion of Duxbury Reef extending off the southern tip of the Bolinas peninsula.

I have wandered out into the intertidal area of the southernmost part of the reef from time to time, simply for the pleasure of being there. It is truly an uncommon biological wonderland. I do not recall that I have ever observed any shore-based fishing occurring on the Southern Reef Extension. This part of the reef should be included in the expanded boundaries of a Duxbury Reef State Marine Reserve.

3. Extend the northern boundary of the Duxbury MPA to the Double Point/Stormy Stack Special Closure, that is the northern point of the area known as Double Point (the "Northern Reef Extension") and designate the entire Reef as a State Marine Reserve

I understand that the Northern Reef Extension is outside of and unprotected by the current SMCA. It is my understanding that this unprotected area commences at the North boundary of the current SMCA, roughly at the outfall of Arroyo Hondo Creek, and would extend to the northern point of Double Point.

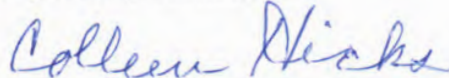
I am not aware of anyone fishing from shore, either recreationally or commercially, in the area of the Northern Reef Extension.

I have also explored the intertidal area of the Northern Reef Extension from time to time. It is pristine and rich with many species. It makes no sense to me that this and the Southern Reef Extension, both fragile ecological areas, have not been included in the Duxbury Reef Marine Protected Area. Both should now be included in an expanded State Marine Reserve.

Summary

In order to preserve without further impairment, and to correct harm that has been previously done to, the intertidal ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations all three of the above-described additions to and modifications of the Duxbury Reef State Marine Conservation Area proposed by EAC should be approved by the Commission.

Respectfully submitted,



Colleen Hicks

cc. Kent Khtikian

ATTACHMENT 3



February 1, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: Support for **Petition No. 2023-32MPA**, Environmental Action Committee of West Marin (EAC)
Petition for Regulation Change at Duxbury Reef

Dear President Sklar and Commissioners,

The undersigned organizations submit these comments in support of EAC's petition regarding changes to the regulations for the Duxbury Reef State Marine Conservation Area (SMCA); petition no. 2023-32MPA. The undersigned organizations are committed to coastal protection and the marine protected area (MPA) network.

Duxbury Reef's shale reef supports a complex and rich ecosystem of over 100 species of invertebrates, marine algae, and plants, plus associated finfish and avian species. Its broad, flat slope affords easy access to rocky intertidal tidepools which are visited by many people throughout the year, and used as outdoor classrooms for students from primary school to the university level. On some days, there can be hundreds of visitors at Duxbury Reef, including many visitors from other states and countries.

To help preserve the ecosystem of Duxbury Reef for the enjoyment, education, and inspiration of current and future generations, and to minimize the negative impacts of "take" to Duxbury Reef's vulnerable intertidal habitat and species, we urge the California Fish and Game Commission to modify the existing Duxbury Reef SMCA regulations with the following changes proposed by EAC:

1. **Change the Duxbury Reef SMCA designation to State Marine Reserve (SMR)** in which no take would be allowed, to more fully protect vulnerable marine species at risk of impacts from take. This would eliminate the existing public confusion and enforcement challenge related to the current allowance of some take. Redesignating Duxbury to an SMR is of vital importance.
2. **Extend the southern boundary of the Duxbury MPA** to the most southerly tip of Duxbury Reef exposed at mean lower low water. That is, protect the whole reef to a point at approximately 37° 53.1315' N. latitude, 122° 41.7549' W. longitude, to include the southern reef area which is contiguous with the rest of the MPA, and ecologically sensitive yet currently unprotected.

3. **Extend the northern boundary of the Duxbury Reef MPA** protections to the Double Point/Stormy Stack Special Closure as described in CCR Title 14 § 632(b)(49) to protect contiguous, more pristine reef habitat to the north which is ecologically connected to the current SMCA, but which is at risk of being degraded.

We enthusiastically support California's MPA Network. In the case of Duxbury Reef, we assert that strengthened protections are urgently needed to preserve the reef's biodiverse marine life for future generations, considering public confusion about allowable take, as well as the lack of any protection of the southern and northern sections of the reef habitat, all in combination with changing ocean and climate conditions including sea level rise that add further stress on sensitive marine creatures and alter the habitat.

Sincerely,

| | |
|--|--|
| Deb Castellana Director of Strategic Alliances Mission Blue | Chance Cutrano Director of Programs Resource Renewal Institute |
| Laura Deehan State Director Environment California Research and Policy Center | Neal Desai Senior Program Director, Pacific Region National Parks Conservation Association |
| Rikki Eriksen, Ph.D. Director of Marine Programs California Marine Sanctuary Foundation | Suzanne Hume Educational Director & Founder CleanEarth4Kids.org |
| Megan Isadore Executive Director River Otter Ecology Project | Barbara Salzman President Marin Audubon Society |
| Scott D. Sampson, Ph.D. Executive Director California Academy of Sciences | Joe Sanchez President Huukuiko, Inc. |
| Terri Thomas President Marin Conservation League | Tomas Valadez California Policy Associate Azul |
| Robert Vergara Roger Arliner Young (RAY) Ocean Conservation Fellow Natural Resources Defense Council | Laura Walsh California Policy Manager Surfrider Foundation |



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February 1, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: **Comments on Fish and Game Commission February Agenda Item
10(B) XVIII Petition No. 2023-32MPA**, EAC's Petition for Regulation
Change at Duxbury Reef

Dear President Sklar and Commissioners,

The Environmental Action Committee of West Marin (EAC) respectfully submits this letter along with its attachments for your consideration for **Petition No. 2023-32MPA**, which requests boundary expansion for Duxbury Reef to the north and south, as well as a designation change from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

I. Additional Support Received for Regulation Change at Duxbury Reef

Our petition, submitted November 30, 2023, included support from organizations who operate at the national, state, and local level. These organizations' interests involve marine habitat protection, restoration, access, and education. We also submitted individual letters demonstrating support for the petition from federal management agencies,¹ county officials,² marine ecology experts,³ fishers,⁴ educators,⁵ agency advisors⁶, and community members.⁷ We also submitted letters of support from local residents.⁸

We now supplement the ongoing support with additional points to consider, as well as additional coastal, marine, tribal interest group and community member support for strengthening marine protected area (MPA) protection at Duxbury Reef. (See Attachments 1-3). Note that Attachment 3 includes support from Joe Sanchez, President of Huukuiko, Inc., Coast Miwok Tribal Non-profit.⁹

¹ Letters from federal management agencies include the National Park Service and Greater Farallones and Cordell Bank National Marine Sanctuaries.

² Letters from county officials include Marin County Supervisor President Dennis Rodoni and Marin County Parks and Open Space Director Max Korten.

³ Letter from College of Marin Professor, Joe Mueller.

⁴ Letter from Fisher Josh Churchman.

⁵ Individual letters from Duxbury Docents and educators Kent Khtikian, Lily Rosenman, Bridgit Bartholome, Laura Lee Miller, and Courtney Barend.

⁶ Letter from former National Park Service Senior Science Advisor, Sarah Allen, PhD.

⁷ Letter from Marine Mammal Center Chief External Relations Officer, Jeffrey Boehm

⁸ Sign-on letter by 150 community members and individuals that visit Duxbury Reef.

⁹ Coast Miwok Tribal Council of Marin, available at: <https://www.coastmiwokofmarin.org/index.html>.

II. Additional Support Demonstrating a Need for Regulation Change at Duxbury Reef

Duxbury Reef habitat and marine life is highly vulnerable and experiences visible stress from environmental factors and human visitation including tidepooling and collecting. This is supported by existing literature and assessments of rocky intertidal areas. For example, the Topic Briefing on Rocky Shores, provided at the Greater Farallones National Marine Sanctuary Advisory Council meeting on December 15, 2023 stated that:

Rocky intertidal habitat has a high vulnerability score based on high exposure to increased air and sea temperatures, changes in precipitation, salinity, pH, sea level rise and debris flow from storms; high sensitivity to increased sea surface temperature, sea level rise, disturbance regimes, and recreation (trampling); and high adaptive capacity (a decrease from very high) due to documented impacts from MHW [marine heatwave] events. The vulnerability of rocky intertidal habitat increased since the original assessment, due to documented disruptions from the marine heatwave including temperature stress and cascading impacts of changes to key species (seastars, intertidal kelp, urchins).¹⁰

In consideration of Duxbury Reef's increasing vulnerability and significance to the North Central coastal region, our petition requested changes to the MPA regulations at Duxbury Reef based on the assertions that:

- (1) The entirety of the Duxbury Reef habitat to the south and north should be included within the Duxbury Reef MPA and,
- (2) Limited take in this rocky intertidal SMCA causes confusion regarding what constitutes permitted take, resulting in excess potential poaching and harm to Duxbury Reef's highly vulnerable marine life.

Our requested changes are also supported by the decadal management review analysis. In the 2022 report, it is indicated that, "[s]pecies diversity in rocky intertidal habitats was higher inside MPAs over time than reference sites", which supports the need to expand boundaries to maintain biodiversity.¹¹ The importance of rocky intertidal habitat connectivity was also highlighted.¹² The report also indicated increased visitation during the pandemic to these types of habitat areas.¹³

A. Significance of a Northern & Southern Boundary Expansion.

Our submitted petition demonstrated that the vulnerable and highly sensitive Duxbury Reef intertidal habitat extends both north and south of the current MPA boundaries for Duxbury Reef. This is supported with the inclusion of maps and letters of support from experts. Of particular concern is Marin MPA Watch data finding regular instances of individuals handling and collecting marine life, including with buckets entering the MPA. Additional impact occurs from visitors accessing the contiguous habitat beyond the MPA boundaries, collecting sea life not permitted within the MPA, and then re-entering the MPA with that sea life before leaving the area. This is in addition to regular invertebrate and wildlife disturbances observed within the ecologically contiguous

¹⁰ Greater Farallones National Marine Sanctuary Advisory Council, *Resolution No. SAC-192-2023*, (December 15, 2023), available at <https://nmsfarallones.blob.core.windows.net/farallones-prod/media/docs/202312-resolution-to-support-staff-recommendations-within-the-rocky-shores.pdf>.

¹¹ California Department of Fish and Wildlife, *California's Marine Protected Area Network Decadal Management Review* at 40, (2022), available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=209209&inline>.

¹² *Id.* at 100. This was also highlighted as a goal of the CDFW MPA Petition Process Guiding Principles.

¹³ *Id.* at 89.

habitat that falls outside of the northern and southern boundaries. These repeated incidents, along with MPA implementation guidelines set out by the California Department of Fish and Wildlife (CDFW) in the 2016 Master Plan [hereinafter “Master Plan”], support a boundary expansion, consistent with the goals of the Marine Life Protection Act (MLPA), specifically goals 1-4.

The CDFW 2016 Master Plan for all MPAs under the MLPA found that “intertidal zones” were recommended habitat in the initial implementation period between 2004-2012 and continue to be a primary habitat of concern today.¹⁴ The Master Plan provides guidance consistent with a boundary expansion which would include the entirety of the ecologically contiguous habitat. This is very similar to what was originally proposed¹⁵ in 2008 by two separate proposals: one representing cross-interest groups¹⁶ and the other from conservation groups.¹⁷ Inclusion of the full habitat proposal was rejected late in the process.

The Master Plan recognizes intertidal zones as “difficult to define,” but does provide guidance for boundaries containing such habitat.¹⁸ For example:

- The use of major lines of latitude and longitude for MPA boundaries is encouraged *except* when those lines ‘split’ a beach or rocky intertidal area with heavy consumptive use.”¹⁹
- Boundaries should be easily understood by visitors on the ground through the use of recognizable “landmarks.”²⁰
- Boundaries should extend “from the intertidal zone to deep waters offshore... if intertidal protection is desired.”²¹

Additionally, the Assessment of Rocky Intertidal habitats for the California MPA Monitoring Program for the DMR cited the rarity of rocky intertidal habitat types and the need to protect them:

¹⁴ California Department of Fish and Wildlife, *California Marine Life Protection Act Master Plan for Marine Protected Areas* [hereinafter after “Master Plan”], appendix A at 9, 37, (Adopted by the California Fish and Game Commission on August 24, 2016), available at <https://wildlife.ca.gov/Conservation/Marine/MPAs/Master-Plan>.

¹⁵ The historical documents and map show similar boundary proposals to our Northern boundary extension request. The original conservation and cross-interest proposals encompassed a larger geographic area than what was put into regulation, thus proposing to include more contiguous ecological habitat.

¹⁶ *California MLPA North Central Coast Project Narrative Rationale for NCCRSNG Proposal (Round 3) Proposal 1-3*, (March 19, 2008), available at <https://drive.google.com/file/d/17Mt2S0E191b7poQOBv1VRPX1vepudfBD/view?usp=sharing>; See also *California MLPA North Central Coast Project Regional Stakeholder Group (NCCRSNG) Marine Protected Area (MPA) Proposal 1-3* at 13-14, (May 27, 2008), available at https://drive.google.com/file/d/1a4eV4EBro5kHTTSb_YfbED7lyKN5DFKP/view?usp=sharing; See also *Side-by-Side Comparison (maps and proposed regulations) of the North Central Coast Marine Protected Area (MPA) Proposals 0 (existing MPAs), 1-3, 2-XA, 4 and Integrated Preferred Alternative: Subregion 4: Double Point to Point San Pedro*, (April 30, 2008), available at https://drive.google.com/file/d/1Omgh80BBpHV9O6_HefFy5HPRN3F8mPOr/view?usp=sharing.

¹⁷ *California MLPA North Central Coast Project Narrative Rationale for North Coast Central Coast Regional Stakeholder Group (NCCRSNG) Marine Protected Area (MPA) Proposal 4*, (March 27, 2008), available at https://drive.google.com/file/d/1cfnGtYg_2CQHNDK0ffSEvQn9xjQU8qJA/view?usp=sharing; See also *California MLPA North Central Coast Project Regional Stakeholder Group (NCCRSNG) Marine Protected Area (MPA) Proposal 4* at 7-10, (May 22, 2008), available at <https://drive.google.com/file/d/1ZQWKGnlokRhq1jRnmYApGPDf9x4Py0M/view?usp=sharing>; See also *Side-by-Side Comparison (maps and proposed regulations) of the North Central Coast Marine Protected Area (MPA) Proposals 0 (existing MPAs), 1-3, 2-XA, 4 and Integrated Preferred Alternative: Subregion 3: Bodega Head to Double Point*, (April 30, 2008), available at https://drive.google.com/file/d/132etwbkrP5zkNhsBqn_mxAlVtWk8e69a/view?usp=sharing.

¹⁸ *Master Plan*, appendix A at 23.

¹⁹ *Id.* appendix A at 20, 23 (emphasis added).

²⁰ *Id.* appendix A at 20, 23, 33, 35.

²¹ *Id.* appendix A at 23.

Although seeming ubiquitous, rocky intertidal ecosystems exist as a narrow linear feature. Based on extensive mapping by our MARINE (Multi Agency Rocky Intertidal Network; <https://marine.ucsc.edu/>) surveys, the estimate of rocky intertidal habitat in our state is only ~5 square kilometers. This small overall footprint designates rocky intertidal habitats as the rarest of ecosystem types and makes them particularly sensitive and vulnerable to anthropogenic disturbances. Based on vulnerability and threats from numerous sources of anthropogenic stresses, the rocky intertidal ecosystem was targeted for protection in the MLPA Master Plan.²²

Taken together, these recommendations provide that intertidal habitat should be fully connected, especially in an area like Duxbury Reef which experiences high visitation. Instead, the Master Plan recommends that the Fish and Game Commission err on the side of caution in favor of intertidal habitat protection. The current boundaries of the Duxbury Reef MPA, a site of significant intertidal habitat, do not fully reflect this because portions of the intertidal habitat fall outside of the MPA.

In a study led by researchers at UC Santa Cruz, and in collaboration with the Ocean Protection Council through UC Sea Grant California, data collected on intertidal habitat population, community, and species distribution changes, and other potential network-level effects on intertidal habitats found that the intertidal habitat sites inside of MPAs are showing greater resiliency to disturbance from human activity and climate change.²³ Therefore, given the increasing and particular vulnerability of rocky intertidal habitats from human activity in combination with environmental stresses make the case to include the southern and northern parts of the reef in the MPA more urgent.

B. An SMR Designation Would Prevent Excess Harm to the Reef.

Our petition submission contained Marin MPA Watch Data which recorded increased incidents of take within Duxbury Reef in recent years and at levels much greater than other Marin MPA Watch survey sites. A designation change from a SMCA to a SMR would create a real and observable positive impact on the protection of the highly vulnerable habitat. Letters of support submitted previously and with this letter explain personal and repeated observations by docents and professionals that demonstrate the confusion by reef visitors when they see fishing occurring on the reef, and also explain how some fishers harvest invertebrates there for bait. Additionally, Attachment 1 details an example of fisher people planning to sell their catch, thereby making their activity commercial fishing, an obvious violation of the existing regulations. The same letter also indicates particular damage and confusion related to poke pole fishing, which occurs in the deepest tidepool, and is currently permitted in the SMCA.

²² Raimond *et al.* *Assessment of Rocky Intertidal habitats for the California Marine Protected Area Monitoring Program: Decadal report* at 10-11, (January 12, 2022), available at <https://caseagrant.ucsd.edu/news/california-marine-protected-area-long-term-monitoring-program-final-reports-2019-2021#California%20Collaborative%20Fisheries%20Research%20Program>.

²³ Id. at 2-4; See also Caitlin Scully, *California Marine Protected Area Long Term Monitoring Program Final Reports*, (January 24, 2022), available at <https://caseagrant.ucsd.edu/news/california-marine-protected-area-long-term-monitoring-program-final-reports-2019-2021#California%20Collaborative%20Fisheries%20Research%20Program>.

C. The SMR Designation Would Ease Enforcement Efforts.

The simplified proposed regulatory change to SMR would help to eliminate confusion and ease enforcement efforts, which was identified as a governance guiding principle by CDFW as part of the public petition process.²⁴ Unfortunately, visitors see legal taking occurring within the current SMCA and assume that taking of anything is allowed.

D. Fully Protected MPAs are More Successful.

Two journal articles (referenced below) support the idea that full MPA protection is more successful socially and ecologically than partial protection.²⁵ This is not to say that all SMCAs should become SMRs, but for specific highly vulnerable rocky intertidal habitats like Duxbury Reef, eliminating fishing from shore and on the reef would have a positive impact on the rocky intertidal marine life by making the no-take designation much easier to understand by visitors, thus reducing take and harm to marine life. At the same time, the relative impact of socio-economic loss of recreational fishing or consumptive use would be limited. Personal observations expressed in Attachment 2 indicate that recreational fishing at Duxbury Reef is fairly limited. In addition, even with the proposed change, there will continue to be local areas where recreational shore fishing can take place.²⁶

While the focus of our petition has been on local support and scientific research, we highlight a couple relevant studies that speak to the value of full protection.

No-take Marine Reserves are the Most Effective Protected Areas in the Ocean.

A 2017 journal article focuses on the direct fish biomass effect of full protection versus partial protection worldwide. The article explains that there is a greater biomass in marine reserves versus partial protection, and recovery is stronger, also conveying ecological benefits.²⁷

Evaluating the Social and Ecological Effectiveness of Partially Protected Marine Areas.

A 2021 Australian based article is applicable to our requested designation change at Duxbury Reef. It concludes that partially protected areas create an illusion of protection and consume scarce conservation resources yet provide little or no social or ecological gain over open areas. Fully protected areas, by contrast, have more fish species and biomass and are well understood, supported, and valued by the public. They are perceived to have better marine life and are improving over time in keeping with actual ecological results. The article concludes by stating conservation outcomes can be improved by upgrading partially protected areas to higher levels of protection including conversion to fully protected areas.²⁸

²⁴ Department of Fish and Wildlife: Summary of Marine Protected Area (MPA) Regulation Change Petition Framework Discussion, (Revised August 17, 2023), available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=216395&inline>.

²⁵ See also group NGO letter dated February 1, 2024 submitted on this topic in support of the MPA network.

²⁶ For example, see CDFW, California Beach Fishing, <https://wildlife.ca.gov/Fishing/Ocean/Beach-Fishing#570623356-marin-county>. There are also locations in San Francisco Bay (see Attachment 1) and adjacent counties.

²⁷ Enric Sala, Sylvaine Giakoumi, *No-take marine reserves are the most effective protected areas in the ocean*, 75 ICES Journal of Marine Science at 1166–1168 (2018), <https://doi.org/10.1093/icesjms/fsx059>.

²⁸ Turnbull JW, Johnston EL, Clark GF, *Evaluating the social and ecological effectiveness of partially protected marine areas*. 35 Conservation Biology at 921–32 (2021), <https://doi.org/10.1111/cobi.13677>.

III. Conclusion

Thank you for your consideration of our petition submission and this supplemental information. Please contact me with any questions, and we look forward to the February meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Eagle-Gibbs", with a stylized flourish at the end.

Ashley Eagle-Gibbs, Esq.
Executive Director

Attachments 1-3

ATTACHMENT 1

Kent Khtikian

email: [REDACTED]

telephone: [REDACTED]

January 27, 2024

via email (fgc@fgc.ca.gov) & U.S. Mail

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

**Re: Supplemental Statement in Support of
Petition for modification of Duxbury Reef Marine Protected Area**

Dear President Sklar and Honorable Commissioners,

I am writing to you in support of the Petition For Regulation Change submitted to you by the Environmental Action Committee of West Marin ("EAC") regarding the Duxbury Reef Marine Protected Area. This letter is intended to supplement the letter from me addressed to you dated July 3, 2023, which is "Attachment 9" to EAC's Petition, and should be considered in conjunction with my July 3, 2023 letter.

I

In my July 3, 2023 letter I stated:

"When speaking with visitors, who have been engaged in non-consumptive, casual or recreational collecting, I have consistently heard confusion about what is or is not allowed within the current SMCA. Visitors see legal taking occurring within the current SMCA and assume that taking of anything is allowed. In addition, when permitted taking is observed, the ability of docents to protect the SMCA from not only recreational collecting, but also to minimize the usually unintended negative impacts of trampling, moving rocks for viewing, and temporarily removing animals from tide pools.... Visitors compare, rationalize and measure their own trampling, invertebrate handling or collecting, and rock-overturning activity against the permitted taking. Simply put, continuing to permit some taking from Duxbury undermines the realization of the Commission's proscription that 'it is unlawful to injure, damage, take, or possess any living ... marine resource' (14 C.C.R. § 632(a)(1)) that is not otherwise excepted from taking in the Duxbury SMCA."

- Attachment 9 at pp 1-2.

The following is offered as but one example of the general problem described above as related to only one species, *Cebidichthys violaceus*, on Duxbury Reef.

Pursuant to the regulatory parameters currently applicable to the Duxbury Marine Conservation Area, poke-pole fishing is permitted for the eel-like *Cebidichthys violaceus* (aka

Monkeyface Pricklebacks) . At Duxbury *C. violaceus* is present in the lowest intertidal pools. The most common spot for the poke-pole fishing for *C. violaceus* is in a single large pool directly offshore from the base of the Agate Beach parking lot path, in the middle of the area in which occurs approximately 80% of visitors' intertidal exploration. The people fishing are often wearing thigh-high wading boots and stand knee deep in the pool for part of their angling time. The most significant problem posed by this activity is the several confusions it causes. For example, visitors who have been engaged in non-commercial collecting believe that their minor collecting is permitted because they see, or have seen on a previous visit, the poke-pole fishing - "if that fellow can poke a pole around in the pool with a hook on the end and take out those eels, why can't I [or my kid] take a few crabs away?" As a further example, visitors think that taking invertebrates is permitted as the *C. violaceus* which they see the fisher people catching appears to most people to be an invertebrate eel and not a "finfish".

This same confusion also precipitates from visitors seeing shore-based line fishing.

In addition, to the extent that this type of fishing often entails some period of standing in the pool, it is very probable that it results in invertebrate trampling difficult to measure as it occurs in pools that are relatively deep and only accessible during the lowest tides. I would note that I have been engaged in the MARINE intertidal surveys for the past 10 years at 4 different sites in Marin County and 1 on Alcatraz, and none of our survey transects run through pools as deep as the *C. violaceus* fishing spots on Duxbury because such a pool is simply too deep to be a practical survey area.

Finally, it might be noted that peak spawning time for *C. violaceus* is from February to April. After mating, the female deposits her eggs in a mass on very low intertidal and subtidal rocky crevices. *C. violaceus* will then curl itself around the eggs to protect them. This egg-laying and protecting activity occurs at Duxbury under the very ledges in those pools where this species is sought by fisher people. I would further note on one occasion when I asked about the number of *C. violaceus* that were being taken, the three fisher people I was then speaking with told me that they were going to sell them to a restaurant in San Francisco.

If all on-shore fishing is prohibited on Duxbury Reef, many alternatives to Duxbury Reef exist for people interested in fishing for *C. violaceus* as this species is widely found on the California Coast, including in numerous locations on the San Francisco waterfront in San Francisco Bay.

References:

Eschmeyer, W.N., E.S. Herald and H. Hammann, A Field Guide to Pacific Coast Fishes of North America. 1983. Boston (MA): Houghton Mifflin Company

"*Cebidichthys violaceus*" in FishBase, June 2023 version, at <https://www.fishbase.us/summary/SpeciesSummary.php?ID=3779&genusname=Cebidichthys&speciesname=violaceus&AT=Cebidichthys+violaceus&lang=English>

"Net Gains", The New York Times Magazine, May 6, 2012 at <https://archive.nytimes.com/www.nytimes.com/interactive/2012/05/06/t-magazine/06remix-selby.html>

II

In my July 3, 2023 letter I stated:

“ Other species I have seen on the Southern Reef Extension are now relatively rare, but had once been more numerous, on the more frequently visited part of the reef - within the current SMCA - due to collecting/poaching of that species itself (e.g. *Lottia gigantea* (Owl Limpet))....”

- Attachment 9 at p 2.

The following is offered as but one example of the general problem described above as related to only one species, *Lottia gigantea*, on Duxbury Reef.

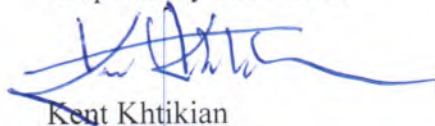
Lottia gigantea (Owl Limpet) is substantially larger (to 10 cm diameter) than any other species of limpet on Duxbury Reef. *L. gigantea* is normally on relatively steep, surf-beaten rock faces in the high and middle intertidal zone. The larger specimens are 10 to 15 years old. In the Duxbury SMCA, in the past they were common on the West face of the large intertidal berm that extends Southward from the base of the parking lot trail. On those occasions on which I have observed shore-based fishing, it is often done from the section of that berm on which the *L. gigantea* had been found. I have observed that specimens that were present one day, followed by fishing on the section of the berm where they had been located, were gone when I returned several days later. The berms were not exposed to any unusual wave force in the intervening days. This happened several times. There are now no *L. gigantea* on one portion of the berm on which there had been over 10 previously. Their numbers have not decreased on other more remote and difficult to access parts of the berm on which I have not seen any shore-based fishing. In addition, their numbers appear to be unchanged in other locations in which there has been no shore-based fishing observed by me. Therefore, I believe that there is a correlation between the shore-based fishing and the removal of the protected *L. gigantea* and that they can only be protected by prohibiting shore-based fishing on Duxbury Reef.

References:

Morris, R.H., D.P. Abbott, E.C. Haderlie, Intertidal Invertebrates of California. 1980. Stanford (CA), Stanford University Press.

I am available to answer any questions and provide further information regarding any of the matters mentioned in either this letter or in my letter dated July 3, 2023.

Respectfully submitted,



Kent Khtikian

cc. Ashley Eagle-Gibbs, EAC

ATTACHMENT 2

Colleen Hicks

email: [REDACTED].commailto:[REDACTED]

telephone: [REDACTED]

January 27, 2024

via email (fgc@fgc.ca.gov) & U.S. Mail

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Re: Petition for modification of Duxbury Reef Marine Protected Area

Dear President Sklar and Honorable Commissioners,

I am writing to you in support of the petition submitted to you by the Environmental Action Committee of West Marin ("EAC") regarding the Duxbury Reef Marine Protected Area.

My experience/background relevant to this matter.

I have continuously been a full-time resident of Bolinas for approximately 55 years from 1968 to the present. I am of Cherokee and Lakota lineage. From 2005 to 2017 I was the Executive Director of the Museum Of The American Indian ("MAI") in Novato, California. My duties as Executive Director of the MAI included: creating, planning and curating exhibits, educational programs, educational resources, and live events; writing and editing MAI's newsletter; and, other responsibilities all related to informing the public of the values, culture and history of Indigenous Peoples of Northern California. Those duties all required a knowledge of the past and present practices, culture, values, and interests of Indigenous Peoples of the Americas generally and Indigenous Peoples of Northern California more specifically. The museum had over 4,000 school children visit every year to learn about native life ways, which included respect and care for the Earth. We taught the school children that it is our duty to preserve the land for future generations as we were taught by our ancestors.

During my 55 years in Bolinas I have spent literally 1,000s of hours on Duxbury Reef, including on the northern portion of the current Duxbury Reef Marine Protected Area that comprises the shoreline of the former RCA broadcasting facility (now occupied by Commonwealth).

For the reasons stated below, I strongly believe that in order to preserve unimpaired the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations and to minimize the negative impacts of visitors to Duxbury Reef's intertidal habitat and species all three of the following additions to and modifications of the Duxbury Reef State Marine Conservation Area ("SMCA") which EAC has requested should be approved by the Commission.

I believe that designating the entirety of Duxbury Reef, including both the "Northern

and Southern Reef Extensions”, as a State Marine Reserve is consistent with and will promote the interests and values of Indigenous Peoples of Northern California, and will not negatively impact that community.

1. Change the designation of the Duxbury Reef State Marine Conservation Area to a “State Marine Reserve”.

Designating as a State Marine Reserve the entirety of the both the current Duxbury MPA and the Duxbury MPA expanded to the North and South as requested by EAC, is imperative. I understand that a designation of Duxbury Reef as a “State Marine Reserve” will prohibit all taking (including all fishing from shore), damage, injury or possession of any living, geological or cultural marine resource, except under a scientific collecting permit for authorized research, restoration or monitoring, whereas in Duxbury’s current designation as a State Marine Conservation Area fishing from shore is permitted and some species are unprotected. The designation of the entirety of Duxbury Reef as a State Marine Reserve is consistent with and will promote the interests and values of Indigenous Peoples of Northern California, and will not negatively impact that community.

I have observed that fishing from the shore has become less frequent over the years. It still occurs but I do not recall seeing any people who made return trips to Duxbury for shore fishing in the past 6 or so years. I believe that such a change would only improve the condition of the reef, in some part by the reduction of that now-allowed taking, but also because of the effect that observing that fishing probably has on the behavior of the recreational, non-fishing visitors.

I have observed that the number of recreational visitors to the Duxbury MPA dramatically increased beginning in 2017. It is my impression that the increase in average visitation to Duxbury Reef in the past 6 years is far larger than the increase in the average visitation during any other 6-year period during the 49 years preceding 2017. The time for increasing the protection of Duxbury Reef is now.

2. Extend the southern boundary of the Duxbury Marine Protected Area to the most southerly tip of Duxbury Reef exposed at mean lower low water (the “Southern Reef Extension”) and designate the entire Reef as a State Marine Reserve

I understand that at this time the Southern Reef Extension is outside of and unprotected by the current SMCA. I understand that this unprotected area constitutes about 5/6's of that portion of Duxbury Reef extending off the southern tip of the Bolinas peninsula.

I have wandered out into the intertidal area of the southernmost part of the reef from time to time, simply for the pleasure of being there. It is truly an uncommon biological wonderland. I do not recall that I have ever observed any shore-based fishing occurring on the Southern Reef Extension. This part of the reef should be included in the expanded boundaries of a Duxbury Reef State Marine Reserve.

3. Extend the northern boundary of the Duxbury MPA to the Double Point/Stormy Stack Special Closure, that is the northern point of the area known as Double Point (the "Northern Reef Extension") and designate the entire Reef as a State Marine Reserve

I understand that the Northern Reef Extension is outside of and unprotected by the current SMCA. It is my understanding that this unprotected area commences at the North boundary of the current SMCA, roughly at the outfall of Arroyo Hondo Creek, and would extend to the northern point of Double Point.

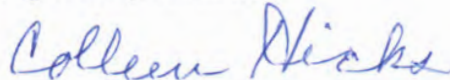
I am not aware of anyone fishing from shore, either recreationally or commercially, in the area of the Northern Reef Extension.

I have also explored the intertidal area of the Northern Reef Extension from time to time. It is pristine and rich with many species. It makes no sense to me that this and the Southern Reef Extension, both fragile ecological areas, have not been included in the Duxbury Reef Marine Protected Area. Both should now be included in an expanded State Marine Reserve.

Summary

In order to preserve without further impairment, and to correct harm that has been previously done to, the intertidal ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations all three of the above-described additions to and modifications of the Duxbury Reef State Marine Conservation Area proposed by EAC should be approved by the Commission.

Respectfully submitted,



Colleen Hicks

cc. Kent Khtikian

ATTACHMENT 3



February 1, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: Support for **Petition No. 2023-32MPA**, Environmental Action Committee of West Marin (EAC)
Petition for Regulation Change at Duxbury Reef

Dear President Sklar and Commissioners,

The undersigned organizations submit these comments in support of EAC's petition regarding changes to the regulations for the Duxbury Reef State Marine Conservation Area (SMCA); petition no. 2023-32MPA. The undersigned organizations are committed to coastal protection and the marine protected area (MPA) network.

Duxbury Reef's shale reef supports a complex and rich ecosystem of over 100 species of invertebrates, marine algae, and plants, plus associated finfish and avian species. Its broad, flat slope affords easy access to rocky intertidal tidepools which are visited by many people throughout the year, and used as outdoor classrooms for students from primary school to the university level. On some days, there can be hundreds of visitors at Duxbury Reef, including many visitors from other states and countries.

To help preserve the ecosystem of Duxbury Reef for the enjoyment, education, and inspiration of current and future generations, and to minimize the negative impacts of "take" to Duxbury Reef's vulnerable intertidal habitat and species, we urge the California Fish and Game Commission to modify the existing Duxbury Reef SMCA regulations with the following changes proposed by EAC:

1. **Change the Duxbury Reef SMCA designation to State Marine Reserve (SMR)** in which no take would be allowed, to more fully protect vulnerable marine species at risk of impacts from take. This would eliminate the existing public confusion and enforcement challenge related to the current allowance of some take. Redesignating Duxbury to an SMR is of vital importance.
2. **Extend the southern boundary of the Duxbury MPA** to the most southerly tip of Duxbury Reef exposed at mean lower low water. That is, protect the whole reef to a point at approximately 37° 53.1315' N. latitude, 122° 41.7549' W. longitude, to include the southern reef area which is contiguous with the rest of the MPA, and ecologically sensitive yet currently unprotected.

3. **Extend the northern boundary of the Duxbury Reef MPA** protections to the Double Point/Stormy Stack Special Closure as described in CCR Title 14 § 632(b)(49) to protect contiguous, more pristine reef habitat to the north which is ecologically connected to the current SMCA, but which is at risk of being degraded.

We enthusiastically support California's MPA Network. In the case of Duxbury Reef, we assert that strengthened protections are urgently needed to preserve the reef's biodiverse marine life for future generations, considering public confusion about allowable take, as well as the lack of any protection of the southern and northern sections of the reef habitat, all in combination with changing ocean and climate conditions including sea level rise that add further stress on sensitive marine creatures and alter the habitat.

Sincerely,

| | |
|--|--|
| Deb Castellana Director of Strategic Alliances Mission Blue | Chance Cutrano Director of Programs Resource Renewal Institute |
| Laura Deehan State Director Environment California Research and Policy Center | Neal Desai Senior Program Director, Pacific Region National Parks Conservation Association |
| Rikki Eriksen, Ph.D. Director of Marine Programs California Marine Sanctuary Foundation | Suzanne Hume Educational Director & Founder CleanEarth4Kids.org |
| Megan Isadore Executive Director River Otter Ecology Project | Barbara Salzman President Marin Audubon Society |
| Scott D. Sampson, Ph.D. Executive Director California Academy of Sciences | Joe Sanchez President Huukuiko, Inc. |
| Terri Thomas President Marin Conservation League | Tomas Valadez California Policy Associate Azul |
| Robert Vergara Roger Arliner Young (RAY) Ocean Conservation Fellow Natural Resources Defense Council | Laura Walsh California Policy Manager Surfrider Foundation |

From: Devin O'Dea <[REDACTED]>
Sent: Thursday, February 1, 2024 04:10 PM
To: FGC <FGC@fgc.ca.gov>
Cc: Mark Smith <[REDACTED]>; Wayne Kotow <[REDACTED]>; Keely Hopkins <[REDACTED]>; California Chapter <[REDACTED]>
Subject: Discussion Item 10 - Regulation change petitions (marine)

Dear Commission Staff,

Please accept the attached comment letter on behalf of Backcountry Hunters & Anglers, the Coastal Conservation Association of California, and the Congressional Sportsman's Foundation pertaining to Discussion Item 10 at the upcoming Fish & Game Commission meeting.

Thank you,



Devin O'Dea | Western Policy & Conservation Manager

Backcountry Hunters & Anglers

Phone: (415) 246-5329

www.backcountryhunters.org





**BACKCOUNTRY
HUNTERS & ANGLERS
CALIFORNIA**



February 1, 2024

California Fish and Game Commission
715 P Street, 16th Floor,
Sacramento, CA 95814

RE: Discussion Item 10 - Regulation change petitions (marine)

Dear President Sklar, Vice President Zavaleta & Commissioners,

We appreciate the opportunity to comment on the numerous petitions under consideration at the February meeting of the California Fish & Game Commission, and we offer the perspective of the many hundred thousand supporters of our organizations to the Commission. We express grave concerns regarding several of the proposals to eliminate fishing access along large stretches of the California coast and argue that many of the petitions lack adequate scientific support and documentation to substantiate their positions.

The Decadal Management Review (DMR) of the Marine Protected Area Network (MPA) has offered important insights for MPA managers to help shape the adaptive management of MPA regulations, including promising research that MPAs may increase biomass and provide resiliency against the impacts of a changing climate for some species. The intent of the Marine Life Protection Act (MLPA) and the stewardship of our coastal resources are of paramount importance to California's heritage. However, these laudable goals and conservation benchmarks should not preclude access to harvest coastal foods where state and federal fisheries managers have demonstrated robust and resilient fish stocks without any current threat of overfishing, nor for those species where targeted fishing and active management would benefit the overall ecosystem balance.

There are numerous, seemingly well-intentioned petitions currently before the Fish & Game Commission that seek to preserve California's coastal waters citing anthropogenic impacts to biodiversity and ecosystems such as pollution, rising sea temperatures, disease, development and overfishing. While we support the intent to safeguard our fish stocks, biodiversity, and ecosystem integrity, we strongly disagree with the all-or-nothing approach adopted by many of the petitioners who proffer the wholesale elimination of fishing access without adequate scientific rationale or the acknowledgement of regulatory mechanisms already in place such as those established by the Magnuson-Stevens Fishery Conservation and Management Act working through the Pacific Fisheries Management Council, National Oceanic and Atmospheric Administration (NOAA) Fisheries, the California Department of Fish and Wildlife (CDFW), the Fish & Game Commission, and the additional state/federal laws and agencies dedicated to this task. Simply put, many of the petitions referenced below seek to advance preservation at all costs, pushing for wholesale closures that circumvent the regulatory processes already in place, ultimately bludgeoning access for the diverse angling communities that have revered these coastal traditions for generations.

Anglers and consumptive users will often be the first and loudest voices to advocate for restrictions or even closures to ensure the sustainability of a fishery, as evidenced by the numerous fishing groups and organizations advocating for the closure of the 2023 salmon season following the data and dismal projections provided by the Pacific Fisheries Management Council and CDFW. However, a Californian

constitutional right to fish seems to stand in conflict with the presumption that restriction of access is permissible where there is a lack of scientific evidence or data to justify the closure. Section 1, Article 25 of the California Constitution states, “the people shall have the right to fish upon and from the public lands of the State and in the waters thereof,” and the courts in *re Quinn* (1973) defined “public lands of the state” referenced in this article to include “access to fish in the inland streams and coastal waters of the state.”

Shore fishing, diving/spearfishing, kayak/boat fishing and coastal gathering are low impact activities that reflect the broad spectrum of California’s diverse community and constitute a valuable resource for individuals across the economic divide to access nature and provide food for their families. We encourage the Commission and MPA managers to consider the numerous communities that enjoy the state’s many sustainable food resources when considering protections and recommendations that might unnecessarily exclude these groups. We feel that these considerations are in line with the California Natural Resources Agency’s Outdoors for All initiative and its commitment in the Pathways to 30x30 document to “implement projects that do no further harm or pose unintended consequences to historically marginalized communities.”¹ Specifically, we wish to highlight this issue with regards to the expansion of California’s MPA network which restricts shore-based diving, foraging, and fishing access for all Californians – especially historically marginalized communities, communities of color and Native American tribes. From California’s Constitutional Right to Fish:

Anglers from historically marginalized communities may be less able to travel to fishing locations and are more likely to require shore access, as opposed to access from a boat. Anglers in communities like this need accessible shore-fishing, particularly given the importance of subsistence fishing in poorer communities. Moreover, fishing opportunities offer physical and psychological benefits to disadvantaged communities, not just access to fish as food.²

It is within this context that we urge the Commission to take the following actions with regards to the petitions they have received.

Petition 2023-14MPA: *Allow commercial take of red sea urchins in nine state marine conservation areas (SMCAs)*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-15MPA: *Reclassify three northern Channel Islands state marine reserves (SMRs) to SMCAs and allow take of highly migratory species, pelagic finfish, and/or coastal pelagic finfish*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation, but are encouraged by the proposal and the potential opportunity to gather more data on limited take MPAs and long-term MPA monitoring at the Channels Islands.

¹ https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/30-by-30/Final_Pathwaysto30x30_042022_508.pdf

² Coats, Francis, and Karrigan Bork. “CALIFORNIA’S CONSTITUTIONAL RIGHT TO FISH.” *Environmental Law*, vol. 51, no. 4, 2021, pp. 1085–147. *JSTOR*, <https://www.jstor.org/stable/48647570>. Accessed 22 Mar. 2023.

Petition 2023-16MPA: *Reclassify Stewarts Point and Bodega Head SMRs to SMCAs and allow commercial take of salmon.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-18MPA: *Modify allowed uses for four marine protected areas (MPAs) in Santa Barbara Channel and eliminate two special closures.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-19MPA: *Designate new "Chitqawi" SMCA near Morro Bay for California-Chumash co-management*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-20MPA: *Reclassify and rename Point Buchon SMR to "Chumash SMCA" for co-management with tribal take exemption.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-21MPA: *Modify Pyramid Point SMCA to remove recreational take of surf smelt and allow tribal take exemption for Tolowa Dee-ni' Nation.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-22MPA: *Define "rocky intertidal zone," add research, monitoring, restoration and education allowance, and clarify protections in several Orange County MPAs.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-23MPA: *Reclassify three SMCAs to SMRs, designate one new SMR in Monterey, and make various changes related to kelp restoration.*

We recommend the Commission deny this petition.

While the petitioner's intent to restore kelp forests and ecosystem integrity at tankers reef and in the surrounding waters is laudable, this broadly proscriptive petition would unnecessarily restrict access for anglers where there is no clear scientific rationale. In fact, the petitioner submitted a very similar petition seeking to close access for groundfish along a large stretch of the coast in this region in 2023 which the Department of Fish & Wildlife rejected citing a lack of scientific evidence to support the claim. We support the ongoing efforts to restore kelp forests through urchin culling and other means, however we oppose reclassifying these SMCAs to SMRs and the establishment of a new SMR in Monterey.

Petition 2023-24MPA: *Expand Laguna Beach no-take SMCA southward to border of City of Laguna Beach and modify Dana Point SMCA boundaries*

We recommend the Commission deny this petition.

We oppose this petition on the basis that it lacks scientific documentation or justification to eliminate fishing access in the proposed area. The petitioner argues primarily for administrative ease that the no-take closure be extended to the edge of city limits. During the implementation of the MLPA, MPAs were sited utilizing careful selection criteria based on habitat type, proximity from other MPAs, impact to communities and more. The petitioner argues that all beaches within the City of Laguna Beach should be no-take MPAs in order to streamline enforcement and that homeowners “feel that it is not equitable to have only the north and central beaches protected.” It should be noted that the petitioner also states clearly in the Economic or Fiscal Impact section of the petition that “estimated resident property values gain an increase of 20% from proximity to a fully protected MPA” which may explain more robust support from the city and homeowners.

The petitioner also cites kelp forest health as justification for eliminating fishing access, however the 100 + page report included with the petition doesn’t reference fishing pressure or boat activity with regards to kelp forest health and instead focuses on water temperature, nutrients, wave height, upwelling, rainfall and other stressors. As such, we recommend the Commission deny this petition since there is no scientific documentation to support its claims, and it would only negatively impact anglers who would be forced to travel further to reach fishing grounds.

Petition 2023-27MPA: *Reclassify a portion or all of Anacapa SMCA to an SMR to protect eelgrass*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation. We recognize the value of eelgrass beds for overall ecosystem health and habitat; however, it should be noted that many recreational anglers who target pelagic fish do not anchor and instead prefer to drift fish or troll instead which would have zero impact on the bottom habitat and eelgrass.

Petition 2023-28MPA: *Designate a new SMR at Point Sal, or designate as an SMCA with a tribal take exemption based on tribal consultation*

We recommend the Commission deny this petition.

While the petitioner takes time to identify the important habitat types, larval transport zones, and cultural significance of the Point Sal area, and they reference potential threats to the region from coastal development and industry, they fail to elaborate in any substantive way why fishing access should be removed from this wild and iconic central coast fishing destination. The petitioner states: “current [commercial] fishing in the proposed area is limited, likely due to its considerable distance from nearest port areas of Morro Bay and Santa Barbara.” They also admit that they have no data or analysis with regards to recreational fishing and state, “our request to CDFW for recreational fishing data from this area was being processed at time of submission; we will evaluate the potential impact to recreational fishers and submit it to the state following receipt of the requested data.”

A limited google search of “Point Sal fishing” also uncovers a large number of recreational fishing blogs and videos detailing the remote and adventurous hike to fish this area from a diverse population of anglers. In 2023 one blogger wrote, “had a great time hiking miles and miles and miles to fish Point Sal with Martin Mansera from Mansera Outdoors...It's such a remote location and so difficult to access, it

makes for a really rad adventure.” Recreational fishing trips to the area by boat are also common, and fishing is noted in nearly every travel guide or city/county website that talks about visiting Point Sal.

Regarding access and disadvantaged communities, the petitioner writes, “the California Environmental Protection Agency identifies the adjacent city of Guadalupe as “disadvantaged” under CA Senate Bill 535, and their synthesis of environmental and socioeconomic indicators further reveals that Guadalupe – alongside Santa Maria and Lompoc – are underprivileged communities that experience significant cumulative impacts from pollution. Given these communities’ close proximity to Point Sal, implementing an SMR at the proposed site could enhance access for disadvantaged populations to valuable coastal resources and fishing opportunities.”

To justify this confounding claim that removing fishing access could somehow *enhance fishing opportunities* for disadvantaged communities, the petitioner cites a study of commercial lobster fishing and the concept of “spillover.” They write, “California’s MPAs have been shown to increase the biomass of fishery-targeted species and promote “spillover” into nearby coastal areas, benefitting nearby fishing grounds.”

Spillover and the positive impacts to fisheries located in waters adjacent to MPAs are often referenced in association with the MPA network, and the limited, initial science has demonstrated some positive correlations with spillover of invertebrates like lobsters to adjacent fishing grounds in select study areas and commercial fishing for tuna in Hawaii. However, there remains an opportunity to further study this hypothesis and to promote scientific research that successfully documents spillover of targeted finfish across the MPA network in California. Some data from MPA monitoring along the Central California Coast indicated limited evidence of spillover from targeted finfish that were tagged and recaptured at a later point during the study period as evidenced from the Starr et al study: Variation in Responses of Fishes across Multiple Reserves within a Network of Marine Protected Areas in Temperate Waters:

As of July 2014, a total of 251 individual tag recaptures have been reported (Table 8). Tagged fishes were recaptured by commercial and recreational hook-and-line fishermen, commercial trap fishermen, SCUBA divers, and during our fishing surveys. Of all the tagged fishes recapture and reported, 71% were recaptured in the same site and grid cell as they were released, and 22% of recaptured fishes were caught within the same site but outside the original grid cell where they were released. Only 18 fish, or 7% of the recaptured fishes, were recaptured beyond the boundaries of the MPA or REF site in which they were released. The mean net distance moved by eight of nine species recaptured was less than half the length of the MPAs we studied.³

While we do not seek to draw conclusions regarding the overall merits of spillover to adjacent fisheries from the results of one study, we do encourage additional research to evaluate the impacts that MPAs have on local fisheries and fisheries as a whole, especially within the context of varied siting and disparate habitat types evidenced across the MPA network. As the Forcada study indicated, “We conclude that spillover effects are not a universal consequence of siting MPAs in temperate waters and they are related to the distribution of habitats inside and around MPAs.” (Forcada et al., 2009).

Due to the limited scientific understanding of spillover as it relates to the Marine Protected Area Network as a whole, especially with regards to finfish which would be the primary target of recreational shore and

³ 4 Starr RM, Wendt DE, Barnes CL, Marks CI, Malone D, et al. (2015) Variation in Responses of Fishes across Multiple Reserves within a Network of Marine Protected Areas in Temperate Waters. PLOS ONE 10(3): e0118502. <https://doi.org/10.1371/journal.pone.0118502>

boat-based anglers at Point Sal, we disagree with the petitioner's logical assumptions and the argument as a whole. In fact, when considered in the context presented from the *Constitutional Right to Fish* article, the discussion is turned on its head entirely. "Anglers from historically marginalized communities may be less able to travel to fishing locations and are more likely to require shore access, as opposed to access from a boat. Anglers in communities like this need accessible shore-fishing, particularly given the importance of subsistence fishing in poorer communities."⁴

With the two large no-take SMRs located just South of this newly proposed MPA (Vandenberg SMR & Point Conception SMR) and Point Buchon to the North, it would seem the opportunities to fish and forage the coast for residents of Guadalupe, Lompoc and Santa Maria are already few and far between. In fact, in 2022 the City of Lompoc petitioned the Fish & Game Commission to allow for shore-fishing access along a ½ mile stretch of beach within the Vandenberg SMR, citing a lack of access to historic fishing grounds for the local communities.

We share the petitioner's concerns regarding habitat disruption from off-shore energy production and the associated infrastructure, however, we note the likely establishment of the Chumash Heritage National Marine Sanctuary (CHNMS) designation which would effectively curtail any development or offshore energy production in this region. Planning for the CHNMS has included fishing access as a key component of the proposed designation.

As a result, we recommend the Commission deny this petition.

Petition 2023-29MPA: *Designate a new SMCA with a tribal take exemption for and co-management with Santa Ynez Band of Chumash Indians in Santa Barbara*

We recommend the Commission deny this petition.

We oppose the petitioner's request to designate a new, no-take SMCA in Carpinteria for several reasons. First, the petitioner argues that spacing and connectivity is a key concern in this location with the distance between the Campus Point and Point Dume SMCAs at 64 nautical miles (nm) instead of the recommended 54 nm to ensure ecological connectivity. When this request is examined within the broader context of MPA siting, it is clear that the target spacing between MPAs could be easily achieved by moving the Campus Point SMCA South or the Point Dume SMCA North, since both are located well within the recommended 54nm from adjacent MPAs on either side.

Additionally, the petitioner cites the location as important nursery habitat for juvenile great white sharks as justification for establishing a no-take SMR. They write, "Research conducted in the Southern California Bight has found that fisheries bycatch is likely the main source of mortality for JWS." However, the article they cite to support this claim, John F. Benson et. al., discloses that for great white sharks they captured and tagged, "mortality risk was substantially greater off the coast of Baja, Mexico compared with California." Importantly, the research paper also states, "that incidental gillnet capture continues to be the primary source of mortality for juveniles. The lower mortality risk we documented in California waters suggests that full closure of gillnet fishing close to shore is a more effective management strategy than simply banning targeted fishing to reduce mortality risk due to bycatch."⁵

⁴ Coats, Francis, and Karrigan Bork. "CALIFORNIA'S CONSTITUTIONAL RIGHT TO FISH." *Environmental Law*, vol. 51, no. 4, 2021, pp. 1085–147. *JSTOR*, <https://www.jstor.org/stable/48647570>. Accessed 22 Mar. 2023.

⁵ Benson JF, Jorgensen SJ, O'Sullivan JB, et al. Juvenile survival, competing risks, and spatial variation in mortality risk of a marine apex predator. *J Appl Ecol*. 2018; 55: 2888–2897. <https://doi.org/10.1111/1365-2664.13158>

As the petitioner is undoubtedly aware, gillnet fishing is banned in state waters and therefore the proposed MPA would have no impact on the gillnet fishery or likely the mortality risk to great white sharks.

The petitioner notes the location's popularity with recreational lobster divers and the likely opposition from stakeholders who would oppose the additional loss of access. The mortality risk to great white sharks from the recreational lobster fishery is zero, similar to the risk from spearfishing, yet the petitioner seeks to eliminate access entirely without providing any scientific rationale for the closure. As a result, we request that the Commission deny this petition.

Petition 2023-31MPA: *Reclassify Drakes Estero SMCA to an SMR and combine with Estero de Limantour SMR as a single SMR:*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation but encourage the Commission to maintain access for clamming unless there is a clear threat to the fishery or surrounding ecosystem.

It is worth noting that the National Park Service mentions in their comment letter that the area is now Congressionally Designated Wilderness and that "recreational take of shellfish appears to be very rare, [and] requires long kayak trips in wilderness area." Just because something is difficult doesn't mean it should be illegal.

Petition 2023-32MPA: *Reclassify Duxbury Reef SMCA as an SMR and expand northern and southern boundaries*

We recommend that the Commission deny or refer this petition to the Department of Fish & Wildlife for review and recommendation but emphasize maintaining fishing access for local communities at Duxbury Reef. The vast majority of complaints regarding Duxbury reef are related to enforcement and compliance, rather than a scientific justification for eliminating access. Shore fishing is an important past-time for the diverse communities that comprise the North Bay Area, and removing access to a popular fishing destination should not be justified simply based on the actions of a few bad apples.

Petition 2023-33MPA: *Expand the boundaries of five SMRs and one SMCA, and designate a new SMR off Pleasure Point, in Santa Cruz*

We recommend that this petition be denied or referred to the Department of Fish & Wildlife for review and recommendation due to its broad scope and complexity. The petitioner seeks to enhance protections for kelp forests, but does so with an overly broad brush. Rather than advocating for reducing fishing pressure for predators of kelp grazers, like lobster and sheepshead, the petition advocates for the closure of all fishing, including the harvest of grazer species like urchins that have been documented to decimate kelp forests.

The petitioner argues that eliminating fishing pressure within the proposed MPA areas would somehow bolster kelp populations, but the claim is not well documented by scientific research in this petition. A noteworthy case study, by comparison, is the ongoing Tanker's Reef kelp restoration project, where volunteers have been culling purple urchins within study plots and tracking kelp recovery within the study area and a control site nearby. The initial data for the last three years shows a clear correlation between the removal of purple urchins and kelp recovery in the study plot with no kelp recovery in the adjacent control where urchins were not removed. Fishing is permitted in the Tanker's reef area, however, in adjacent MPA's that have not permitted active restoration and where fishing is not allowed, urchin barons persist and kelp recovery remains minimal.

Kelp forest health and resiliency is a complex and multi-variable equation that can be impacted by numerous factors including water temperature, disease, pollution, algal blooms, wave energy, commercial harvest and more. We support efforts to restore kelp forests across the coast and recognize the role they play in the overall ecosystem health of fisheries, especially the abalone fishery that remains closed until 2026. We urge caution, however where broad fishing closures are enacted in the attempt to solve a problem that requires a more nuanced and carefully crafted multidisciplinary approach.

It should also be noted that the petitioner indicates support for recreational hook and line fishing and spearfishing as an acceptable alternative in several of the MPAs referenced in the petition.

Petition 2023-34MPA: *Reclassify Point Buchon SMCA to an SMR and modify take at Farnsworth Onshore and Offshore SMCAs to only allow recreational spearfishing.*

We recommend that the Commission deny this petition and we emphasize the substantial impacts to current fishing access. The petitioner argues that since the salmon season was closed in 2023 it will likely be closed in perpetuity, which would justify eliminating salmon and albacore fishing access at the Point Buchon SMCA. Salmon populations often decrease during drought years and can rebound with increased precipitation or water allocation as was the case in 2008 and 2009 when the fishery was closed and then reopened. We are cautiously optimistic that the salmon numbers will once again bounce back following the increased precipitation received over the past two years.

In the draft Pathways to 30x30 document, the CNRA writes: “It should be noted that limited-take State MPAs provide an excellent model for other jurisdictions looking to balance biodiversity conservation with sustainable well-managed commercial and recreational fishing.” We feel that reclassifying the Point Buchon SMCA as an SMR and eliminating fishing in this area would be inappropriate; however, we support any attempts to improve enforcement and compliance with existing regulations.

Furthermore, the proposal to modify take at Farnsworth Onshore and Offshore SMCAs would disproportionately impact a broad variety and collection of user groups who may not be physically able or inclined to spearfish. For this reason and the lack of concrete scientific data to justify the additional restrictions, we recommend the Commission deny this petition.

Sincerely,

Devin O’Dea
Western Policy & Conservation Manager
Backcountry Hunters & Anglers

Wayne Kotow
Executive Director
Coastal Conservation Association California

Keely Hopkins
Western States Manager
Congressional Sportsman’s Foundation

From: Rick Duenas <[REDACTED]>
Sent: Friday, February 2, 2024 8:41 AM
To: FGC
Subject: Public comment on several 2023-MPA petitions

Dear Members of the Commission,

My name is Rick Duenas. I reside in Pacifica, CA but recreate up and down the coast. I write to you as an avid angler and spearfisherman expressing concern and opposition regarding several of the 2023 MPA petitions that impact areas for which I am both a consumptive stakeholder and steward. Many of these petitions will exclude and alienate consumptive stakeholders from participating in the MPA network, whether through designation changes or boundary expansions. I urge you to please reject petitions 2023-23MPA, 2023-24MPA, 2023-26MPA, 2023-27MPA, 2023-29MPA, 2023-32MPA, 2023-33MPA, and 2023-34MPA for the reasons enumerated below.

- 2023-23MPA: This petition will effectively ban fishing and spearfishing from the entire north side of the Monterey Peninsula by converting existing SMCAs to no-take SMRs. These SMCAs provide important nearshore opportunities for various consumptive stakeholders. The petitioner, as they attempted in a prior petition rejected by FGC (petition 2023-02), incorrectly claims eliminating finfish take will benefit kelp. In fact, the literature cited by the petition itself even states "[population and mean biomass responses] in the Central Coast MPAs were highly variable" and "kelp canopy monitoring from Landsat remote sensing did not detect a strong effect of MPA protection on average kelp canopy area." (Carr, et al.) This petition is not grounded in scientific reasoning or sound fisheries management and should be rejected.
- 2023-24MPA: This petition will effectively ban fishing, spearfishing, and all other take in the entirety of Laguna Beach. The petitioner cites ease of enforcement and anecdotal overharvesting and substrate degradation as rationale. This is unfair to consumptive stakeholders, essentially saying "it is too hard for city enforcement to learn the different regulations between different areas, so we want to impose a blanket ban on all consumptive stakeholders rather than addressing the root problem of educating the public." Frankly, this petition proposes lazy, non-adaptive management and should be rejected.
- 2023-26MPA: This petition aims to protect intertidal habitat and simplify enforcement but will effectively ban lobster diving from the productive reef at the southern end of Cardiff State Beach. This petition should be rejected and the petitioner advised to propose a smaller, intertidal-take-specific MPA in its place if that truly is the concern.
- 2023-27MPA: This petition aims to protect eel grass against anchor and lobster trap damage by converting Anacapa SMCA to a no-take SMR but will effectively ban consumptive take on the entire northern side of Anacapa Island. Why not simply address these threats via regulation change instead of designation change? This petition should be rejected and the petitioner advised

to propose a regulation change that prohibits lobster trapping and anchoring shallower than 20 meters; this will allow anglers and divers to drift through or swim in, the intention of the original regulations.

- 2023-29MPA: This petition will effectively ban all take off Carpinteria in Santa Barbara County. This is a popular and important nearshore access opportunity for lobster diving, which is limited to shallow reefs like those found here. This petition should be rejected or revised to make an exemption for low impact take like lobster diving and shore angling.
- 2023-32MPA: This petition will severely limit shore angling opportunities off the Marin coastline. This is an equity issue in that shore-based anglers cannot simply motor to other areas in boats. This petition should be rejected in favor of public education and outreach.
- 2023-33MPA: This petition will severely limit consumptive stakeholder opportunities in several important kelp forests in Southern and Central California, kelp forests that provide equitable access to nearshore activities like angling, lobster diving, and spearfishing. It is inappropriate for a single petition to propose changes to seven unrelated areas; this petition should be split into seven distinct petitions to weigh stakeholder input for each specific area. These expansions are unnecessary in that they target kelp forests that have done particularly well the last decade without MPA intervention. The petition cites warm water events and pollution as threats to kelp forests, yet expanding MPA areas do nothing to mitigate these threats. It is also important to manage these areas in the status quo to serve as a scientific control to compare the efficacy of other MPAs against. This petition should be rejected. Particularly egregious proposals therein:
 - Expanding Cabrillo SMR as proposed will result in divers and anglers losing access to 100% of nearshore reefs and kelp in San Diego.
 - Expanding South Point SMR as proposed will result in divers and anglers losing access to 50% of the south coastline of Santa Rosa Island.
 - Expanding Natural Bridges SMR (and intertidal-focused MPA) to 3nm offshore will eliminate large swaths of groundfish and salmon opportunity from anglers, completely unrelated to the inshore kelp.
 - Designating the Pleasure Point SMR as proposed will result in divers and anglers losing access to important inshore reefs and kelp in eastern Santa Cruz County.
- 2023-34MPA: This petition aims to ease enforcement and compliance by converting Point Buchon SMCA to a no-take SMR. Again, this is throwing the baby out with the bath water. Moreover, the petitioner justifies prohibiting take of salmon because there is a temporary statewide salmon closure, leaving no room for this to change in the future with better recruitment conditions. This petition should be rejected in favor of public education, outreach, and increase enforcement emphasis on the existing MPA.

In summary, the aforementioned petitions alienate and restrict opportunity for a large cohort of consumptive stakeholders across the state in an uncompromising and blanket manner. These petitions should be rejected and the petitioners advised to re-group and bring to the table more specific solutions that address root causes to the compliance, enforcement and protection gaps identified as rationale.

Thank you for your time.

Sincerely,
Rick Duenas

From: Michael Eberhardt <[REDACTED]>
Sent: Sunday, February 4, 2024 11:33 AM
To: FGC
Subject: Subject: Opposition to Proposed MPAs - Petitions 2023-23MPA, 2023-24MPA, 2023-26MPA, 2023-29MPA, 2023-32MPA, and 2023-33MPA

Michael Eberhardt

[REDACTED]

San Francisco, CA [REDACTED]

[REDACTED]

[REDACTED]

2.4.24

Fish and Game Commission

715 P Street, 16th floor,

Sacramento, 95814

Subject: Opposition to Proposed MPAs - Petitions 2023-23MPA, 2023-24MPA, 2023-26MPA, 2023-29MPA, 2023-32MPA, and 2023-33MPA

Dear Commissioners,

I am writing to express my strong opposition to the series of Marine Protected Area (MPA) petitions currently under consideration, specifically 2023-23MPA, 2023-24MPA, 2023-26MPA, 2023-29MPA, 2023-32MPA, and 2023-33MPA. These proposed changes, I believe, are not only detrimental to the rights and

interests of consumptive stakeholders but are also lacking in scientific rationale, equitable enforcement strategies, and fail to directly address the purported environmental concerns.

****2023-23MPA**** seeks to convert existing State Marine Conservation Areas (SMCAs) on the north side of the Monterey Peninsula into no-take State Marine Reserves (SMRs), effectively banning all fishing and spearfishing activities. This proposal disregards the importance of these areas for consumptive users and is based on the unfounded claim that prohibiting finfish take will benefit kelp forests. This approach is not supported by scientific evidence and overlooks the need for sound fisheries management practices.

****2023-24MPA**** proposes a complete ban on fishing, spearfishing, and all other take activities in Laguna Beach. The justification for this sweeping prohibition—citing enforcement difficulties and anecdotal evidence of overharvesting—overlooks the fundamental issue of public education on existing regulations. This blanket approach unfairly penalizes law-abiding stakeholders and is an example of regulatory overreach based on convenience rather than necessity.

****2023-26MPA**** aims to protect intertidal habitats at Cardiff State Beach but in doing so would unjustly prohibit lobster diving in one of the area's most productive reefs. This proposal is an overextension of enforcement simplification that sacrifices valuable recreational opportunities without considering more targeted and reasonable restrictions.

****2023-29MPA**** seeks to eliminate all take activities off Carpinteria, impacting essential access for low-impact recreation such as lobster diving. This area is crucial for sustainable nearshore activities, and the proposed ban disregards the socio-economic benefits derived from these practices.

****2023-32MPA**** would significantly restrict shore angling and some kayak fishing opportunities off the Marin coastline by expanding the Duxbury Reef SMCA. This change is proposed under the guise of enforcement ease but in reality, would severely limit public access to marine resources without a clear environmental justification.

****2023-33MPA**** proposes broad restrictions across several key kelp forest areas in Southern and Central California. The sweeping nature of this petition fails to consider localized stakeholder input and does not effectively address the cited threats of warm water events and pollution. Instead, it would indiscriminately restrict access to valuable fishing grounds and recreational areas.

In summary, these petitions lack a balanced consideration of ecological preservation, stakeholder interests, and the socio-economic impact on local communities. They also fail to provide compelling scientific evidence to justify such extensive prohibitions. I urge the Commission to reject these proposals and to seek more targeted, science-based, and equitable solutions to marine conservation challenges.

Thank you for considering my views on this matter. I trust that the Commission will make decisions that are in the best interest of both our marine ecosystems and the communities that rely on them.

Sincerely,

Michael Eberhardt

From: Joe Huettl <[REDACTED]>
Sent: Sunday, February 4, 2024 4:12 PM
To: FGC
Subject: MPA

Dear President Sklar and Honorable Members of the Commission,

I am writing to oppose the following petitions under consideration at this month's Fish and Game Commission meeting.

2023-23MPA - Eliminating Tanker's Reef would remove an important area from a popular kayak fishing destination for rockfish, California halibut, sardines, and other fin fish. Kayak fishing has little or no impact on kelp beds. Changing three SMCAs to SMRs would also eliminate areas that are currently available and popular to catch squid recreationally. The petitioner makes statements regarding recreational fishing effects on both kelp health and diver safety that are not backed by science. The culling of urchins is listed as the primary strategy of kelp restoration and they do not make a good case for recreational fishing having much of an affect on that.

2023-33MPA - Expanding Natural Bridges SMR three nautical miles out goes far beyond the goals of the petition and severely negatively affects recreational fishing. Recreational fishing has little to no affect on kelp forests. Creating a new SMR at Pleasure Point would have a huge impact on recreational fishing with very little benefit to kelp restoration. This is a popular fishing area for non-motorized vessels and small boats. At some point these restrictions would eliminate Santa Cruz as a fishing destination, with local economic impacts to follow. In one of their letters they state that the proposed MPA is not subject to any significant commercial take. So the designation would affect sport fishing and diving for the most part.

2023-32MPA - Changing Duxbury Reef SMCA to an SMR will eliminate local shore fishing opportunities. Expanding the proposed SMR could have a negative affect on kayak and boat fishing.

2023-20MPA - Expanding Point Buchon North would eliminate one of the few ocean kayak fishing opportunities on the Central Coast.

Please take into account the loss of recreational fishing opportunities and their effect on local economies and morale.

This current barrage of petitions to expand the MPA network is meant to overwhelm the opposition and disregards the thousands of Californians who fish recreationally.

Sincerely,

Joseph Huettl

Walnut Creek , CA



**BACKCOUNTRY
HUNTERS & ANGLERS
CALIFORNIA**



February 8, 2024

California Fish and Game Commission
715 P Street, 16th Floor,
Sacramento, CA 95814

RE: Discussion Item 10 - Regulation change petitions (marine)

Dear President Sklar, Vice President Zavaleta & Commissioners,

We appreciate the opportunity to comment on the numerous petitions under consideration at the February meeting of the California Fish & Game Commission, and we offer the perspective of the many hundred thousand supporters of our organizations to the Commission. We express grave concerns regarding several of the proposals to eliminate fishing access along large stretches of the California coast and argue that many of the petitions lack adequate scientific support and documentation to substantiate their positions.

The Decadal Management Review (DMR) of the Marine Protected Area Network (MPA) has offered important insights for MPA managers to help shape the adaptive management of MPA regulations, including promising research that MPAs may increase biomass and provide resiliency against the impacts of a changing climate for some species. The intent of the Marine Life Protection Act (MLPA) and the stewardship of our coastal resources are of paramount importance to California's heritage. However, these laudable goals and conservation benchmarks should not preclude access to harvest coastal foods where state and federal fisheries managers have demonstrated robust and resilient fish stocks without any current threat of overfishing, nor for those species where targeted fishing and active management would benefit the overall ecosystem balance.

There are numerous, seemingly well-intentioned petitions currently before the Fish & Game Commission that seek to preserve California's coastal waters citing anthropogenic impacts to biodiversity and ecosystems such as pollution, rising sea temperatures, disease, development and overfishing. While we support the intent to safeguard our fish stocks, biodiversity, and ecosystem integrity, we strongly disagree with the all-or-nothing approach adopted by many of the petitioners who proffer the wholesale elimination of fishing access without adequate scientific rationale or the acknowledgement of regulatory mechanisms already in place such as those established by the Magnuson-Stevens Fishery Conservation and Management Act working through the Pacific Fisheries Management Council, National Oceanic and Atmospheric Administration (NOAA) Fisheries, the California Department of Fish and Wildlife (CDFW), the Fish & Game Commission, and the additional state/federal laws and agencies dedicated to this task. Simply put, many of the petitions referenced below seek to advance preservation at all costs, pushing for wholesale closures that circumvent the regulatory processes already in place, ultimately bludgeoning access for the diverse angling communities that have revered these coastal traditions for generations.

Anglers and consumptive users will often be the first and loudest voices to advocate for restrictions or even closures to ensure the sustainability of a fishery, as evidenced by the numerous fishing groups and organizations advocating for the closure of the 2023 salmon season following the data and dismal projections provided by the Pacific Fisheries Management Council and CDFW. However, a Californian

constitutional right to fish seems to stand in conflict with the presumption that restriction of access is permissible where there is a lack of scientific evidence or data to justify the closure. Section 1, Article 25 of the California Constitution states, “the people shall have the right to fish upon and from the public lands of the State and in the waters thereof,” and the courts in *re Quinn* (1973) defined “public lands of the state” referenced in this article to include “access to fish in the inland streams and coastal waters of the state.”

Shore fishing, diving/spearfishing, kayak/boat fishing and coastal gathering are low impact activities that reflect the broad spectrum of California’s diverse community and constitute a valuable resource for individuals across the economic divide to access nature and provide food for their families. We encourage the Commission and MPA managers to consider the numerous communities that enjoy the state’s many sustainable food resources when considering protections and recommendations that might unnecessarily exclude these groups. We feel that these considerations are in line with the California Natural Resources Agency’s Outdoors for All initiative and its commitment in the Pathways to 30x30 document to “implement projects that do no further harm or pose unintended consequences to historically marginalized communities.”¹ Specifically, we wish to highlight this issue with regards to the expansion of California’s MPA network which restricts shore-based diving, foraging, and fishing access for all Californians – especially historically marginalized communities, communities of color and Native American tribes. From California’s Constitutional Right to Fish:

Anglers from historically marginalized communities may be less able to travel to fishing locations and are more likely to require shore access, as opposed to access from a boat. Anglers in communities like this need accessible shore-fishing, particularly given the importance of subsistence fishing in poorer communities. Moreover, fishing opportunities offer physical and psychological benefits to disadvantaged communities, not just access to fish as food.²

It is within this context that we urge the Commission to take the following actions with regards to the petitions they have received.

Petition 2023-14MPA: *Allow commercial take of red sea urchins in nine state marine conservation areas (SMCAs)*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-15MPA: *Reclassify three northern Channel Islands state marine reserves (SMRs) to SMCAs and allow take of highly migratory species, pelagic finfish, and/or coastal pelagic finfish*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation, but are encouraged by the proposal and the potential opportunity to gather more data on limited take MPAs and long-term MPA monitoring at the Channels Islands.

¹ https://resources.ca.gov/-/media/CNRA-Website/Files/Initiatives/30-by-30/Final_Pathwaysto30x30_042022_508.pdf

² Coats, Francis, and Karrigan Bork. “CALIFORNIA’S CONSTITUTIONAL RIGHT TO FISH.” *Environmental Law*, vol. 51, no. 4, 2021, pp. 1085–147. *JSTOR*, <https://www.jstor.org/stable/48647570>. Accessed 22 Mar. 2023.

Petition 2023-16MPA: *Reclassify Stewarts Point and Bodega Head SMRs to SMCAs and allow commercial take of salmon.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-18MPA: *Modify allowed uses for four marine protected areas (MPAs) in Santa Barbara Channel and eliminate two special closures.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-19MPA: *Designate new "Chitqawi" SMCA near Morro Bay for California-Chumash co-management*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-20MPA: *Reclassify and rename Point Buchon SMR to "Chumash SMCA" for co-management with tribal take exemption.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-21MPA: *Modify Pyramid Point SMCA to remove recreational take of surf smelt and allow tribal take exemption for Tolowa Dee-ni' Nation.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-22MPA: *Define "rocky intertidal zone," add research, monitoring, restoration and education allowance, and clarify protections in several Orange County MPAs.*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation.

Petition 2023-23MPA: *Reclassify three SMCAs to SMRs, designate one new SMR in Monterey, and make various changes related to kelp restoration.*

We recommend the Commission deny this petition.

While the petitioner's intent to restore kelp forests and ecosystem integrity at tankers reef and in the surrounding waters is laudable, this broadly proscriptive petition would unnecessarily restrict access for anglers where there is no clear scientific rationale. In fact, the petitioner submitted a very similar petition seeking to close access for groundfish along a large stretch of the coast in this region in 2023 which the Department of Fish & Wildlife rejected citing a lack of scientific evidence to support the claim. We support the ongoing efforts to restore kelp forests through urchin culling and other means, however we oppose reclassifying these SMCAs to SMRs and the establishment of a new SMR in Monterey.

Petition 2023-24MPA: *Expand Laguna Beach no-take SMCA southward to border of City of Laguna Beach and modify Dana Point SMCA boundaries*

We recommend the Commission deny this petition.

We oppose this petition on the basis that it lacks scientific documentation or justification to eliminate fishing access in the proposed area. The petitioner argues primarily for administrative ease that the no-take closure be extended to the edge of city limits. During the implementation of the MLPA, MPAs were sited utilizing careful selection criteria based on habitat type, proximity from other MPAs, impact to communities and more. The petitioner argues that all beaches within the City of Laguna Beach should be no-take MPAs in order to streamline enforcement and that homeowners “feel that it is not equitable to have only the north and central beaches protected.” It should be noted that the petitioner also states clearly in the Economic or Fiscal Impact section of the petition that “estimated resident property values gain an increase of 20% from proximity to a fully protected MPA” which may explain more robust support from the city and homeowners.

The petitioner also cites kelp forest health as justification for eliminating fishing access, however the 100 + page report included with the petition doesn’t reference fishing pressure or boat activity with regards to kelp forest health and instead focuses on water temperature, nutrients, wave height, upwelling, rainfall and other stressors. As such, we recommend the Commission deny this petition since there is no scientific documentation to support its claims, and it would only negatively impact anglers who would be forced to travel further to reach fishing grounds.

Petition 2023-27MPA: *Reclassify a portion or all of Anacapa SMCA to an SMR to protect eelgrass*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation. We recognize the value of eelgrass beds for overall ecosystem health and habitat; however, it should be noted that many recreational anglers who target pelagic fish do not anchor and instead prefer to drift fish or troll instead which would have zero impact on the bottom habitat and eelgrass.

Petition 2023-28MPA: *Designate a new SMR at Point Sal, or designate as an SMCA with a tribal take exemption based on tribal consultation*

We recommend the Commission deny this petition.

While the petitioner takes time to identify the important habitat types, larval transport zones, and cultural significance of the Point Sal area, and they reference potential threats to the region from coastal development and industry, they fail to elaborate in any substantive way why fishing access should be removed from this wild and iconic central coast fishing destination. The petitioner states: “current [commercial] fishing in the proposed area is limited, likely due to its considerable distance from nearest port areas of Morro Bay and Santa Barbara.” They also admit that they have no data or analysis with regards to recreational fishing and state, “our request to CDFW for recreational fishing data from this area was being processed at time of submission; we will evaluate the potential impact to recreational fishers and submit it to the state following receipt of the requested data.”

A limited google search of “Point Sal fishing” also uncovers a large number of recreational fishing blogs and videos detailing the remote and adventurous hike to fish this area from a diverse population of anglers. In 2023 one blogger wrote, “had a great time hiking miles and miles and miles to fish Point Sal with Martin Mansera from Mansera Outdoors...It's such a remote location and so difficult to access, it

makes for a really rad adventure.” Recreational fishing trips to the area by boat are also common, and fishing is noted in nearly every travel guide or city/county website that talks about visiting Point Sal.

Regarding access and disadvantaged communities, the petitioner writes, “the California Environmental Protection Agency identifies the adjacent city of Guadalupe as “disadvantaged” under CA Senate Bill 535, and their synthesis of environmental and socioeconomic indicators further reveals that Guadalupe – alongside Santa Maria and Lompoc – are underprivileged communities that experience significant cumulative impacts from pollution. Given these communities’ close proximity to Point Sal, implementing an SMR at the proposed site could enhance access for disadvantaged populations to valuable coastal resources and fishing opportunities.”

To justify this confounding claim that removing fishing access could somehow *enhance fishing opportunities* for disadvantaged communities, the petitioner cites a study of commercial lobster fishing and the concept of “spillover.” They write, “California’s MPAs have been shown to increase the biomass of fishery-targeted species and promote “spillover” into nearby coastal areas, benefitting nearby fishing grounds.”

Spillover and the positive impacts to fisheries located in waters adjacent to MPAs are often referenced in association with the MPA network, and the limited, initial science has demonstrated some positive correlations with spillover of invertebrates like lobsters to adjacent fishing grounds in select study areas and commercial fishing for tuna in Hawaii. However, there remains an opportunity to further study this hypothesis and to promote scientific research that successfully documents spillover of targeted finfish across the MPA network in California. Some data from MPA monitoring along the Central California Coast indicated limited evidence of spillover from targeted finfish that were tagged and recaptured at a later point during the study period as evidenced from the Starr et al study: Variation in Responses of Fishes across Multiple Reserves within a Network of Marine Protected Areas in Temperate Waters:

As of July 2014, a total of 251 individual tag recaptures have been reported (Table 8). Tagged fishes were recaptured by commercial and recreational hook-and-line fishermen, commercial trap fishermen, SCUBA divers, and during our fishing surveys. Of all the tagged fishes recapture and reported, 71% were recaptured in the same site and grid cell as they were released, and 22% of recaptured fishes were caught within the same site but outside the original grid cell where they were released. Only 18 fish, or 7% of the recaptured fishes, were recaptured beyond the boundaries of the MPA or REF site in which they were released. The mean net distance moved by eight of nine species recaptured was less than half the length of the MPAs we studied.³

While we do not seek to draw conclusions regarding the overall merits of spillover to adjacent fisheries from the results of one study, we do encourage additional research to evaluate the impacts that MPAs have on local fisheries and fisheries as a whole, especially within the context of varied siting and disparate habitat types evidenced across the MPA network. As the Forcada study indicated, “We conclude that spillover effects are not a universal consequence of siting MPAs in temperate waters and they are related to the distribution of habitats inside and around MPAs.” (Forcada et al., 2009).

Due to the limited scientific understanding of spillover as it relates to the Marine Protected Area Network as a whole, especially with regards to finfish which would be the primary target of recreational shore and

³ 4 Starr RM, Wendt DE, Barnes CL, Marks CI, Malone D, et al. (2015) Variation in Responses of Fishes across Multiple Reserves within a Network of Marine Protected Areas in Temperate Waters. PLOS ONE 10(3): e0118502. <https://doi.org/10.1371/journal.pone.0118502>

boat-based anglers at Point Sal, we disagree with the petitioner's logical assumptions and the argument as a whole. In fact, when considered in the context presented from the *Constitutional Right to Fish* article, the discussion is turned on its head entirely. "Anglers from historically marginalized communities may be less able to travel to fishing locations and are more likely to require shore access, as opposed to access from a boat. Anglers in communities like this need accessible shore-fishing, particularly given the importance of subsistence fishing in poorer communities."⁴

With the two large no-take SMRs located just South of this newly proposed MPA (Vandenberg SMR & Point Conception SMR) and Point Buchon to the North, it would seem the opportunities to fish and forage the coast for residents of Guadalupe, Lompoc and Santa Maria are already few and far between. In fact, in 2022 the City of Lompoc petitioned the Fish & Game Commission to allow for shore-fishing access along a ½ mile stretch of beach within the Vandenberg SMR, citing a lack of access to historic fishing grounds for the local communities.

We share the petitioner's concerns regarding habitat disruption from off-shore energy production and the associated infrastructure, however, we note the likely establishment of the Chumash Heritage National Marine Sanctuary (CHNMS) designation which would effectively curtail any development or offshore energy production in this region. Planning for the CHNMS has included fishing access as a key component of the proposed designation.

As a result, we recommend the Commission deny this petition.

Petition 2023-29MPA: *Designate a new SMCA with a tribal take exemption for and co-management with Santa Ynez Band of Chumash Indians in Santa Barbara*

We recommend the Commission deny this petition.

We oppose the petitioner's request to designate a new, no-take SMCA in Carpinteria for several reasons. First, the petitioner argues that spacing and connectivity is a key concern in this location with the distance between the Campus Point and Point Dume SMCAs at 64 nautical miles (nm) instead of the recommended 54 nm to ensure ecological connectivity. When this request is examined within the broader context of MPA siting, it is clear that the target spacing between MPAs could be easily achieved by moving the Campus Point SMCA South or the Point Dume SMCA North, since both are located well within the recommended 54nm from adjacent MPAs on either side.

Additionally, the petitioner cites the location as important nursery habitat for juvenile great white sharks as justification for establishing a no-take SMR. They write, "Research conducted in the Southern California Bight has found that fisheries bycatch is likely the main source of mortality for JWS." However, the article they cite to support this claim, John F. Benson et. al., discloses that for great white sharks they captured and tagged, "mortality risk was substantially greater off the coast of Baja, Mexico compared with California." Importantly, the research paper also states, "that incidental gillnet capture continues to be the primary source of mortality for juveniles. The lower mortality risk we documented in California waters suggests that full closure of gillnet fishing close to shore is a more effective management strategy than simply banning targeted fishing to reduce mortality risk due to bycatch."⁵

⁴ Coats, Francis, and Karrigan Bork. "CALIFORNIA'S CONSTITUTIONAL RIGHT TO FISH." *Environmental Law*, vol. 51, no. 4, 2021, pp. 1085–147. *JSTOR*, <https://www.jstor.org/stable/48647570>. Accessed 22 Mar. 2023.

⁵ Benson JF, Jorgensen SJ, O'Sullivan JB, et al. Juvenile survival, competing risks, and spatial variation in mortality risk of a marine apex predator. *J Appl Ecol*. 2018; 55: 2888–2897. <https://doi.org/10.1111/1365-2664.13158>

As the petitioner is undoubtedly aware, gillnet fishing is banned in state waters and therefore the proposed MPA would have no impact on the gillnet fishery or likely the mortality risk to great white sharks.

The petitioner notes the location's popularity with recreational lobster divers and the likely opposition from stakeholders who would oppose the additional loss of access. The mortality risk to great white sharks from the recreational lobster fishery is zero, similar to the risk from spearfishing, yet the petitioner seeks to eliminate access entirely without providing any scientific rationale for the closure. As a result, we request that the Commission deny this petition.

Petition 2023-31MPA: *Reclassify Drakes Estero SMCA to an SMR and combine with Estero de Limantour SMR as a single SMR:*

We recommend referring this petition to the Department of Fish & Wildlife for review and recommendation but encourage the Commission to maintain access for clamming unless there is a clear threat to the fishery or surrounding ecosystem.

It is worth noting that the National Park Service mentions in their comment letter that the area is now Congressionally Designated Wilderness and that "recreational take of shellfish appears to be very rare, [and] requires long kayak trips in wilderness area." Just because something is difficult doesn't mean it should be illegal.

Petition 2023-32MPA: *Reclassify Duxbury Reef SMCA as an SMR and expand northern and southern boundaries*

We recommend that the Commission deny or refer this petition to the Department of Fish & Wildlife for review and recommendation but emphasize maintaining fishing access for local communities at Duxbury Reef. The vast majority of complaints regarding Duxbury reef are related to enforcement and compliance, rather than a scientific justification for eliminating access. Shore fishing is an important past-time for the diverse communities that comprise the North Bay Area, and removing access to a popular fishing destination should not be justified simply based on the actions of a few bad apples.

Petition 2023-33MPA: *Expand the boundaries of five SMRs and one SMCA, and designate a new SMR off Pleasure Point, in Santa Cruz*

We recommend that this petition be denied or referred to the Department of Fish & Wildlife for review and recommendation due to its broad scope and complexity. The petitioner seeks to enhance protections for kelp forests, but does so with an overly broad brush. Rather than advocating for reducing fishing pressure for predators of kelp grazers, like lobster and sheephead, the petition advocates for the closure of all fishing, including the harvest of grazer species like urchins that have been documented to decimate kelp forests.

The petitioner argues that eliminating fishing pressure within the proposed MPA areas would somehow bolster kelp populations, but the claim is not well documented by scientific research in this petition. A noteworthy case study, by comparison, is the ongoing Tanker's Reef kelp restoration project, where volunteers have been culling purple urchins within study plots and tracking kelp recovery within the study area and a control site nearby. The initial data for the last three years shows a clear correlation between the removal of purple urchins and kelp recovery in the study plot with no kelp recovery in the adjacent control where urchins were not removed. Fishing is permitted in the Tanker's reef area, however, in adjacent MPA's that have not permitted active restoration and where fishing is not allowed, urchin barons persist and kelp recovery remains minimal.

Kelp forest health and resiliency is a complex and multi-variable equation that can be impacted by numerous factors including water temperature, disease, pollution, algal blooms, wave energy, commercial harvest and more. We support efforts to restore kelp forests across the coast and recognize the role they play in the overall ecosystem health of fisheries, especially the abalone fishery that remains closed until 2026. We urge caution, however where broad fishing closures are enacted in the attempt to solve a problem that requires a more nuanced and carefully crafted multidisciplinary approach.

It should also be noted that the petitioner indicates support for recreational hook and line fishing and spearfishing as an acceptable alternative in several of the MPAs referenced in the petition.

Petition 2023-34MPA: *Reclassify Point Buchon SMCA to an SMR and modify take at Farnsworth Onshore and Offshore SMCAs to only allow recreational spearfishing.*

We recommend that the Commission deny this petition and we emphasize the substantial impacts to current fishing access. The petitioner argues that since the salmon season was closed in 2023 it will likely be closed in perpetuity, which would justify eliminating salmon and albacore fishing access at the Point Buchon SMCA. Salmon populations often decrease during drought years and can rebound with increased precipitation or water allocation as was the case in 2008 and 2009 when the fishery was closed and then reopened. We are cautiously optimistic that the salmon numbers will once again bounce back following the increased precipitation received over the past two years.

In the draft Pathways to 30x30 document, the CNRA writes: “It should be noted that limited-take State MPAs provide an excellent model for other jurisdictions looking to balance biodiversity conservation with sustainable well-managed commercial and recreational fishing.” We feel that reclassifying the Point Buchon SMCA as an SMR and eliminating fishing in this area would be inappropriate; however, we support any attempts to improve enforcement and compliance with existing regulations.

Furthermore, the proposal to modify take at Farnsworth Onshore and Offshore SMCAs would disproportionately impact a broad variety and collection of user groups who may not be physically able or inclined to spearfish. For this reason and the lack of concrete scientific data to justify the additional restrictions, we recommend the Commission deny this petition.

Sincerely,

Devin O’Dea
Backcountry Hunters & Anglers

Rachel Fischer
National Marine Manufacturers Association

Wayne Kotow
Coastal Conservation Association California

James Stone
Nor-Cal Guides & Sportsman’s Association

Keely Hopkins
Congressional Sportsman’s Foundation

Larry Phillips
American Sportfishing Association

February 8, 2024

California Fish and Game Commission
715 P Street, 16th Floor,
Sacramento, CA 95814

RE: Discussion Item 10 - Regulation change petitions (marine)

Dear President Sklar, Vice President Zavaleta & Commissioners,

As an organization dedicated to ensuring our North American heritage of hunting and fishing in a natural setting with over 350,000 supporters, Backcountry Hunters & Anglers expresses serious concerns regarding several of the petitions currently before the California Fish & Game Commission that would eliminate fishing access along large stretches of the California coast.

The intent of the Marine Life Protection Act (MLPA) and the stewardship of our coastal resources are of paramount importance to California's heritage. However, these laudable goals and conservation benchmarks should not preclude access to harvest coastal foods where state and federal fisheries managers have demonstrated robust and resilient fish stocks without any current threat of overfishing, nor for those species where targeted fishing and active management would benefit the overall ecosystem balance.

There are numerous, seemingly well-intentioned petitions currently before the Fish & Game Commission that seek to preserve California's coastal waters citing anthropogenic impacts to biodiversity and ecosystems, such as pollution, rising sea temperatures, disease, development and fishing. While we support the intent to safeguard our fish stocks, biodiversity, and ecosystem integrity, we strongly disagree with the all-or-nothing approach adopted by many of the petitioners who proffer the wholesale elimination of fishing access without adequate scientific rationale.

Simply put, many of the petitions seek to advance preservation at all costs, pushing for wholesale closures that circumvent the regulatory processes already in place, ultimately bludgeoning access for the diverse angling communities that have revered these coastal traditions for generations.

Shore fishing, diving/spearfishing, kayak/boat fishing and coastal gathering are low impact activities that reflect the broad spectrum of California's diverse community and constitute a valuable resource for individuals across the economic divide to access nature and provide food for their families at the same time. We encourage the Commission and MPA managers to consider the numerous communities that enjoy the state's many sustainable food resources when considering protections and recommendations that might unnecessarily exclude these groups.

It is within this context that we urge the Commission to deny those petitions (outlined in our detailed letter to the Commission on 2/1/24) that would unnecessarily erode our longstanding coastal fishing and foraging traditions.

| Date | Prefix | First | Last | Title | Address | City | State | Zip | Country | Action Taken |
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| 2024-02-09 00:14:18.207 | | Vincent | Doyle | | | | | | US | Petition Signed |
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| 2024-02-08 22:33:50.663 | | Mark | Sanders | | | | | | US | Petition Signed |
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| 2024-02-08 21:26:32.267 | | Donna | Butler | | | | | | US | Petition Signed |
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| 2024-02-08 18:30:10.123 | | Chris | DeHaven | | | | | | US | Petition Signed |
| 2024-02-08 18:15:57.91 | | Daniel | Marthey | | | | | | US | Petition Signed |
| 2024-02-08 18:04:03.19 | | Matthew | DeAmico | | | | | | US | Petition Signed |
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| 2024-02-06 19:36:33.647 | | Robert | Hensley | | | | | | US | Petition Signed |
| 2024-02-06 18:27:29.883 | | Kevin | Engstrom | | | | | | US | Petition Signed |
| 2024-02-06 18:25:22.76 | | Fernando | Guillen | | | Anaheim | CA | | US | Petition Signed |
| 2024-02-06 16:41:32.783 | | Cal | Straub | | | | | | US | Petition Signed |
| 2024-02-06 16:07:35.737 | | Robert | Leih | | | | | | US | Petition Signed |
| 2024-02-06 15:59:11.313 | | jacob | cheek | | | | | | US | Petition Signed |
| 2024-02-06 15:57:15.343 | | Chad | Mahalich | | | | | | US | Petition Signed |
| 2024-02-06 15:56:55.95 | | Ed | Pena | | | | | | US | Petition Signed |
| 2024-02-06 15:55:20.943 | | Christine | Van peurse | | | | | | US | Petition Signed |
| 2024-02-06 15:50:14.67 | | john | kern | | | | | | US | Petition Signed |

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| 2024-02-06 14:59:11.993 | | David | Cruze | | | | | | US | Petition Signed |
| 2024-02-06 14:59:08.457 | | Mark | Milani | | | | | | US | Petition Signed |
| 2024-02-06 14:57:48.367 | | Linda | Milani | | | | | | US | Petition Signed |
| 2024-02-06 14:57:37.017 | | Kevin | Milani | | | | | | US | Petition Signed |
| 2024-02-06 14:56:17.723 | | Matthew | Van Peurse | | | | | | US | Petition Signed |
| 2024-02-06 14:54:08.027 | | Kevin | Milani | | | | | | US | Petition Signed |
| 2024-02-06 14:52:12.663 | | Keaone | Stephens | | | | | | US | Petition Signed |
| 2024-02-06 13:53:13.577 | | Megan | Kapalla | | | | | | US | Petition Signed |
| 2024-02-06 13:11:37.763 | | Bill | Waddle | | | | | | US | Petition Signed |
| 2024-02-06 13:10:55.767 | | William | Waddle | | | | | | US | Petition Signed |
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| 2024-02-06 12:59:08.01 | | Adam | Wood | | | Lake Forest | CA | | US | Petition Signed |
| 2024-02-06 11:56:11.097 | | Scott | McCulloch | | | | | | US | Petition Signed |
| 2024-02-06 11:55:20.147 | | Nicholas | Franco | | | | | | US | Petition Signed |
| 2024-02-06 11:42:00.463 | | William | Amstutz | | | | | | US | Petition Signed |
| 2024-02-06 11:19:15.203 | | Juan | Chacon | | | | | | US | Petition Signed |
| 2024-02-06 11:17:19.78 | | Paul | Shrum | | | | | | US | Petition Signed |
| 2024-02-06 11:13:52.127 | | Zachariah | Koski | | | | | | US | Petition Signed |
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| 2024-02-06 10:48:12.397 | | Anthony | D'AMBROSIO | | | | | | US | Petition Signed |
| 2024-02-06 10:42:47.153 | | Keon | Hessamian | | | | | | US | Petition Signed |
| 2024-02-06 10:40:29.997 | | Adam | Heil | | | | | | US | Petition Signed |
| 2024-02-06 10:22:29.563 | | Jonathan | Keene | | | | | | US | Petition Signed |
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| 2024-02-06 09:29:41.297 | | jason | quilici | | | | | | US | Petition Signed |
| 2024-02-06 09:20:42.84 | | Matthew | White | | | | | | US | Petition Signed |
| 2024-02-06 09:18:52.147 | | John | Reinhardt | | | | | | US | Petition Signed |
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| 2024-02-06 08:34:38.913 | | Jeff | O'Brien | | | El Cajon | CA | | US | Petition Signed |
| 2024-02-06 08:20:58.27 | | Jamie | Morley | | | Bishop | CA | | US | Petition Signed |
| 2024-02-06 03:37:38.083 | | Seth | Pettit | | | | | | US | Petition Signed |
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| 2024-02-06 00:18:02.463 | | Eric | Dahl | | | | | | US | Petition Signed |
| 2024-02-06 00:11:44.033 | | Daniel | Sylvester | | | | | | US | Petition Signed |
| 2024-02-06 00:06:56.907 | | Peter | Schmidt | | | | | | US | Petition Signed |
| 2024-02-05 23:50:53.107 | | Bob | Nelson | | | | | | US | Petition Signed |
| 2024-02-05 23:27:03.35 | Mr. | Christopher | Reiger | | | Santa Rosa | CA | | US | Petition Signed |
| 2024-02-05 23:20:30.843 | | Fredrick | Robinson | | | | | | US | Petition Signed |
| 2024-02-05 23:18:20.8 | | Michael | Snyder | | | | | | US | Petition Signed |
| 2024-02-05 23:17:47.65 | | Mark | Hawn | | | | | | US | Petition Signed |
| 2024-02-05 23:07:45.24 | | Daniel | Bartee | | | | | | US | Petition Signed |
| 2024-02-05 22:57:33.25 | | jeremy | mcmillin | | | | | | US | Petition Signed |
| 2024-02-05 22:56:46.81 | | Stan | Perry | | | San Diego | CA | | US | Petition Signed |
| 2024-02-05 22:56:01.86 | | Dustin | Herrera | | | | | | US | Petition Signed |
| 2024-02-05 22:44:52.897 | | Paul | Rodriguez | | | | | | US | Petition Signed |
| 2024-02-05 22:32:59.22 | | Daniel | Romo | | | | | | US | Petition Signed |
| 2024-02-05 22:26:53.147 | | Mitchell | Riddle | | | | | | US | Petition Signed |
| 2024-02-05 22:14:29.21 | | Michael | Schubert | | | San Anselmo | CA | | US | Petition Signed |

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| 2024-02-05 21:59:03.873 | | Jordan | Nim | | | | | | US | Petition Signed |
| 2024-02-05 21:49:57.96 | | Daniel | Guentert | | | | | | US | Petition Signed |
| 2024-02-05 21:44:00.633 | | Jeffrey | Reed | | | | | | US | Petition Signed |
| 2024-02-05 21:33:06.14 | | Jim | Velazquez | | | San Diego | CA | | US | Petition Signed |
| 2024-02-05 21:21:19.297 | | Reid | Lamson | | | | | | US | Petition Signed |
| 2024-02-05 21:12:35.05 | Mr. | Nick | Zagaris | | | Auburn | CA | | US | Petition Signed |
| 2024-02-05 21:00:30.373 | | Mike | Gorski | | | | | | US | Petition Signed |
| 2024-02-05 20:55:46.087 | | Barbara | Blackamore | | | Yorba Linda | CA | | US | Petition Signed |
| 2024-02-05 20:44:43.82 | | Susan | Bilhorn | | | | | | US | Petition Signed |
| 2024-02-05 20:36:44.683 | | Sebastian | Garcia | | | | | | US | Petition Signed |
| 2024-02-05 20:32:25.363 | | Greg | Sepeda | | | Sacramento | CA | | US | Petition Signed |
| 2024-02-05 20:02:26.22 | | Greg | Zeren | | | | | | US | Petition Signed |
| 2024-02-05 19:57:11.01 | | andrew | milller | | | | | | US | Petition Signed |
| 2024-02-05 19:49:43.753 | | Dennis | Corvello | | | | | | US | Petition Signed |
| 2024-02-05 19:47:12.28 | | Patrick | Stewart | | | | | | US | Petition Signed |
| 2024-02-05 19:46:24.61 | | Phil | Reioux | | | | | | US | Petition Signed |
| 2024-02-05 19:46:02.17 | | Mel | Lofftus | | | | | | US | Petition Signed |
| 2024-02-05 19:42:53.637 | | Rocco | Orsini | | | | | | US | Petition Signed |
| 2024-02-05 19:33:00.373 | | Russel | Maridon | | | Watsonville | CA | | US | Petition Signed |
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| 2024-02-05 18:58:03.157 | | Rusty | Alexander | | | | | | US | Petition Signed |
| 2024-02-05 18:57:24.747 | | Eric | Clem | | | | | | US | Petition Signed |
| 2024-02-05 18:53:37.32 | | Joseph | McNicoll | | | | | | US | Petition Signed |
| 2024-02-05 18:52:03.88 | | Walter | Seidenglanz | | | | | | US | Petition Signed |
| 2024-02-05 18:42:17.28 | | Adam | Dillavou | | | | | | US | Petition Signed |
| 2024-02-05 18:37:39.127 | | Andrew | Harris | | | | | | US | Petition Signed |
| 2024-02-05 18:37:12.23 | | Brent | Johnson | | | Rosamond | CA | | US | Petition Signed |
| 2024-02-05 18:36:47.983 | | Brian | Gothard | | | Pioneer | CA | | US | Petition Signed |
| 2024-02-05 18:34:25.057 | | Erik | Westerman | | | | | | US | Petition Signed |
| 2024-02-05 18:32:56.35 | | Michael | Davis | | | Altadena | CA | | US | Petition Signed |
| 2024-02-05 18:27:16.237 | | Benjamin | Coleman | | | | | | US | Petition Signed |
| 2024-02-05 18:23:35.787 | | Marie | C Brown | | | | | | US | Petition Signed |
| 2024-02-05 18:22:27.89 | | John | Maud | | | Carlsbad | CA | | US | Petition Signed |
| 2024-02-05 18:20:34.517 | | Arthur | Frick | | | | | | US | Petition Signed |
| 2024-02-05 18:13:53.773 | | Jeff | Bautista | | | | | | US | Petition Signed |
| 2024-02-05 18:13:20.05 | | Fidel | Mercado | | | | | | US | Petition Signed |
| 2024-02-05 18:10:39.657 | | Robert | Simi | | | | | | US | Petition Signed |
| 2024-02-05 18:09:58.84 | | David | Nezzer | | | | | | US | Petition Signed |
| 2024-02-05 18:03:00.073 | | David | Burnside | | | | | | US | Petition Signed |
| 2024-02-05 18:02:13.29 | | Terrence | Hopkins | | | | | | US | Petition Signed |
| 2024-02-05 18:01:00.15 | | David | Simpson | | | | | | US | Petition Signed |
| 2024-02-05 17:59:05.693 | | Robert | Johnson | | | | | | US | Petition Signed |
| 2024-02-05 17:53:47.687 | | Aaron | Hurtado | | | | | | US | Petition Signed |
| 2024-02-05 17:50:21.377 | | Taylor | Dahlke | | | | | | US | Petition Signed |
| 2024-02-05 17:47:40.317 | | Albert | LaShell | | | | | | US | Petition Signed |
| 2024-02-05 17:43:23.39 | | Brian | Dotterer | | | | | | US | Petition Signed |
| 2024-02-05 17:35:29.003 | | Philip | Benson | | | | | | US | Petition Signed |
| 2024-02-05 17:30:24.953 | | Robert | Poortinga | | | | | | US | Petition Signed |
| 2024-02-05 17:15:59.89 | | Sandra | Harris | | | | | | US | Petition Signed |
| 2024-02-05 17:13:07.207 | | Kyle | Brandt | | | | | | US | Petition Signed |
| 2024-02-05 17:08:46.353 | | Matthew | Schafer | | | | | | US | Petition Signed |

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|-------------------------|--|-------------|----------------|--|--|------------|----|--|----|-----------------|
| 2024-02-05 17:03:34.317 | | Mark | Debasitis | | | | | | US | Petition Signed |
| 2024-02-05 17:00:23.393 | | Robert | Meriales | | | | | | US | Petition Signed |
| 2024-02-05 16:59:40.937 | | Michael | Fordham | | | | | | US | Petition Signed |
| 2024-02-05 16:58:15.78 | | Jamie | Snyder | | | | | | US | Petition Signed |
| 2024-02-05 16:56:51.77 | | Jeffrey | Spear | | | Banning | CA | | US | Petition Signed |
| 2024-02-05 16:56:36.61 | | Garrett | Mann | | | | | | US | Petition Signed |
| 2024-02-05 16:56:27.427 | | Eric | Hanson | | | | | | US | Petition Signed |
| 2024-02-05 16:55:56.143 | | Evan | Davis | | | | | | US | Petition Signed |
| 2024-02-05 16:55:41.43 | | Carson | Dicicco | | | | | | US | Petition Signed |
| 2024-02-05 16:51:24.707 | | Jon | McArthur | | | | | | US | Petition Signed |
| 2024-02-05 16:51:13.203 | | Gabriel | Thompson | | | | | | US | Petition Signed |
| 2024-02-05 16:48:28.343 | | John | Bahorski | | | | | | US | Petition Signed |
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| 2024-02-05 16:44:24.037 | | Ryan | Javier | | | | | | US | Petition Signed |
| 2024-02-05 16:42:21.76 | | Zachary | Bowman | | | | | | US | Petition Signed |
| 2024-02-05 16:40:06.743 | | Christian | Ruiz | | | | | | US | Petition Signed |
| 2024-02-05 16:39:19.947 | | Jeremy | Camacho | | | | | | US | Petition Signed |
| 2024-02-05 16:33:56.157 | | Kyle | Frost | | | | | | US | Petition Signed |
| 2024-02-05 16:33:41.11 | | Aaron | Deal | | | | | | US | Petition Signed |
| 2024-02-05 16:33:35.907 | | John | Kalinowski | | | RIO DELL | CA | | US | Petition Signed |
| 2024-02-05 16:31:18.907 | | Shaun | Dolan | | | Lakewood | CA | | US | Petition Signed |
| 2024-02-05 16:29:57.6 | | Benjamin | Woody | | | | | | US | Petition Signed |
| 2024-02-05 16:29:23.29 | | Carlos | Perez | | | | | | US | Petition Signed |
| 2024-02-05 16:24:57.227 | | Dennis | Davenport | | | | | | US | Petition Signed |
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| 2024-02-05 16:23:41.713 | | Isa | Dolan | | | | | | US | Petition Signed |
| 2024-02-05 16:23:25.797 | | Daniel | Delaney | | | SACRAMENTO | CA | | US | Petition Signed |
| 2024-02-05 16:22:19.39 | | Stan | Huncilman | | | | | | US | Petition Signed |
| 2024-02-05 16:20:23.813 | | Gary | Bennett | | | | | | US | Petition Signed |
| 2024-02-05 16:19:11.763 | | Josh | Brann | | | | | | US | Petition Signed |
| 2024-02-05 16:19:08.64 | | Christopher | Knutsen | | | | | | US | Petition Signed |
| 2024-02-05 16:17:33.19 | | LAWRENCE | MATRAS | | | | | | US | Petition Signed |
| 2024-02-05 16:16:10.61 | | Mark | Martin | | | | | | US | Petition Signed |
| 2024-02-05 16:15:20.363 | | Gregory | Scoles | | | | | | US | Petition Signed |
| 2024-02-05 16:14:53.573 | | KENNETH | MURRAY | | | Stockton | CA | | US | Petition Signed |
| 2024-02-05 16:13:47.013 | | Daniel | Epperson | | | | | | US | Petition Signed |
| 2024-02-05 16:11:16.917 | | James | Reksc | | | | | | US | Petition Signed |
| 2024-02-05 16:05:00.073 | | Eric | Gfeller | | | Riverside | CA | | US | Petition Signed |
| 2024-02-05 16:04:32.18 | | Ryan | Pitts | | | Carlsbad | CA | | US | Petition Signed |
| 2024-02-05 16:04:24.48 | | Joshua | Martin | | | | | | US | Petition Signed |
| 2024-02-05 16:03:35.96 | | William | Murphy | | | | | | US | Petition Signed |
| 2024-02-05 16:01:27.507 | | Lawrence | Webster | | | | | | US | Petition Signed |
| 2024-02-05 16:00:52.377 | | BRANDON | HATFIELD | | | | | | US | Petition Signed |
| 2024-02-05 16:00:41.42 | | James | Peifer | | | | | | US | Petition Signed |
| 2024-02-05 16:00:23.037 | | Blake | Anderson | | | | | | US | Petition Signed |
| 2024-02-05 16:00:20.97 | | sawyer | fischer | | | | | | US | Petition Signed |
| 2024-02-05 15:57:43.77 | | Joseph | Armas | | | | | | US | Petition Signed |
| 2024-02-05 15:57:21.897 | | Hutchison | Meltzer | | | | | | US | Petition Signed |
| 2024-02-05 15:57:11.98 | | Patrick | Nurisso | | | | | | US | Petition Signed |
| 2024-02-05 15:57:05.07 | | Aaron | Jauregui | | | | | | US | Petition Signed |
| 2024-02-05 15:56:57.14 | | Daniel | Martinez Muniz | | | | | | US | Petition Signed |
| 2024-02-05 15:55:32.103 | | Nicole | Nurisso | | | | | | US | Petition Signed |
| 2024-02-05 15:54:33.543 | | Matthew | Nurisso | | | Belmont | CA | | US | Petition Signed |

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| 2024-02-05 15:54:10.667 | | Daniel | Schwartz | | | | | | US | Petition Signed |
| 2024-02-05 15:53:21.577 | | Duncan | Barber | | | | | | US | Petition Signed |
| 2024-02-05 15:53:19.947 | | Ted | Thomas | | | | | | US | Petition Signed |
| 2024-02-05 15:53:13.5 | | Phillip | Wasz | | | | | | US | Petition Signed |
| 2024-02-05 15:52:54.933 | | Mike | Potter | | | | | | US | Petition Signed |
| 2024-02-05 15:51:07.6 | | Bradford | Hanson | | | | | | US | Petition Signed |
| 2024-02-05 15:51:04.22 | | Brian | Andersen | | | | | | US | Petition Signed |
| 2024-02-05 15:50:46.567 | | Chase | Mendoza | | | | | | US | Petition Signed |
| 2024-02-05 15:50:27.62 | | Michael | Marsden | | | Martinez | CA | | US | Petition Signed |
| 2024-02-05 15:49:36.357 | | josh | restad | | | Davis | CA | | US | Petition Signed |
| 2024-02-05 15:49:19.257 | | Daniel | Dwelley | | | Ladera ranch | CA | | US | Petition Signed |
| 2024-02-05 15:49:18.067 | | Steve | Vasquez | | | | | | US | Petition Signed |
| 2024-02-05 15:48:48.247 | | Joel | Rink | | | | | | US | Petition Signed |
| 2024-02-05 15:48:34.35 | | Billy | Patterson | | | RATHDRUM | ID | | US | Petition Signed |
| 2024-02-05 15:47:02.943 | | Ryan | Havens | | | | | | US | Petition Signed |
| 2024-02-05 15:23:24.397 | | Dain | Verret | | | | | | US | Petition Signed |
| 2024-02-05 11:51:07.227 | | James | Galliver | | | | | | US | Petition Signed |
| 2024-02-05 09:56:05.27 | | Craig | Jay | | | | | | US | Petition Signed |
| 2024-02-05 03:43:55.11 | | Fred | Flores | | | | | | US | Petition Signed |
| 2024-02-05 02:32:44.073 | | Nora | Martin-Hall | | | | | | US | Petition Signed |
| 2024-02-05 00:28:27.217 | | Chris | Olivolo | | | | | | US | Petition Signed |
| 2024-02-05 00:28:08.577 | | Lorenzo | Noto | | | | | | US | Petition Signed |
| 2024-02-04 21:10:06.577 | | James | Fey | | | | | | US | Petition Signed |
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| 2024-02-04 20:56:36.923 | | Matt | Carleton | | | | | | US | Petition Signed |
| 2024-02-04 19:58:50.267 | | Sajjad | Shah | | | | | | US | Petition Signed |
| 2024-02-04 18:57:58.19 | | Ahmad | Abdeljabbar | | | | | | US | Petition Signed |
| 2024-02-04 15:50:16.343 | | Zachary | Seibert | | | | | | US | Petition Signed |
| 2024-02-04 15:11:37.17 | | Oliver | Heffron | | | | | | US | Petition Signed |
| 2024-02-04 15:03:21.603 | | Monica | Perez | | | | | | US | Petition Signed |
| 2024-02-04 14:56:42.12 | | Mark | Antalan | | | | | | US | Petition Signed |
| 2024-02-04 14:54:20.397 | | Israel | Palomares | | | | | | US | Petition Signed |
| 2024-02-04 14:33:32.377 | | michelle | gracy | | | | | | US | Petition Signed |
| 2024-02-04 14:06:16.267 | | Johan | G | | | | | | US | Petition Signed |
| 2024-02-04 13:45:52.443 | | Zachery | Ranck | | | | | | US | Petition Signed |
| 2024-02-04 13:31:21.537 | | Cody | Jeske | | | | | | US | Petition Signed |
| 2024-02-04 13:19:35.56 | | Adolfo | Medrano | | | | | | US | Petition Signed |
| 2024-02-04 13:16:19.453 | | Concepcion | Olivares | | | | | | US | Petition Signed |
| 2024-02-04 12:44:54.5 | | Noah | Ranck | | | | | | US | Petition Signed |
| 2024-02-04 11:58:34.803 | | Jonathan | Howell | | | | | | US | Petition Signed |
| 2024-02-04 11:34:47.057 | | Kyle | Soutar | | | | | | US | Petition Signed |
| 2024-02-04 11:31:34.293 | | Juanito | Guerrero | | | | | | US | Petition Signed |
| 2024-02-04 11:16:26.06 | | Brian | Reagan | | | | | | US | Petition Signed |
| 2024-02-04 10:52:34.367 | | Sean | Rubino | | | | | | US | Petition Signed |
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| 2024-02-04 10:42:16.947 | | Felipe | Flores | | | | | | US | Petition Signed |
| 2024-02-04 09:05:17.933 | | Luke | Holsen | | | | | | US | Petition Signed |
| 2024-02-04 08:09:46.76 | | Daniel | McCarty | | | | | | US | Petition Signed |
| 2024-02-04 03:21:00.19 | | Tom | Ryugo | | | | | | US | Petition Signed |
| 2024-02-04 02:08:05.057 | | Rob | McMahon | | | | | | US | Petition Signed |
| 2024-02-04 01:22:59.597 | | Jason | Fitzgibbon | | | | | | US | Petition Signed |
| 2024-02-04 01:21:34.463 | | Ed | Hobbs | | | | | | US | Petition Signed |
| 2024-02-04 00:39:37.56 | | James | Tregembo | | | | | | US | Petition Signed |

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| 2024-02-03 23:56:53.447 | | Frank | Cunningham | | | | | | US | Petition Signed |
| 2024-02-03 22:36:47.323 | | Kyle | Rempe | | | | | | US | Petition Signed |
| 2024-02-03 22:13:07.423 | | Michael | Skehen | | | Arroyo Grande | CA | | US | Petition Signed |
| 2024-02-03 21:04:23.823 | | Carl | Hancock | | | | | | US | Petition Signed |
| 2024-02-03 20:34:57.753 | | Callie | Warne | | | | | | US | Petition Signed |
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| 2024-02-03 19:04:40.757 | | Reece | Reber | | | | | | US | Petition Signed |
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| 2024-02-03 18:46:40.147 | | Jesus | Juarez gama | | | | | | US | Petition Signed |
| 2024-02-03 18:38:07.283 | | John | Shimmick | | | | | | US | Petition Signed |
| 2024-02-03 18:16:11.547 | | Charles | Stanton | | | | | | US | Petition Signed |
| 2024-02-03 18:07:46.917 | | Kenneth | Ply | | | | | | US | Petition Signed |
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| 2024-02-03 17:52:10.473 | | Chase | Ascari | | | | | | US | Petition Signed |
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| 2024-02-03 15:48:35.097 | | Christopher l | Lincoln | | | | | | US | Petition Signed |
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| 2024-02-03 13:27:50.02 | | Jacob | Sandoval | | | | | | US | Petition Signed |
| 2024-02-03 13:25:47.0 | | Daniel | Gross | | | | | | US | Petition Signed |
| 2024-02-03 13:21:33.573 | | William | Armstrong | | | | | | US | Petition Signed |
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| 2024-02-03 13:16:03.28 | | David | Zachry | | | | | | US | Petition Signed |
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| 2024-02-03 12:35:33.723 | | Zachary | Matters | | | | | | US | Petition Signed |
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| 2024-02-03 11:42:34.637 | | jeff | chisdak | | | | | | US | Petition Signed |
| 2024-02-03 11:29:37.853 | | Bryce | Carnehl | | | | | | US | Petition Signed |
| 2024-02-03 11:23:11.003 | | Sandra | Sanchez | | | | | | US | Petition Signed |
| 2024-02-03 10:47:10.197 | | Ryan | Houge | | | | | | US | Petition Signed |
| 2024-02-03 10:44:25.037 | | Jacob | Rantz | | | | | | US | Petition Signed |
| 2024-02-03 10:43:14.297 | | David | Allen | | | | | | US | Petition Signed |
| 2024-02-03 10:39:46.707 | | Bryan | Maiorca | | | | | | US | Petition Signed |
| 2024-02-03 10:22:42.447 | | Evan | Livadas | | | | | | US | Petition Signed |
| 2024-02-03 10:00:36.227 | | Steve | Broadley | | | | | | US | Petition Signed |
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| 2024-02-03 09:10:51.607 | | Ralph | Puett | | | | | | US | Petition Signed |

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|-------------------------|--|----------|-----------|--|--|--------------|----|--|----|-----------------|
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| 2024-02-03 06:43:50.977 | | Mike | Barats | | | | | | US | Petition Signed |
| 2024-02-03 04:27:27.593 | | Arthur | Frick | | | | | | US | Petition Signed |
| 2024-02-03 03:29:29.203 | | Ben | Carter | | | | | | US | Petition Signed |
| 2024-02-03 03:16:19.52 | | Philip | Trompke | | | | | | US | Petition Signed |
| 2024-02-03 02:50:01.12 | | David | Modena | | | | | | US | Petition Signed |
| 2024-02-03 02:12:16.923 | | Andrew | Law | | | | | | US | Petition Signed |
| 2024-02-03 01:59:51.773 | | Michael | Hale | | | | | | US | Petition Signed |
| 2024-02-03 01:28:13.503 | | Jeff | Kafka | | | | | | US | Petition Signed |
| 2024-02-03 00:57:44.12 | | Scott | Brichan | | | | | | US | Petition Signed |
| 2024-02-03 00:44:29.22 | | Rosa | Zapata | | | | | | US | Petition Signed |
| 2024-02-03 00:04:29.733 | | Adam | Schaar | | | | | | US | Petition Signed |
| 2024-02-02 23:54:08.423 | | Daniel | Crouch | | | | | | US | Petition Signed |
| 2024-02-02 23:42:54.683 | | Joshua | Mann | | | | | | US | Petition Signed |
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| 2024-02-02 23:18:58.11 | | Patrick | Young | | | | | | US | Petition Signed |
| 2024-02-02 23:14:05.52 | | Mark | Walline | | | | | | US | Petition Signed |
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| 2024-02-02 22:22:27.137 | | Timothy | Watson | | | Middle Grove | NY | | US | Petition Signed |
| 2024-02-02 21:27:23.713 | | Timothy | Padilla | | | | | | US | Petition Signed |
| 2024-02-02 21:22:05.84 | | Matthew | Broadley | | | | | | US | Petition Signed |
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| 2024-02-02 21:05:54.64 | | Jose | Camarena | | | | | | US | Petition Signed |
| 2024-02-02 21:04:37.32 | | Erick | Burres | | | | | | US | Petition Signed |
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| 2024-02-02 20:58:02.777 | | Shaun | Ayers | | | | | | US | Petition Signed |
| 2024-02-02 20:56:18.6 | | Tom | Stubbs | | | | | | US | Petition Signed |
| 2024-02-02 20:44:54.14 | | Rafael | Santillan | | | | | | US | Petition Signed |
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| 2024-02-02 20:31:49.4 | | Zane | Murphy | | | | | | US | Petition Signed |
| 2024-02-02 20:21:30.41 | | Jeremy | Kerekes | | | | | | US | Petition Signed |
| 2024-02-02 20:20:07.45 | | Eric | Manahan | | | Hollis | ME | | US | Petition Signed |
| 2024-02-02 20:18:56.503 | | Marcus | LeBlanc | | | Grover beach | CA | | US | Petition Signed |
| 2024-02-02 20:10:44.193 | | Dave | Gifford | | | | | | US | Petition Signed |
| 2024-02-02 19:56:09.143 | | Dave | Rechel | | | | | | US | Petition Signed |
| 2024-02-02 19:43:54.443 | | Gabriel | Silveira | | | | | | US | Petition Signed |
| 2024-02-02 19:43:17.527 | | Eric | Bodjanac | | | | | | US | Petition Signed |
| 2024-02-02 19:40:58.32 | | Jesus | Padiernos | | | | | | US | Petition Signed |
| 2024-02-02 19:29:09.317 | | Jaime | Gutierrez | | | | | | US | Petition Signed |
| 2024-02-02 19:27:36.86 | | Darren | Gertler | | | | | | US | Petition Signed |
| 2024-02-02 19:15:32.903 | | SynKae | NG | | | | | | US | Petition Signed |
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| 2024-02-02 18:55:34.027 | | Nick | DeFerrari | | | | | | US | Petition Signed |
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| 2024-02-02 17:46:21.643 | | Clayton | Beaver | | | | | | US | Petition Signed |
| 2024-02-02 17:45:06.907 | | Travis | Craven | | | | | | US | Petition Signed |
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| 2024-02-02 17:16:16.94 | | Benjamin | Kaslin | | | | | | US | Petition Signed |

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| 2024-02-02 16:25:01.977 | | Matt | Rose | | | | | | US | Petition Signed |
| 2024-02-02 16:10:12.253 | | Kevin | Vella | | | | | | US | Petition Signed |
| 2024-02-02 15:56:10.45 | | Charlie | de la Rosa | | | | | | US | Petition Signed |
| 2024-02-02 15:55:01.117 | | Nicholas | Angus | | | | | | US | Petition Signed |
| 2024-02-02 15:38:15.073 | | Nick | Ippolito | | | | | | US | Petition Signed |
| 2024-02-02 15:34:39.867 | | Artin | Marootian | | | | | | US | Petition Signed |
| 2024-02-02 14:57:10.573 | | Sam | Narveson | | | | | | US | Petition Signed |
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| 2024-02-02 14:29:39.883 | | Josef | Sanchez | | | | | | US | Petition Signed |
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| 2024-02-02 14:09:23.547 | | Mike | Costello | | | | | | US | Petition Signed |
| 2024-02-02 14:03:34.583 | Mr. | Hunter | Miller | | | Kuna | ID | | US | Petition Signed |
| 2024-02-02 14:02:35.91 | | Jordan | Germyn | | | | | | US | Petition Signed |
| 2024-02-02 13:58:56.873 | | Gilberto | Garcia | | | | | | US | Petition Signed |
| 2024-02-02 13:58:51.957 | | Rod | Kazempour | | | | | | US | Petition Signed |
| 2024-02-02 13:56:33.713 | | Andrew | Miller | | | | | | US | Petition Signed |
| 2024-02-02 13:55:22.597 | | Micah | Dungey | | | | | | US | Petition Signed |
| 2024-02-02 13:51:26.967 | | Jacob | Weber | | | | | | US | Petition Signed |
| 2024-02-02 13:50:04.897 | | Chris | Chun | | | | | | US | Petition Signed |
| 2024-02-02 13:48:43.423 | | Jerry | Chang | | | | | | US | Petition Signed |
| 2024-02-02 13:48:06.903 | | Clayton | Thornton | | | | | | US | Petition Signed |
| 2024-02-02 13:47:17.947 | | Christopher | James | | | | | | US | Petition Signed |
| 2024-02-02 13:45:51.557 | | John | Phillips | | | | | | US | Petition Signed |
| 2024-02-02 13:45:40.09 | | James | Killiany | | | | | | US | Petition Signed |
| 2024-02-02 13:40:12.057 | | Richard | Owens | | | | | | US | Petition Signed |
| 2024-02-02 13:37:41.607 | Mr. | Blane | Markham | | | Carmel | CA | | US | Petition Signed |
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| 2024-02-02 13:35:29.397 | | Logan | Gillingham | | | | | | US | Petition Signed |
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| 2024-02-02 13:29:17.553 | | Daniel | Collins | | | | | | US | Petition Signed |
| 2024-02-02 13:23:58.117 | | Phillip | Sanders | | | | | | US | Petition Signed |
| 2024-02-02 13:17:26.583 | | Derrik | Kapalla | | | | | | US | Petition Signed |
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| 2024-02-02 13:14:01.07 | | Elijah | Black | | | | | | US | Petition Signed |
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| 2024-02-01 21:14:07.19 | | Keynan | Hobbs | | | | | | US | Petition Signed |
| 2024-02-01 19:52:19.6 | | Allen | Noren | | | | | | US | Petition Signed |
| 2024-02-01 19:31:26.837 | | Devin | O'Dea | | | | | | US | Petition Signed |



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Greater Farallones and Cordell Bank
National Marine Sanctuaries

991 Marine Drive, The Presidio, San Francisco, CA 94129

February 9, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Sent Via Email: fgc@fgc.ca.gov

RE: Support for Granting Petition 2023-32MPA (Duxbury Reef)

Dear President Sklar and Members of the Fish and Game Commission:

This letter supports granting Petition 2023-32MPA, and adding it to your rulemaking calendar for development and future consideration.

Since its designation as a State Marine Conservation Area, Duxbury Reef has been negatively impacted by increased visitation and poaching. Preliminary findings from the Greater Farallones National Marine Sanctuary Condition Report have documented trampling and illegal collecting of intertidal species at Duxbury. These findings echo those of the 2020 Golden Gate MPA Community Compliance Forum, as well as reports from our staff and partners that actively monitor Duxbury Reef under the LiMPETS and Beach Watch programs.

I documented these findings and the need for additional protections at Duxbury Reef through a letter submitted April 15, 2023, and also in testimony to the Fish and Game Commission on April 20, 2023. Duxbury Reef would benefit from additional regulatory protections, and voting to grant Petition 2023-32MPA is an important next step that could lead to enhancing the health of the reef.

Thank you for considering Petition 2023-32MPA regarding Duxbury Reef.

Sincerely,

Maria Brown, Superintendent
Greater Farallones and Cordell Bank National Marine Sanctuaries

From: California Fishermens Resiliency Association <californiafishermensresiliency@gmail.com>

Sent: Wednesday, July 3, 2024 06:44 PM

To: FGC <FGC@fgc.ca.gov>

Cc: [REDACTED] Steve Scheiblaue

<[REDACTED]>; Dave Colker

<[REDACTED]>; Jake Mitchell <[REDACTED]>;

Subject: MPA Petitions Support/Object

CALIFORNIA FISHERMEN'S RESILIENCY ASSOCIATION

1118 6th St.
Eureka, CA 95501

California Fish and Game Commission
PO Box 944209
1416 Ninth Street Suite 1320
Sacramento, California 94244-2090

July 3, 2024

Re: MPA Petitions/Support/Object

Commissioners:

The California Fisherman's Resiliency Association (CFRA) expresses its support for the following Marine Protected Area (MPA) petitions:

2023 - 14 MPA
2023 - 15 MPA
2023 - 16 MPA
2023 - 18 MPA
2023 - 30 MPA

Our support is based on research conducted by the University of Washington (sustainable fisheries- us.org) which exactly states that MPA's have no positive affect on threats to marine life posed by ocean acidification, global warming, coastal development, terrestrial and urban run-off and human pollution of the world environment. "Recent reviews of the extensive MPA network in California have concluded there is no evidence for a regional increase in biodiversity, or targeted fish abundance, nor is there evidence for MPA's providing climate resiliency"

We provide no support for the following MPA petitions:

2023 - 19 MPA
2023 - 20 MPA
2023 - 21 MPA
2023 - 22 MPA
2023 - 23 MPA
2023 - 24 MPA
2023 - 25 MPA
2023 - 26 MPA
2023 - 28 MPA
2023 - 29 MPA
2023 - 31 MPA
2023 - 32 MPA
2023 - 33 MPA
2023 - 34 MPA

Thank you for this opportunity to comment.

Ken Bates, Executive Director
California Fishermen's Resiliency Association Member Associations

Crescent City Commercial Fishermen's Association
Trinidad Bay Fishermen's Association
Shelter Cove Fishermen's Preservation, Inc.
Salmon Troller's Marketing Association of Noyo
Bodega Bay Commercial Fishermen's Association
San Francisco Crab Boat Owners Association
Half Moon Bay Commercial Fishermen's Association
The Alliance of Communities for Sustainable Fisheries
Commercial Fishermen of Santa Barbara
Santa Cruz Commercial Fishermen's Association
Pacific Coast Federation of Fishermen's Associations

Cc: Dave Colker
Peter Halmay
Steve Scheiblauber
Jake Mitchell



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Director

Kelli Petersen
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Staff

Ashley Eagle-Gibbs, Esq.
Executive Director

Leslie Adler-Ivanbrook
Program Director

Isabel Dawson
Policy Associate

Jessica Taylor
Development Director

Celine Underwood
Finance Manager

July 3, 2025

Marine Resources Committee
California Fish and Game Commission
P.O. Box 944209,
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

RE: *Agenda Item 10: General public comment for items not on the agenda -
Petition 2023-32 Duxbury Reef Marine Protected Area*

Dear Vice-President Murray and Commissioner Sklar,

Established in 1971, the Environmental Action Committee of West Marin (EAC)'s mission is to protect and sustain West Marin's lands, waters, and biodiversity. We represent approximately 1,200 community members, primarily in West Marin. On November 30, 2023, we submitted a petition for Duxbury State Marine Conservation Area (SMCA) to be reclassified as a State Marine Reserve (SMR) and for a boundary expansion of the existing SMCA, Petition 2023-32. We submit this letter to provide some new information in support of our petition, as well as provide an updated index (Attachment 21.1 to this letter) of all of the documents that have been submitted to date through this July 3, 2025 submission for ease of reference. Note that throughout this letter, we include references to documents listed in the attached index. Currently, Storymaps¹ only lists the original submitted petition and attachments, so we wanted to highlight the full scope of documents for the record. We have numbered the documents sequentially for ease of reference.

To reiterate, our petition requests that Duxbury Reef be redesignated as an SMR to more effectively protect this incredibly unique place and its imperiled reef species, which are vulnerable to the combined impacts of disturbance and take. Our petition also requests that the northern and southern boundaries of Duxbury Reef be extended to include the remaining relatively pristine contiguous reef, thereby protecting more marine life and ecologically connected habitat types. This letter highlights the additional and/or updated information that we are submitting,

¹ <https://storymaps.arcgis.com/collections/27e78c677dca484ebfb37120abc59d10>.

including: **I.** additional community support, **II.** the reef's designation as a Habitat Area of Particular Concern by the National Oceanic and Atmospheric Administration, **III.** Seasketch data that supports the request for expansion of protections, and **IV.** recent 2024 Marine Protected Area (MPA) Watch data, and recent scientific studies.

I. There is Strong Community Support for our Petition.

In attachments 21.2 and 21.3 to this letter, we include additional local community support for this petition. This support was gathered at two recent EAC events, where local members of our community were present. This builds upon the large record of broad support for our petition as demonstrated by the updated index (Attachment 21.1) for our petition.

II. Duxbury Reef Holds Multiple Special Designations, Including *Habitat Area of Particular Concern*.

Duxbury Reef is part of a Habitat Area of Particular Concern (HAPC) which extends much further north and south than the boundaries of the existing SMCA, leaving out critical rocky intertidal reef habitat.² The allowance of "some take" leaves the many organisms reliant on this reef habitat vulnerable to human impacts. See Attachment 21.4 for additional information and mapping related to this HAPC.

III. The SeaSketch Data Supports Stronger Protections.

We were pleased to learn about the release of the new SeaSketch California tool, developed with funding from the California Ocean Protection Council. A presentation at the March 2025 Marine Resources Committee used our Duxbury Reef boundary change as an example of how SeaSketch can compare differences between existing and proposed MPAs. We further explore this data below and in Attachment 21.5.

A. Benefits of Increased Span Length and Area

Our petition requests expansion of the boundaries of the Duxbury Reef MPA to meet preferred scientific span guidelines as well as almost double its area,³ making this MPA more effective at satisfying several of the core purposes for MPA creation, including protecting the natural diversity, abundance, function, and integrity of marine ecosystems, sustaining and rebuilding marine populations, and protecting unique marine habitats for their intrinsic value.⁴

This increased span length and area are important because they include the contiguous intertidal and ecologically connected near-off-shore habitat that stretches from the southern tip of the rocky reef to the north, where it terminates at Double Point/Stormy Stack Special Closures. Both boundary extensions also contain unique micro-habitats and species that are not likely to be found in the current MPA.⁵ The northern boundary extension additionally contains more heterogeneous and interconnected reef and sandy shores, as well as nursery areas that help reseed the downstream protected area through drift in the longshore north-south current. The southern boundary also contributes to reseeding of the existing MPA area through a local nearshore eddy that drifts north.

² See Attachment 21.4.

³ See Attachment 21.5.

⁴ Fish and Game Code § 2853(b)(1), (2), & (4).

⁵ See Index Original Attachment 9: Letter from Kent Khitikian.

The northern and southern boundary extensions would also include significant harbor seal haul outs and a colony that is present year-round with consistent pupping.⁶

Achieving the scientifically preferred span length and area increase is also important because fragmented protection of an interconnected habitat area puts a variety of species at risk of take and damage. The current small SMCA has a very high edge-to-area ratio, making its marine life more vulnerable to external pressures (e.g., fishing just outside borders). While some spillover of fish into adjacent areas can benefit fisheries and habitats outside protections, too small an MPA may be "fished out" near its edges, increasing its vulnerability. Increasing the size of the MPA enables the area to support bigger, more stable populations, reducing risks of inbreeding and increasing resilience to environmental changes (e.g., warming oceans). Larger, fully protected habitats allow species to shift ranges within the MPA as ocean conditions change (e.g., temperature shifts, oxygen minimum zones), which is critical for building resilience in the face of climate change impacts, which are anticipated for this area.⁷

B. Increased Depth Ranges and Expansion of Shoreline Habitat Types

Our petition would increase the range of depths protected and double the amount of both sandy beaches and intertidal rocky shores protected,⁸ constituting an increase in the number and diversity of species that would benefit from MPA protections.

C. Expanding the Reef Boundaries will Likely Support Kelp Presence and Persistence

Kelp persistence data shows that kelp habitat has been established in various points along the northern and southern areas that would be included in the boundary extension, and this kelp could persist and/or return in the future. **This bull kelp has persisted in recent years, and has even expanded in some of these areas,⁹ despite the mass kelp die off associated with the recent seastar die off.** It has also been reported to us anecdotally that bull kelp has been observed increasing in the last 12 months around Duxbury Reef, including in the unprotected areas. Google Earth imagery also shows that this area has interlocking rocky intertidal reef and beach habitat, contiguous with the kelp habitat present here.¹⁰

The existence of kelp benefits the habitat value as a whole; this area contains one of the largest harbor seal breeding colonies in California, and these marine mammals rely on healthy, diverse, and abundant kelp and intertidal habitats for hunting, breeding, resting, and pupping.¹¹

Extending the northern and southern boundaries of Duxbury Reef to cover this critical, extremely diverse, interconnected yet vulnerable ecological area is paramount to the resilience of the aquatic species that rely on it.

⁶ See Index Original Attachment 6: Letter from Dr. Sarah Allen.

⁷ Lester et al., *Biological Effects within No-Take Marine Reserves: a Global Synthesis*, 2009, available at <https://www.int-res.com/abstracts/meps/v384/meps08029>.

⁸ See Attachment 21.5.

⁹ See Attachment 21.5.

¹⁰ See Attachment 21.5.

¹¹ Kelp provides fertile and critical hunting grounds for seals. The Nature Conservancy, *The Vanishing Kelp Forest*, 2023, available at <https://www.nature.org/en-us/magazine/magazine-articles/kelp-forest/>.

“Species diversity generally increases with habitat diversity and complexity, so the greater the variety of habitats protected, the greater the biodiversity conserved...Thus, MPAs should include large areas, a broad range of habitats, and a high diversity of species...”¹²

IV. 2024 MPA Watch Data, Recent Studies, and the Failure of Partial Protection.

Since our petition was originally submitted, additional MPA Watch data has become available, which we formally submit as Attachment 21.6. We had provided preliminary data to Commissioner Anderson and the California Department of Fish and Wildlife staff on site visits, and we welcome the opportunity again to host any staff and/or Commissioners for a visit to the reef. Duxbury Reef is a sensitive intertidal habitat where human activities (trampling and intertidal take) have long-term negative impacts on habitat and species. 2024 MPA Watch data¹³ shows that the Duxbury Reef SMCA continues to have high use compared to other MPAs surveyed by Marin MPA Watch.

In 2024, MPA Watch data reports counted 132 violations at Duxbury Reef, including 65 counts of hand collection of biota. Duxbury Reef sustains a high rate of activity and visitation in general, accounting for 51% of all activities in Marin County MPA Watch locations in the first half of 2024, vastly greater than all other survey locations combined. The complexity of current regulations leads to confusion and more violations.

A. 2023 Study on Signage

While we continue to advocate for better signage, including posting our own temporary signs, signage alone is not enough to deter collection: a 2023 study¹⁴ evaluating the effectiveness of MPA signage in California found that **less than 5% of visitors to MPAs actually read signs upon arrival**. Regulatory-type signs, while viewed more often, were only viewed 2.5 seconds on average. This is not adequate time to convey the detailed information about what take is allowed in the Duxbury Reef SMCA.

EAC also leads a docent program at the reef, and docents frequently report confusion amongst visitors who have seen incomplete online information (“some take allowed”) or observed fisherpeople with buckets and bait on the reef. **Docents, visitors, marine sanctuary staff,¹⁵ and park rangers have repeatedly mentioned visitor confusion around MPA regulations that arises when people see others passing through the SMCA from currently unprotected areas with buckets of fish and other biota (sometimes fishing bait), or people fishing in deeper pools for monkey-face prickleback.** These observations, combined with the aforementioned study, infer that visitors often look to the behavior of other people to understand what is allowed at Duxbury Reef, rather than signage.

A designation change from an SMCA to an SMR addresses both issues with confusing signage and behavior and is supported by the National Park Service, whose staff has also observed ongoing instances of illegal take in

¹² McLeod, E., Salm, R., Green, A., & Almany, J., *Designing Marine Protected Area Networks to Address the Impacts of Climate Change*, 2006, available at <http://www.jstor.org/stable/27809090>.

¹³ See Attachment 21.6.

¹⁴ California Marine Sanctuary Foundation, *Evaluating Effectiveness of Marine Protected Area (MPA) Signs, Report*, 2023, p. 4 and 16, available at https://www.californiamsf.org/files/ugd/db7991_35150e1d08364c278304f2ff805d0011.pdf.

¹⁵ “Duxbury’s SMCA designation allows for certain kinds of take, which may confuse visitors that are not familiar with the regulations” and “Since collection is allowed at [the southernmost unprotected extent] of the reef, unfamiliar visitors may see legal take occurring and assume that it is allowed on all areas of the reef.” See Index Original Attachment 3: Greater Farallones and Cordell Bank National Marine Sanctuaries.

this area.¹⁶ The signage study¹⁷ discussed above found that consumptive users had a better understanding of rules than non-consumptive users. By eliminating partial take (consumptive use) and simplifying regulations, the behavior of all visitors at the highly vulnerable Duxbury Reef would become less harmful to marine life.

Changing the designation of the Duxbury Reef SMCA to an SMR would increase compliance with regulations over time with consistent messaging, safeguarding this sensitive habitat. **For public understanding, full protection, no take MPAs are most effective;** one study¹⁸ of Australia's 7,000 km coastline found that:

“**[Fully protected areas]** had more fish species and biomass, **were better understood by people**, aligned better with the expectations of the public than [partially protected areas], were more attractive to most users, and perceived to have better marine life than open areas. **Partially protected areas**, despite being the most common type of MPA, **were no better than open areas for any of our social or ecological indicators.**”¹⁹ (*emphasis added*)

While this study is not in California, the same principles apply.

V. Closing and IUCN Green List

Duxbury Reef is an incredibly important place for visitors to gain a love for the ocean and marine life and is the “premier place for intertidal and ocean education in Marin County.”²⁰ We were excited to learn that the California MPA network was added to the International Union for Conservation of Nature's Green List—a monumental achievement, and chosen in part due to its adaptive management approach. Strengthening protections at Duxbury Reef will help to ensure that the network continues to be a model of ocean conservation—**this special place must be fully protected for both the benefit of marine ecosystems and the enjoyment of current and future generations.**

We look forward to participating in the July Marine Resources Committee meeting and future meetings on this MPA and our petition. If you have questions, please contact me at 415-663-9312. We reiterate our offer to show anyone in the California Department of Fish and Wildlife or the Fish and Game Commission Duxbury Reef.

Sincerely,



Ashley Eagle-Gibbs, Esq.

Executive Director

Environmental Action Committee of West Marin

¹⁶ “Full SMR status would clarify regulations and ease enforcement/education needs.” See Index Original Attachment 3: National Park Service Letter.

¹⁷ California Marine Sanctuary Foundation, *Evaluating Effectiveness of Marine Protected Area (MPA) Signs, Report*, 2023, p. 19, available at https://www.californiamsf.org/_files/ugd/db7991_35150e1d08364c278304f2ff805d0011.pdf.

¹⁸ Turnbull, J.W., Johnston, E.L. and Clark, G.F., *Evaluating the social and ecological effectiveness of partially protected marine areas*, 2021, available at <https://doi.org/10.1111/cobi.13677>.

¹⁹ Turnbull, J.W., Johnston, E.L. and Clark, G.F., *Evaluating the social and ecological effectiveness of partially protected marine areas*, 2021, available at <https://doi.org/10.1111/cobi.13677>.

²⁰ See Index Original Attachment 3: National Park Service Letter.

cc:

Susan Ashcraft, Senior Environmental Scientist and Marine Advisor, California Fish and Game Commission

Melissa A. Miller-Henson, Executive Director, California Fish and Game Commission

Claire Waggoner, Marine Region Habitat Conservation Program Manager, California Department of Fish and Wildlife

Sara Worden, Environmental Scientist, California Department of Fish and Wildlife

Craig Shuman, Marine Region Manager, California Department of Fish and Wildlife

Jenn Eckerlee, Executive Director, California Ocean Protection Council

ATTACHMENT 21.1

Attachment 21.1: Index of Documents & Attachments Submitted re. Support Petition 2023-32, November 30, 2023 - July 3, 2025

This index was created so that each document submitted in support of the Duxbury Reef petition has a unique # identifier. A decimal number is added if the submitted document contains attachments (listed in number order).

| Document # | Original Attachment # As Submitted | Current Attachment # | Document Date | Sender/Preparer | Description | Previously Submitted to FGC | FGC Meeting Document Link if Applicable | In StoryMap |
|------------|------------------------------------|----------------------|---------------|---|---|-----------------------------|---|-------------|
| N/A | N/A | N/A | 11/30/23 | Prepared by Environmental Action Committee of West Marin (EAC) | Original Petition as submitted to the California Fish and Game Commission for Regulation Change | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline | Yes |
| N/A | N/A | N/A | 11/30/23 | Prepared by EAC | Original Petition submission Index | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=8 | Yes |
| N/A | 1 | N/A | 11/30/23 | Prepared by EAC | Maps depicting ASBS and proposed changes (4 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=10 | Yes |
| N/A | 2 | N/A | 11/30/23 | Prepared by EAC | Summarized data from mpawatch.org Marin MPA Watch (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=15 | Yes |
| N/A | 3 | N/A | 7/5/2023 | EAC including attached letters from Greater Farallones and Cordell Bank National Marine Sanctuaries and National Park Service | EAC Comments to Fish and Game Commission re. MRC Agenda Item 5: MPA DMR Petition for Modification of Duxbury Reef and Drakes Estero MPAs including attachments 1 + 2 ((1) EAC April 6, 2023, comments to Fish and Game Commission including EAC March 13, 2023 letter and November 14, 2022 letter from National Park Service (2) Greater Farallones and Cordell Bank National Marine Sanctuaries April 15, 2023, comments to Fish and Game Commission) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=19 | Yes |
| N/A | 4 | N/A | 11/21/23 | Marin County Supervisor Dennis Rodoni | Support for Environmental Action Committee (EAC) Petition to the California Fish and Game Commission for regulation change at Duxbury Reef (2 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=42 | Yes |
| N/A | 5 | N/A | November 20 | Max Kortton, Marin County Parks | Support for Environmental Action Committee's Petition for Regulation Change at Duxbury Reef (2 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=45 | Yes |
| N/A | 6 | N/A | 11/25/23 | Sarah G. Allen, PhD, Retired Senior Science Advisor National Park Service | Decadal Review Recommendations for the California North Central Marine Protected Areas (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=48 | Yes |
| N/A | 7 | N/A | 11/29/23 | Josh Churchman (commercial fisherman) | Petition for Modification of Duxbury Reef Marine Protected Area (2 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=52 | Yes |

Attachment 21.1: Index of Documents & Attachments Submitted re. Support Petition 2023-32, November 30, 2023 - July 3, 2025

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| Document # | Original Attachment # As Submitted | Current Attachment # | Document Date | Sender/Preparer | Description | Previously Submitted to FGC | FGC Meeting Document Link if Applicable | In StoryMap |
|------------|------------------------------------|----------------------|---------------|--|---|-----------------------------|---|-------------|
| N/A | 8 | N/A | 11/29/23 | 9 NGOs | Support for Environmental Action Committee's Petition for Regulation Change at Duxbury Reef (2 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=55 | Yes |
| N/A | 9 | N/A | 7/3/23 | Kent Khtikian | Petition for Modification of Duxbury Reef Marine Protected Area (4 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=58 | Yes |
| N/A | 10 | N/A | 7/3/23 | Joe Mueller, College of Marin | Petition for Modification of Duxbury Reef Marine Protected Area (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=63 | Yes |
| N/A | 11 | N/A | 7/6/23 | Lily Rosenman | Petition for Modification of Duxbury Reef Marine Protected Area (2 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=67 | Yes |
| N/A | 12 | N/A | 7/5/23 | Bridget Bartholome | Petition for Modification of Duxbury Reef Marine Protected Area (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=70 | Yes |
| N/A | 13 | N/A | 7/6/23 | Laura Lee Miller | Petition for Modification of Duxbury Reef Marine Protected Area (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=74 | Yes |
| N/A | 14 | N/A | 7/1/23 | 150 individuals | Group letter supporting Duxbury Reef petition (30 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=78 | Yes |
| N/A | 15 | N/A | 7/6/23 | Courtney Barend | Petition for Modification of Duxbury Reef Marine Protected Area (2 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=109 | Yes |
| N/A | 16 | N/A | 11/30/23 | Jeffrey R. Boehm, The Marine Mammal Center | Petition for Modification of Duxbury Reef Marine Protected Area | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=218218&inline#page=112 | Yes |
| 17 | N/A | N/A | 2/1/24 | Prepared by EAC | EAC Supplemental Comments to Support Petition for Modification/Regulation Change of Duxbury Reef Marine Protected Area (17 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=219990&inline#page=1171 | No |
| N/A | 1 | 17.1 | 1/27/24 | Kent Khtikian | Support Petition for Modification/Regulation Change of Duxbury Reef Marine Protected Area (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=219990&inline#page=1178 | No |

Attachment 21.1: Index of Documents & Attachments Submitted re. Support Petition 2023-32, November 30, 2023 - July 3, 2025

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| Document # | Original Attachment # As Submitted | Current Attachment # | Document Date | Sender/Preparer | Description | Previously Submitted to FGC | FGC Meeting Document Link if Applicable | In StoryMap |
|------------|------------------------------------|----------------------|---------------------------|---|---|-----------------------------|---|-------------|
| N/A | 2 | 17.2 | 1/27/24 | Colleen Hicks (former Executive Director of the Museum of the American Indian) | Support Petition for Modification/Regulation Change of Duxbury Reef Marine Protected Area (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=219990&inline#page=1182 | No |
| N/A | 3 | 17.3 | 2/1/24 | 14 NGOs (including original 9) | Support Petition for Modification/Regulation Change of Duxbury Reef Marine Protected Area (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=219990&inline#page=1186 | No |
| 18 | N/A | N/A | 7/5/24 | 23 NGOs (including original 14) and Huukuiko, Inc., Coast Miwok Tribal non-profit | Additional Support for Environmental Action Committee's Petition for Modification/Regulation Change at Duxbury Reef (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=224049&inline#page=5 | No |
| 19 | N/A | N/A | 9/9/24, submitted 9/12/24 | Jeff Clapp (recreational fishermen) | Support Petition for Modification/Regulation Change of Duxbury Reef Marine Protected Area (3 pages) | Yes | https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=225381&inline#page=1193 | No |
| 20 | N/A | N/A | 4/8/25, submitted 4/10/25 | District 2 Congressman Jared Huffman | Petition for Modification/Regulation Change of Duxbury Reef Marine Protected Area (2 pages) | Yes | N/A | No |
| 21 | N/A | N/A | 7/3/25 | Prepared by EAC | EAC Comments re: Agenda Item 10: Petition 2023-32 Duxbury Reef (6 pages) | No | N/A | No |
| N/A | N/A | 21.1 | 7/3/25 | Prepared by EAC | Index of Attachments as of 7/3/25 (This Document) | No | N/A | No |
| N/A | N/A | 21.2 | 12/7/24 | 11 community members | Group letter supporting Modification/Regulation Change of Duxbury Reef Marine Protected Area (2 pages) | No | N/A | No |
| N/A | N/A | 21.3 | 6/21/25 | 11 community members | Group letter supporting Modification/Regulation Change of Duxbury Reef Marine Protected Area (3 pages) | No | N/A | No |
| N/A | N/A | 21.4 | 7/3/25 | Prepared by EAC | NOAA Habitat Area of Particular Concern - Duxbury Reef (1 page) | No | N/A | No |
| N/A | N/A | 21.5 | 7/3/25 | Prepared by EAC | Seasketch Data and Google Earth Images of Duxbury Reef Petition (13 pages) | No | N/A | No |
| N/A | N/A | 21.6 | 7/3/25 | Prepared by EAC | 2024 Duxbury Reef MPA Watch Data (3 pages) | No | N/A | No |

ATTACHMENT 21.2

December 7, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: Support for **Petition No. 2023-32MPA**, Environmental Action Committee of West Marin (EAC) Petition for Regulation Change at Duxbury Reef

Dear President Sklar and Commissioners,

The undersigned individuals submit these comments in support of EAC's petition regarding changes to the regulations for the Duxbury Reef State Marine Conservation Area (SMCA); petition no. 2023-32MPA. We are committed to coastal protection and the marine protected area (MPA) network.

Duxbury Reef's shale reef supports a complex and rich ecosystem of over 100 species of invertebrates, marine algae, and plants, plus associated finfish and avian species. Its broad, flat slope affords easy access to rocky intertidal tidepools which are visited by many people throughout the year, and used as outdoor classrooms for students from primary school to the university level. On some days, there can be hundreds of visitors at Duxbury Reef, including many visitors from other states and countries.

To help preserve the ecosystem of Duxbury Reef for the enjoyment, education, and inspiration of current and future generations, and to minimize the negative impacts of "take" to Duxbury Reef's vulnerable intertidal habitat and species, we urge the California Fish and Game Commission to modify the existing Duxbury Reef SMCA regulations with the following changes proposed by EAC:

1. **Change the Duxbury Reef SMCA designation to State Marine Reserve (SMR)** in which no take would be allowed, to more fully protect vulnerable marine species at risk of impacts from take. This would eliminate the existing public confusion and enforcement challenge related to the current allowance of some take. Redesignating Duxbury to an SMR is of vital importance.
2. **Extend the southern boundary of the Duxbury MPA** to the most southerly tip of Duxbury Reef exposed at mean lower low water. That is, protect the whole reef to a point at approximately 37° 53.1315' N. latitude, 122° 41.7549' W. longitude, to include the southern reef area which is contiguous with the rest of the MPA, and ecologically sensitive yet currently unprotected.
3. **Extend the northern boundary of the Duxbury Reef MPA** protections to the Double Point/Stormy Stack Special Closure as described in CCR Title 14 § 632(b)(49) to protect contiguous, more pristine reef habitat to the north which is ecologically connected to the current SMCA, but which is at risk of being degraded.

We enthusiastically support California's MPA Network. In the case of Duxbury Reef, we assert that strengthened protections are urgently needed to preserve the reef's biodiverse marine life for future generations, considering public confusion about allowable take, as well as the lack of any protection of the southern and northern sections of the reef habitat, all in combination with changing ocean and climate conditions including sea level rise that add further stress on sensitive marine creatures and alter the habitat.

Sincerely,

Name

Address

Sarah Milligan

Margo Wixson

Hannah VoPham

Gregory Long

Catherine Weas

Mike Jurric

Christine Costello

Katherine Mitchell

Wendy Botwin

Jillian Roberson

MARIANNA RISER

ATTACHMENT 21.3

June 21, 2025

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: Support for **Petition No. 2023-32MPA**, Environmental Action Committee of West Marin (EAC) Petition for Regulation Change at Duxbury Reef

Dear President Sklar and Commissioners,

The undersigned individuals submit these comments in support of EAC's petition regarding changes to the regulations for the Duxbury Reef State Marine Conservation Area (SMCA); petition no. 2023-32MPA. We are committed to coastal protection and the marine protected area (MPA) network.

Duxbury Reef's shale reef supports a complex and rich ecosystem of over 100 species of invertebrates, marine algae, and plants, plus associated finfish and avian species. Its broad, flat slope affords easy access to rocky intertidal tidepools which are visited by many people throughout the year, and used as outdoor classrooms for students from primary school to the university level. On some days, there can be hundreds of visitors at Duxbury Reef, including many visitors from other states and countries.

To help preserve the ecosystem of Duxbury Reef for the enjoyment, education, and inspiration of current and future generations, and to minimize the negative impacts of "take" to Duxbury Reef's vulnerable intertidal habitat and species, we urge the California Fish and Game Commission to modify the existing Duxbury Reef SMCA regulations with the following changes proposed by EAC:

1. **Change the Duxbury Reef SMCA designation to State Marine Reserve (SMR)** in which no take would be allowed, to more fully protect vulnerable marine species at risk of impacts from take. This would eliminate the existing public confusion and enforcement challenge related to the current allowance of some take. Redesignating Duxbury to an SMR is of vital importance.
2. **Extend the southern boundary of the Duxbury MPA** to the most southerly tip of Duxbury Reef exposed at mean lower low water. That is, protect the whole reef to a point at approximately 37° 53.1315' N. latitude, 122° 41.7549' W. longitude, to include the southern reef area which is contiguous with the rest of the MPA, and ecologically sensitive yet currently unprotected.
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degraded.

We enthusiastically support California's MPA Network. In the case of Duxbury Reef, we assert that strengthened protections are urgently needed to preserve the reef's biodiverse marine life for future generations, considering public confusion about allowable take, as well as the lack of any protection of the southern and northern sections of the reef habitat, all in combination with changing ocean and climate conditions including sea level rise that add further stress on sensitive marine creatures and alter the habitat.

Sincerely,

Name

Address

Liza Cable

Madeline Nieto Hope

Joanne Lee

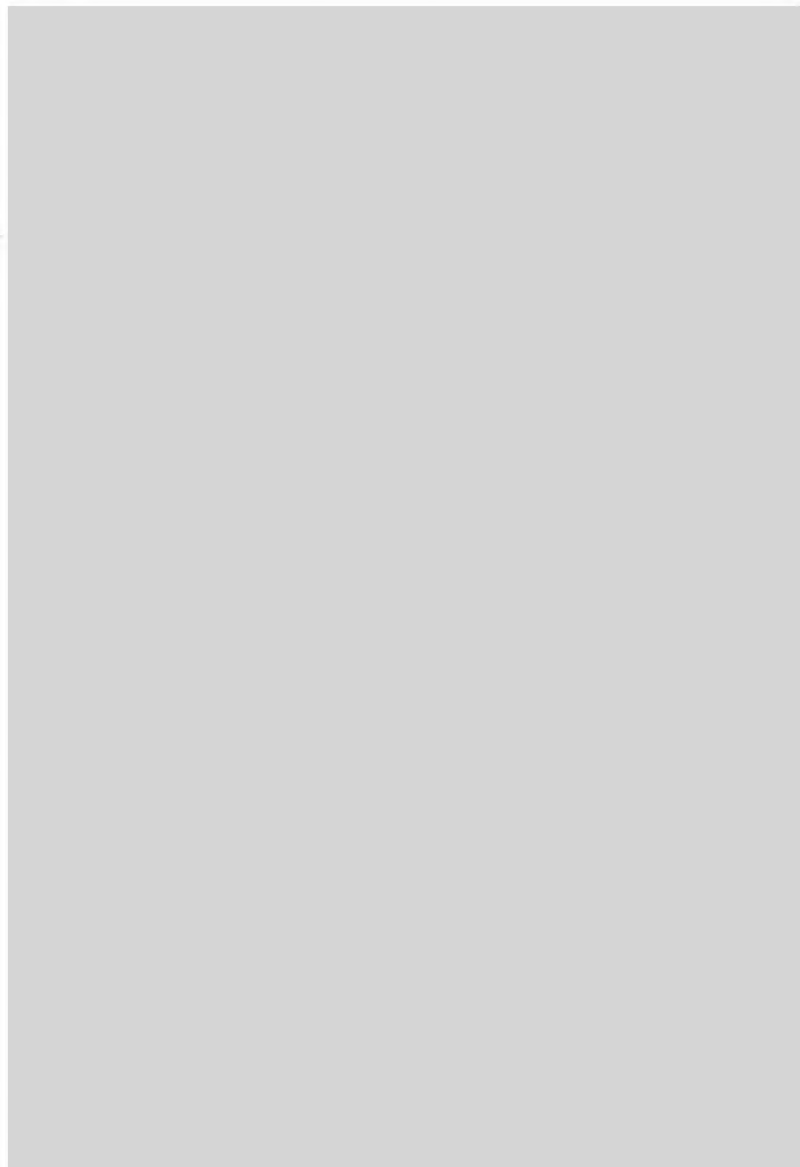
Ann Gessert

Sue VAN DER WAL

LAURA CHANTON

Celia Jenkins

Barbara Gaman



Name

Tom Gaman

Address

Laura Hedger

Margo Wixson

ATTACHMENT 21.4

Attachment 21.4
Submitted for Petition #2023-32MPA
Environmental Action Committee of West Marin

**Map of Habitat Areas of Particular Concern at Duxbury Reef by
National Oceanic and Atmospheric Administration (NOAA)**

Duxbury Reef is a Habitat Area of Particular Concern (HAPC), a subset of NOAA's Essential Fish Habitat. NOAA considers HAPCs to be high-priority areas for conservation due to the important ecosystem functions they provide. HAPCs exhibit "one or more of the following traits: rare, stressed by development, provide important ecological functions for federally managed species, or are especially vulnerable to anthropogenic (or human impact) degradation."¹



The NOAA Essential Fish Habitat Mapper shows HAPCs in red in the image above. This data is accessible at <https://www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper>. Notably, this HAPC extends far beyond the boundaries of the existing Duxbury Reef SMCA, encompassing the requested northern and southern boundary extensions (the HAPC extends north towards the Double Point/Stormy Stack Special Closures and south further offshore).

¹ National Oceanic and Atmospheric Administration, *Habitat Areas of Particular Concern within Essential Fish Habitat*, Last updated: April 24, 2025, available at <https://www.fisheries.noaa.gov/southeast/habitat-conservation/habitat-areas-particular-concern-within-essential-fish-habitat>

ATTACHMENT 21.5

Attachment 21.5
Submitted for Petition #2023-32MPA
Environmental Action Committee of West Marin

Seasketch Data and Google Earth Pro Imagery of Duxbury Reef Petition Area



Existing (left) vs Proposed (right) Duxbury Reef Petition Area, *available at*
<https://storymaps.arcgis.com/collections/27e78c677dca484ebfb37120abc59d10?item=2>.

Below are screenshots of the Seasketch platform showing the North Bioregion Petition: 32_2
Duxbury Reef State Marine Conservation Area (SMCA), accessible at
<https://www.seasketch.org/california/app>.


Span


Duxbury Reef SMCA (Existing) ×

Span ⋮

This report summarizes the total length and proportion of shoreline contained within the selected MPA(s).

During the planning process to establish California's Network of MPAs, the Science Advisory Team recommended a minimum alongshore span of 5-10 km (3-6 mi) of coastline, and preferably 10-20 km (6-12.5 mi).

 This MPA meets the 3-6 mile minimum span guideline, but does not meet the > 6 mile preferred span guideline.


| | Shoreline within MPA(s) | % Total Shoreline | Map |
|-----------------|-------------------------|-------------------|---|
| Alongshore Span | 3.76 mi | 0.2% |  |


Duxbury Reef SMCA (Petition) ×

Span ⋮

This report summarizes the total length and proportion of shoreline contained within the selected MPA(s).

During the planning process to establish California's Network of MPAs, the Science Advisory Team recommended a minimum alongshore span of 5-10 km (3-6 mi) of coastline, and preferably 10-20 km (6-12.5 mi).

 This MPA meets the > 6 mile preferred span guideline

| | Shoreline within MPA(s) | % Total Shoreline | Map |
|-----------------|-------------------------|-------------------|---|
| Alongshore Span | 7.84 mi | 0.3% |  |

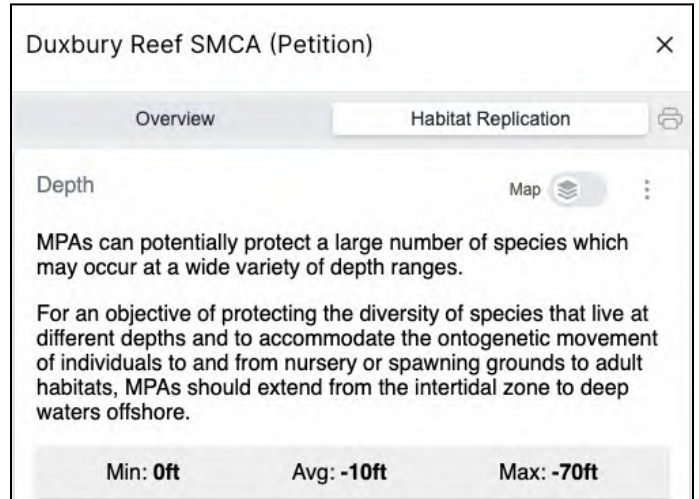
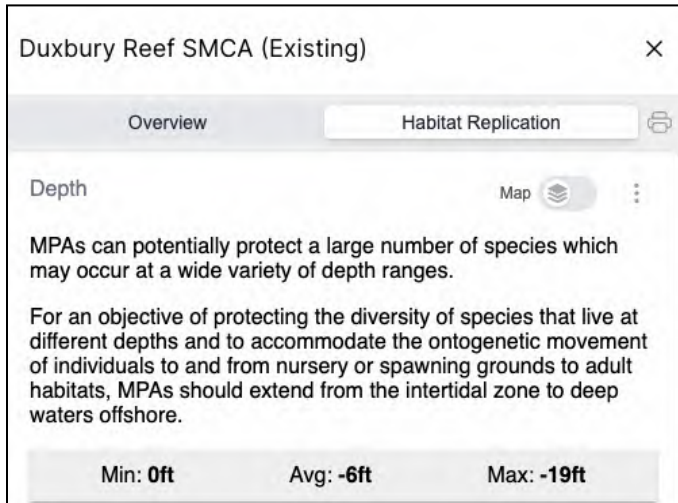
During the planning process to establish California's Marine Protected Area (MPA) network, the Science Advisory Team recommended a minimum span along the coastline of 3-6 miles, with a preferable span of 6-12.5 miles. The current Duxbury Reef SMCA is about 3.8 miles long and only meets minimum span scientific guidelines. Our petition to expand the boundaries north and south would increase its span by about 4 miles. **Seasketch data shows that the requested boundary change will make the Duxbury Reef MPA meet the 6-mile preferred scientific span guideline, where it previously did not.**

Area

| | |
|--|---|
| Duxbury Reef SMCA (Existing) × | Duxbury Reef SMCA (Petition) × |
| <div>Size ⋮</div> <p>California state waters extend to 3 nautical miles from shore, covering about 5,285 square miles (excluding the 473 square miles of state waters in San Francisco Bay). This report summarizes the total area and the proportion of state waters contained within the selected MPA(s).</p> <p>The selected MPA(s) are < 1 mi², which is < 0.1% of California state waters.</p> | <div>Size ⋮</div> <p>California state waters extend to 3 nautical miles from shore, covering about 5,285 square miles (excluding the 473 square miles of state waters in San Francisco Bay). This report summarizes the total area and the proportion of state waters contained within the selected MPA(s).</p> <p>The selected MPA(s) are 1.9 mi², which is < 0.1% of California state waters.</p> |

During the planning process to establish California’s MPA network, the Science Advisory Team recommended a minimum size of 9-18 square statute miles for each MPA, and preferably 18-36 square statute miles. **Though the requested expansion doesn’t meet this recommendation, it roughly doubles the protected area relative to existing boundaries.**

Depth



MPAs that cover a wide range of depths also protect a larger number of species that occur at different depths. **Our petition to expand the boundaries for the Duxbury Reef SMCA would increase the average depth from -6 ft to -10 ft, with the maximum depth increasing from -19ft to -70ft.**

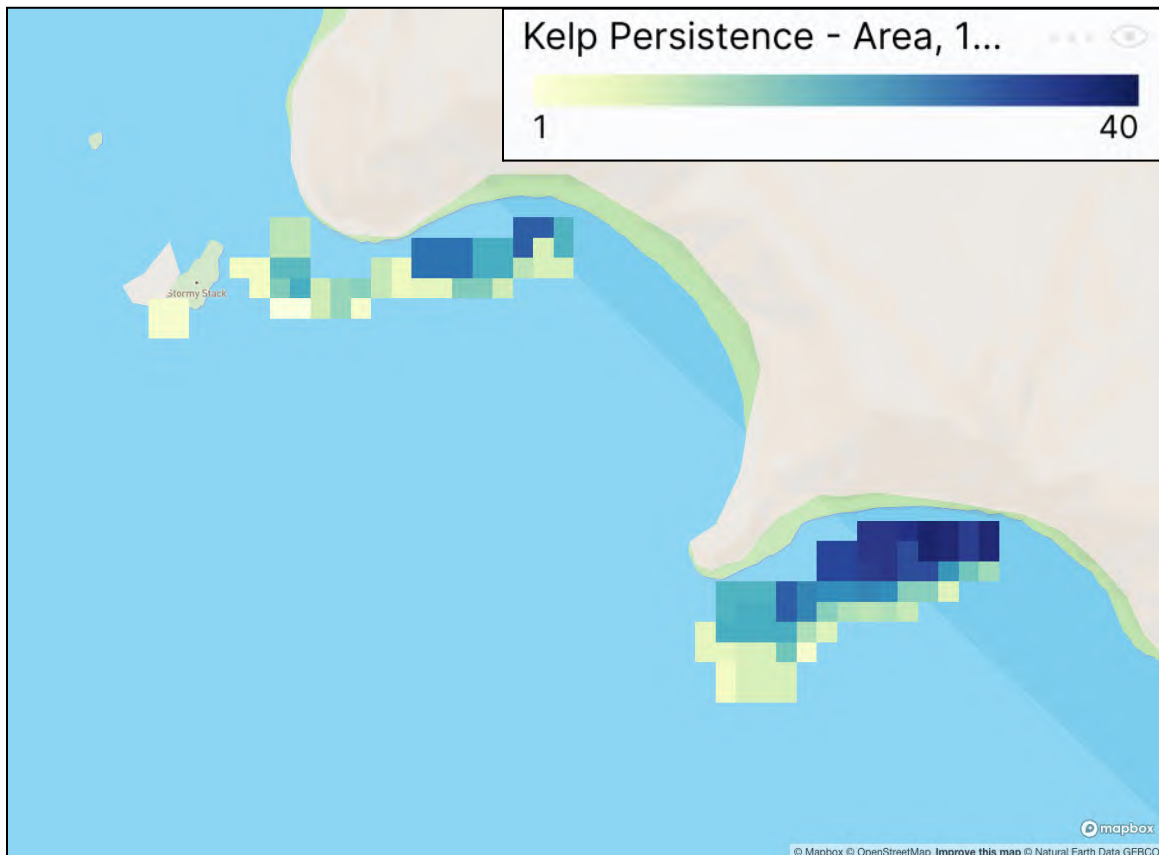
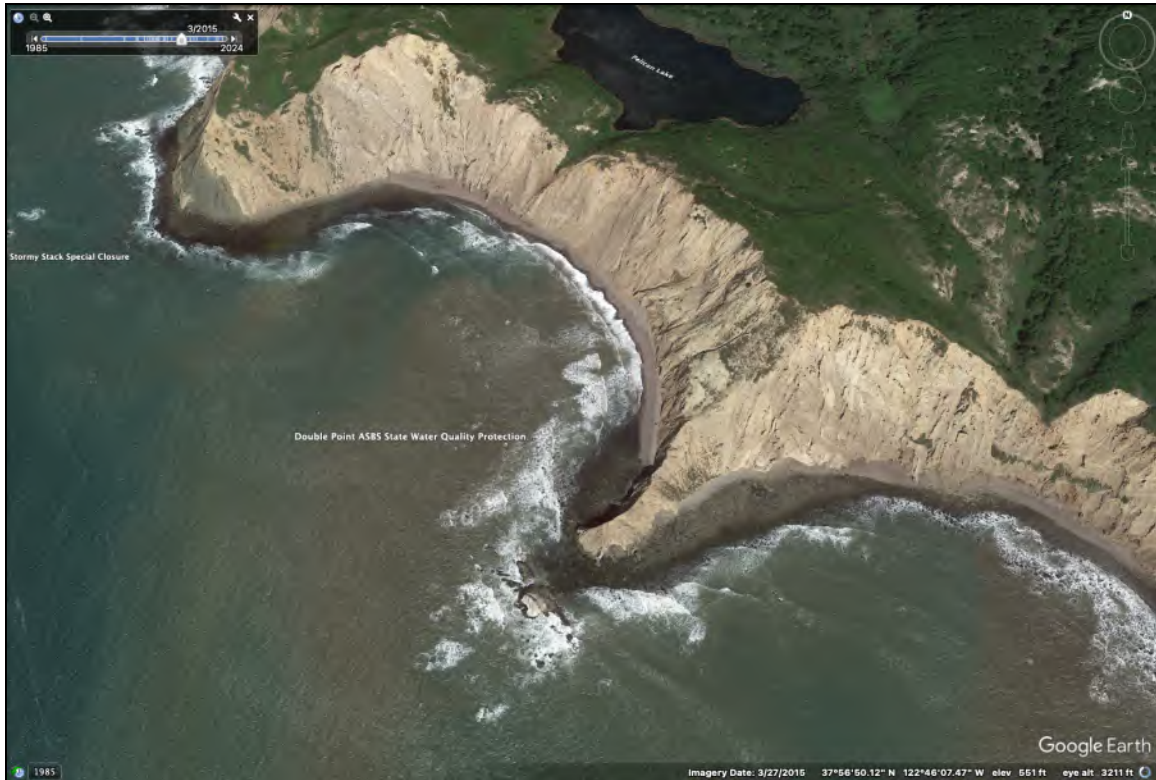
Shoreline Habitats

| Duxbury Reef SMCA (Existing) | | | Duxbury Reef SMCA (Petition) | | |
|------------------------------|----------------------|------------------------|------------------------------|----------------------|------------------------|
| Shoreline Habitat | Length Within MPA(s) | % Total Habitat Length | Shoreline Habitat | Length Within MPA(s) | % Total Habitat Length |
| Beaches | 3.3 mi | 0.3% | Beaches | 7 mi | 0.6% |
| Coastal Marsh | 0 mi | 0% | Coastal Marsh | 0 mi | 0% |
| Hardened Shores | 0 mi | 0% | Hardened Shores | 0 mi | 0% |
| Rock Islands | 0 mi | 0% | Rock Islands | 0.1 mi | < 0.1% |
| Rocky Shores | 3.3 mi | 0.4% | Rocky Shores | 6.8 mi | 0.8% |
| Tidal Flats | 0 mi | 0% | Tidal Flats | 0 mi | 0% |

This report calculates the **total length of each shoretype** within the MPA. This value is divided by the total length of each shoretype to obtain the % contained within the selected MPA.

Alongshore habitats, such as sandy beach and rocky intertidal, provide an important connection between land and sea for both marine species and humans. **Seasketch data shows that the requested boundary change will double the amount of protected beach and rocky shore habitat.**

Rocky Intertidal Reef Contiguity with Kelp Forest Habitat and Kelp Persistence

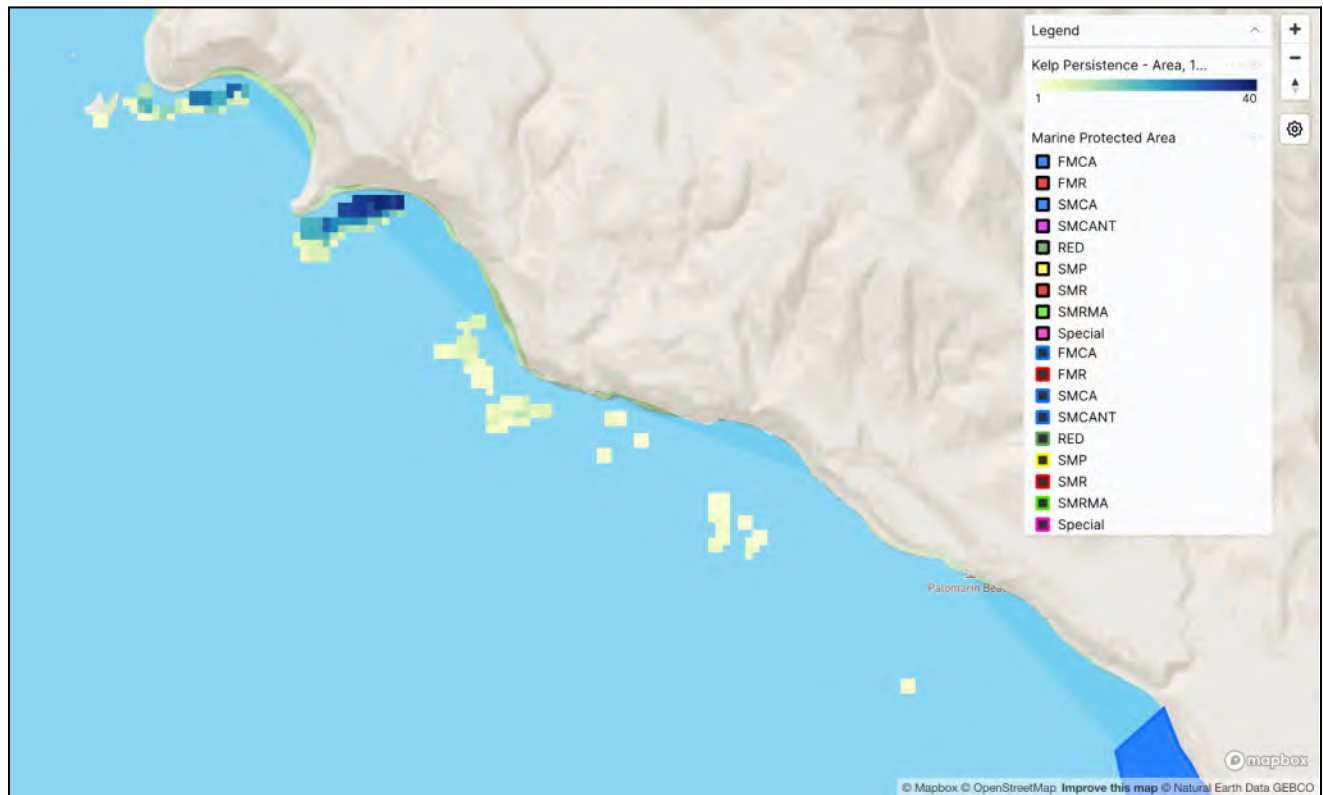


The image from Google Earth Pro shows a section included in the requested northern boundary expansion (Stormy Stack and Double Point Special Closures). **This imagery shows rocky intertidal habitat along these coves.** 2015 imagery was used due to the low tide and time of day the picture was taken, allowing for the best visibility.

The image beneath that is a Seasketch data layer displaying the **number of years that kelp has been detected** in a given pixel through Landsat, 1984-2023. The darker the color, the longer the kelp has persisted there (up to 40 years). Due to the presence of dark blue pixels, we infer that **kelp has persisted until at least 2023** in the coves by Stormy Stack and Double Point Special Closures, while they have died off in other places along the California coast. The above Google Earth Pro imagery also shows that **this area has interlocking rocky intertidal reef and beach habitat, which is also contiguous with the kelp habitat present here.**

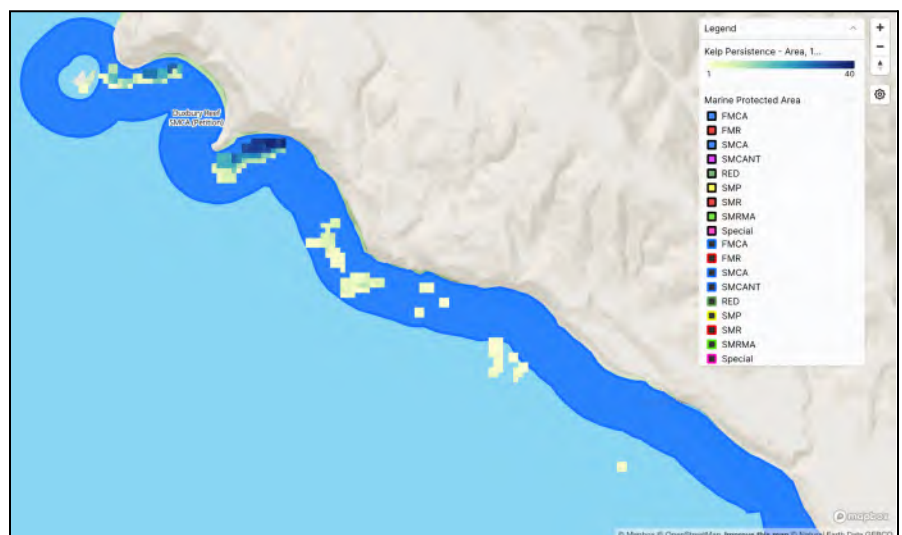
More information about the kelp persistence data file can be accessed at <https://portal.edirepository.org/nis/mapbrowse?packageid=knblter-sbc.74.26>.

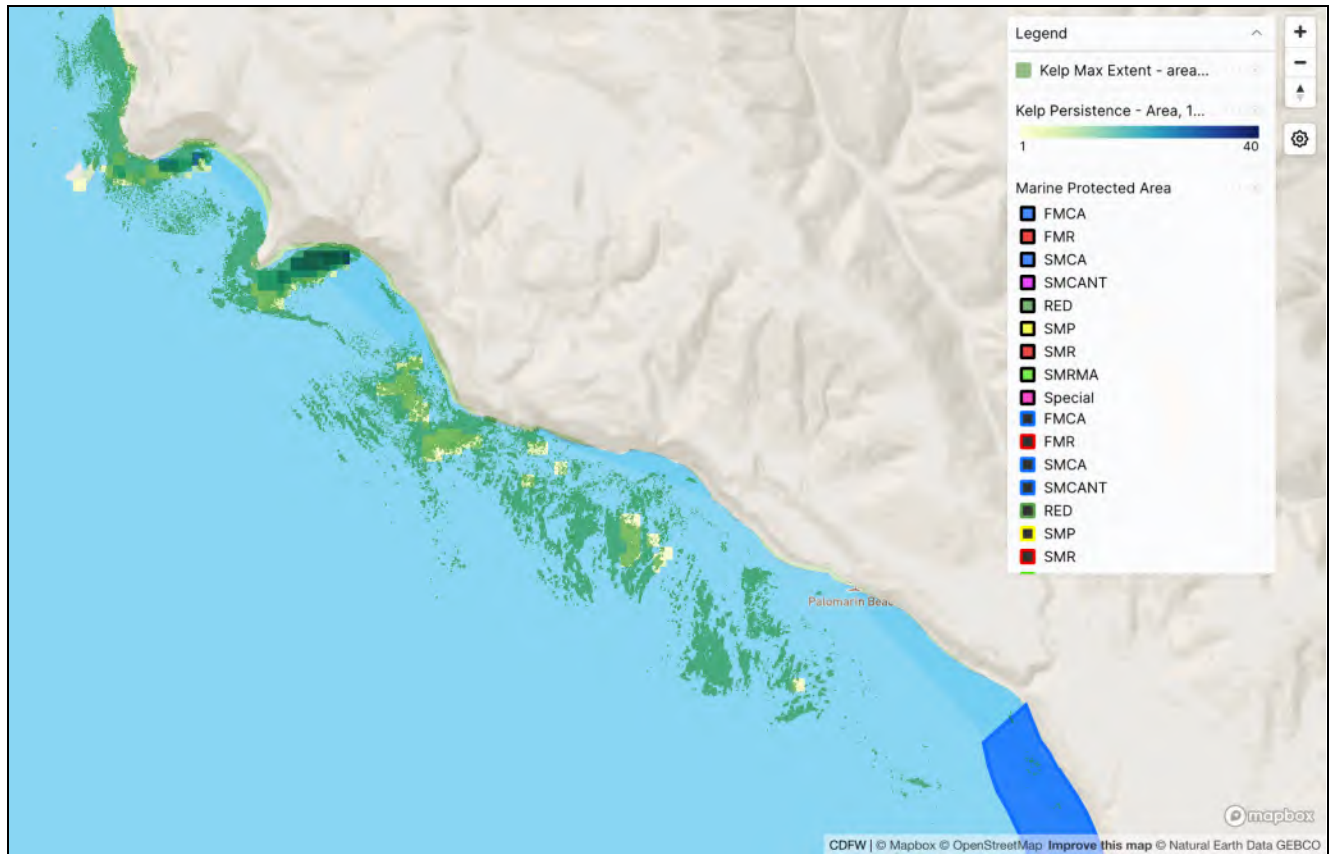
Northern Boundary Extension Area:



These images show **kelp persistence** along the requested northern boundary extension with the Stormy Stack and Double Point Special Closures at the top left. The light green pixels visible south along the coast indicate kelp canopy was detected here at some point between 1984-2023.

The image to the right shows the overlap of **kelp persistence** from 1984-2023 with the petition Duxbury Reef MPA. **The petition's expanded northern boundary contains much of the past and current kelp habitat, while the existing MPA (shown in the top image) does not.**





Existing Duxbury Reef MPA (above) and Petition Duxbury Reef MPA (below).

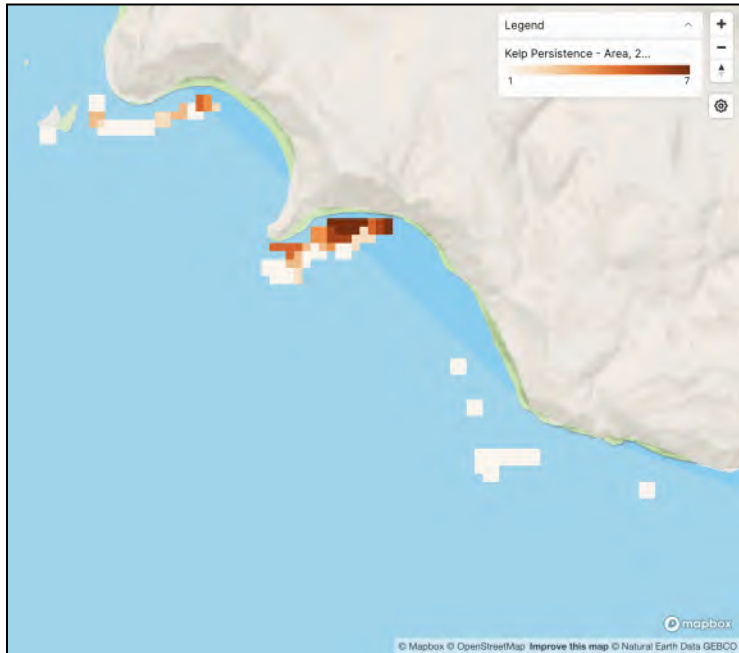
These images show the same extent and layers as the previous two images, but now include the **Kelp Max Extent** layer (transparent green). This dataset shows the maximum extent of kelp canopy as detected in annual surveys conducted by the California Department of Fish and Wildlife from 2002-2006, 2008-2010, and 2013-2016. Maximum extent includes any location where kelp was detected in any of the surveyed years.



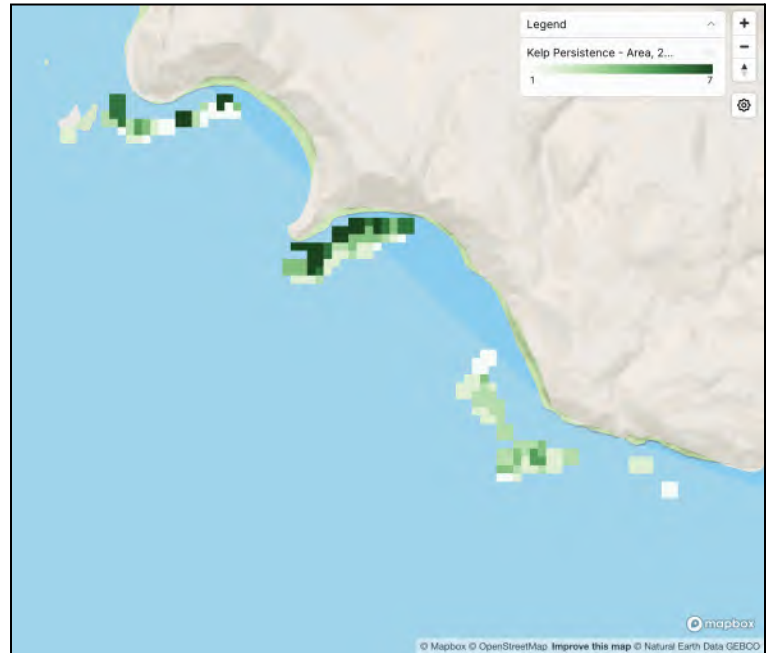
The petition's expanded northern boundary contains much of this kelp canopy, while the existing MPA does not.

Number of years that kelp has been detected in a given pixel (Landsat):

2010-2016



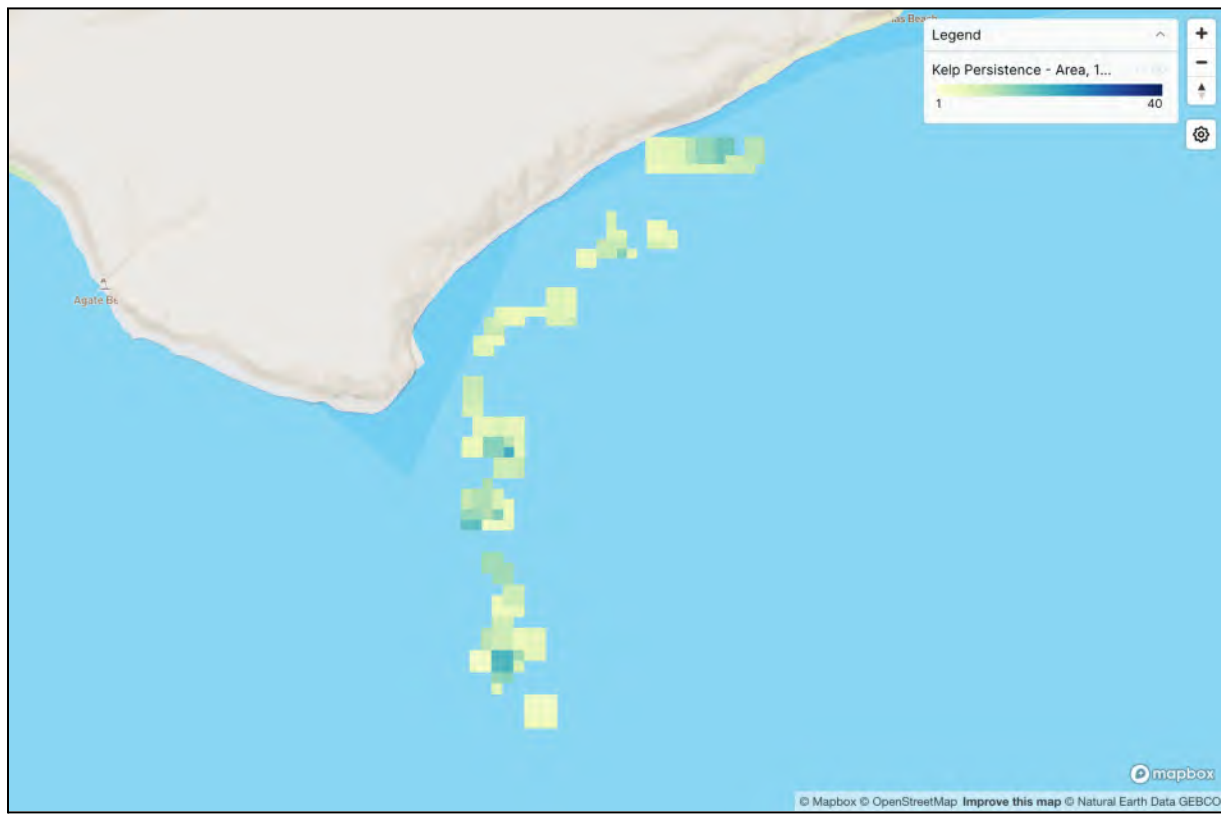
2017-2023



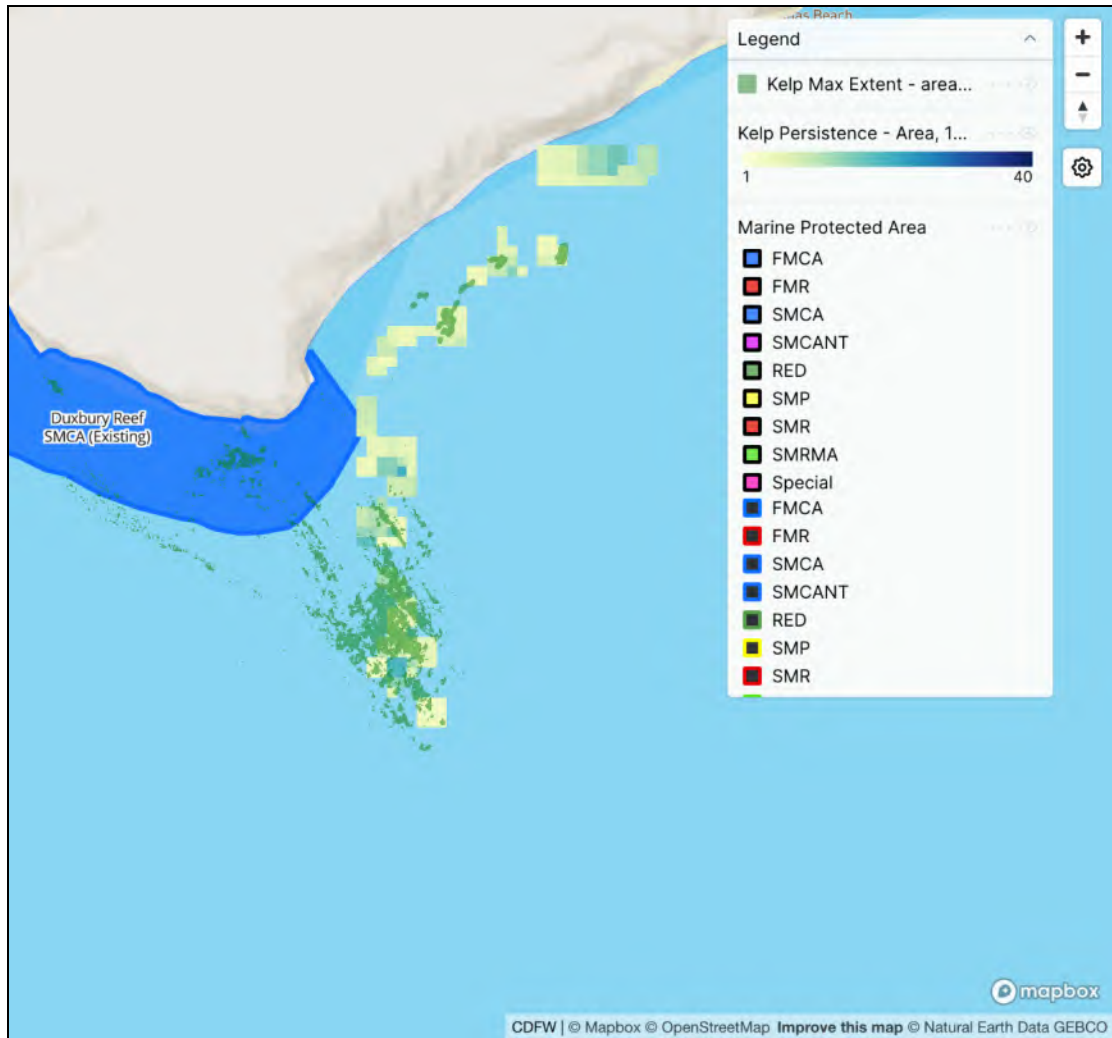
This data shows that, despite the recent kelp die off in much of California, **the kelp forest in the requested northern boundary extension has persisted until as recently as 2023, and perhaps has even increased in the portion just south of the Special Closures** (as shown in the bottom right quadrant of each image). Recent on-site observations have confirmed that the bull kelp extent has increased in the last 12 months, supporting the trend reported through Seasketch.

More information about these data files can be accessed at
<https://doi.org/10.6073/pasta/a9071a2ce1b78242c2ad1dda5854ec78>.

Southern Boundary Extension Area:

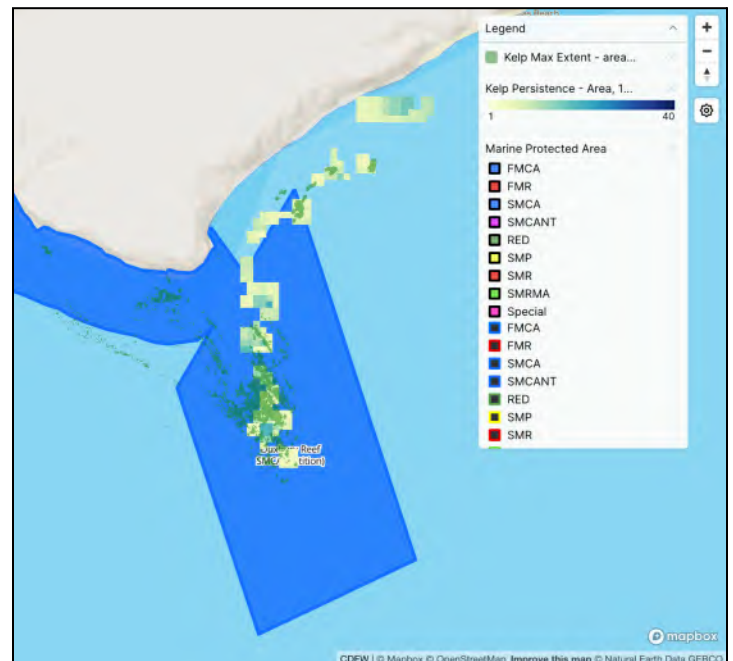


This image shows **Kelp persistence** along the requested southern boundary extension. The green pixels indicate kelp canopy was detected for a number of years between 1984-2023. These are places where kelp could return in the future.



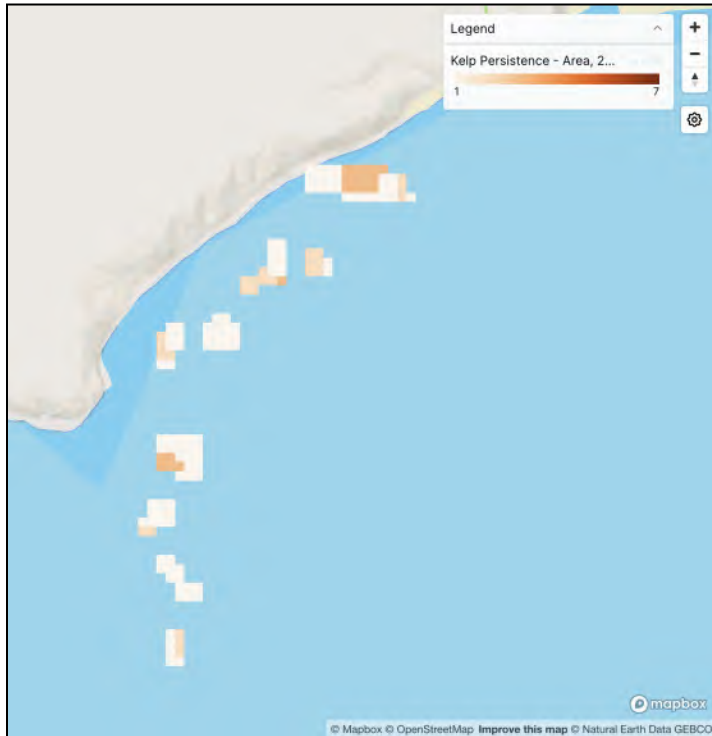
These images show both the kelp persistence layer but now include the **Kelp Max Extent** layer (transparent green). This dataset shows the maximum extent of kelp canopy as detected in annual surveys conducted by the California Department of Fish and Wildlife from 2002-2006, 2008-2010, and 2013-2016. Maximum extent includes any location where kelp was detected in any of the surveyed years.

The petition's expanded southern boundary (right) contains much of this kelp canopy, where the existing MPA (top) does not.

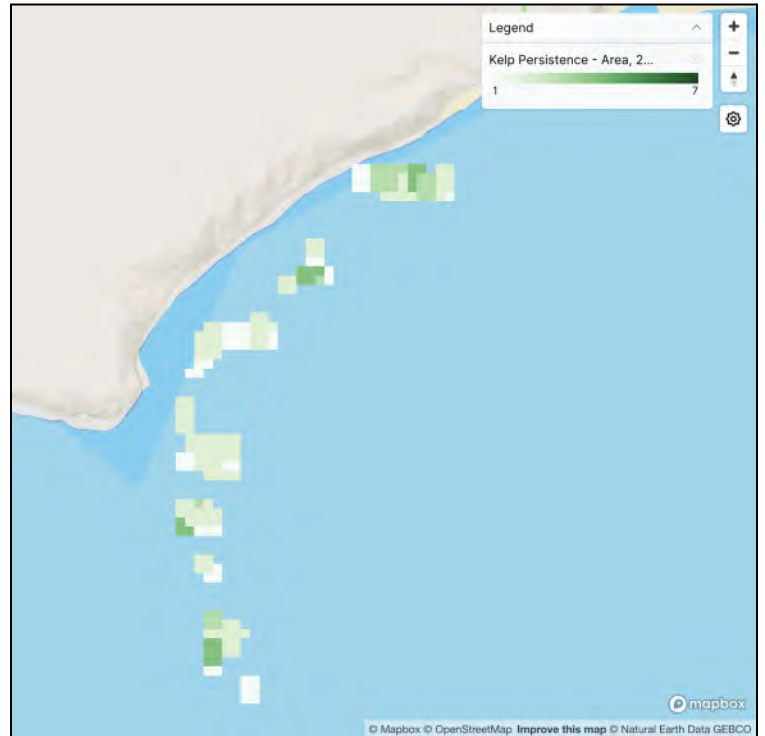


Number of years that kelp has been detected in a given pixel (Landsat):

2010-2016



2017-2023



Similar to the kelp in the requested northern boundary extension, **this data shows that kelp habitat in the requested southern boundary extension has persisted until as recently as 2023, and perhaps has even increased in areas in recent years** (as shown by the increase in pixels on the left image). Recent on-site observations have confirmed that the bull kelp extent has increased in the last 12 months, supporting the trend reported through Seasketch.

More information about these data files can be accessed at <https://doi.org/10.6073/pasta/a9071a2ce1b78242c2ad1dda5854ec78>.

ATTACHMENT 21.6

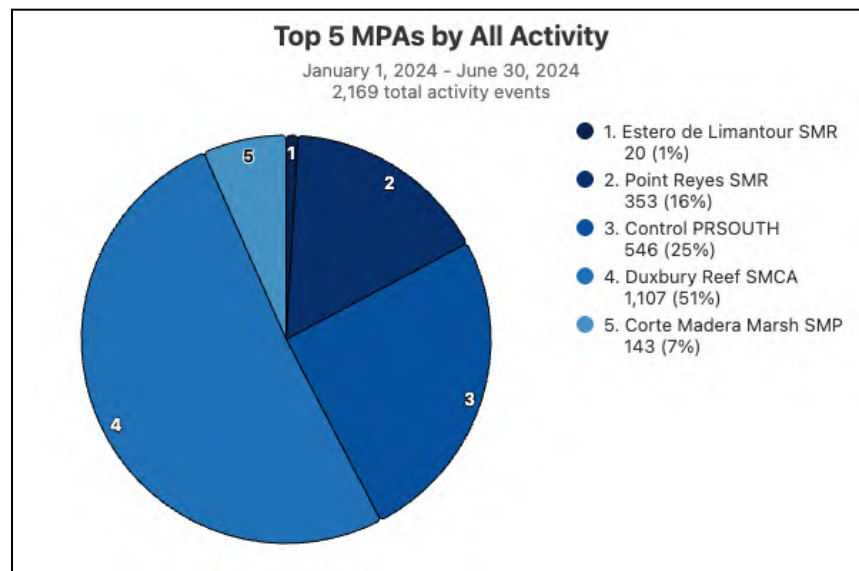
Attachment 21.6
Submitted for Petition #2023-32MPA
Environmental Action Committee of West Marin

Additional Information on MPA Visitation and Potential Violations at Duxbury Reef in 2024

MPA Watch is a statewide community science program that tracks human activity in California's marine protected areas. It has provided valuable, long-term data on human uses along the coast. The data is used to inform management decisions as well as outreach and education by state and local agencies and other organizations. Data is collected in Marin County by trained volunteers through EAC's Marin MPA Watch program. EAC's Duxbury Docent program establishment in 2022 was informed by MPA Watch data which showed increased visitation and non-compliance at Duxbury Reef in recent years prior to 2022. Docents educate the visiting public, but also contribute to community science through shift reports and MPA Watch surveys. The docent MPA Watch survey is a shorter version than the standard MPA Watch survey at Duxbury Reef. Docents conduct a 10 minute "snapshot" MPA Watch survey during each of their shifts of 2-4 hours, and they also submit shift reports which provide detailed information on visitor engagement and potential MPA violations observed during their entire shift.

Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and take) have long-term negative impacts on habitat and species. MPA Watch data shows that Duxbury Reef State Marine Conservation Area has the highest activity rate compared to other MPAs surveyed by Marin MPA Watch over all past years, accounting for 47% of all activities in Marin MPA Watch locations, and yet is the smallest survey area in Marin, and one of the smallest in California (activity counts are a proxy for visitation rate).

Below is a chart showing the activity data in the first half of 2024. This is the period of the year that gets high visitation because of the daytime timing of low tides and school field trip season (there are only a handful of daytime low tides during the later summer and fall months that enable access to the reef. The beach is accessible only at mid-tide or lower.) In this period, Duxbury Reef sustained 51% of all activities in Marin County recorded by MPA Watch volunteers.



The number of MPA violations observed and recorded during 2024 at Duxbury Reef far exceeds the number of MPA violations observed in other Marin MPAs.

| MPA | January 1 December 31 All Years | January 1, 2024 through December 31, 2024 |
|-------------------------|---------------------------------------|---|
| Estero de Limantour SMR | 5 | 0 |
| Point Reyes SMR | 51 | 10 |
| Control PRSOUTH | 0 | 0 |
| Duxbury Reef SMCA | 1,606 | 132 |
| Corte Madera Marsh SMP | 29 | 0 |
| All MPAs Combined | 1,691 | 142 |

In 2024, MPA Watch data shows 132 violations at Duxbury Reef. This includes 60 observations of dogs off leash and 65 counts of hand collection of biota. This is much greater than all the other survey locations in Marin County combined and represents a snapshot of activities that actually occur there.

Duxbury Docent shift report data provides additional information from docent shifts.

2024 Duxbury Docent Shift Report Data: January through early November

| # Cars | Number Visitors Engaged | Violations reported to CDFW, MC Parks | Total Violations Observed (includes MPA Watch data, dogs offleash, boat fishing w/in 1,000ft | Hand collection or handling of biota | Violations redirected (successful engagement) |
|--------|-------------------------------|--|---|---|--|
| | 971 | 2 | 88 | 53 | 72 |
| | | | | | |

Example details about violations from Docent Shift Reports:

- “2 young kids w/ few species in ziploc bags, put all back into pools easily when asked and told why.
- “Huge number of youth groups on reef: “...tide pool charts and science teachers so thought they'd be fine without me, but wasn't that way at all - overwhelmed with amount of touching and throwing. Kids on exchange trip ... with adults, explained by me and Kent to not touch species and then turned around literally trying to kick mossy chiton - had to explain they were alive and could kill animals. Too many violations to count or report, mostly picking up things in reef and moving them around.

- *“Was able to persuade someone to leash dog, return biota to pools. Nice people and kids visiting reef today.*
- *“Stopped someone collecting into a glass jar; Another violation: Couple showed me at bottom of steps a video of red octopus they picked up for a bit and put back. I reported to CDFW...I let the couple know that picking up the octopus wasn't a good idea for many reasons and they understood.*

Docents, visitors and Marin County park rangers have repeatedly mentioned the visitor confusion about the MPA regulations that arises when people see fishing for prickleback in the deeper pools on Duxbury Reef, or passing through the SMCA from areas to the south, currently unprotected, with buckets of fish and other biota. Additionally, people are confused by incomplete and erroneous information seen online, that says “some take allowed”. Allowing some take at this highly vulnerable, yet accessible marine habitat ultimately results in excessive violations and harm to marine life.

From: EAC Conservation Intern <[REDACTED]>

Sent: Friday, July 5, 2024 12:53 PM

To: FGC <[REDACTED]>

Cc: [REDACTED]; Rogers, Kimberly [REDACTED] [REDACTED] Ashcraft, Susan [REDACTED]
[REDACTED]

Subject: Written Comment Regarding July 17-18 Meeting Agenda Item 3

Hello,

Please find attached two letters in support of petitions for Drakes Estero and Duxbury with additional signatories. Thank you for your attention to this matter.

Sincerely,

Amina Khribeche
Legal and Policy Intern
Environmental Action Committee of West Marin (EAC)
P.O. Box 609 | 65 Third Street, Suite 12
Point Reyes Station, CA | 94956
(415) 663-9312
conservation@eacmarin.org

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July 5, 2024

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
Via Electronic Mail: fgc@fgc.ca.gov

Re: Support for **Petition No. 2023-32MPA**, Environmental Action Committee of West Marin (EAC)
Petition for Regulation Change at Duxbury Reef
FGC Agenda Item No. 3

Dear President Sklar and Commissioners,

The undersigned organizations submit these comments in support of EAC's petition regarding changes to the regulations for the Duxbury Reef State Marine Conservation Area (SMCA); petition no. 2023-32MPA. The undersigned organizations are committed to coastal protection and the marine protected area (MPA) network.

Duxbury Reef's shale reef supports a complex and rich ecosystem of over 100 species of invertebrates, marine algae, and plants, plus associated finfish and avian species. Its broad, flat slope affords easy access to rocky intertidal tidepools which are visited by many people throughout the year, and used as outdoor classrooms for students from primary school to the university level. On some days, there can be hundreds of visitors at Duxbury Reef, including many visitors from other states and countries.

To help preserve the ecosystem of Duxbury Reef for the enjoyment, education, and inspiration of current and future generations, and to minimize the negative impacts of "take" to Duxbury Reef's vulnerable intertidal habitat and species, we urge the California Fish and Game Commission to modify the existing Duxbury Reef SMCA regulations with the following changes proposed by EAC:

1. **Change the Duxbury Reef SMCA designation to State Marine Reserve (SMR)** in which no

take would be allowed, to more fully protect vulnerable marine species at risk of impacts from take. This would eliminate the existing public confusion and enforcement challenge related to the current allowance of some take. Redesignating Duxbury to an SMR is of vital importance.

2. **Extend the southern boundary of the Duxbury MPA** to the most southerly tip of Duxbury Reef exposed at mean lower low water. That is, protect the whole reef to a point at approximately 37° 53.1315' N. latitude, 122° 41.7549' W. longitude, to include the southern reef area which is contiguous with the rest of the MPA, and ecologically sensitive yet currently unprotected.
3. **Extend the northern boundary of the Duxbury Reef MPA** protections to the Double Point/Stormy Stack Special Closure as described in CCR Title 14 § 632(b)(49) to protect contiguous, more pristine reef habitat to the north which is ecologically connected to the current SMCA, but which is at risk of being degraded.

We enthusiastically support California's MPA Network. In the case of Duxbury Reef, we assert that strengthened protections are urgently needed to preserve the reef's biodiverse marine life for future generations, considering public confusion about allowable take, as well as the lack of any protection of the southern and northern sections of the reef habitat, all in combination with changing ocean and climate conditions including sea level rise that add further stress on sensitive marine creatures and alter the habitat.

Sincerely,

Deb Castellana
Director of Strategic Alliances
Mission Blue

Laura Deehan
State Director
Environment California Research and Policy Center

Rikki Eriksen, Ph.D.
Director of Marine Programs
California Marine Sanctuary Foundation

Megan Isadore
Executive Director
River Otter Ecology Project

Scott D. Sampson, Ph.D.
Executive Director
California Academy of Sciences

Terri Thomas
President
Marin Conservation League

Chance Cutrano
Director of Programs
Resource Renewal Institute

Neal Desai
Senior Program Director, Pacific Region
National Parks Conservation Association

Suzanne Hume
Educational Director & Founder
CleanEarth4Kids.org

Barbara Salzman
President
Marin Audubon Society

Joe Sanchez
President
Huukuiko, Inc.

Tomas Valadez
California Policy Associate
Azul

Robert Vergara
Roger Arliner Young (RAY) Ocean Conservation Fellow
Natural Resources Defense Council

Lendi Purcell
President
Families Advocating for Chemical and Toxics Safety

Michael Stocker
Director
Ocean Conservation Research

Angela Kemsley
Director of Conservation Impact
WILDCOAST

Audrey Fusco
Restoration Ecologist
Salmon Protection and Watershed Network

Ashley Eagle-Gibbs
Executive Director
Environmental Action Committee of West Marin

Laura Walsh
California Policy Manager
Surfrider Foundation

Chance Cutrano
Director of Programs
Resource Renewal Institute

Lance Morgan
President
Marine Conservation Institute

Kenneth Bouley
Executive Director
Turtle Island Restoration Network

Matthew Baker
Policy Director
Planning and Conservation League

Jeff Miller
Senior Conservation Advocate
Center for Biological Diversity

From: Tom Mattusch <[REDACTED]>

Sent: Friday, July 12, 2024 03:27 PM

To: FGC <FGC@fgc.ca.gov>

Subject: Please do not approve the Duxbury Reef proposed closure

Dear Commissioners,

I urge you not to approve the closure of the Duxbury Reef area. This area is used by local colleges for the marine science students. In addition, the general public needs an area to step in the water and experience the marine environment. This proposal is put forth by those we could suggest are 'preservationists', not conservationist's. There would be no scientific or conservation value to closing this small stretch of coast.

Regards,

Tom Mattusch
El Granada, CA
[REDACTED]

From: Ashley Eagle-Gibbs <[REDACTED]>
Sent: Thursday, September 12, 2024 6:00 PM
To: FGC <FGC@fgc.ca.gov>
Cc: Mckeith, Cynthia [REDACTED]; Ashcraft, Susan [REDACTED]
<[REDACTED]>; Fonbuena, Sherrie [REDACTED];
Matthews, Kinsey [REDACTED]
Subject: FGC: Support for MPA Petition 2023-32MPA

Dear Commissioners and staff,

Please find attached a comment letter for the October Fish and Game Commission meeting related to support for Petition 2023-32MPA: Duxbury Reef.

Please confirm receipt and contact me with any questions.

Sincerely,
Ashley Eagle-Gibbs

--

Ashley Eagle-Gibbs, Esq. (She/Her)
Executive Director & Legal and Policy Director
Environmental Action Committee of West Marin (EAC)
PO Box 609 | 65 Third Street, Suite 12
Point Reyes Station, CA | 94956

[REDACTED]
[REDACTED]

Jeff Clapp

September 9, 2024

via email (fgc@fgc.ca.gov) & U.S. Mail

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

**Re: Petition for modification of Duxbury Reef Marine Protected Area
Petition # 2023-32MPA**

Dear President Sklar and Honorable Commissioners,

I am writing to you in support of the petition submitted to you by the Environmental Action Committee of West Marin ("EAC") to reclassify the Duxbury Reef Marine Protected Area and to expand its boundaries.

My experience/background relevant to this matter.

I have been a recreational fisherman in Bolinas continuously from 2000 to the present. I have been an avid recreational ocean fisherman from the age of 5. I have been a member of the Bolinas Rod & Boat Club for 5 years. I have been a full-time resident of Bolinas since 2009. During that period I have fished the waters off of Duxbury Reef from my boat primarily for salmon, halibut, and rock fish. I have also on occasion fished from shore on Duxbury Reef. During my 15 years in Bolinas, I have visited Duxbury Reef for the simple pleasure of enjoying seeing the creatures that make its intertidal area its home. We have 3 children and live near the reef and would often take them to explore the tide pools

For the reasons stated below, I believe that in order to preserve unimpaired the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations and to minimize the negative impacts of visitors to Duxbury Reef's intertidal habitat and species all three of the following additions to and modifications of the Duxbury Reef State Marine Conservation Area ("SMCA") which EAC has requested should be approved by the Commission.

1. Change the designation of the Duxbury Reef State Marine Conservation Area to a "State Marine Reserve".

Designating the entirety of the Duxbury MPA as a State Marine Reserve is imperative, whether or not the boundaries of the current MPA re expanded as urged below. I understand that a designation of Duxbury Reef as a "State Marine Reserve" will prohibit all taking (including all fishing from shore), damage, injury or possession of any living, geological or cultural marine

resource, except under a scientific collecting permit for authorized research, restoration or monitoring.

Fishing from Duxbury Reef's shore has become less popular over the years. Although now rare, shore-based fishing from Duxbury still occurs. However, I do not believe that there are any people who make return trips to Duxbury for shore fishing. Quite simply, there are better places from which to shore fish in this area than any part of Duxbury Reef. I do not believe that the shore-fishing folks would be inconvenienced, or in any significant manner deprived, or have their life style altered, if Duxbury Reef was designated as a marine reserve and all shore fishing was prohibited. I do believe that such a change would only improve the condition of the reef, in some part because of the resulting the reduction of that now-allowed taking, but also because of the effect that observing that fishing has on the behavior of the recreational, non-fishing visitors.

I have observed a very large increase in the visitors coming to the Duxbury MPA for tide pool exploration over the course of the last 10 years. I believe that these recreational, non-fishing visitors compare, rationalize and measure their own trampling, invertebrate handling or collecting, and rock-overturning activity against the taking that is currently permitted. Simply put, I believe that continuing to permit some taking from Duxbury undermines the realization of the Commission's proscription that "it is unlawful to injure, damage, take, or possess any living ... marine resource" (14 C.C.R. § 632(a)(1)) that is not otherwise excepted from taking in the Duxbury SMCA. After all, if some taking is permitted, it is unrealistic to expect all visitors to know about, and if they know to then follow, the nuances of what one can take and what one cannot take in a marine conservation area, as opposed to simply prohibiting all taking from the protected area without exception.

2. Extend the southern boundary of the Duxbury Marine Protected Area to the most southerly tip of Duxbury Reef exposed at mean lower low water (the "Southern Reef Extension")

I understand that the Southern Reef Extension is at this time outside of and unprotected by the current SMCA. I understand that this unprotected area constitutes about 5/6's of that portion of Duxbury Reef extending off the southern tip of the Bolinas peninsula.

I believe that prohibiting shore-based fishing from the intertidal area of the Southern Reef Extension will have no negative impact on fishermen. That area, which is wholly intertidal, is simply not an area from which shore-based fishing, whether recreational or commercial, ever occurs.

3. Extend the northern boundary of the Duxbury MPA to the Double Point/Stormy Stack Special Closure, that is the northern point of the area known as Double Point (the "Northern Reef Extension")

I understand that the Northern Reef Extension is outside of and unprotected by the current SMCA. It is my understanding that this unprotected area commences at the North boundary of the current SMCA, roughly at the outfall of Arroyo Hondo Creek, and would extend to the northern point of Double Point.

I am not aware of anyone ever fishing from shore, either recreationally or commercially, in the area of the Northern Reef Extension.

In addition, it is my understanding that the entire area of the Northern Reef Extension is within the Philip Burton Wilderness Area and is subject to the federal Wilderness Act of 1964 which prohibits recreational and commercial motorboats with ¼ mile of the shore, and all commercial fishing from shore. The requested Northern Reef Extension would simply extend to the pristine intertidal life in that area the same protection from tide pool collecting that the area within the current MPA currently has.

In sum, designating the Northern Reef Extension as a State Marine Reserve would not effect the fishing community negatively.

No New Exclusions of Offshore Commercial Fishing

Finally, I wish to clearly state that while I am strongly in favor of providing full protection as a State Marine Reserve to the entire Duxbury intertidal reef from its southernmost tip to Double Point which would include prohibiting shore-based fishing, I am also opposed to any increase of the current 1,000 foot exclusion of offshore commercial fishing from any part of Duxbury Reef South of the outfall of Arroyo Hondo Creek.

Summary

In order to preserve without further impairment, and to correct harm that has been previously done to, the intertidal ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations to the reclassification of the the Duxbury Reef Marine Protected Area as a Marine Reserve and the expansion of its boundaries as proposed by EAC should be approved by the Commission.

Respectfully submitted,


Jeff Clapp

cc. Environmental Action Committee of W. Marin
Kent Khtikian

JARED HUFFMAN

2ND DISTRICT, CALIFORNIA

WASHINGTON OFFICE

2445 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-5161

WEBSITE: huffman.house.gov

Congress of the United States
House of Representatives
Washington, DC 20515-0502

COMMITTEE ON
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ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,
AND EMERGENCY MANAGEMENT

April 8, 2025

Erika Zavaleta, President
Melissa Miller-Henson, Executive Director
California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

Dear President Zavaleta and Honorable Commissioners:

I am writing to you to support the petition submitted by the Environmental Action Committee of West Marin (“EAC”) for a regulation change regarding the Duxbury Reef Marine Protected Area, Petition No. 2023-32MPA. EAC requests the Commission to change the status of Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because of documented difficulty of interpretation and enforcement of current regulations and the resulting large incidence of take and declines in marine life abundance and biodiversity. EAC also requests the Commission extend the southern boundary further south and the northern boundary to Double Point Special Closure to increase habitat protections to *fully* cover the entirety of the contiguous reef habitat.

Duxbury Reef SMCA is located in my congressional district. It hosts one of the largest shale reefs in North America. Its shale reef supports a complex and rich ecosystem of well over 100 species of invertebrates, marine algae, plants, associated finfish, and avian species. There are very few intertidal areas in the world with the biodiversity which Duxbury offers because of the confluence of the rich offshore up-welling, the shale rock substrata and its large flat intertidal topography. Notably, Duxbury Reef has been designated as part of the United Nations’ World Network of Biosphere Reserves established as sites of excellence.

Duxbury Reef’s broad, flat slope also affords easy access to rocky intertidal tidepools for the enjoyment and education of the general public, and as an outdoor classroom for students. In the past several years, Duxbury Reef has seen a significant increase in visitation and documented trampling and collecting of intertidal species making Duxbury a location of the highest concern for intertidal impacts in the Gulf of the Farallones and Cordell Bank sanctuary. This special place needs protection.

Currently, the Duxbury Reef’s SMCA is only open for “recreational take of finfish from shore and abalone” and closed to any hand collection of biota. My office has been made aware of compliance and regulation issues related to visitor confusion on what is allowed and not allowed at Duxbury Reef based on its SMCA regulatory designation resulting in a high count of take violations.

Although the existing signs explain the current permitted take and no-take parameters of the Duxbury SMCA, the signage alone has not been sufficient. Visitors often do not carefully read the signs. In addition, confusion both as to permitted taking and good tide-pooling practices is particularly generated when visitors see various forms of permitted shore-based fishing, including poke pole and bucket fishing by fishermen wading in the deeper tide pools. This confusion has been well documented in the numerous letters from scientists, docents, local Native Americans, local fishermen, and relevant conservation organizations submitted by EAC. Concerns have also been raised by the West Marin Supervisor from the Marin County Board of Supervisors, Marin County Parks Director, and the Superintendent of the Greater Farallones and Cordell Bank National Marine Sanctuary as well as many non-profit organizations serving the area.

April 8, 2025

Rep. Huffman Letter to DFG Commission

Page 2

It is neither practical to have, nor probable to expect that in the future, enforcement personnel be present at Duxbury except at rare times. This is due to budgetary limitations and the wide-geographic area in which other marine and terrestrial conservation enforcement problems are faced by the Department of Fish and Wildlife. In such a situation, regulations which draw a clear line, rather than a regulation which establishes some exceptions to a general “no take” rule, will greatly help reduce at the margin the instances of prohibited casual take, and foster a higher level of visitor awareness of appropriate conduct in the sensitive intertidal area. In sum, redesignation of the reef as a State Marine Reserve will advance habitat protection for its intrinsic, recreational, and educational values and would be faithful to our responsibility of stewardship of our marine natural heritage.

EAC’s requests align perfectly with MPA’s program and goals. Redesignating the existing Duxbury Reef SMCA area as a State Marine Reserve and extending its boundaries will protect a rare and treasured natural resource, and I urge you to give EAC’s petition your full and fair consideration. Please contact my Senior Advisor Jenny Callaway at 415-258-9657 if you need additional information.

Sincerely,


JARED HUFFMAN
Member of Congress

From: Sheldon Roenau <[REDACTED]>
Sent: Tuesday, July 8, 2025 8:53 AM
To: FGC
Subject: Duxbury Reef Closure

Please don't close fishing at Duxbury Reef.

I have been fishing there for many years and it is one of the only areas that can be accessed by kayak to fish for Salmon and Rock Fish.

Thank you,

Sheldon Roenau

From: Lance Treiber <[REDACTED]>
Sent: Tuesday, July 8, 2025 10:03 AM
To: FGC
Subject: petition to increase the Duxbury Reef MPA further south and close Duxbury Reef, and parts of Double Point to all forms of fishing.

I am a sport fishing enthusiast and I want to register my Strong objection to this petition. In the last 5 years sports fishing opportunities along the northern coast have shrunk tremendously.

1. no salmon fishing at all
2. restrictions for where rockcod fishing is legal
3. Halibut limit has been reduced.

And all this while cost of a sport fishing license has increased to over \$60 and I am retired and live on fixed income with no price break for people over 65 or 70.

Please note the sportfishing community has shrunk considerably and any more restrictions will further reduce those who will purchase a license.

Lance Treiber
[REDACTED]

From: April ginsberg <[REDACTED]>
Sent: Tuesday, July 8, 2025 7:15 PM
To: FGC
Subject: Opposition to Petition 2023-32MPA – Proposed Change to Duxbury Reef SMCA

Dear President Sklar and Honorable Commissioners,

I am writing to express strong opposition to Petition 2023-32MPA submitted by the Environmental Action Committee of West Marin (EAC), which seeks to reclassify the Duxbury Reef State Marine Conservation Area (SMCA) as a State Marine Reserve (SMR) and expand its boundaries significantly.

While the petition emphasizes the need for increased environmental protections, it lacks sufficient, verifiable scientific evidence to justify such a drastic change. The observations and anecdotal reports from volunteer programs, while well-intentioned, do not meet the rigorous standards necessary to warrant elimination of existing public access and sustainable harvesting practices. A few cited instances of visitor confusion and violations—unsubstantiated by independent studies or enforcement data—are not grounds for imposing sweeping restrictions with long-lasting economic and cultural consequences.

Moreover, this legislation will severely impact small-boat, hook-and-line fishers—the very fishers who represent one of the last bastions of sustainability in modern commercial and subsistence fishing. These individuals operate with minimal environmental footprint, often within tight-knit communities that depend on these waters for local food security, cultural continuity, and livelihoods. Ironically, policies that disproportionately target small-scale, selective, and low-impact fishers make it increasingly difficult for them to stay viable.

As sustainable fishing practices become unprofitable—due in large part to poorly designed, overreaching regulations—the only economically viable alternatives left will be large-scale, industrial fishing operations. These operations, often supported by vast capital and minimal transparency, use extractive methods that degrade marine ecosystems, exploit workers, and consolidate wealth into the hands of a few corporate entities. If legislation continues to undermine small-scale fishers while failing to rein in industrial exploitation, the long-term result will not be ocean recovery, but ocean collapse—at the hands of those least accountable and least connected to the communities and waters they exploit.

Environmental stewardship and public equity are not mutually exclusive. The SMCA designation already prohibits a range of extractive activities and offers flexibility for responsible access. Instead of removing access, we should focus on education, clear signage, and community collaboration to address issues of compliance. A blanket ban punishes responsible users, undermines public trust, and does little to address the larger threats facing our oceans—such as climate change, pollution, and unchecked industrial exploitation.

For these reasons, I urge the Commission to reject Petition 2023-32MPA. Sustainable local use and community-based stewardship must not be sacrificed for the illusion of environmental gain without measurable, science-backed benefit.

Thank you for your consideration.

Sincerely,
April Ginsberg
Bolinas community member

From: Danny Speirn <[REDACTED]>
Sent: Tuesday, July 8, 2025 8:13 PM
To: FGC
Subject: Opposition to the proposed Duxbury SMR change

I am opposed to the proposed Duxbury SMR change for myriad reasons.

I am a commercial hook and line fisherman that earns his living fishing in the proposed closures. The small boat hook and line fleet is one of the last bastions of sustainability in the seafood industry, and if passed these closures would be yet another nail in our coffin.

The petition is based of purely anecdotal data that has not been confirmed by DFG, it even says that in the document. The environmental benefit of these closures would be little to none while the negative impact on the fishing community would be very large.

Thank you,

Daniel Speirn

From: finley cronin <[REDACTED]>
Sent: Tuesday, July 8, 2025 8:19 PM
To: FGC
Subject: Proposed Closure of Duxbury Reef

To whom it may concern,

Although the petitioners for this closure claim there is no opposition, that is false. Myself and many individuals I know would be negatively impacted. This closure would contribute to an increase in less sustainable fishing methods while restricting the one of the most ethical commercial fishing methods. The local small commercial fleet that provides extremely sustainable options for local communities and businesses are already experiencing hardship from the closure of commercial salmon for the third year in a row. This will be another nail in the coffin.

Regards,

Finley

From: estella mora <[REDACTED]>
Sent: Tuesday, July 8, 2025 8:49 PM
To: FGC
Subject: Opposition to current petition

I Oppose the petitioned expansion of the Duxbury SMCA to a SMR.

Estella Mora-Lopez

From: austin2894931 <[REDACTED]>
Sent: Wednesday, July 9, 2025 4:46 AM
To: FGC
Subject: Duxbury Reef Petition

To whom it may concern, rumor has it that there is a petition to increase the MPA that would close Duxbury Reef, and double point? Please do not consider this, as these areas are crucial to the SF bay area for some of the best recreational fishing that is available.

From: Weston Borg <[REDACTED]>
Sent: Wednesday, July 9, 2025 6:08 AM
To: FGC
Subject: Duxbury petition - opposed

Hi,

I'm writing to oppose the petitioned expansion of the Duxbury SMCA to a SMR. It will have a net-negative impact on both the environment and local communities.

Thank you,
Weston Borg

From: Thomas Oldread <[REDACTED]>
Sent: Friday, July 11, 2025 12:11 PM
To: FGC
Subject: Duxbury Reef

Hello,

I am writing to voice my opposition to the possible closing of Duxbury Reef to sportfishing. I believe the Federal and state governments have taken more than enough of the readily accessible coast away from fisherman to preserve the quantity of groundfish species necessary to keep a sustainable population.

Thank you,

Thomas Oldread

[REDACTED]
San Jose, CA [REDACTED]

From: Lynn O'Hare Berkson <[REDACTED]>
Sent: Sunday, July 13, 2025 11:15 PM
To: FGC
Subject: Attn: Samantha Murray

I am opposed to the new Duxbury Reef SMR being proposed. It's already a SMCA, which is fine. What it needs is better enforcement of the already-existing rules.

Sincerely,

Lynn Ol'Hare Berkson

Bolinas

From: Alli Smith <[REDACTED]>
Sent: Monday, July 14, 2025 9:05 AM
To: FGC
Subject: Opposition to Petitioned changes tot he Duxbury MPA filed by the EAC

Allison Smith
[REDACTED]
Bolinas, California, [REDACTED]
[REDACTED]

July 14th, 2025

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Re: Opposition to Proposed Change of Duxbury Reef from SMCA to SMR (Petition by Ashley Eagle-Gibbs, Environmental Action Committee of West Marin)

Dear President Zavaleta, Vice President Murray, and Commissioners,

I am writing to respectfully oppose the proposed petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

Changing this designation would unfairly restrict a major portion of the Bolinas coast, eliminating on-foot shoreline fishing access for individuals who do not have boats and rely on walking down to the beach with a hook and line to catch fish for themselves and their families. Generations of residents and visitors have enjoyed sustainable shore-based fishing here, feeding their families, observing nature, and building lifelong memories.

The petition is based on claims of illegal collection activity and incorrectly conflates that illegal activity with the law-abiding individuals who have fished there respectfully for decades. Removing all fishing access punishes responsible anglers for others' violations and undermines the values of sustainable, low-impact fishing. This would force increased reliance on large-scale commercial fishing operations, which are often associated with higher bycatch and greater environmental impact.

Additionally, the "confusion" stated on page 2 of the petition about the fishing allowance/no-take regulations can be simply solved with clear and updated hard signage at Agate Beaches main entry point. At the Duxbury MPA there have been concerning instances of the docents of the Environmental Action Committee of West

Marin's inappropriate behavior and misinformation regarding regulations, leading to harassment, and following of legal anglers attempting to have a wholesome fishing experience. I have personally experienced being approached aggressively and accused of illegal fishing by a lead of the docent program while legally poke-polling for finfish with calamari. The person's behavior ruined my day, was threatening, and unfounded as I was doing nothing wrong by the local and state California Fish and Game regulations. These issues reflect a need for improved education and clear signage rather than a blanket prohibition of fishing for those who follow the law. My experience, and other community members counts of inappropriate bullying under the same circumstances has led me to question any data provided by the West Marin Environmental Action Committee's Docent Program.

The people who have responsibly and legally fished at Duxbury Reef for years—and newcomers seeking the experience of catching a sustainable dinner for themselves—should not lose access due to others' illegal activities or the spread of misinformation from amateur data production.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage on take regulations, and targeted enforcement against illegal take by accredited California Fish and Game employees, and to protect responsible, low-impact recreational fishing that aligns with California's coastal access and sustainable management values.

Thank you for considering this perspective.

Respectfully,

Allison Smith

From: [REDACTED]
Sent: Monday, July 14, 2025 5:53 PM
To: FGC
Subject: Opposition letter to Duxbury Reef MPA Expansion

Emil Krakauer

[REDACTED]
Bolinas, California, [REDACTED]
[REDACTED]

July 14th, 2025

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

Re: Opposition to Proposed Change of Duxbury Reef from SMCA to SMR (Petition by Ashley Eagle-Gibbs, Environmental Action Committee of West Marin)

Dear President Erika Zavaleta, Vice President Samantha Murray and honorable Commissioners.

I am writing to respectfully oppose the proposed petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

While I do believe the EAC, Duxbury Docents and supporters of their petition have good intentions for the preservation of the reef, I believe their concerns can be handled differently, without restricting access to responsible, low impact, hook and line shore-based anglers--in one of the last local areas to fish.

“Confusion” of regulations is not a reason to restrict or impose new regulations for the area. Docents are confused themselves about what is allowed to harvest and often spread misinformation to shore based anglers. Improved signage closer to the beach could help drastically with the “confusion” factor that the docents speak of for the majority of visitors that explore the tide pools and illegally take urchin, turbine snails and other existing “no take” species. In addition to “no take” species signage should also include what is permissible take in the MPA (finfish by hook and line). Fine amounts and the CFW poaching report line should also be listed.

I also encourage CFW game wardens to increase patrol of the reef, especially at low tides on weekends to increase their presence in the area. I visit the area frequently and see wardens elsewhere in town, but not on the reef on foot. Docents should phone proper authorities if they observe what they believe to be “no take” species after being trained in the fishing regulations. Docents are not enforcement and should not impede or harass reef goers. CFW should patrol and enforce existing “no take” regulations. Thank you for your consideration.

Respectfully,

Emil Krakauer

From: Gary Noda <[REDACTED]>
Sent: Monday, July 14, 2025 7:50 PM
To: FGC
Subject: Expanding MPA to Duxbury Reef

I as a sport fisherman find expanding the MPA to include Duxbury and Double Point totally unacceptable. With all the limitations placed on sport fisherman, this is just placing more limitations on sport fisherman. All this is being done to protect the fish but sea lion populations are at an all time high with nothing being done to control their population. Does anyone realize the amount of fish it takes to sustain a 900 lb mammal. What you propose to do is insanity unless you control the sea lion population.
Gary Noda

From: Willie Brown <[REDACTED]>
Sent: Monday, July 14, 2025 9:18 PM
To: FGC
Subject: Opposition to Petition #2023-32MPA (EAC) Petition for Regulation Change at Duxbury Reef

Dear Commissioners,

My name is William Norton and I was born and raised in Bolinas. I am one of the few commercial fishermen in Bolinas, and the only of my generation. I oppose this petition (#2023-32MPA) due to the negative impacts it will have on local commercial fisheries, local recreational fisheries, future generations' relationship with the marine environment, the fallacious reasoning used, and absence of sound scientific data behind the petition. This petition has only recently been a topic of conversation in Bolinas, resulting in a lack of public comment from Bolinas residents.

Both recreational and commercial fisheries will be greatly impacted by this petition. To extend both the southern and northern boundaries of the Duxbury MPA will eliminate access to multiple productive fishing locations for California Halibut. Without access to these fishing locations local commercial fishermen will take a major hit, possibly resulting in an inability to make financial ends meet and the elimination of some of the few commercial fishermen left in Bolinas. The logic used behind the proposed expansion is not sufficient to justify the negative outcomes of this MPA expansion.

To convert the Duxbury Reef SMCA to a SMR will eliminate public interaction with this area thus having a negative effect on the future generations' relationship with their local environment. A generation with no interaction or connection to a natural resource will have no interest in future conservation.

The logic behind the petitioner's request to convert the Duxbury Reef SMCA to a SMR is flawed. The data collected by layperson docents proposes an issue with enforcement. The solution to change the SMCA to a SMR is extreme and has unnecessary negative implications to the community. Investing in more clear signage at the coastal access points or proposing an increase in funding for enforcement would be reasonable solutions targeted directly at the issue.

The data presented by this petition is not sound as it is collected by EAC docents who hold no credentials or formal education. I have personally been approached and accused of breaking the law by these docents when legally fishing for finfish from the reef. This demonstrates either an act of dishonesty on behalf of the EAC docents or their lack of knowledge. This experience left me questioning the data collected by these individuals.

I stand in opposition to this petition due to the negative effects it will have on local commercial fisheries, local recreational fisheries, future generations' relationship with the marine environment, the

fallacious reasoning used, and absence of sound scientific data. The same goals could be met without these negative implications.

Best, William Norton

From: leonardo ferlinghetti <[REDACTED]>
Sent: Tuesday, July 15, 2025 3:24 AM
To: FGC
Subject: Duxbury reef MPA opposition

Dear MPA Committee,

My name is Leonardo Ferlinghetti, and I'm writing to strongly oppose the proposed Marine Protected Area closure at Duxbury Reef.

I am a third-generation local of Bolinas, California. Fishing on and around Duxbury Reef has played a foundational role in shaping my deep love and respect for the ocean. This reef is where my grandfather, my father, and I each formed a lifelong connection to the sea. A tradition I hope to pass down to the next generation. Closing off this area would be a tragic loss, especially for the youth who deserve the same opportunity to build that connection.

The values I hold for nature and marine life were born on this reef. In fact, they directly inspired my family's nonprofit organization, Philippines Reef Rescue, founded in 2003. The goal of that organization; to clean up beaches and reefs across the Philippines, was a response to the incredible marine health and biodiversity we observed on Duxbury Reef. My father and I dove for abalone there before the closure, and witnessing the richness of life underwater is what sparked our commitment to ocean preservation.

I've spent over 20 years fishing on Duxbury Reef and can personally attest to its thriving condition. The consistent presence of a wide range of rockfish, as well as apex predators like lingcod and white sea bass, are strong indicators of ecological balance. Even more telling, the increase in sightings of whales and great white sharks over the past decade suggests the ecosystem is not just stable, but flourishing. A degraded or overfished reef simply could not sustain such top-tier marine life.

I urge you to reconsider this proposed closure. Removing access to Duxbury Reef would do more harm than good, not just to local fishing culture, but to the very spirit of conservation. We protect what we know and love. If young people are cut off from experiences like those I had on Duxbury, we risk losing the next generation of ocean stewards.

Thank you for your time and consideration.

Sincerely,

Leonardo Ferlinghetti

Bolinas, California

From: Brad Stompe <[REDACTED]>
Sent: Tuesday, July 15, 2025 1:31 PM
To: FGC
Subject: PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE, tracking number: (2023-32MPA)

Dear Commissioners,

I am writing in strong opposition to the proposed regulation change of the Duxbury Reef SMCA to a SMR and to also expand the boundaries. I have spent the better part of the last 50 years living in Marin County and enjoying the coastline of the affected area. I also have a degree from the University of Oregon in General Science with a concentration in marine biology.

Duxbury Reef is unique in that it is in relatively close proximity to where people live. Because it is a productive marine habitat, it provides the opportunity for people to come and fish with a relatively good chance of success. This is especially important to those with limited economic resources who do not own a boat or can drive long distances. CDFW has already taken from the public the ability to harvest non-fish species from this area. As a youth growing up in Marin I developed my love, respect and interest of the natural world partly by foraging for natural foods from the marine environment, including from the Duxbury Reef area. Imagine the youth growing up in Bolinas being told you can't fish here; you have to drive for many miles to find safe access to the shoreline where you may have to pay to park and fish in less productive waters. You have already taken their ability to legally harvest a few mussels for dinner. To make it illegal for them to fish in their own backyard is unnecessary.

Please consider the fact that the proposed SMR is approximately 6.5 miles of coastline while northern California has approximately 270 miles of coastline that is mostly inaccessible with similar habitat and species. Mother nature has a way of creating her own reserves. It is important to allow people to utilize resources nearby.

The Environmental Action Committee of West Marin (EAC) makes the argument that Duxbury Reef is the largest shale reef in California. This alone does not justify a SMR. There is no evidence that any of the marine organisms that inhabit the reef are unique to shale reefs. EAC further states that, **"Unfortunately, the entire habitat of Duxbury Reef is not actually within the current boundaries of the Duxbury Reef SMCA"**. Do not be swayed by their biased opinion that it is unfortunate. It was by design that a small proportion of this productive marine environment was left available to the public to take advantage of the recourses at hand. EAC goes on to state, **"In 2008, there was a proposal to create the Double Point SMCA which would include more of the Duxbury Reef habitat north of the current Duxbury Reef SMCA. Double Point SMCA was never created, leaving that critical habitat outside of any Marine Protected Area (MPA)"**. Again, this was due to public pressure to leave *some* habitat available for the take of marine resources within the given regulations (which are designed

for the conservation of such resources). EAC summarizes their rationale for SMR designation by stating that federal designations of the areas around the Duxbury Reef area somehow justify changing of designation of Duxbury Reef. This is unreasonable. Further, their claim of observations of take provides no scientific evidence of irreparable harm.

EAC claims the regulations are confusing. Again, this is not justification for SMR designation. Is the confusion due to non-English speaking users? Or is it because it just doesn't make sense to people that the State would restrict the right to harvest sustainable food sources such as algae and mussels?

EAC claims increased visitation is justification for further locking out resources from the public. Designation to a SMR means people will have to drive farther to harvest marine resources. This exasperates climate change and is counterproductive to maintaining a healthy Duxbury Reef.

EAC states, **"Loss of diversity and biomass: Professionals, local community members, and visitors have commented that they have noticed a loss in diversity and number of organisms at Duxbury Reef in the past 10 years, especially the area that is most heavily visited. Partly this is due to an increase in visitation, but the harvest of organisms is a contributor to loss that adds undue stress on a vulnerable reef community."** This statement is their biased opinion and provides no scientific evidence that it is true. Furthermore, increased visitation is to be expected near a population center (as opposed to remote locations on the northern California coast). Increased visitation shows people are interested in this special environment. With people's interest comes understanding and appreciation which will, in the long run, help preserve Duxbury Reef for human use AND marine life sustainability.

EAC argues to expand the boundaries both north and south. The current designation was the result of many hours of study, meetings and deliberation. EAC brings nothing new to the table that was not discussed when the SMCA was formed. To change the designation now would be ignoring all the efforts that were previously made.

California Fish and Wildlife has many tools in their toolbox to address the issues EAC has mentioned in the petition without having to change the designation from SMCA to SMR. Please use those tools and let that kid in Bolinas be able to walk down to the shoreline and catch a fish.

Thank you,

Brad Stompe

6 June lane

Novato, CA [REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Tuesday, July 15, 2025 4:11 PM
To: FGC
Subject: Emailing: duxbury reef
Attachments: duxbury reef.pdf

duxbury reef

Thornton Smith

Bolinas, Ca.

Dear Sirs, regarding the proposed change to the status of Duxbury Reef from Smca to Smr, I find myself wondering what the EAC is trying to accomplish. If there are people out enjoying nature and they are unaware of the rules, it should be explained to them with clearly written signage. Duxbury is a great place where people without the opportunity to visit the outdoors can go and experience it firsthand.

I have been fishing and diving here for the last sixty years or so and have never witnessed some of the things that are being presented as a problem. Rod and reel fishermen will never wipe out or lessen fish species as long as they are obeying the rules already in place. I also read there is a complaint about boats disturbing harbor seals in the reef when they haul out. I have been through the reef at least several hundred times and never have seen that. When seals are in the water they are not alarmed by anything such as a boat, I have also never seen them haul out at the reef and I have been there many, many times.

In addition, extending the length of the present boundaries makes no sense to me. It seems like people often think that where there is kelp, there are fish, that is not always the case. There are many places in that area that rarely have fish in them, in fact I've seen Duxbury itself go through cycles where fish can be scarce there for two or three years at a time. It almost seems to me that the EAC is like somebody driving blind. I have never seen anyone that I know is connected to that organization either fishing or diving, yet with no practical experience they want to limit the public's enjoyment of that area as if they are experts of some kind.

I sincerely hope that this change of status is denied and everybody realizes the value of nature's gift that we have here and not mess it up any further.

Thanks you for your consideration.

Thornton Smith

From: estella mora <[REDACTED]>
Sent: Thursday, July 17, 2025 8:49 AM
To: FGC
Subject: Opposition to Proposed Change of Duxbury Reef from SMCA to SMR

Re: Opposition to Proposed Change of Duxbury Reef from SMCA to SMR (Petition by Ashley Eagle Gibbs, Environmental Action Committee of West Marin.)

Dear President Skylar and Commissioners,

I am writing to oppose the proposed petition to change the Duxbury Reef Marine Protected Area from SMCA to SMR.

I was born and raised in Bolinas and have spent my entire life fishing along this coastline. My father is a sport fisherman, and my uncle works in commercial fishing. Many of my friends and family members have sustainably and respectfully fished these waters for decades, relying on this way of life to support themselves and their families. They possess deep knowledge of fishing regulations, limits, and best practices, ensuring their methods are both responsible and compliant. Local, hardworking, small-scale fishermen like them play a vital role in preserving the ecological balance of our coastal waters. Without their presence, we risk increased dependence on large-scale commercial fishing operations, which often carry significantly greater environmental consequences.

This proposal is not just about conservation, it is also an issue of equity and access. Changing Duxbury Reef to an SMR restricts access to folks who don't have the privilege of having boats or offshore gear, come from marginalized backgrounds and use the reef/coastline for educational and affordable recreation, and use intertidal zones for cultural, medicinal, or subsistence purposes. If it becomes an SMR, these individuals lose a space they've historically used, possibly without having the resources to go elsewhere. True environmental stewardship means balancing ecological protection with inclusive access.

I urge the Commission to keep the current SMCA status at Duxbury Reef and to rethink ways we can strengthen marine protections without excluding the very communities that have long been stewards of these waters, I.e., proper signage on take regulations, education, enforcement on said take regulations by California Fish and Game employees, etc. Conservation should not come at the cost of equity, access, and cultural connection. Local fishers, families, and shoreline users deserve a seat at the table, not to be shut out of spaces they've helped sustain for generations. Let us protect both our marine ecosystems and the people who depend on and care for them.

Sincerely,
Estella Mora-Lopez

.Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin

From theolovebader <[REDACTED]>

Date Mon 07/21/2025 04:47 PM

To FGC <FGC@fgc.ca.gov>

07/21/25

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected

Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR)

because there has been no evidence-based rationale presented that necessitates this drastic

change. The “violations” that have been cited throughout the petition may require additional

education and enforcement but do not warrant increased regulations that will negatively impact

the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing. My name is Theo Bader and as a local surfer I vehemently oppose the closure of the reef to the public. The reef is integral as a part of our community and there is simply a lack of evidence to prove such drastic action is necessary.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead

on education, signage for take regulations, and targeted enforcement against illegal take by

accredited California Fish and Wildlife employees, and to protect responsible, low-impact

recreational fishing that aligns with California's Coastal Access and sustainable management

values. Thank you for considering this perspective.
Respectfully,

Theo Bader

From: jeff boffo <[REDACTED]>
Sent: Saturday, July 26, 2025 3:28 PM
To: FGC
Subject: Re. Opposition to Petition No. (2023-32MPA)

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

I am a Bolinas resident of over 20 years. I work in town and enjoy the beaches every day. I have fished off Duxbury Reef at Agate Beach for over 10 years now. It is one of my most cherished activities. The beauty of that place, and interacting with it in such an intimate way, calm my tumultuous inner being. I am strengthened in the healthiest way, and grateful for the opportunity to do so. I know many others who feel similarly. I didn't know about the attempt to restrict our access until today, when I saw a flyer outside the store I work at downtown. I'm grateful to the fellow fishers who posted it, and vehemently oppose the change to a SMR. This would cut me and many others off from a uniquely important source of connection to the land and sea we love. This threatens our wellbeing for no good reason.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Jeffrey Boffo

From: [REDACTED]
Sent: Sunday, July 27, 2025 10:36 PM
To: FGC
Subject: Opposition to EAC Petition 2023-32MPA
Attachments: 7-25-25 EAC Duxbury Reef Rebuttle.docx

Dear President Sklar and Commissioners:

Attached is a letter of opposition to the Environmental Action Committee (EAC) of West Marin's Petition 2023-32MPA to change the Duxbury Reef State Marine Conservation Area to a State Marine Reserve.

If you have any comments or questions, please don't hesitate to contact me.

Thank you!

Matt Lewis
[REDACTED]

From: Patricia Bradford <[REDACTED]>
Sent: Monday, July 28, 2025 3:28 PM
To: FGC
Cc: Patricia Bradford
Subject: Opposition of EAC Duxbury Petition

July 28, 2025

California Fish and Game Commission
PO Box 944209 Sacramento,
CA 94244-2090

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6 2023

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas Community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

I am a 50 year resident of Bolinas and former Nurse Practitioner in our community. I’m concerned that our children will not be able to explore Duxbury reef at Agate Beach in Bolinas which has a long tradition of teaching our children to love and protect the shoreline and ocean. Just a few months ago, my granddaughter was able to see and hold a nudibranch with the help of an Agate reef volunteer and to learn how to carefully walk on the reef. With proper education and volunteers, these important activities can be facilitated. Also, I’m concerned about traditions of surfing and swimming. And about the shoreline fishermen. Also our Bolinas community hook and line fisherman fish sustainably in these waters, helping to feed our community, and teaching our children to fish properly. A good example of this is the Bolinas Rod and Boat Club’s fishing derby. When my sons were young they participated in this event and loved learning about how to fish carefully and safely.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California’s Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Patty Bradford

From: Susan Martinelli <[REDACTED]>
Sent: Monday, July 28, 2025 6:59 PM
To: FGC
Subject: Opposition to petition 2023-32MPA

California Fish and Game Commission
P.O. Box 944209 Sacramento,
CA 94244-2090

Sent via Email: fgc@fgc.ca.gov

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

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I've been a resident of Bolinas for the past 43 years and frequently walk along Agate Beach and the reef. My children grew up in Bolinas as are my grandchildren. They love to fish, follow all the current regulations and provide us with healthy food. These new proposed regulations would eliminate fishing access to many families who rely on fishing as a source of high quality nutrition. Not everyone has a boat!

While I have occasionally seen people picking up shells or rocks most people are respectful of the reef and are not intending to cause any harm.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values.

Thank you for considering this perspective.

Susan Martinelli

Re: Opposition to petition 2023-32MPA

From Susan Martinelli <[REDACTED]>

Date Tue 07/29/2025 03:54 PM

To FGC <FGC@fgc.ca.gov>

On Jul 29, 2025, at 3:53 PM, Susan Martinelli <[REDACTED]> wrote:

July 29, 2025

California Fish and Game Commission
P.O. Box 944209 Sacramento,
CA 94244-2090

Sent via Email: fgc@fgc.ca.gov

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

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I am thirteen years old and have lived in Bolinas my whole life. For as long as I can remember I have gone to agate beach and Duxbury reef to fish and explore. I remember many times going to agate beach were my dad taught me fishing techniques and how to treat the land and the animals that live on it with respect. By closing Duxbury fishing access you would make it so people without boats are not able to fish and catch sustainable food for their families.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,
Alice Martinelli

Stacey Henderson

Bolinas, CA

Re. **Opposition to Petition No. (2023-32MPA)**

Dear President Sklar and Commissioners,

I am writing to **oppose the 2023-32MPA petition** by the EAC of West Marin to change the Duxbury Reef Marine Protected Area from SMCA to a State Marine Reserve (SMR) because there has been NO EVIDENCE presented that hook & line finfishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any take violations of organisms that are already protected under the current SMCA regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would eliminate our small sustainable historic fishery in Bolinas, hurt our local economy that depends on their catch, and end equitable access to our coastline for children and others who cannot afford a boat. Thank you for your consideration in the protection of our economic and cultural ACCESS to our coastline afforded to us by the **Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976.**

Sincerely,

Stacey Henderson

9424432090 5001



California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090





Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*

EVAN WATERMAN

BOLINAS, CA

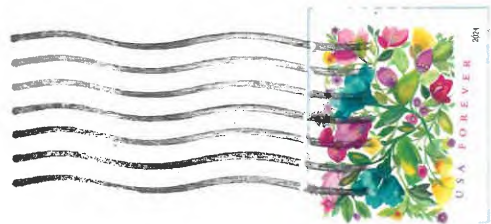
Re. **Opposition to Petition No. (2023-32MPA)**

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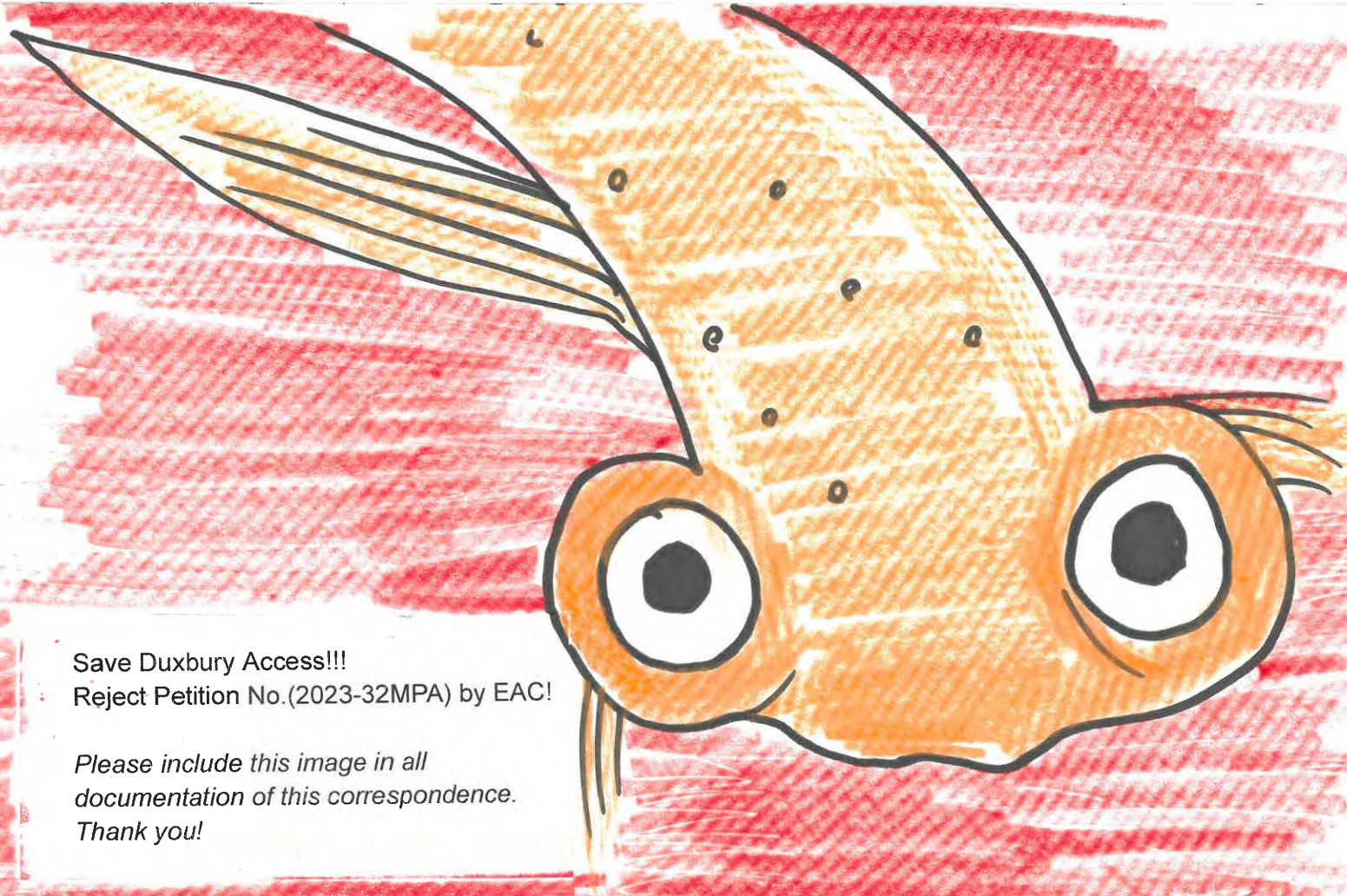
Sincerely,


9424432090-BC001



California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090





Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*

Broulio Garcias PO 89
Bolinas CA [REDACTED]

SAN FRANCISCO CA 940

29 JUL 2025 PM 2 L



1775

2025

FREEDOM

Re. **Opposition to Petition No. (2023-32MPA)**
Dear President Sklar and Commissioners,

I am writing to **oppose the 2023-32MPA petition** by the EAC of West Marin to change the Duxbury Reef Marine Protected Area from SMCA to a State Marine Reserve (SMR) because there has been NO EVIDENCE presented that hook & line finfishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any take violations of organisms that are already protected under the current SMCA regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would eliminate our small sustainable historic fishery in Bolinas, hurt our local economy that depends on their catch, and end equitable access to our coastline for children and others who cannot afford a boat. Thank you for your consideration in the protection of our economic and cultural ACCESS to our coastline afforded to us by the **Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976.**

Sincerely, *R. Brock Casper*

94244\$2090 B001

California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090



I am
7 years old
And I love to
FISH



Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*



Jacqueline Waterman
Bolinas, CA



Re. **Opposition to Petition No. (2023-32MPA)**
Dear President Sklar and Commissioners,

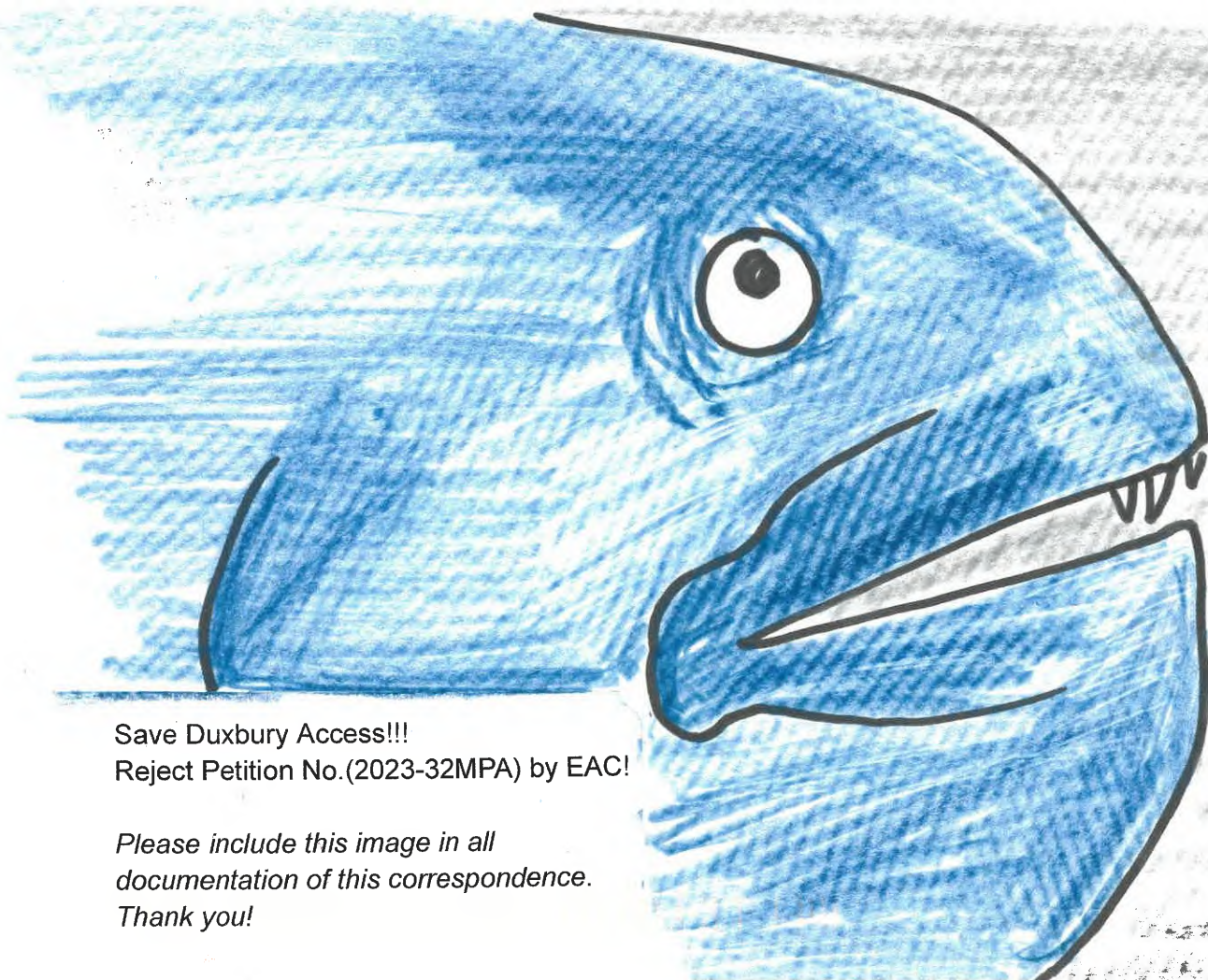
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Sincerely,

9424432090 B001

California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090





Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*

Dana C. O'Connor

Bolinas CA

Re. **Opposition to Petition No. (2023-32MPA)**

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Sincerely,

Dana C. O'Connor

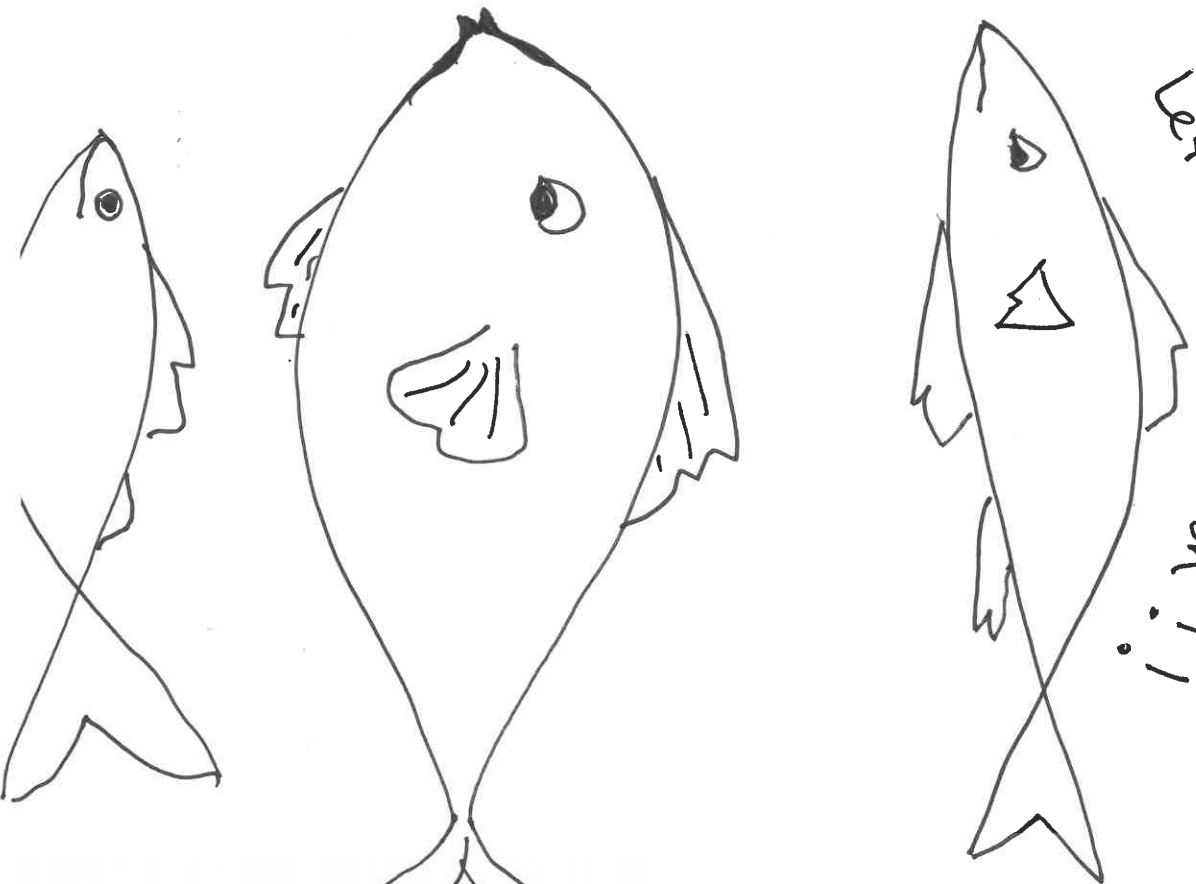
9424432090 B001



California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090



Let us fish!!



Save Duxbury Access!!!

Reject Petition No. (2023-32MPA) by EAC!

Please include this image in all

documentation of this correspondence.

Thank you!

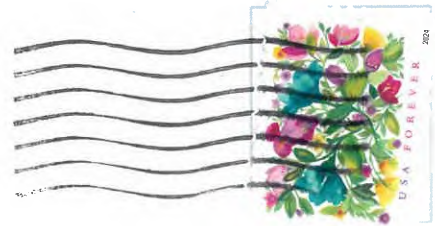
Bolinas

Re. **Opposition to Petition No. (2023-32MPA)**

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Sincerely, *Ondine Amarson*
94244-2090 5001



California Fish and Game
Commission
P.O. Box 94209 Sacramento,
CA 94244-2090



Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

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Thank you!*



STEVEN SAFKANEK

BOLINAS CA

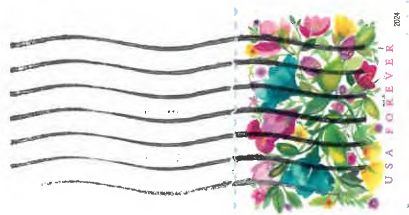
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Sincerely,

[Signature]
9424432090 B001



California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090



STEVEN SHERANER

BOENAS

USA



Save Duxbury Access!!!

Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.*

Thank you!

Thank you!

Laura Distaff

Re. **Opposition to Petition No. (2023-32MPA)**

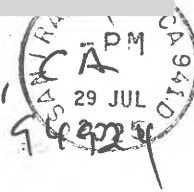
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Sincerely,

9424482090 B001

Bolinas



California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090

Laura Distaff



Save Duxbury Access!!!

Reject Petition No.(2023-32MPA) by EA

Please include this image in all
documentation of this correspondence.

Thank you!



E. Pothman

BOLINAS, CA

Re. **Opposition to Petition No. (2023-32MPA)**

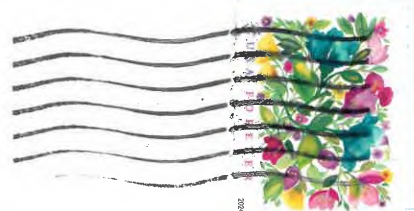
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Sincerely,


9424432090 5001



California Fish and Game
Commission
P.O. Box 94209 Sacramento,
CA 94244-2090

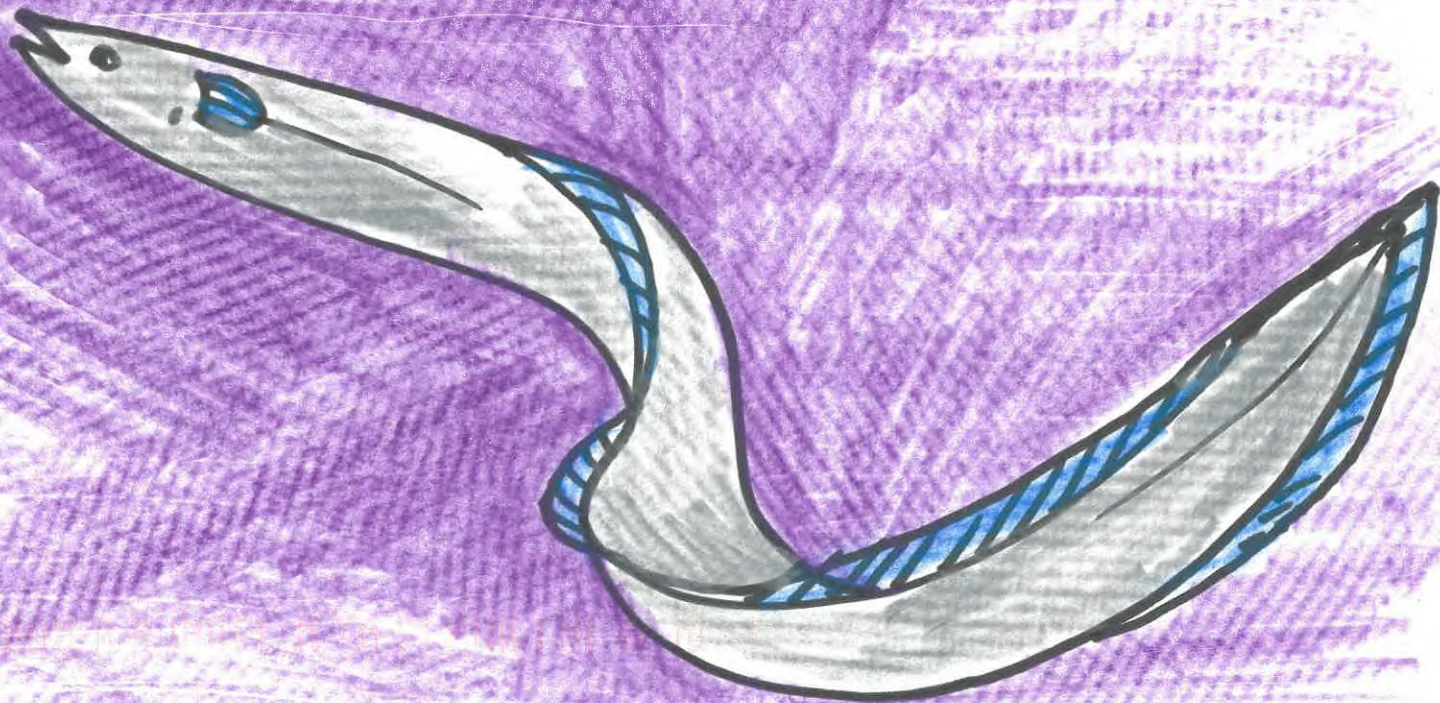


Save Duxbury Access!!!

Reject Petition No. (2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.*

Thank you!



Martha Anne Wax
BOLINAS, CA

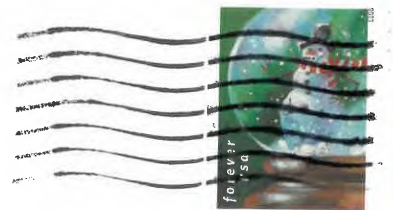
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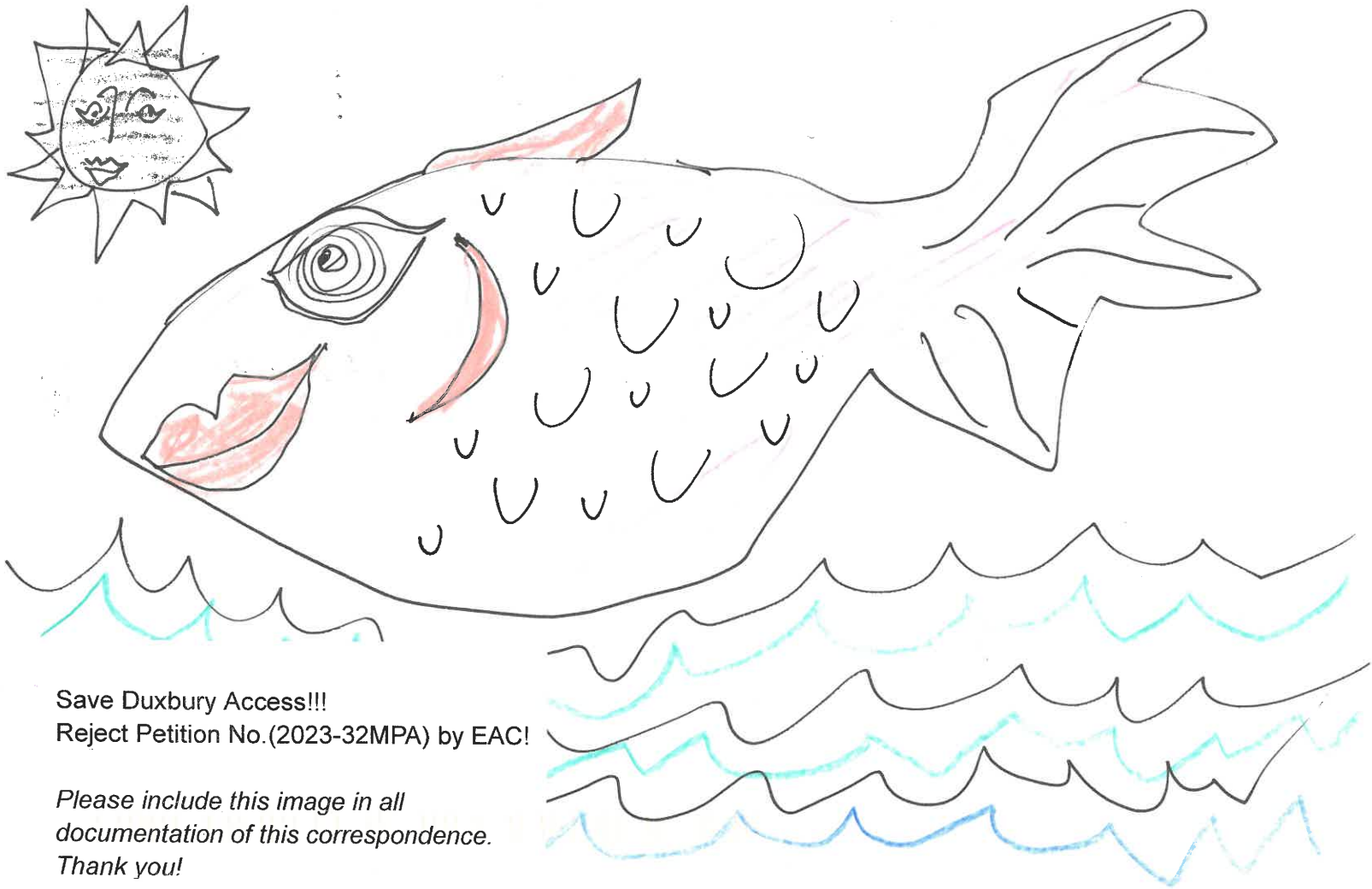
Martha Wax

9424432090 BQ01



California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090





Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*

Nicole Amanson

Bolinas, CA

Re. **Opposition to Petition No. (2023-32MPA)**

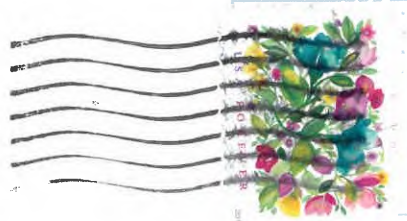
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Sincerely,



9424442090 B001



California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090





Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*



ALICE MARTINELLI

BOLINAS, CA

Re. **Opposition to Petition No. (2023-32MPA)**

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Sincerely,

Alice M.

94244-2090

SAN FRANCISCO CA 940

29 JUL 2025 PM 3 L

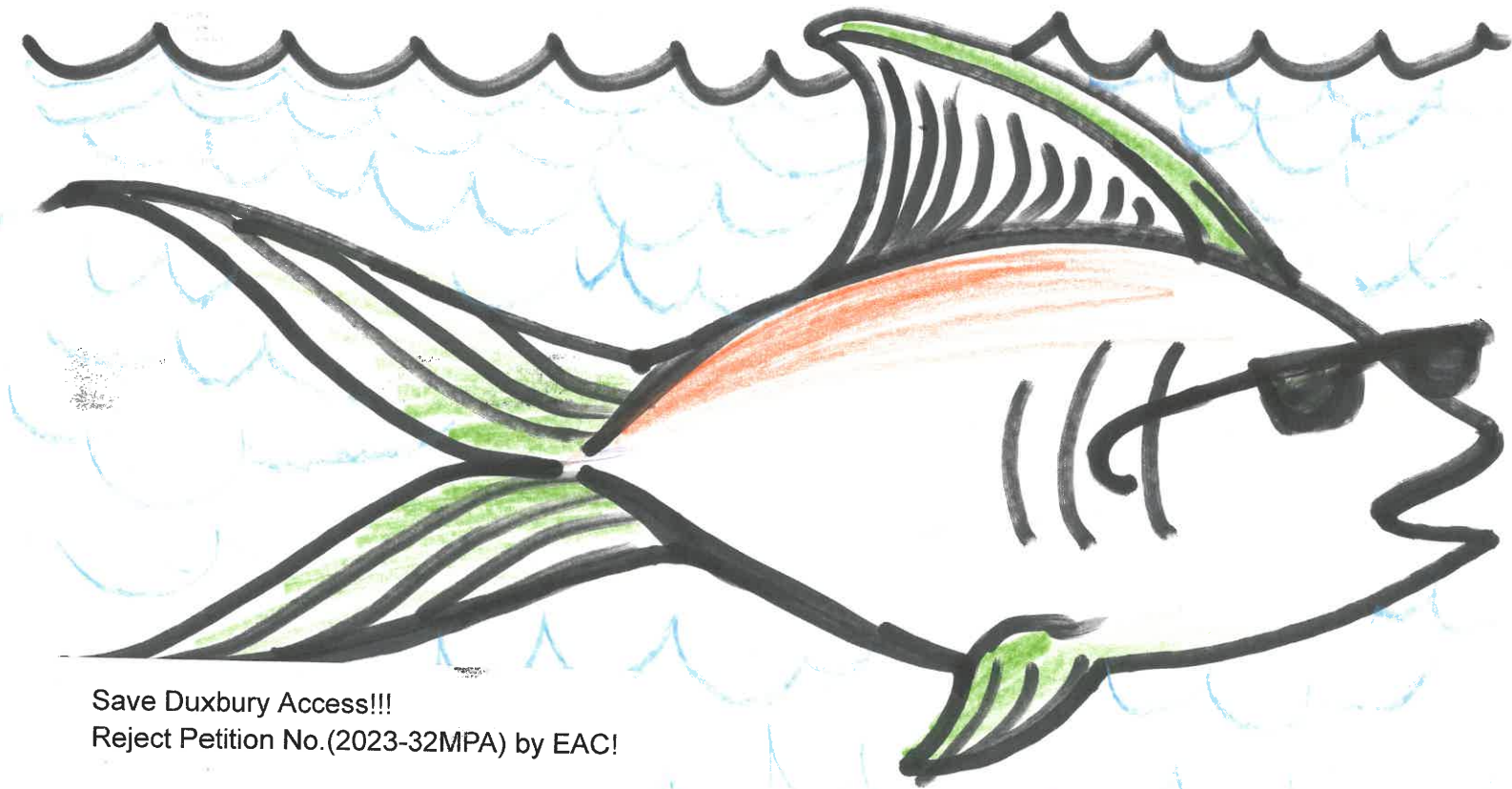


17.75

California Fish and Game
Commission

P.O. Box 944209 Sacramento,
CA 94244-2090





Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*

MOLLIE LOUNIBOS

BOLINAS, CA

Re: **OPPOSITION to Petition No. (2023-32MPA)**

Dear **PRESIDENT** Esklar and Commissioners,

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Sincerely,



SAN FRANCISCO CA 940

29 JUL 2025 PM 2 L



1775 JUL 4 5

INDEPENDENCE
FREEDOM
FOR AMERICA

California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090



Let my People Fish!



Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*

ARN Angelius
Bolinas CA

SAN FRANCISCO CA 940

29 JUL 2025 PM 2 L



1775-2025

FREEDOM
FOREVER USA

Re. **Opposition to Petition No. (2023-32MPA)**
Dear President Sklar and Commissioners,

I am writing to **oppose the 2023-32MPA petition** by the EAC of West Marin to change the Duxbury Reef Marine Protected Area from SMCA to a State Marine Reserve (SMR) because there has been NO EVIDENCE presented that hook & line finfishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any take violations of organisms that are already protected under the current SMCA regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would eliminate our small sustainable historic fishery in Bolinas, hurt our local economy that depends on their catch, and end equitable access to our coastline for children and others who cannot afford a boat. Thank you for your consideration in the protection of our economic and cultural ACCESS to our coastline afforded to us by the **Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976.**

Sincerely,

94244-2090

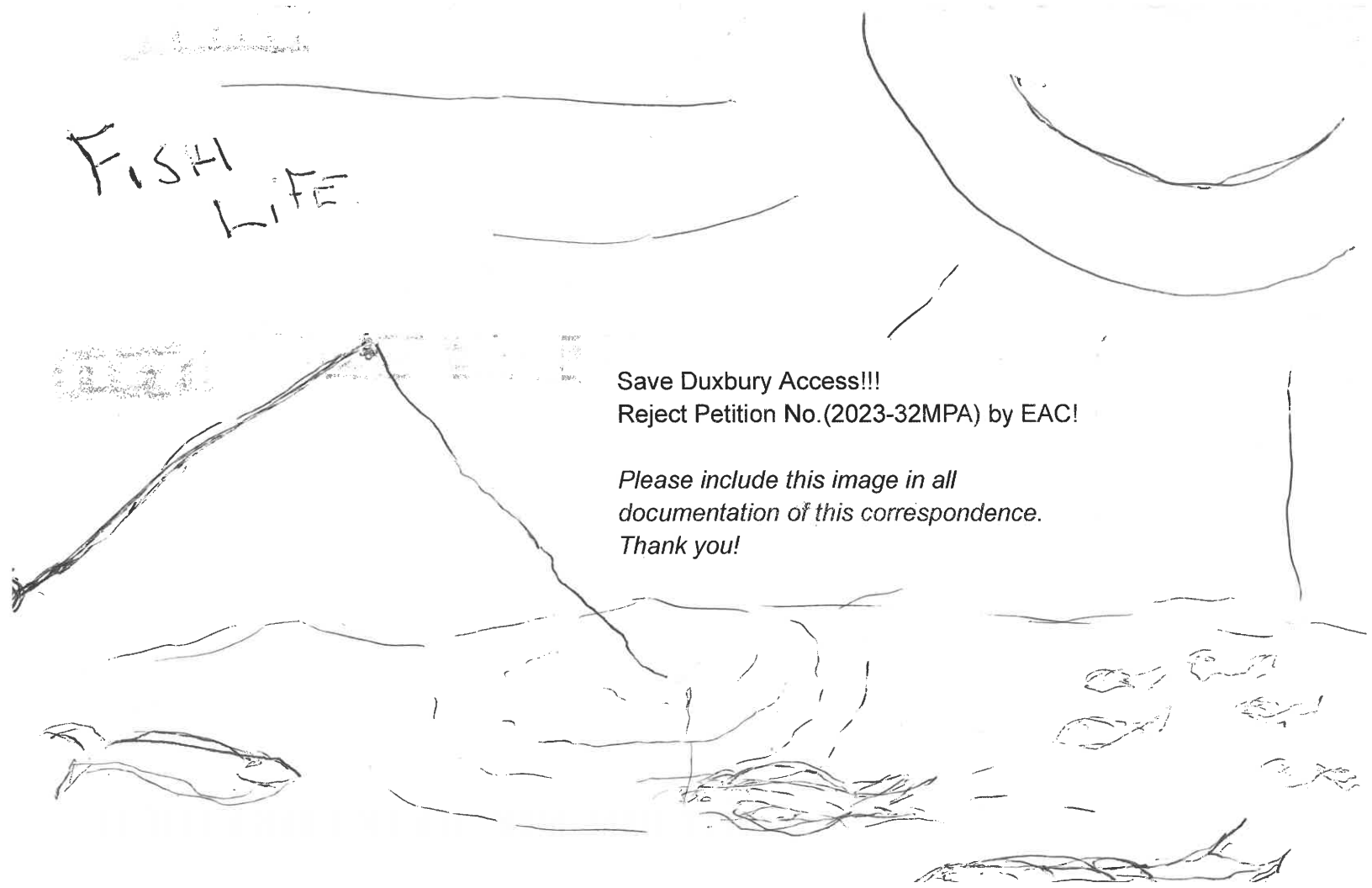
California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090



FISH
LIFE

Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*



ILKA HARTMANN

Bolinas, CA

Re. **Opposition to Petition No. (2023-32MPA)**

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Sincerely,

Ilka Hartmann

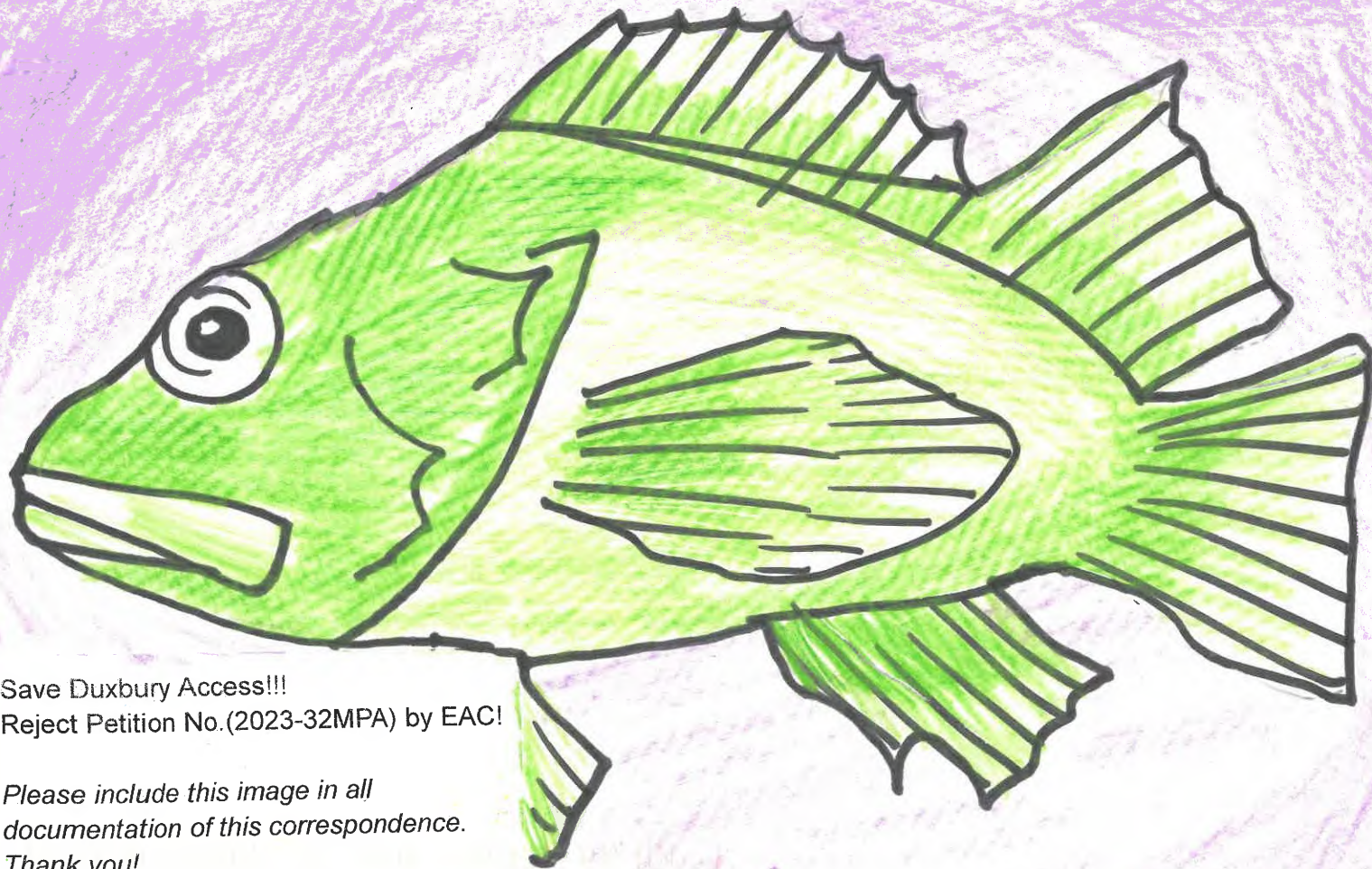
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CA 94244-2090





Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

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Thank you!*

Martha Anne Wax Bolinas
[Redacted]
[Redacted]
Ca

SAN FRANCISCO CA 940

29 JUL 2025 PM 3 L



1775



Re. **Opposition to Petition No. (2023-32MPA)**

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Martha Anne Wax
4244-2090

California Fish and Game
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P.O. Box 944209 Sacramento,
CA 94244-2090

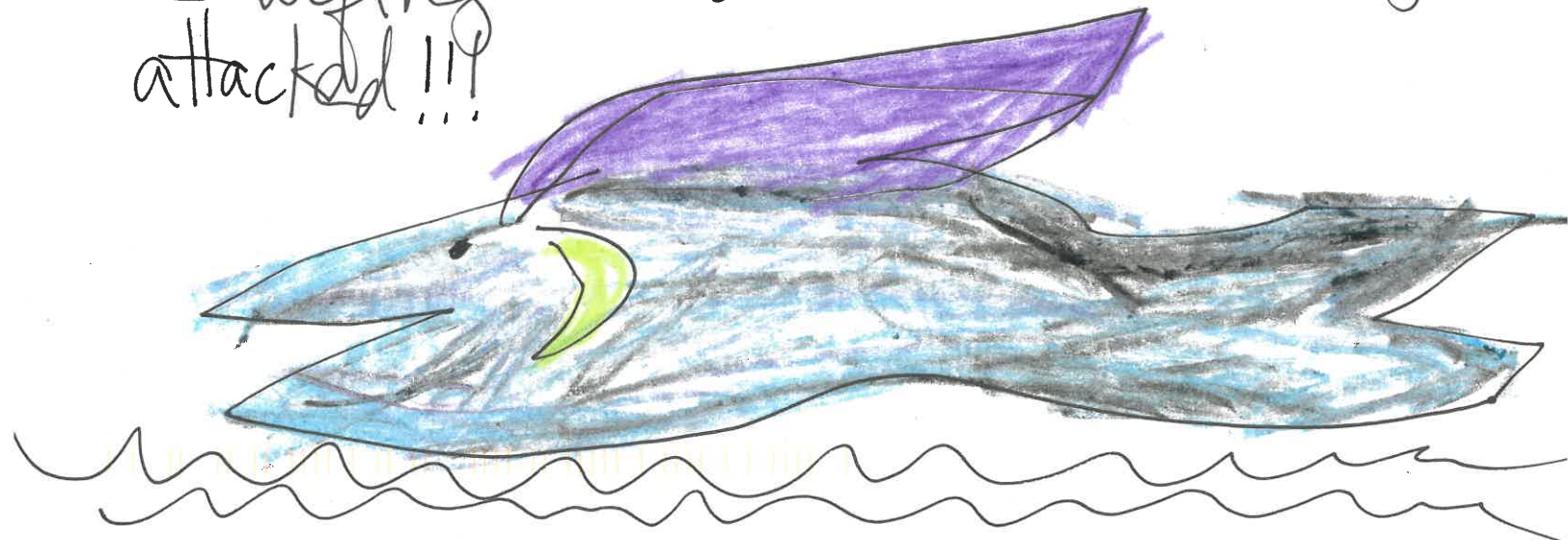


Save Duxbury Access!!!

Reject Petition No. (2023-32MPA) by EAC!

*Please include this image in all
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Thank you!*

Sharks ARE
as long as you are not
Surfing in our waters + get
attacked!!!



Chris Martinelli

Bolinas, CA

Re. **Opposition to Petition No. (2023-32MPA)**

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Chris Martinelli

SAN FRANCISCO CA 940

29 JUL 2025 PM 2 L



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California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090



Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

*Please include this image in all
documentation of this correspondence.
Thank you!*



From: Save Duxbury Access <saveduxburyaccess@gmail.com>
Sent: Tuesday, July 29, 2025 4:56 PM
To: FGC
Subject: Opposition to Petition No.(2023-32MPA) to Change Duxbury Reef Classification
Attachments: SAVE DUXBURY ACCESS info.pdf; NOTATIONS_ EAC Petition Application (2).pdf; OppositionLetterSignatures.pdf; Opposition Postcards.pdf

Dear Fish and Game Commissioners,

We are reaching out for your support to help protect fishing access for our small coastal community in Bolinas, California, which is currently under threat of complete closure to all the accessible rocky intertidal habitat, by the Environment Action Committee (EAC) of West Marin. The EAC filed its petition (2023-32MPA) to the California Fish and Game Commission in 2023 *without meaningful* Bolinas community input, seeking to change the Duxbury Reef Marine Protected Area from SMCA to a State Marine Reserve (SMR). This drastic change would eliminate our access for finfishing and abalone harvesting (currently closed since 2017) along our *entire* 8-10 miles of rocky reef coastline which nearly triples the size of the current SMCA both north and south along the reef - a devastating impact to our community. The elimination of this finfishing access would cripple our small sustainable historic fishery in Bolinas, hurt our local economy that depends on their catch, and end equitable access to our coastline for children and others who cannot afford a boat or special gear. This would be a direct violation of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) that was established in 1976 to protect coastal communities economic and cultural access to the coastline.

We have only just recently discovered this petition put forth by the EAC, because the EAC of West Marin has done very minimal (and extremely misleading) public outreach, so we are rushing to organize a coalition while there's still time to object. We need your help to protect our rights to access our coastline for sustainable fishing - please hear our voices! We all love Duxbury Reef and respect the comprehensive protections that are already in place through the existing SMCA: Nothing can be taken from within the SMCA, EXCEPT finfish (and abalone which are currently closed). This has been a great compromise. We strongly believe that the best environmental stewardship balances regulations AND public access, working collaboratively with communities to protect the environment we all love. Hook and line finfishing is very low impact, and the EAC has presented **no evidence** that it is harmful to the ecosystem on Duxbury Reef. Instead, the EAC is rationalizing their push for reclassification simply to have an easier message to communicate to the public. There is **no evidence** that the proposed elimination of finfishing would reduce any take violations of organisms that are already protected under the current SMCA regulations.

The EAC's rationale for reclassification holds no merit.

Thank you for taking your time to read through our attachments to learn more about this imminent threat to our community. We hope to count on you as an ally against extreme measures that cause great public harm without any real ecological benefit. We strongly believe that the best path towards lasting environmental conservation is one of collaboration, NOT alienation, of community partners who work together with respect and honest communication to solve complex ecological challenges. When we prioritize access and equity for responsible, low-impact recreational and commercial fishing that aligns with California's Coastal Access and sustainable management values, we invest in the future health of our planet. After all, children who develop a love of fishing grow into adults who love and protect the natural world. Please reject the (2023-32MPA) petition by the EAC, and instead preserve the current SMCA status at Duxbury Reef, and feel free to reach out to us at any time for more information or further conversation. We welcome dialogue!

Attachments includes as follows:

1. Save Duxbury Access info pdf

2. Notations on EAC Petition Application pdf
3. Opposition Letter Signatures pdf (hard copies incoming)
4. Opposition Postcards pdf (hard copies incoming)

Thank you so much for your consideration in this critical matter affecting our community in Bolinas!

Sincerely,
Save Duxbury Access

“Save Duxbury Access” is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing, surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition in Bolinas of responsible stewardship.

EAC Duxbury Petition Application Form

w/ADDED NOTATIONS in red by “Save Duxbury Access” *
(See FULL PETITION without notations [HERE](#))

State of California – Fish and Game Commission

PETITION TO THE CALIFORNIA FISH AND GAME COMMISSION FOR REGULATION CHANGE

FGC 1 (Rev 06/19)

Tracking Number: (2023-32MPA)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Ashley Eagle-Gibbs, Environmental Action Committee of West Marin (EAC) Address: 65 3rd St Suite 12, Point Reyes Station, CA 94956 Telephone number: (415) 663-9312 Email address: ashley@eacmarin.org

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Authorities cited: Sections 200, 205(c), 265, 399, 1590, 1591, 2860, 2861 and 6750, Fish and Game Code; and Sections 36725(a) and 36725(e), Public Resources Code.

3. Overview (Required) - EAC requests the Commission change the status of Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because of documented difficulty of interpretation and enforcement of current regulations and the resulting large incidence of take. In addition, declines have been observed in marine life abundance and biodiversity. EAC also requests the Commission extend the southern boundary further south and the northern boundary to Double Point Special Closure to increase habitat protections to fully cover the entirety of the contiguous reef habitat.

The rules are actually quite simple: "It is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, EXCEPT recreational take of abalone and finfish from shore only is allowed." (Note: abalone has been closed since 2017.)

What is the large incidence of "take"? What are the examples? Is this referring to legal or illegal take? In conversations with EAC docents it has been acknowledged that "take" refers to the removal of organisms that are already protected, but this is not specified here in this document. Hence, the issue is about enforcement, not regulations. Resolution can be accomplished through better education, signage, and enforcement, not additional rules that aren't enforced.

Are there declines in finfish? Or, abalone which has been closed since 2017?

Extending the closure south to include the entire Duxbury Reef and North past Double Point would eliminate rocky reef fishing access in the Bolinas area for shore access.

Applying an SMR designation to the area currently known as Duxbury Reef SMCA and expanding that new SMR north and south so as to encompass the entirety of the Duxbury Reef habitat is consistent with the original goals of the Marine Life Protection Act (MLPA) including goals 1, 2, 3, and 4 related to preserving natural diversity, sustaining marine life populations, protecting marine habitats for their intrinsic value, and improving recreational and educational opportunities while minimizing human disturbance.¹ It is also supported by regional partners including the Greater Farallones and Cordell Bank National Marine Sanctuaries.

Changing the designation from a Conservation area to a Reserve is more restrictive and has no-take including finfish which has had no documented impact and very little observed activity. It is also the simplest form of fishing allowing access to anyone who does not have access to a boat. Reserves include strict protection "allowing natural processes to occur without human interference" this could be one step closer to eliminating access. Could surfing be considered human interference?

4. Rationale (Required) - Describe the problem and the reason for the proposed change: Duxbury Reef is the largest shale reef in California, and one of the largest in North America. The extensive tidepool network hosts a rich diversity and abundance of marine species, many of which are sheltered in numerous holes and crevices made possible because of the relatively soft shale that composes it. Invertebrates, algae, fish, and visiting land, shore, and seabirds thrive and feed there, and are interconnected with highly productive rocky and kelp habitats just

offshore. Unfortunately, the entire habitat of Duxbury Reef is not actually within the current boundaries of the Duxbury Reef SMCA. In 2008, there was a proposal to create the Double Point SMCA which would include more of the Duxbury Reef habitat north of the current Duxbury Reef SMCA. Double Point SMCA was never created, leaving that critical habitat outside of any Marine Protected Area (MPA). Today, ongoing observations of take and current federal designations of the areas around the Duxbury Reef habitat demonstrate that protections provided by the MPA for the entirety of the Duxbury Reef habitat must be reconsidered. In that goal, EAC would like to make three requests regarding Duxbury Reef SMCA.

Most of us agree that the habitat on Duxbury needs protection however these existing regulations do allow protection for all the species that have been identified in decline. What is missing is education, signage and enforcement of the existing rules.

How does the 2008 proposal that did not pass justify additional closures?

Three parts of this request include:

1. **Change SMCA to SMR:** Current regulation 14 CCR § 632(b)(50) (B) allows for the recreational take of finfish from shore and abalone when allowed by the California Department of Fish and Wildlife (CDFW) (currently the abalone fishery is closed until 2026).
 - a. Current regulations cause confusion and result in more take than the regulations allow. In other words, the allowance of some take at Duxbury Reef is confusing to many visitors and results in a high count of take violations. People are confused about why you can take finfish and abalone, but not other invertebrates or algae. Most people also do not read the existing signs. Confusion is generated especially when visitors see people fishing from shore by hook and line or with the poke pole and bucket used to fish monkeyface eel (*Cebidichthys violaceus*) in the tidepools. In addition, Duxbury Docents² have observed fisher people collecting mussels from the reef to use as bait for fishing. According to feedback provided during the August 24, 2023 Golden Gate Collaborative meeting, damage to the reef also results when people have been observed using crowbars and tire jacks to take purple sea urchins (*Strongylocentrotus purpuratus*),³ which have nestled in holes they have carved in the rock.

All these activities are already illegal under the existing regulations. Confusion is not a reason to add more restrictions. I think most of us support stopping this abusive behavior at the reef. We need to find a better way to stop this behavior and excluding people fishing is not the answer.

- b. Increased visitation and violations: Marin MPA Watch data shows significantly greater visitation and potential violations relative to other monitored MPA sites in

Marin County, including take and potential poaching incidents. The rate of visitation and potential poaching increased significantly since 2017. Visitation declined somewhat after the COVID pandemic emergency but remains elevated and potential poaching incidents remain high.

Poaching is already illegal and needs enforcement not more rules. Increased visitation is mostly the large school groups and visitors to the tide pools not fishermen. Does this activity constitute “human interference”? Does the EAC want to close this down?

- c. Loss of diversity and biomass: Professionals, local community members, and visitors have commented that they have noticed a loss in diversity and number of organisms at Duxbury Reef in the past 10 years, especially the area that is most heavily visited. Partly this is due to an increase in visitation, but the harvest of organisms is a contributor to loss that adds undue stress on a vulnerable reef community.

This loss of diversity and biomass is the organisms and kelp visible on the reef at low tide not finfish or abalone which are in deeper water. This is not associated with fishing or abalone diving which has been closed since 2017. This is likely from the high tidepool visitation activity and likely other environmental conditions.

To protect this highly vulnerable and biologically rich intertidal community, also designated as an Area of Special Biological Significance, it is of vital importance that the designation for Duxbury Reef should change to State Marine Reserve, where all take is prohibited. This will reduce confusion, make educating visitors easier and compliance easier for visitors, and will better protect marine life. Damage to the marine populations is compounded by increasing threats due to climate change and the loss of habitat from sea level rise, which together are creating changed ocean conditions since the MPA was first designated.

Confusion is not a good justification to eliminate all fishing and extend these closed areas for more than 8 miles of rocky reef coastline.

- 2. **Expand the boundaries:** The current boundaries of Duxbury Reef SMCA defined by 14 CCR § 632(b)(50)(A) do not cover the entirety of the Duxbury Reef habitat.
 - a. **Expand MPA south:** Duxbury Reef habitat extends south of the MPA boundary into an intertidal area that is not currently protected by the MPA. People access this area at very low tide, or by boat. Fisher people can fish near the intertidal reef and collectors can walk back through the protected part of the reef with their buckets of collected marine life, causing an enforcement challenge. There is also a regular, daily harbor seal haul out on this southern section of the reef. It has been reported that boaters (fishers, collectors, and recreational) have been

observed in this area flushing harbor seals into the water from their haul-out resting site. This southern extension area is contiguous and ecologically connected with the Duxbury Reef MPA habitat. Many rocky intertidal species move about on the reef at high tide, especially young larval stages that repopulate areas on different parts of the reef. Equal protection of the entire reef habitat is of vital importance to the ecological health of Duxbury Reef.

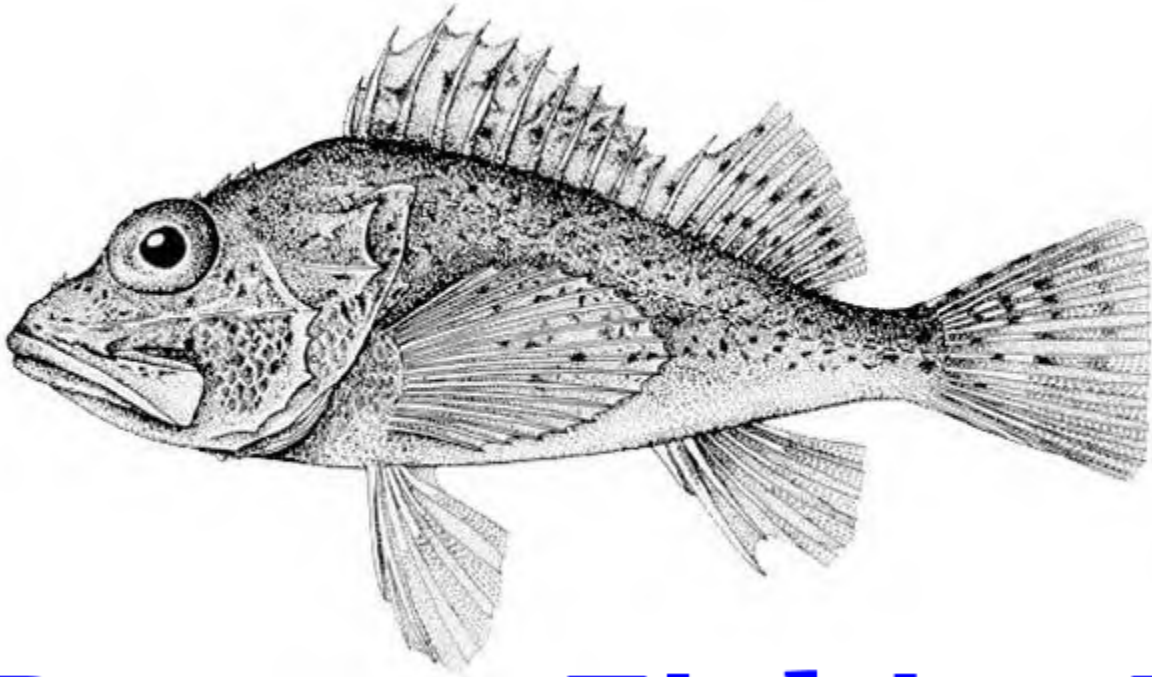
- b. **Expand MPA north:** The reef ecosystem also extends north of the current MPA boundary and includes rocky intertidal areas and some bluff-faced sandy beach areas north to Double Point Cove. Double Point Cove is designated as an Area of Special Biological Significance and is a harbor seal haul-out and pupping site. It is also adjacent to the Stormy Stack Special Closure on the north end of the cove, which prohibits access within 300 feet around the rock island. According to individual reports, boaters, including some fishing, have been observed close to the bird colony on Stormy Stack, and flushing the harbor seals at their haul outs at the south rock and in the Double Point Cove. This area is currently unprotected by the MPA network, yet is ecologically sensitive and continuous with sensitive reef and beach habitat that is currently protected. Incorporating this northern section ensures that this unique reef habitat is fully protected in its entirety from take and disturbance to marine mammals, seabirds, intertidal, and subtidal species. In the past, there was a proposal to create an MPA between the current Double Point Special Closure and the current Duxbury Reef SMCA. The MPA would have satisfied goals 1, 2, 3, and 5 of the MLPA. An MPA in this area would specifically protect diverse areas in close proximity to each other, protect critical habitat that species of economic value rely upon, ensure minimal human disturbance occurs in sensitive habitats, and utilize scientific guidelines in the California MLPA Master Plan for Marine Protected Areas.

As the largest intertidal shale reef in North America, with abundant and diverse marine life, Duxbury Reef deserves the additional attention of the Commission and increased protection against ongoing take and poaching activity. This type of rocky intertidal habitat is rare. This is especially critical in consideration of the combined impacts of dramatically increased visitation, ocean acidification, and sea level rise which will increasingly impact the biodiversity of the reef.

This proposal was discussed at the Golden Gate MPA Collaborative meeting on August 24, 2023, although a consensus was not reached. Key use concerns raised included those discussed above, as well as support from the Superintendent of the Greater Farallones and Cordell Bank National Marine Sanctuaries, which is included in Attachment 3.

** “Save Duxbury Access” is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing, surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship.*

SAVE DUXBURY ACCESS



Protect Fishing!

Stop the Environmental Action Committee of West Marin from eliminating ALL fishing on Duxbury Reef! Our children deserve the right to sustainable hook & line fishing. Children who develop a love of fishing grow into adults who love & protect our planet!

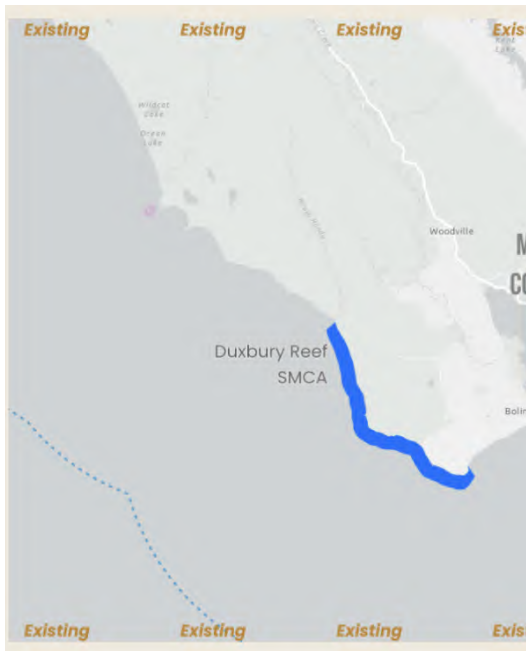
ACCESS = EQUITY = CONNECTION

REJECT EAC petition no. (2023-32MPA)

SAVE DUXBURY ACCESS

Public fishing access to our beloved Duxbury Reef from below Agate all the way to Double Point is currently under attack by the Environmental Action Committee (EAC) of West Marin. Unbeknownst to many, the EAC filed a petition with the California Fish and Game Commission (CFGC) in 2023 to change the classification of Duxbury from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR), plus expansion of this area both north and south. While this may sound benign, it is not. It's actually quite extreme and if approved it will have massive ramifications, terminating coastal access for finfishing and more on 8-10 miles of our coastline! Following is a basic summary of the EAC petition and the implications it will have on our lives. For more detailed analysis of their petition click [here](#). To see the full EAC petition click [here](#).

Current SMCA:



Proposed SMR: No take of any kind including ALL fishing (shore + boat)!!



1. The petition cites confusion of regulations as the justification for reclassification but the rules are actually quite simple: It is unlawful to take ANYTHING from the reef EXCEPT finfish and abalone (which is currently closed). The petition does not explain why improved signage, public education, and enforcement would not be a more effective solution than the proposed reclassification which eliminates an activity that has been determined to not be harmful to the reef..

2. The petition does not provide any evidence that finfishing nor the take of abalone does any harm to the reef that would necessitate such a dramatic change to regulations. Additionally it does not address the impact that the reclassification would have on the Bolinas community by ending the long tradition of non-destructive hook and line fishing at Duxbury Reef, that spans millennia dating back to 800 BCE as a traditional Coastal Miwok fishing site.
3. The petition left out critical components to the State Marine Reserve (SMR) classification that include the strict protection that SMRs are designed “to protect the ecosystem in its entirety, allowing natural processes to occur WITHOUT HUMAN INTERFERENCE”. “Interference” can have very broad interpretations with major implications. For example, walking across the surface of the reef could be seen as damaging the ecosystem, as could touching the water, or speaking too loudly. It could even be seen that walking across the nearby sandy part of the beach is “interference”. It begs the question, what is the EAC’s ultimate goal in this reclassification?

Establishing an SMR is one step closer to creating a “Special Closure” within an SMR in which ALL ENTRY is PROHIBITED as seen in Stormy Stack Rock, Point Reyes Headlands, etc. Once initiated, this could *permanently* eliminate surfer access, tidepooling, and reef education programs from below Agate Beach all the way up the coast to Double Point.

We all want to keep Duxbury Reef safe and thriving for generations to come. This is where many of us learned how to fish, still catch fish, where we explore the tide pools, hang on the beach, and traverse the shoreline to catch a wave. Preserving Duxbury can be accomplished under the current regulations through improved enforcement and education, NOT by shutting people out from healthy recreational activities. Keeping fishing access open ensures that our children will also nurture a connection with the place we all love, and continue our shared tradition of responsible stewardship.

ACT NOW to protect Duxbury access for all!

REJECT the EAC petition no. (2023-32MPA)!

This information was put together by “Save Duxbury Access” which is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing. Protecting fishing access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship.

Bolinas

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Re. **Opposition to Petition No. (2023-32MPA)**
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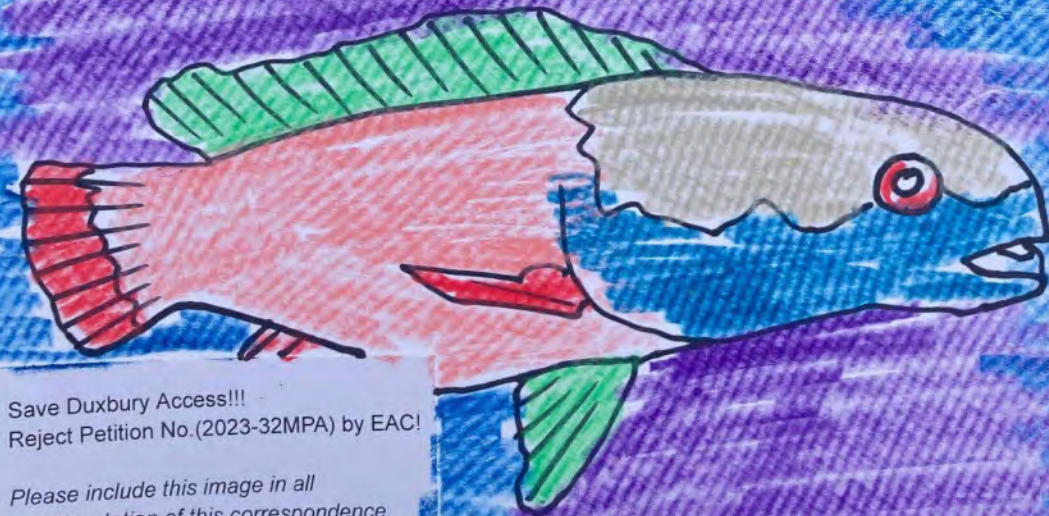
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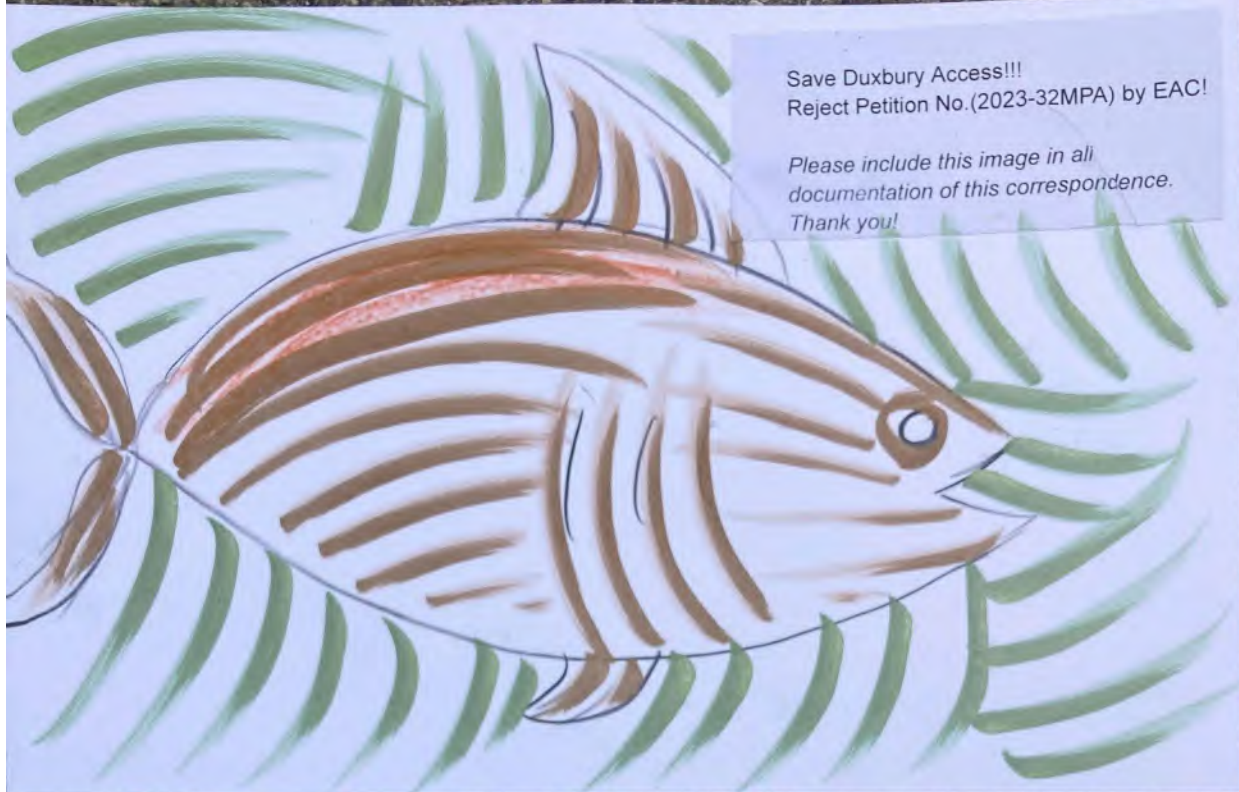
California Fish and Game
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Sincerely, *Undine Amanson*

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documentation of this correspondence.
Thank you!





Save Duxbury Access!!!
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Stacey Henderson

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Sincerely,

Stacey Henderson

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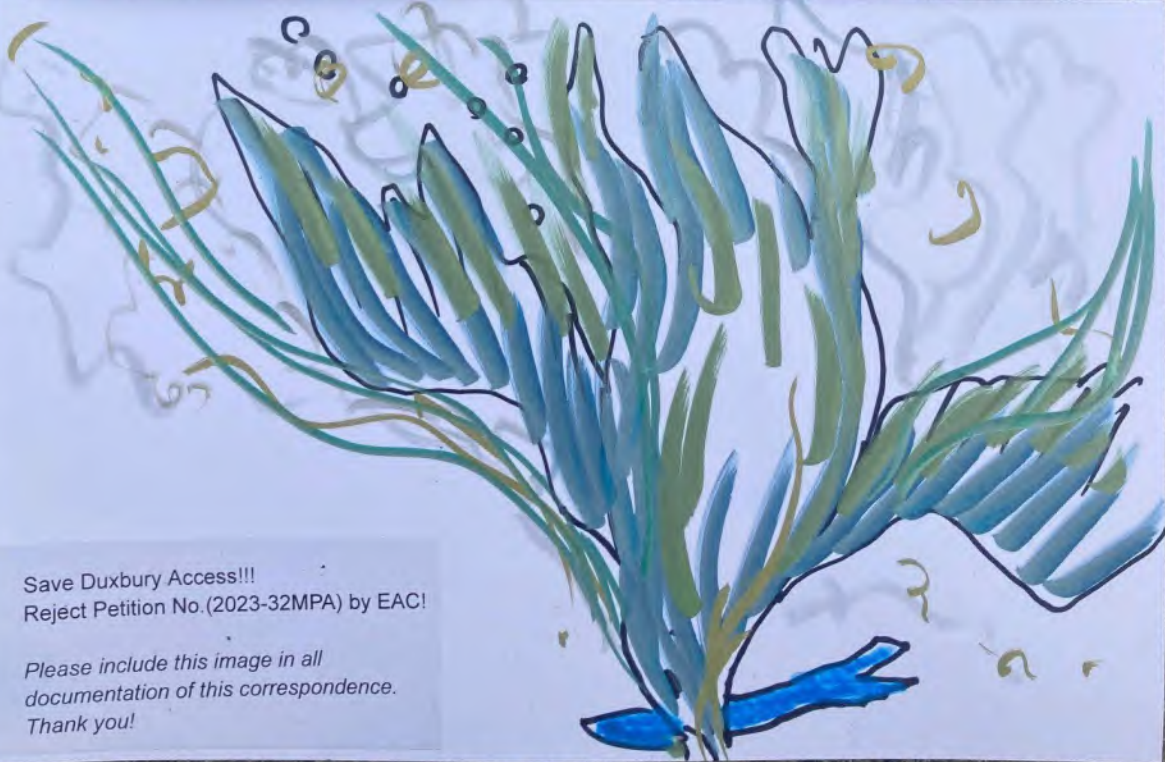
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CA 94244-2090

Sincerely,

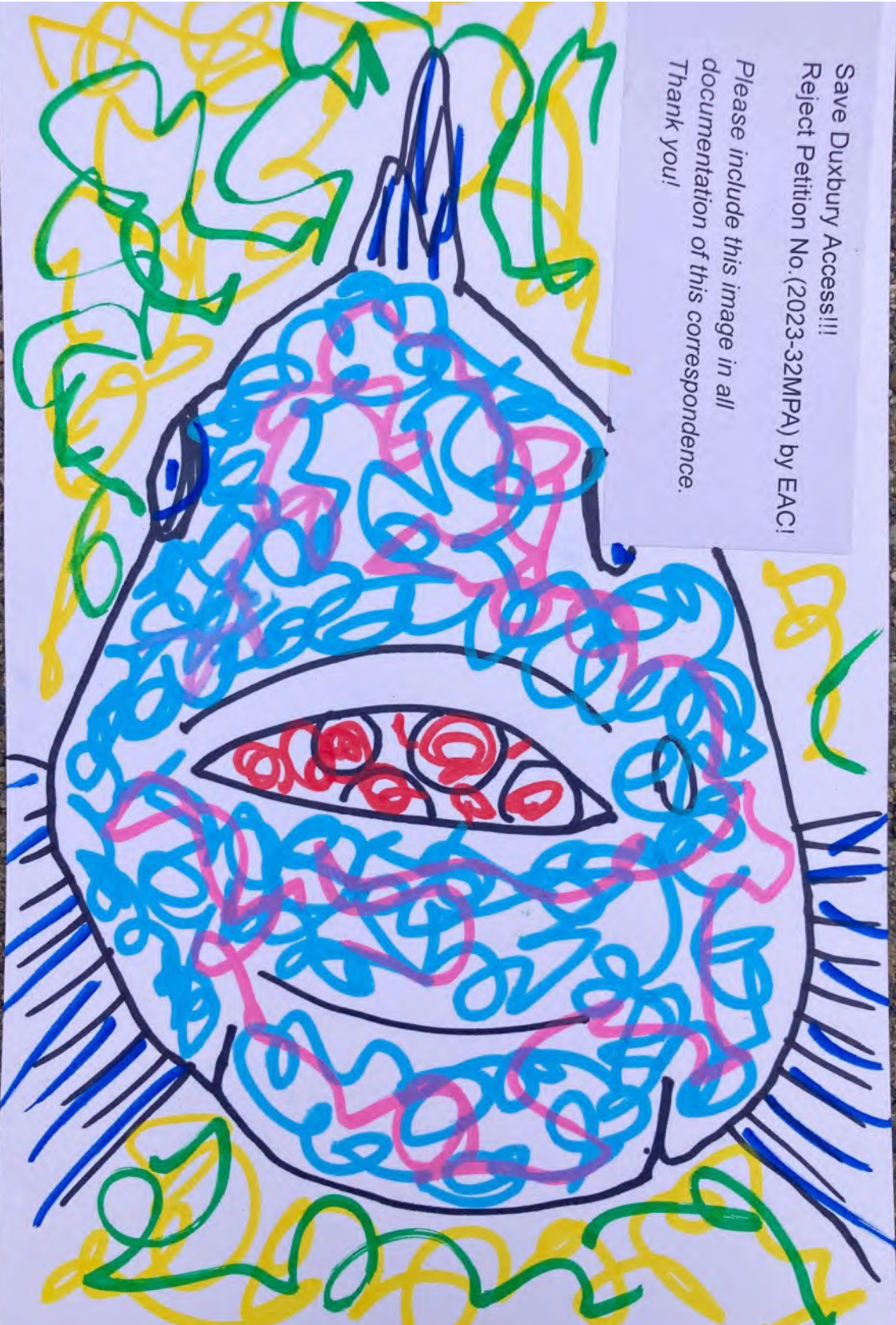
Tyuan O'Hare Berkson

Save Duxbury Access!!!
Reject Petition No. (2023-32MPA) by EAC!

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Save Duxbury Access!!!
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Breanna Bubbins

Re. **Opposition to Petition No. (2023-32MPA)**

Dear President Sklar and Commissioners,

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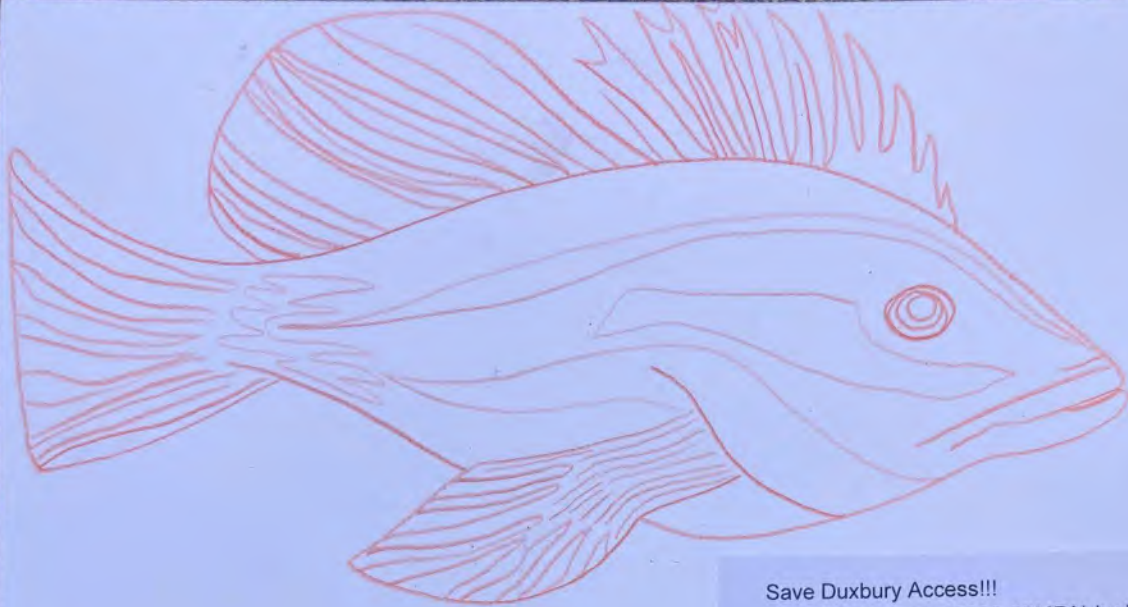
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Sincerely,



Place
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here

California Fish and Game
Commission
P.O. Box 944209 Sacramento,
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Orville H. Schell

Re. **Opposition to Petition No. (2023-32MPA)**
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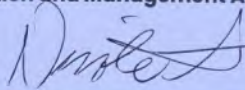
Nicole Arnanson

Re. **Opposition to Petition No. (2023-32MPA)**

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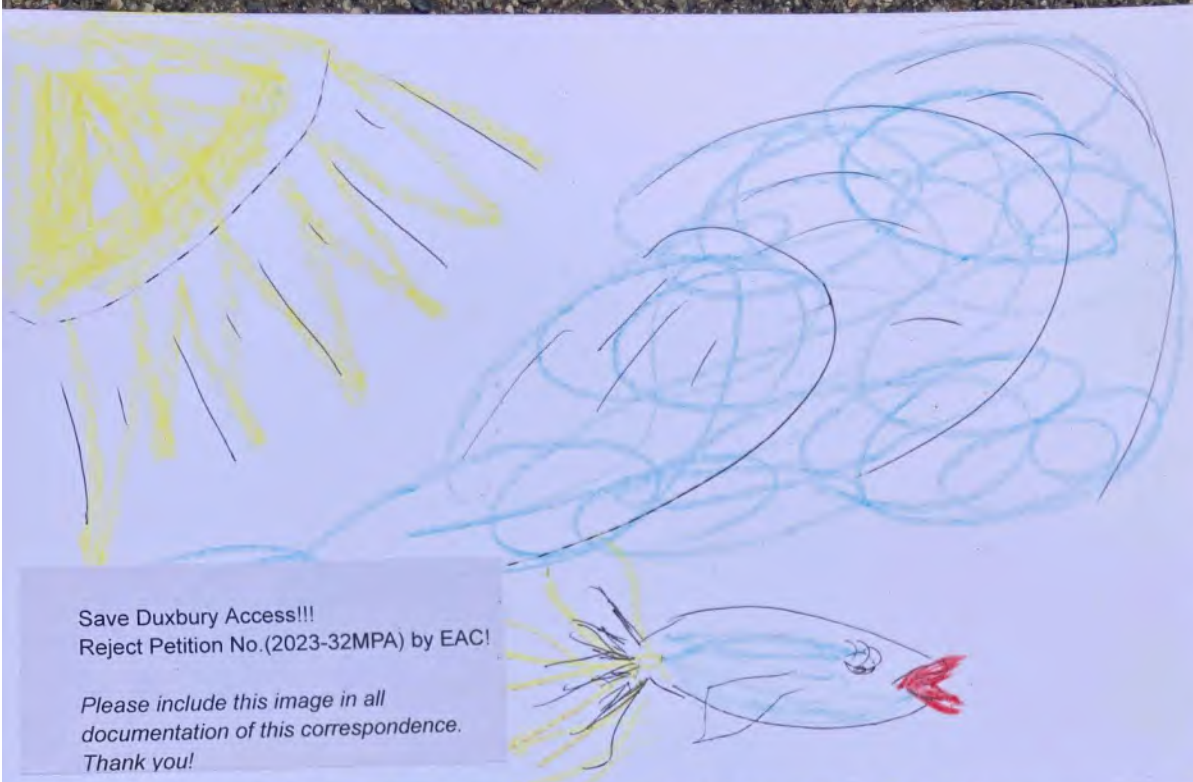
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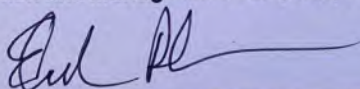
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E. Pothman

Re. **Opposition to Petition No. (2023-32MPA)**
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Sincerely,



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here

California Fish and Game
Commission
P.O. Box 944209 Sacramento,
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Laura Distasi

Laura Distasi

Re. **Opposition to Petition No. (2023-32MPA)**

Dear President Sklar and Commissioners,

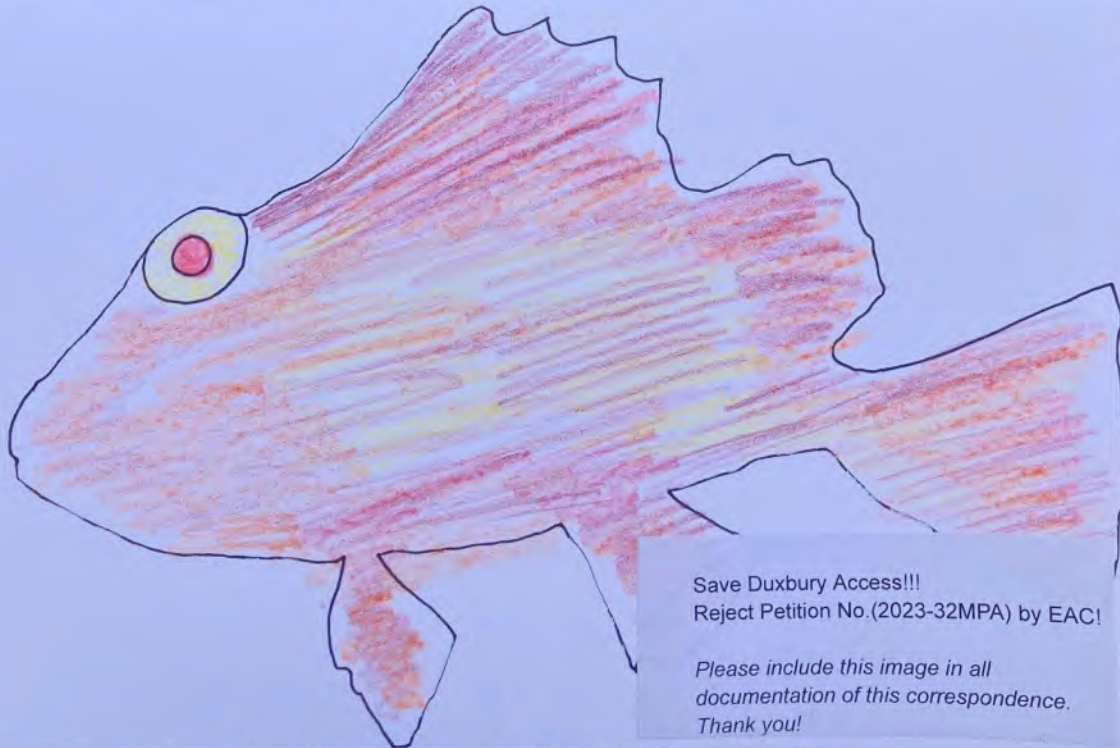
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Sincerely,

Laura Distasi

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ALEXANDRA M. PORRATA

Re. **Opposition to Petition No. (2023-32MPA)**
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Sincerely, **ALEXANDRA M. PORRATA**
INDEPENDENT

Place
stamp
here

California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090

STEVEN SAFRANER

Re. **Opposition to Petition No. (2023-32MPA)**
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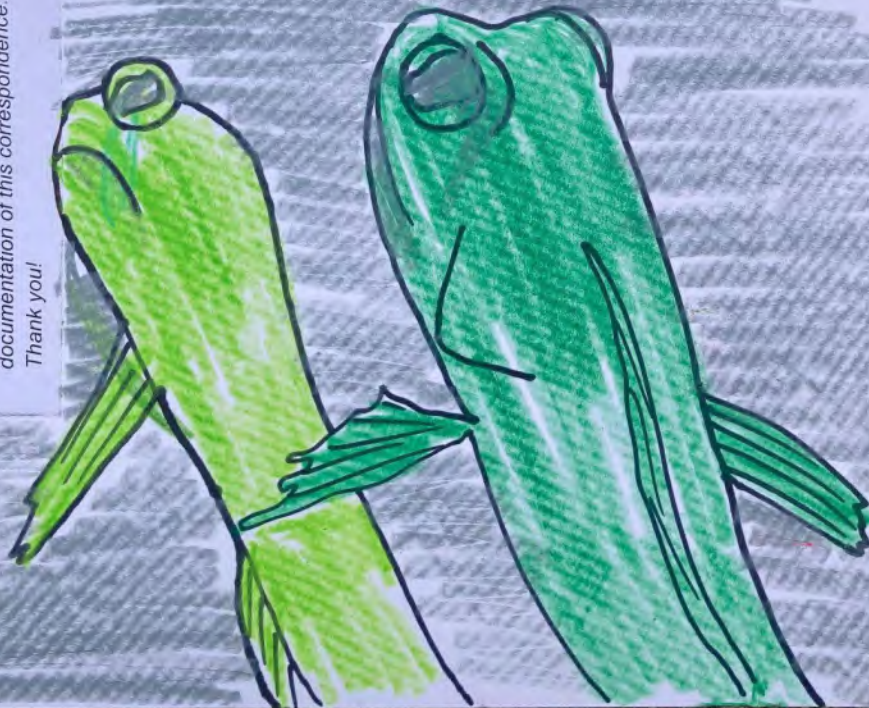
Steven Sfranker

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Save Duxbury Access!!!
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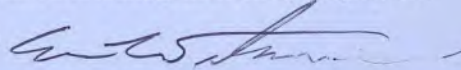
EVAN WATERMAN

Re. **Opposition to Petition No. (2023-32MPA)**

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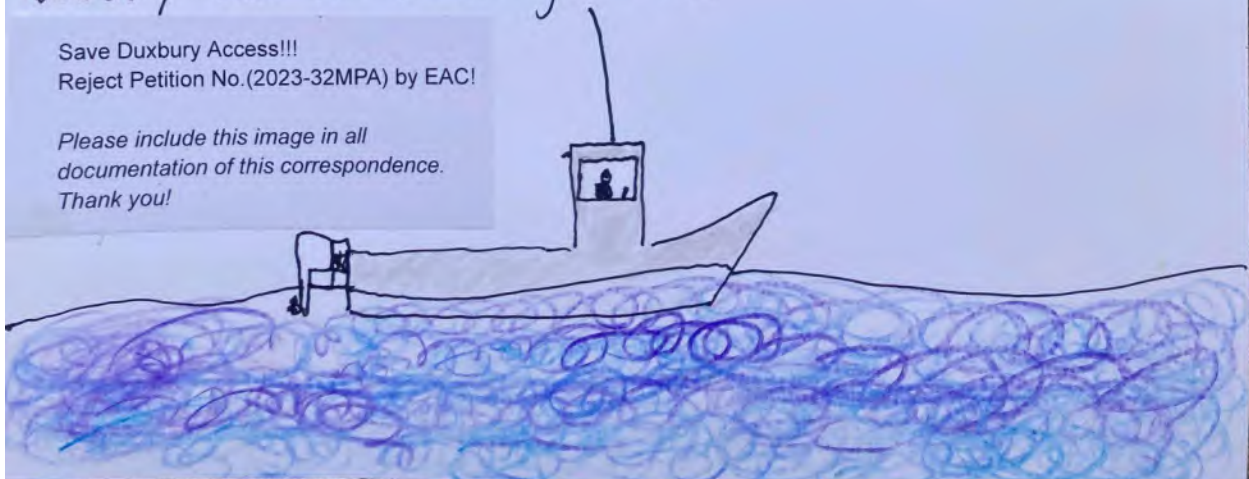
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As a fisherman, both by boat and from shore, I'm
a concerned voter and resident of Bolinas.

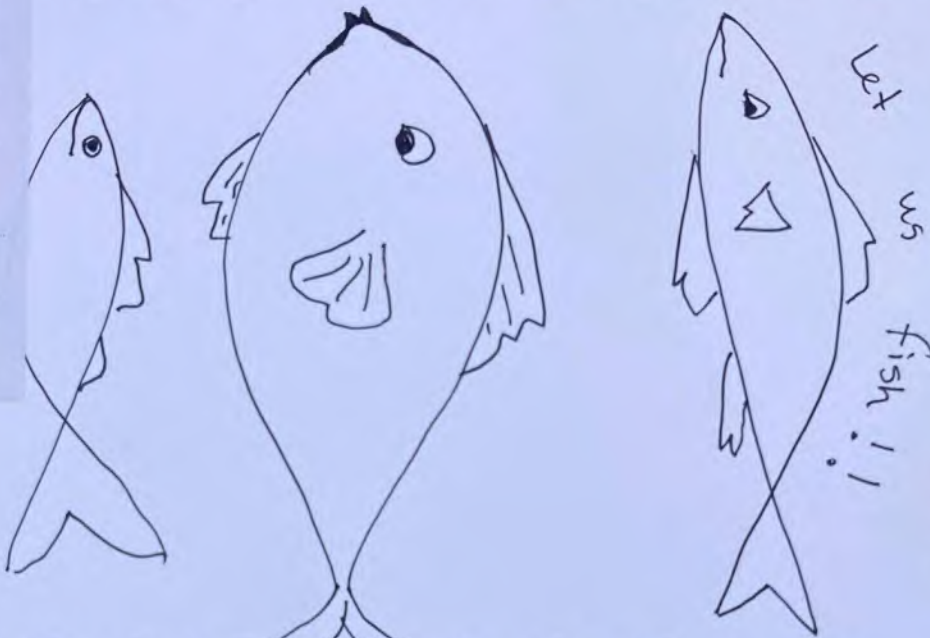
Please do not move forward with the SMR
that would reduce access to sustainable fishing on
Duxbury reef and surrounding areas.

Save Duxbury Access!!!
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Dargeline Waterman

Re. **Opposition to Petition No. (2023-32MPA)**
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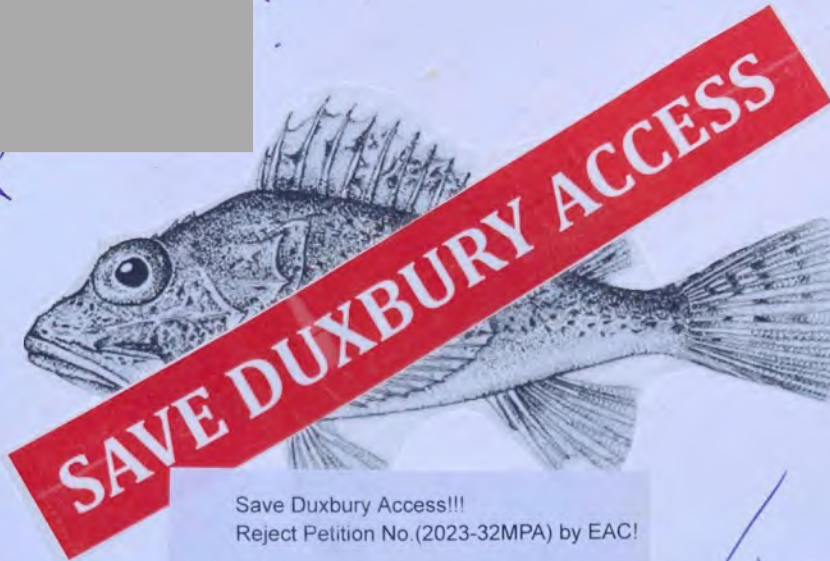
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STEVEN SAFRANEK



USA



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Thank you!

MATTHEW LEWIS



Re. **Opposition to Petition No. (2023-32MPA)**
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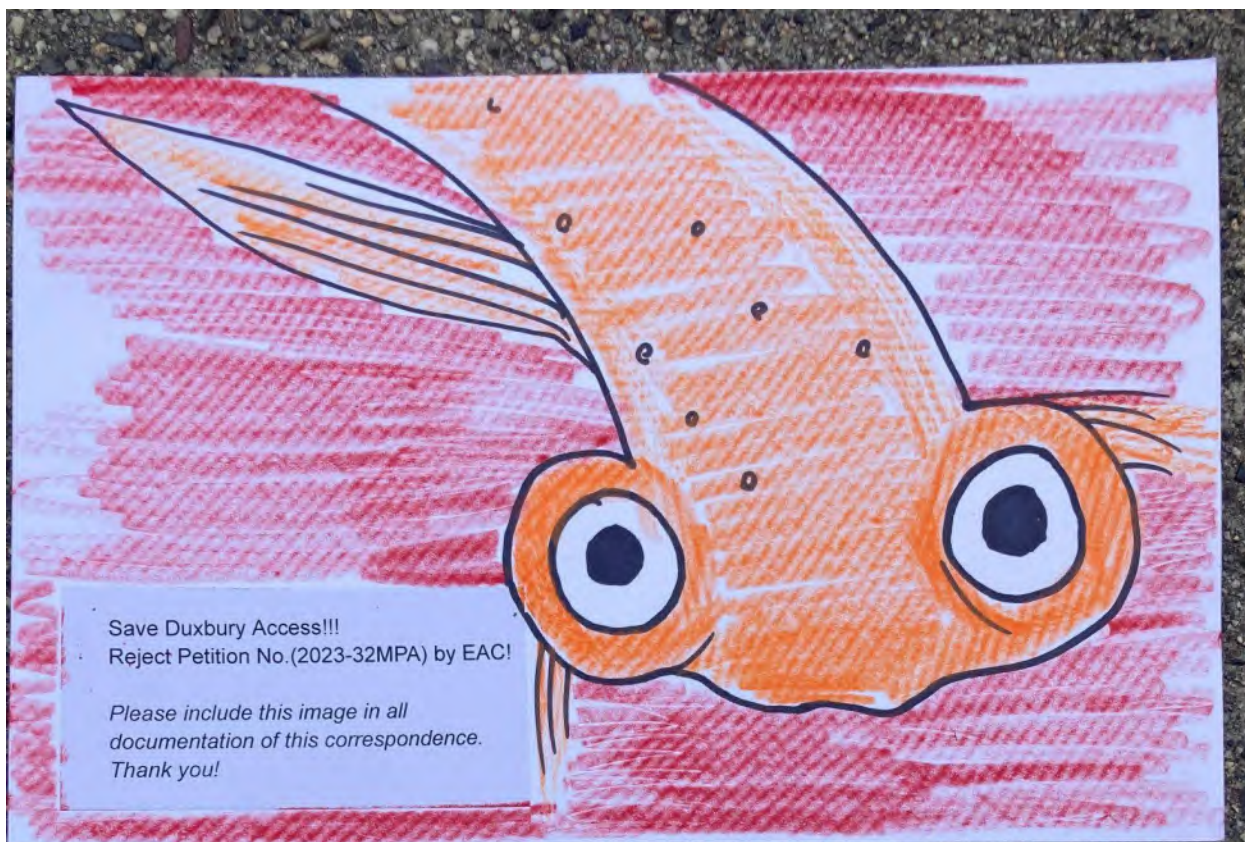
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Sincerely,

Matthew Lewis

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Commission
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CA 94244-2090



Sam Murch

Re. **Opposition to Petition No. (2023-32MPA)**
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Sincerely,

Sam Murch

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CA 94244-2090

Dana C. O'Connor

Re. **Opposition to Petition No. (2023-32MPA)**
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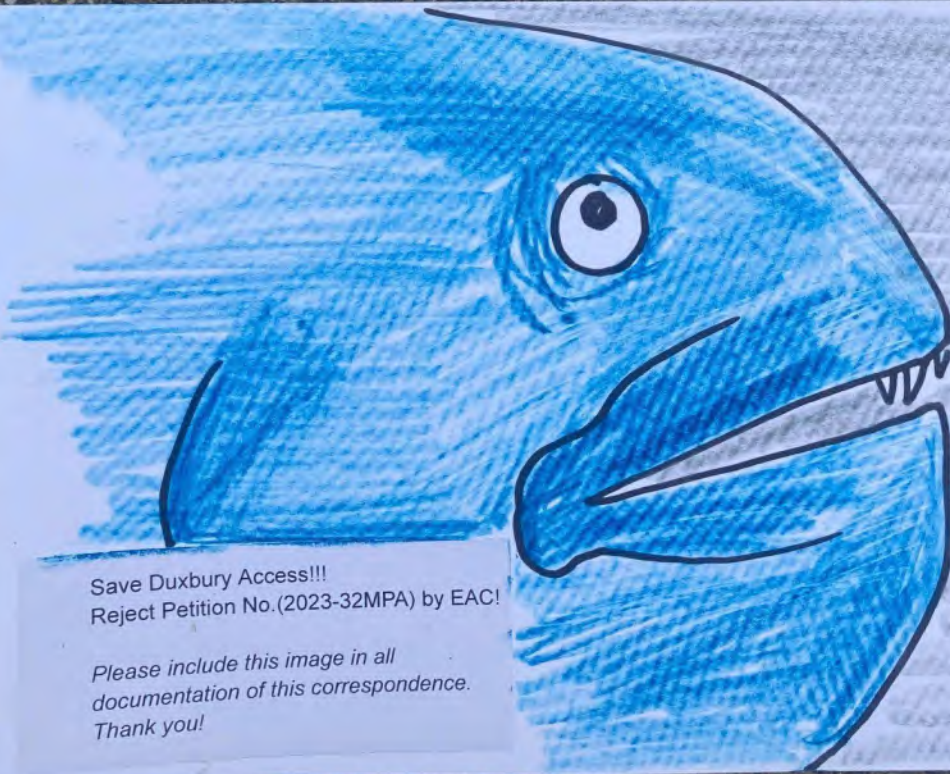
Dana C. O'Connor

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Sarah Lange

Re. **Opposition to Petition No. (2023-32MPA)**
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Sincerely,

Sarah Lange

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here

California Fish and Game
Commission
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I am
7 years old
And I love to
FISH



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CARMEN Angelus
Bolinas CA

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ILKA HARTMANN

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Sincerely,

Ilka Hartmann

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Broulio Garcias
Bolinas CA

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California Fish and Game
Commission
P.O. Box 944209 Sacramento,
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Sincerely, *Broulio Garcias*

My son, grandson and Brother
Fish in Bolinas to help Feed the Family

Save Duxbury Access!!!
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Thank you!



fish



FISH
LIFE

Save Duxbury Access!!!
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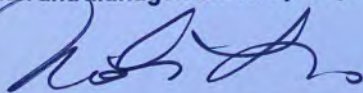
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MOLLIE LOUNIBOS

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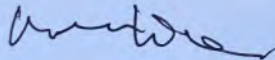
ARN Angelius
Bolinas CA

Re. **Opposition to Petition No. (2023-32MPA)**
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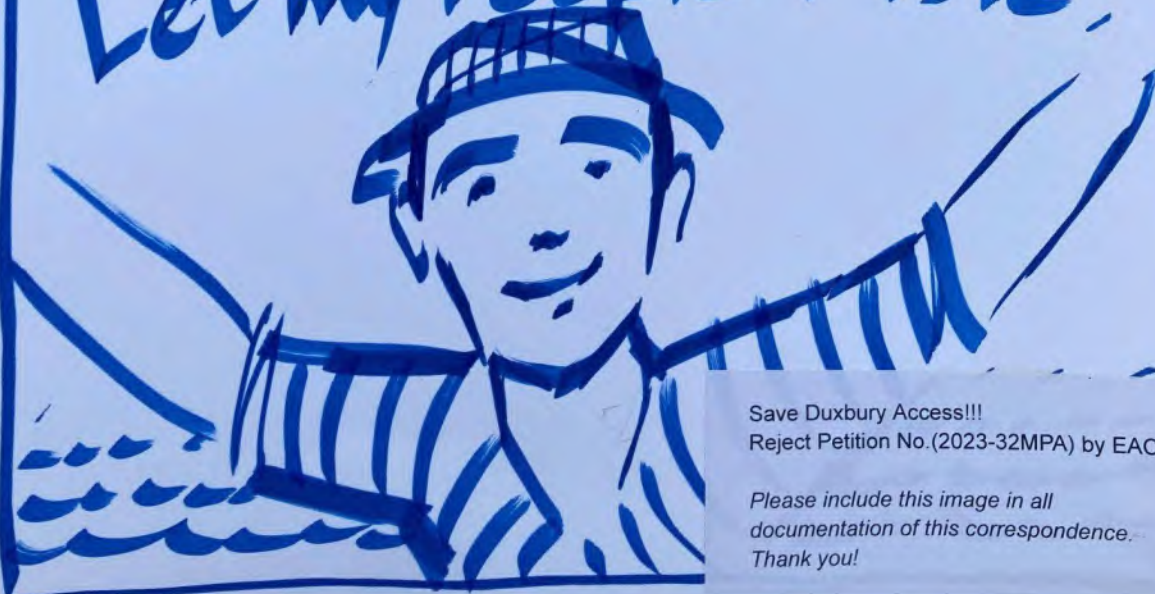
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Sincerely,



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Let my People Fish!



Save Duxbury Access!!!
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Chris Martinelli

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Sincerely, *Chris Martinelli*

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Save Duxbury Access!!!
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Thank you!

Sharks ARE
as long as you are not
Surfing in our waters + get
attacked!!!



Martha Anne Wax

Re. **Opposition to Petition No. (2023-32MPA)**
Dear President Sklar and Commissioners,

I am writing to **oppose the 2023-32MPA petition** by the EAC of West Marin to change the Duxbury Reef Marine Protected Area from SMCA to a State Marine Reserve (SMR) because there has been NO EVIDENCE presented that hook & line finfishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any take violations of organisms that are already protected under the current SMCA regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would eliminate our small sustainable historic fishery in Bolinas, hurt our local economy that depends on their catch, and end equitable access to our coastline for children and others who cannot afford a boat. Thank you for your consideration in the protection of our economic and cultural ACCESS to our coastline afforded to us by the **Magnuson-Stevens Fishery Conservation and Management Act (MSA) of 1976.**

Sincerely,

Martha Wax

Place
stamp
here

California Fish and Game
Commission
P.O. Box 944209 Sacramento,
CA 94244-2090

ALICE MARTINELLI

Re. **Opposition to Petition No. (2023-32MPA)**
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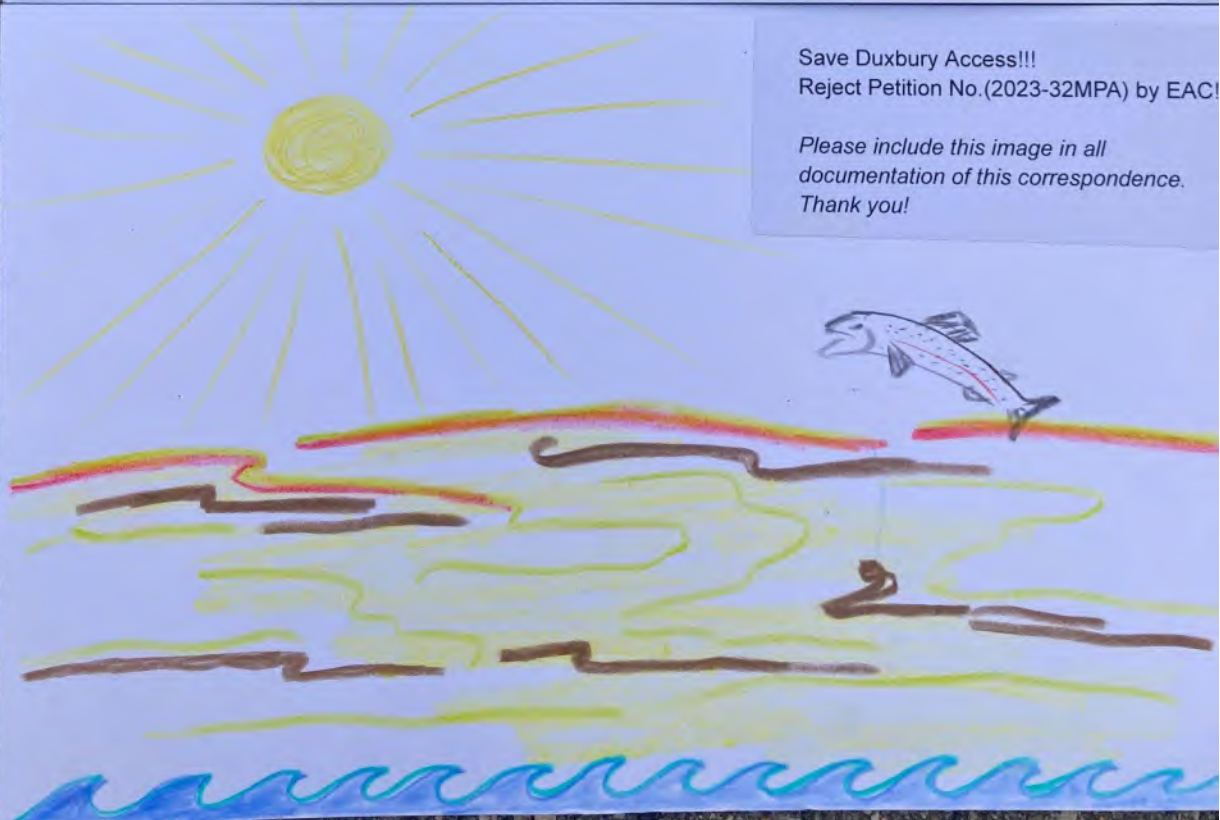
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Alice M.

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Save Duxbury Access!!!
Reject Petition No.(2023-32MPA) by EAC!

Please include this image in all
documentation of this correspondence.
Thank you!

Martha Anne Wax Bolinas

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Sincerely, *Martha Anne Wax*

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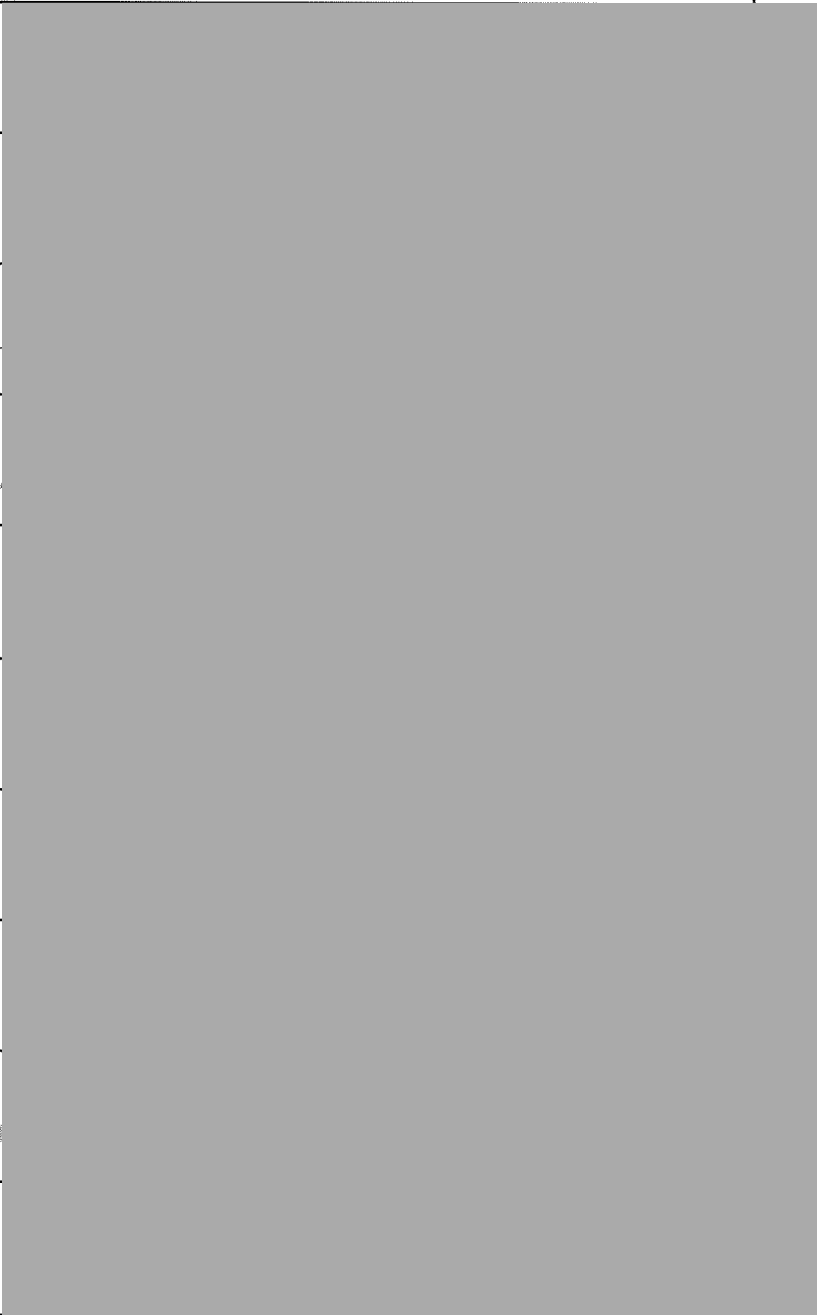
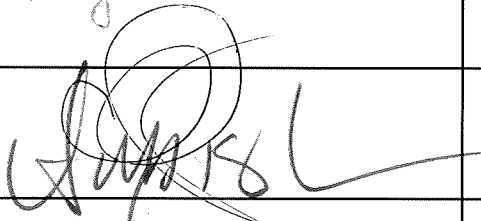
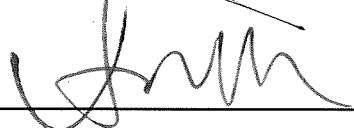
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| <u>Name:</u> | <u>Residence:</u> |
|--|---|
| Ann Roberts. |  |
| Meg Simonds | |
|  | |
|  | |
| Jill Lunn | |
| Claire Molesworth | |
| NATHAN STEPHAN | |
| Juliette Delventhal | |
| Stuart Chapman | |
| Ann Angerlin | |

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| <u>Name:</u> | <u>Residence:</u> |
|-----------------------|-------------------|
| Kirsten Walker | |
| Molie P 267 | |
| Cyrus Harmon | |
| Angela Sterpka | |
| Zack Fuller | |
| Jonna Alexander Green | |
| NICOLE SICIBOLA | |
| Renée Dae | |
| Angie Calpestri | |
| Joseph FERRARO | |

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| <u>Name:</u> | <u>Residence:</u> |
|-----------------|-------------------|
| KEN PAASCH | |
| Erica Hawley | |
| JULIANA MANN | |
| Meg Simonds | |
| unk | |
| John B. Ruth | |
| HB | |
| David J. Moritz | |
| Sarah Jane | |
| Robert Keffeler | |

BOLINAS

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| <u>Name:</u> | <u>Residence:</u> |
|-----------------------|-------------------|
| Vanessa Marcotte | |
| RUDI FERRIS | |
| George Kraemer | |
| Anastacia Gonzalez | |
| Laura Newcomb | |
| John McHugh | |
| Lorin Rich | |
| Brendan Mitchell | |
| Hadi Lorne | |
| Terry Comiecia | |

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| <u>Name:</u> | <u>Residence:</u> |
|--------------------|-------------------|
| Allison Smith | |
| Chris Martinelli | |
| Jane McCarthy | |
| Daniel McCarthy | |
| JANICE TWEEPI | |
| CLAUDIO MARTONJEFF | |
| DAVID AINLEY | |
| CURTIS V Loomax | |
| Brigitte Brunner | |
| Nastassya Saad | |

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| <u>Name:</u> | <u>Residence:</u> |
|--------------------|-------------------|
| Scott Finney | |
| William Cunningham | |
| Jeff McPhail | |
| Bill Jennings | |
| AMELIA STRATON | |
| Don Read | |
| Liz Vezzani | |
| John Bryant | |
| Kris Dieck | |
| Stephen Marcotte | |

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| <u>Name:</u> | <u>Residence:</u> |
|------------------|-------------------|
| TONY ONORATO | |
| Oliver Whitcraft | |
| Nina Venezia | |
| MARK JACOBSEN | |
| Susan Frank | |
| CAROL COTTON | |
| Nate MacDonald | |
| Natalie Pepper | |
| Ezra CONNER | |
| Jennie Pfeiffer | |

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| <u>Name:</u> | <u>Residence:</u> |
|-------------------|-------------------|
| Karl Wada | |
| Iszy Bider | |
| Evan Wilhelm | |
| Blair Tom | |
| Tris Conway | |
| Oscar Steiner | |
| Enrique Hernandez | |
| DAVEE BOLT | |
| Matt Porter | |
| Connor Mack | |
| Kristino Amoruso | BOLINAS |

BOLINAS

BOLINAS

BOLINAS

BOLINAS

POINT
REYES

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| <u>Name:</u> | <u>Residence:</u> |
|-----------------------------|-------------------|
| Lila Mittel | MINOR |
| Online Amanson | MINOR |
| Cadance Lynam | BOLINAS |
| Geovanni Argueta | |
| BEAU BROWN | |
| BEAU BROWN | BOLINAS |
| Sam Weisviller | BOLINAS |
| Kate Sylvan | BOLINAS |
| Serafina Kirk di Giorgio | INTERNESS PARK |
| MARIE BUELL | |
| Susie Buell | |
| J. Fatcher | BOLINAS |

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| <u>Name:</u> | <u>Residence:</u> |
|---|-------------------|
| Chelsie Fontan | |
| Paul Walker | |
| Kate Tehaney | |
| Patrick Sullivan | |
| Rob Knowles | |
| Alex Kleider | |
| Tyrone Brendel | |
| Barbara MacDonald | |
| Nancy R. Zacher | |
| Ashley Rich  | |

BOLINAS

PONT
REYES

*
100!

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| <u>Name:</u> | <u>Residence:</u> |
|--------------------|-------------------|
| JAMES FOX | |
| ESTELLA MORA-LOPEZ | |
| Lolo mora-lopez | |
| Cameron Smit | |
| MATT Lundy | |
| Kevin LORNE | |
| William Henderson | |
| Joy Conway | |
| John Cowperthwaite | |
| Bobbi Likens | |

POINT
REYES

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| <u>Name:</u> | <u>Residence:</u> |
|-----------------------------------|-------------------|
| Jacob Cortes | |
| ALEXANDRA LELAS | |
| Kelly Onorato | |
| Kelly Green | |
| ^{Anna Gade} Anna Gade | |
| Jim Winkels | |
| Jeremy Dierks | |
| Lee Lenz-Fontan | |
| Sadie Mann | |
| William Norton | |

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| <u>Name:</u> | <u>Residence:</u> |
|-----------------|-------------------|
| SONYA SAAD | |
| Karen Rodoni | |
| Cecily Stafford | |
| Cole Landig | |
| Jonathan Rauch | |
| April Ginsberg | |
| Suraya Brendel | |
| Jesse Taherra | |
| Ralph Cimiccia | |
| Penny Hamilton | |

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| <u>Name:</u> | <u>Residence:</u> |
|----------------------------------|-------------------|
| Daniel Stein | |
| Katherine O'Connell | |
| Joseph Sandler | |
| Nikola Tede | |
| Dana C. Orrison | |
| Janet Jennings | |
| Willy Ross | |
| Judy Guzman | |
| Sami Keedy | |
| Pats Bilgart PAULETTE BILGART | |
| | |

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| <u>Name:</u> | <u>Residence:</u> |
|------------------|-------------------|
| Julia Roberts | BOLINAS |
| COLUMFERE | BOLINAS |
| Satchel T | Bolinas |
| Julia C. Maxwell | |
| Ed Chiera | |
| Sam Faby | |
| Kathleen O'Neill | |
| Brenna Gubbins | |
| Grace Gubbins | |
| Sarah Lange | |

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|---|-------------------|
| Nina Bellak <i>Nina Bellak</i> | |
| Lucia Dillman <i>Lucia Dillman</i> | |
| Mary Solomon <i>Mary Solomon</i> | |
| Paul Johnston <i>Paul Johnston</i> | |
| Jasmin Garcia <i>Jasmin Garcia</i> | |
| James Bradley <i>James Bradley</i> | |
| James Finch <i>James Finch</i> | |
| Pamela Springer <i>Pamela Springer</i> | |
| Robert E. Leger <i>Robert E. Leger</i> | |
| Jeff & Felicia <i>Jeff & Felicia</i> | |

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| <u>Name:</u> | <u>Residence:</u> |
|-------------------|-------------------|
| Greg King | |
| Greg King | |
| Kathy Bustamante | |
| Ellie Bustamante | |
| Colleen Cavin | |
| JAMES KATZ | |
| Oliver Hamilton | |
| STEPHEN Hill | |
| DAVID JAAP VAN L. | |
| STEVEN SUFRANEK | |
| Albert Forcman | |

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| <u>Name:</u> | <u>Residence:</u> |
|----------------|-------------------|
| Mary Sampster | |
| Tony Gishol | |
| Gina Alexander | |
| Edward Mann | |
| Nancy McCarthy | |
| megan Campbell | |
| David Lich | |
| Chris Weave | |
| Joe Hochman | |
| Connie Weller | |

BOLINAS

BOLINAS

California Fish and Game Commission
P.O. Box 944209 Sacramento,
CA 94244-2090
Sent via Email: fgc@fgc.ca.gov

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear President Sklar and Commissioners,

We, the undersigned, are opposed to the 2023-32MPA petition submitted to you by the Environmental Action Committee of West Marin ("EAC") dated April 6, 2023 regarding the change of the Duxbury Reef State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) as well as an expansion of its northern and southern borders. We are in full support of preserving the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations, and we believe that this can be accomplished under the current SMCA regulations. The current regulations are very clear: It is unlawful to take ANYTHING from the reef EXCEPT finfish and abalone (which is currently closed). The hook and line fishing and poke poling tradition at Duxbury Reef is a sustainable fishing practice that dates back millennia beginning as early as 800 BCE by the Coastal Miwok. Terminating these traditions just to simplify public messaging is absolutely absurd and downright offensive. It is also not backed by any verifiable science that could necessitate such a drastic change.

Additionally, the EAC petition has left out critical components to the State Marine Reserve (SMR) classification that include the strict protection that SMRs are designed "to protect the ecosystem in its entirety, allowing natural processes to occur WITHOUT HUMAN INTERFERENCE". "Interference" can have very broad interpretations with major implications. For example, walking across the surface of the reef could be seen as damaging the ecosystem, as could touching the water, or speaking too loudly. It could even be seen that walking across the sandy part of the beach is "interference" as well. It begs the question, what is the EAC's ultimate goal in this reclassification?

We all want to keep Duxbury Reef safe and thriving for generations to come. This is where many of us learned how to fish and still catch fish! It's where we explore the tide pools with our children, hang on the beach, and traverse to catch a wave. It's also where we honor and connect with the generations of those who came before by continuing their very same traditions. Preserving Duxbury can be accomplished under the current regulations through improved enforcement and education, NOT by shutting people out. Keeping access open ensures that our children will also nurture a connection with the place we all call home, and continue our shared tradition of responsible stewardship.

We urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, targeted enforcement against illegal take by accredited California Fish and Game employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and Sustainable Management values.

| <u>Name:</u> | <u>Residence:</u> |
|------------------------------|-------------------|
| James Quay | |
| Martha Wax | |
| EDITH DEK edith | |
| Ed Pothman | |
| SUSAN HILSEN RAD TACHERRA | |
| Lisa Egski | |
| Marshall Payne | |
| Noah Skinner | |
| Ilka Hartmann | |
| Win R. Chapman | |

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CA 94244-2090
Sent via Email: fgc@fgc.ca.gov

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| <u>Name:</u> | <u>Residence:</u> |
|---------------------|-------------------|
| Chelsea Kahn | |
| Evan Kahn | |
| Emey Cato | |
| Serena Czarnecki | |
| Wylie Pepper-Corner | |
| Jill Field | |
| Jon Cozzi | |
| Suzanne Barthone | |
| Amanda Ross | |
| Julia | |

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P.O. Box 944209 Sacramento,
CA 94244-2090
Sent via Email: fgc@fgc.ca.gov

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| <u>Name:</u> | <u>Residence:</u> |
|---------------------|-------------------|
| CARMEN Angelius | |
| Cullen Hicks | |
| Yvonne O'Hare | |
| Peter Axelson | |
| Nina | |
| Lance Disten | |
| EVAN WATERMAN | |
| Jacqueline Waterman | |
| Gary Waterman | |
| Sam | |

BOLINAS

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[illegible]

Opposition to Petition No.(2023-32MPA) to Change Duxbury Reef Classification

From Kate Tehaney <[REDACTED]>

Date Tue 07/29/2025 08:42 PM

To FGC <FGC@fgc.ca.gov>

Dear California Fish and Game Commissioners,

I'm writing to express my deep concern and heartfelt opposition to the proposed (2023-32MPA) petition to reclassification and expansion at Duxbury Reef. MPA.

As a longtime resident of West Marin, an organic gardener, and part-time commercial fisherwoman, I have a strong, living connection to these lands and waters. I live and work on a small organic farm in Paradise Valley, and my husband is a local commercial fisherman who fishes by hook and line—a method as sustainable as it is time-honored. These waters are not just our livelihood—they are our way of life.

This proposal puts more than just fisheries at risk. It threatens the entire culture of West Marin, a place built on small-scale farms, ranches, aquaculture, and local fisheries—where community members work in close relationship with the land and sea. These practices nourish not only our economy, but also our identity and sense of place.

It's vital to distinguish between small, one-person, hook-and-line operations like my husband's and the larger-scale recreational or party boats that can remove significantly more marine life in a single outing. We fish mindfully, respectfully, and locally—supplying our neighbors, not mass markets. To regulate us as if we are doing the same harm as high-impact operations is deeply misguided. In truth, we are part of the solution, not the problem.

Instead of targeting these small-scale, sustainable operations, I urge you to turn your attention to the larger commercial efforts further offshore, as well as party boats operating closer to shore that bring heavier impact with far less accountability. Protecting these waters should involve addressing the most significant sources of extraction and disruption—not penalizing those already living and working in alignment with nature.

Beyond the economic and ecological concerns, we must also consider the human and cultural impact. Indigenous people have fished these waters for generations, forming a sacred connection with the ocean long before any of us arrived. To close off these areas without Indigenous consultation is to continue a long pattern of exclusion and erasure.

Local elders walk these shores with their dogs for peace and health. Children explore these beaches, learning the tides and the names of creatures in tidepools. Families surf, fish, and gather together in places that feel like home. Restricting access will take away something essential—not just for food, but for well-being, learning, and connection.

Rather than shutting down access, we should be focusing on education. We need stronger programs that teach respect, stewardship, and responsible use—especially for visitors who may not yet understand the fragility of this ecosystem. Regulation without education punishes those already acting in good faith and misses an opportunity to create long-term, community-based conservation.

Some years ago, Prince Charles visited our farm in Paradise Valley, because West Marin was seen as a model for sustainable, local food systems. He spoke with my father-in-law about organic soil practices, and with my husband about our fisheries. He was inspired that the food on local plates—vegetables and fish alike—came from right here, grown and harvested by people who care for this land and sea.

That legacy is disappearing. With each new restriction, small producers are pushed out while larger operations grow unchecked. If this continues, we won't have sustainability—and all our food will come from distant places fully disconnected to our local biomes, almost unhealthy and unsustainable approach.

Please, protect what makes West Marin so meaningful. This is not just a region—it's a living example of what sustainable, community-based land and sea stewardship can look like. Work with us the small scale fishing people, not against us. Invest in education over regulation. Preserve access for the people who live here, who care deeply for this place, and who are raising the next generation to honor and protect what is sacred

Sincerely,

Karie Tehaney

From: Ralph Camiccia <[REDACTED]>
Sent: Tuesday, July 29, 2025 9:20 PM
To: FGC
Cc: Mollie Lounibos; Rudi Ferris
Subject: Opposition to Petition # (2023-32MPA)

RALPH CAMICCIA
[REDACTED]
BOLINAS, CA [REDACTED]
[REDACTED]

July 29, 2025

California Fish & Game Commission
PO Box 944208
Sacramento CA 94244

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve SMR by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023.



Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the status of the Duxbury Reef MPA to a State Marine Reserve (SMR). The EAC petition does not present any valid evidence that would suggest that doing so would be beneficial to the protection of the Reef. In fact, the petition minimizes the real threat the reef faces which is overuse by non-fishers. Fin fishing at Duxbury Reef is not the problem the reef faces; It is tide-pooling families out for a nice weekend outing.

Changing the Reef from SMCA to a State Marine Reserve will have a huge impact on all folks that abide by California Fish & Game rules and not just local Bolinas and West Marin residents. The fishing use of the reef is very small which further strengthens the argument for not making the change from SMCA to the very restrictive SMR.

I serve on a County of Marin advisory committee for the Bolinas Lagoon and have become aware of the use and overuse of California's natural resources. I found that public education is a far better tool and solution to the problems of overuse, as Duxbury Reef faces. I think EAC should focus on that more than restriction and closure.

Sincerely,
Ralph Camiccia


Bolinas, CA 

From Ralph Camiccia

From: Juliana Mann <[REDACTED]>
Sent: Tuesday, July 29, 2025 9:55 PM
To: FGC
Subject: Re. Opposition to Petition No. 2023-32MPA

July 29, 2025

Fish and Game Commission
PO Box 944204
Sacramento, CA 94244-2040
Sent via email to fgc@fgc.ca.gov

Re. Opposition to Petition No. (2023-32MPA) to change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee of West Marin (EAC), dated April 6, 2023.

Dear Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

I am a lifelong resident of Bolinas, where as a young girl me and my brother and sisters learned about the appreciation of nature by spending many days at Duxbury Reef fishing.

It was here where I learned to appreciate the amazing natural ecosystem, and feel immersed in it. Each outing was a success whether fish were caught or not, but fishing was what took me there, and kept me coming back. Also, though I never brought much home, it did contribute to our dinner table, where we truly appreciated what the world could provide. I fish a lot less there than I used to, but my love of the reef is strong, and I enjoy seeing local families continue to take their kids and keep the tradition intact.

The thought that EAC believes the reef would be more protected by closing off fishing is shocking to me. My love and deep care for it is bound to the memories and connections made because of that fishing. To imagine that kids would no longer be able to behold nature here in such a way seems a huge mistake. What makes fishing different, is you become a part of the ecosystem, not only an observer.

I understand EAC began their proposed change not because they thought there was too much pressure from fishers. They decided that people seeing fishers assumed that it was then okay to take anything, thus removing invertebrates. Any illegal take of invertebrates is an issue which should absolutely be

addressed, but through better signage, more of a Fish and Game Warden presence, and enforcement of EXISTING laws, not closing off fishing.

I urge the Commission to keep Duxbury Reef in its current status as a SMCA.

Thank you for the opportunity to comment on this issue.

Sincerely,

Juliana Mann
Bollinas, CA

From: Ralph Camiccia <[REDACTED]>
Sent: Tuesday, July 29, 2025 10:35 PM
To: FGC
Subject: Fw: Opposition to Petition # (2023-32MPA)

TERRY CAMICCIA
[REDACTED]
BOLINAS, CA [REDACTED]
[REDACTED]

July 29, 2025

California Fish & Game Commission
PO Box 944208
Sacramento CA 94244

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve SMR by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023.

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Changing the Reef from SMCA to a State Marine Reserve will have a huge impact on all folks that abide by California Fish & Game rules and not just a few local Bolinas and West Marin residents. The fishing use of the reef is very small which further strengthens the argument for not making the change from SMCA to

the very restrictive SMR. In a Point Reyes Light article 10/23/2024 an EAC representative makes a weak and condescending statement by saying

“It’s difficult for visitors to understand why somebody can fish with a hook and line or poke pole but their 5-year-old kid can’t be scooping up nudibranchs out of the tidepool or overturning rocks.” In this case it comes down to Education and not restriction, even if fishing was not allowed on the reef the kid would still overturn rocks and scoop up nudibranchs.

My Italian heritage has had a strong influence on me that was fostered as a young girl who fished by the side of her Italian grandfather in this same water. That grandfather once had a notable bar and bait shop in Bolinas that catered to many Marin residents and sport fishers. It is too dangerous to whimsically outlaw fishing on Duxbury Reef.

Sincerely,

Terry Camiccia

[REDACTED]

Bolinas, CA [REDACTED]

July 29, 2025

California Fish and Game Commission
P.O. Box 944209 Sacramento,
CA 94244-2090

Sent via Email: fgc@fgc.ca.gov

RE: Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community and visitors to the area. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

I was born and raised in Bolinas and many of my earliest memories include tidepooling at Agate Beach. As a student at the Bolinas-Stinson School, we frequently visited the tidepools and even became docents in the sixth grade when we accompanied preschoolers and kindergarteners at the tidepools. I learned to love and respect the natural environment through those experiences and went on to earn a Masters in Urban and Regional Planning to try to make a positive impact while balancing the often competing interests of humans and our environment. I spent 10 years preparing environmental impact reports for a variety of projects and understand the importance of evidence-based approaches when evaluating impacts on our environment. After reviewing the petition and supporting documents, I was shocked at the lack of scientific evidence that would support such a drastic change in regulations.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Department of Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Heather M. Ivey, M.U.R.P

From: Rudi Ferris <[REDACTED]>
Sent: Wednesday, July 30, 2025 8:41 PM
To: FGC
Subject: Duxbury Proposed Fin-Fishing Closure

July 29, 2025

Dear Fish and Game Commissioners,

As a 60 year resident of Bolinas, and one who has had much experience shore fishing Duxbury, I was surprised and alarmed that the Environmental Action Committee has proposed a ban on fin fishing there.

Presently, the classification of *State Marine Conservation Area* is without question an adequate environmental designation given the relatively small numbers of anglers, the large and difficult physical environment, and the very small take of fish.

For generations, the Bolinas Community has relied on this non-damaging use to teach our children (including myself, many years ago) about marine ecosystems and the highest standards of ethical fishing practice. Kids love to fish, yet learning to quietly be there becomes an opportunity to see a falcon chasing a shorebird, or a flight of Brandt settled in the eel grass.

This non-destructive activity has been a grace to our community for more than 100 years. A fish caught and brought home to family and friends, to celebrate and eat, may be simple or common, but it is of the highest human social value. Are we to lose this because that nondamaging activity hasn't been managed diligently and properly?

The EAC proposal is an unnecessary overreach and intensively disrespectful and damaging to our community's natural heritage and the tenants of environmental conservation. Does EAC want all citizens to purchase their fish from Safeway, of which their indeterminate origin is unknown?

Kids who learn to fish ethically and properly become strong environmentalists. Multiple generations of Bolinas kids are a perfect example of this.

Simple improvements with signage and Fish and Game presence to insure that invertebrates are not taken, and that anglers possess valid fishing licenses and legal bag limits would alleviate all of the perceived difficulties that EAC is making a mountain of a molehill about. The present classification of SMCA is protection enough if a few simple actions are instituted.

Sincerely, Rudi Ferris, Bolinas California

From: [REDACTED] on behalf of Bolinas Rod & Boat
<rodandboatclub@gmail.com>
Sent: Wednesday, July 30, 2025 11:08 PM
To: FGC
Subject: Letter of opposition to changes to Duxbury Reef SMCA
Attachments: Opposition to changes to Duxbury Reef SMCA.pdf

Please see letter below.
Thank You.

[Bolinas Rod & Boat Club PO Box 248, Bolinas, CA 94924](#)



PO Box 248, Bolinas, CA 94924

July 30, 2025

California Fish and Game Commission

Sent via Email fgc@fgc.ca.gov

Re: Petition No. 2023-32MPA (Duxbury Reef SMCA)

Dear Fish & Game Commissioners,

We write to you in strong opposition to the Environmental Action Committee (EAC) petition to change the boundaries and status of the Duxbury State Marine Conservation Area (SMCA) to an expanded State Marine Reserve (SMR), an action that seeks to ban all shore-based hook and line fishing.

The town of Bolinas and the Bolinas Rod and Boat Club (BRBC) have 120 years of tradition and history of non-destructive shore-based fin-fishing at Duxbury, Agate Beach, and up the coast to Double Point. Few know this environment better than this town and specifically the Bolinas Rod and Boat Club.

To be clear, Bolinas and the BRBC are strong advocates of the philosophy and necessity of Marine Protected Areas and certainly the present Duxbury SMCA. Indeed, we have within our organization several Duxbury docents who are committed to education and the prevention of destructive practices. Our Club well remembers that before the installation of the SMCA, the area was being dangerously over-harvested of various invertebrates, the most dramatic being Sea Mussels, but also Rock Piddocks, Urchins, Limpets, Turban Snails, Starfish, and others. We are well aware of the need to protect these easily harvested and vulnerable species, and we advocate effective measures to do so.

However, when Duxbury and Agate Beach were protected under the present SMCA from the collection of invertebrates, it was determined that shore-based fin-fishing could and should continue, given the long traditions of nondestructive use. That allowance was intelligent and inspired management, and we thank Fish and Game.

Because angling pressure is minimal, the habitat and environment so large and physically difficult, and the take proportionately miniscule, we believe that shore-based fin-fishing should continue to be allowed for legal license-holders in obedience of tackle and bag limit restrictions. Note: this absolutely applies to any illicit take of on-site invertebrates for bait.

From past generations to the present ones, we have taught our children the appreciation of natural systems and ethical fishing there. Nor is there any data that such angling is destructive or unsustainable — an admission made several times to us by a representative of the EAC.

Yet disturbingly, though the EAC petition was instituted in April 2023, that organization didn't simply ask or include those most intimately familiar with the situation. This issue wasn't brought before the BRBC executive board until February of this year.

Equally worrisome, the short petition didn't simply and directly state that *ALL* shore-based hook & line fishing would be prohibited under the EAC proposal. We find this less than transparent or respectful; to both the 70-year-old Bolinas Rod and Boat Club and the history and traditions of the town of Bolinas. Why weren't those most experienced, whose parents, grandparents, and great grandparents fished there consulted about this issue?

~~~~~

We have been told that the object of banning shore-based fishing is to "simplify" the management there. But we do not want our non-destructive, multi-generational appreciation of our natural heritage "simplified" out of existence. And particularly when there are other actions and remedies that address invertebrate protection more directly, effectively, and honestly.

Given the complexity and emotional nature of the issue—and the necessary considerations of fair disclosure—the Bolinas Rod and Boat Club believes that all of this has proceeded far too rapidly if not unnecessarily.

Sincerely,



Jeffery McPhail, President Bolinas Rod and Boat Club

**Please see the following specific actions that could immediately be taken to make Duxbury's present SMCA more effective.**

- Clarify and improve signage.
- Request increased CDFG presence to check for illicit invertebrate take and valid fishing licenses, legal tackle and bag limits.
- Discourage visitors taking buckets—for anglers or anyone else. Having a bucket implies that one can put something in it. Fishers traditionally used a wet burlap sack to carry fish and the experienced still do.
- Increase the number of docents, including more recruits from the BRBC.

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**Opposition to Petition No.(2023-32MPA) to Change Duxbury Reef Classification**

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**From** Save Duxbury Access <saveduxburyaccess@gmail.com>

**Date** Thu 07/31/2025 01:58 PM

**To** FGC <FGC@fgc.ca.gov>

Dear California Fish and Game Commissioners,

We are requesting that the Fish and Game Commission reexamine the public support provided by the EAC for their petition (2023-32MPA) to change the Duxbury Reef Marine Protected Area from SMCA to a State Marine Reserve (SMR). We believe much of this support was procured through misleading information with significant information gaps. This is evidenced through the hundreds of community conversations we have had since first discovering this petition just weeks ago. Many Bolinas signatories of the EAC one-sheet petition (see attached original) were outraged to discover that their signatures, collected more than two years prior, were being used to demonstrate “broad public support” for closing historic low impact fishing access in our town. There was no specific mention of this in the one-sheet petition. Instead, the one-sheet seemed to solicit a general need for broad regulations that are largely already in place. If a community member was not well versed in current fishing regulations enough to look more closely, this one-sheet would have easily secured the support of our nature-loving townspeople. To the many who have decided to withdraw their signature from the EAC one-sheet petition entirely (see attached), this felt deceptive. One community member even reported specifically asking the petitioner if this change would affect fishing access, and they were told “no”.

Missing from the EAC one-sheet petition as well, is any mention of the cultural and economic impacts to our community, the greater West Marin community, and to our many visitors. The elimination of finfishing and the ability to harvest abalone on the entire span of our 8-10 miles of rocky reef intertidal

habitat would be a major change that should have been highlighted and discussed in earnest. There was also no presentation of an evidence-based throughline on how the elimination of this access to take would serve any ecological benefit to the Duxbury ecosystem. This limited scope of understanding is apparent as well in many of the letters of endorsements included in the EAC's full petition. These letters include broad strokes of the importance of the Duxbury Reef ecosystem but lack meaningful discussion of the actual merits of the EAC petition itself.

Additionally, public confusion was further amplified by an EAC lead docent who circulated an information pamphlet to the community in downtown Bolinas last weekend. This handout was unfortunately filled with more misleading details as well as flagrant inaccuracies. (Please see attached, both the original and the notated copy of this circulation.) In conclusion, we appreciate you taking time to consider our perspective as you reexamine the EAC's supporting documents. Please feel free to reach out to us at any time for more information or further conversation. We welcome dialogue!

Sincerely,

Save Duxbury Access

*"Save Duxbury Access" is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition in Bolinas of responsible stewardship.*

# **EAC Docent Kent Khitikian's Information Pamphlet re. MPA Petition (2023-32)**

***circulated in Bolinas 7/26/25***

**w/ Response in red by "Save Duxbury Access" \***

## **Current Regulations**

1. The intertidal area from the point where the reef meets the southern end of the Bolinas peninsula the Hondo Arroyo outfall bounded by the mean high tide line to a distance of 1,000 feet seaward of mean lower low water, is currently designated under CA law as a Marine Protected Area ("MPA"). Currently it's status is that of a "Marine Conservation Area" which currently:

- permits "the recreational take of finfish from shore and abalone"
- prohibits fishing from a boat within 1,000 feet seaward of mean lower low water. 14 CCR sec. 632(b)(50).
- prohibits the injuring, damaging, taking or possessing of any living, geological or cultural marine resource except "the recreational take of finfish from shore and abalone". (There is an additional limited exception for scientific collecting pursuant to permit and for authorized research).

2. The area in Point Reyes National Seashore from the Hondo Arroyo outfall north well beyond Double Point is in the Burton Wilderness Area. Under the Federal Wilderness Act and the regulations promulgated thereunder "boating or the use of any [motorized] vessel is prohibited ... within a quarter mile [1,320 feet] from ... Sculpture Beach to Duxbury Reef."

## **What the petition would do if EAC's petition is approved:**

1. Add that part of the reef from the outfall of Hondo Arroyo to Double Point to the current marine protected area ("MPA").<sup>1</sup>
2. Add that part of the reef from the southernmost point of Duxbury Reef to the southern end of the Bolinas peninsula to the current marine protected area ("MPA").
3. Prohibit the taking of anything from the intertidal area from the southernmost point of Duxbury Reef to Double Point, including finfish and abalone.

**This leaves out the fact that this entire area would also be made into a State Marine Reserve which is more restrictive than the current status of a State Marine Conservation Area.**

## **What the petition would NOT do if BAC's petition is approved:**

- EAC's petition does not request any limitation to access to any part of Duxbury Reef for any "nonconsumptive activity", such as tidepooling, swimming, surfing, kayaking, diving, hiking, or walking. No such limitation is proposed in EAC's petition and none exists under the California Marine Protection Act. Also see F&G sec. 632 (a)(4). **It should be noted that on page 2 of Attachment 2 of the petition the Marin MPA Watch states "On-shore Consumptive uses include hand collection and fishing from shore with hook and line which is allowed in the SMCA. However, much more frequent at Duxbury Reef are hand collection activities, which are a violation of the regulations." Based on this information, it seems better education and enforcement of existing regulations would be more effective than prohibiting fishing from shore, if in fact the goal is to reduce take of species.**

- EAC's petition does not change the rules for fishing from boats anywhere in the existing

MPA. This is misleading, leaving out the fact that the proposed expansion will prohibit all fishing and more than doubles the size both north and south. The reader is unversed on the subject. This statement makes the reader feel like the petition will have no effect on fishing from boats. Of course it does not change the rules in the EXISTING MPA for boats but eliminates the fishing from shore and abalone. The expanded areas to the north and south eliminate all shoreline rocky reef fishing accessible to the community and eliminate all fishing from boats which impacts both the commercial and recreational fleets out of Bolinas. It is important for people to understand the different levels of protection within an MPA. Currently Duxbury Reef is a State Marine Conservation Area that allows the take of finfish from shore and abalone. The petition looks to convert this existing area to a State Marine Reserve and more than double its size north which is much more restrictive and allows no take of any kind.

- EAC's petition does not call for any restriction on fishing from motorized boats anywhere from Arroyo Hondo to Double Point that does not currently exist under Federal Law. This is simply not true. The statement does not directly call for restriction on motorized boats. However, by proposing the expansion of the MPA the EAC is calling for restrictions on fishing in the expanded areas because of restrictions that come with the proposed Reserve status.

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1 Historically there has been abalone fishing on the reef (including up to Double Point). The red abalone fishery on a large part of the CA coast (including all of Marin County) is closed due to overfishing False: The Red Abalone fishery is closed due to the population decline caused primarily by environmental stressors, such as the lack of kelp which was decimated by sea urchin. I would also note that none of these statements are followed by citations to credible sources. and is not projected to open again for at least another 10 years. Source? In any event, if the red abalone fishery reopens, and if EAC's petition is granted, the taking of red abalone from shore or from a boat within 1000 feet of lower low water would be prohibited. Whether or not EAC's petition is granted, the Wilderness Act prohibits commercial activity in the intertidal as well as any motorized vessels (whether commercial or noncommercial) within 1/4 mile of shore. Note: Other species of abalone once abundant on the coast are now virtually gone due to overfishing (e.g. black abalone which were estimated to number 2-3,000,000 in the early 1970's and are now listed as endangered under the Endangered Species Act). The large populations of Black abalone were primarily south of the Golden Gate and were only limited in numbers north where Duxbury Reef sits. Furthermore, any take of black abalone has been forbidden for many years and this is not relevant.

Please also research and carefully consider this matter before you take action. For example, how often does anyone fish from the reef that projects into the ocean off the south end of the Bolinas peninsula or from the area between Hondo Arroyo and Double Point? Why is nearly all of the fishing from shore on the reef done by nonlocals who largely never return? Why does the lack of fishing or the use by non locals have any relevance? This would actually support allowing fishing since there is so little impact. Everyone should have the right to access the coast regardless of where they live. How many thousands of primary, secondary and college student groups, NGO-led groups, etc., now visit the reef for education and what species are now gone or far less abundant for their study because of the difficulty of compliance with no-take of some species in an area where there is a mix of some permitted take of some species and no-take of other species? Source? Why does the use by school groups have any relevance? This is permitted and would be with the proposed change unless there is a bigger plan? Is there reason to believe based on the experiences over the past

5-10 years that blanket opposition to EAC's request for the designation of the entire reef as a marine reserve will result in the loss of substantial intertidal (primarily invertebrate) biomass. The next time a review of Duxbury is likely to happen in the course of the Fish & Game Commission's MPA decadal review will be at least 10 years from now; if we go on as we have been, what will be sacrificed in order to allow continued fishing from the reef for the enjoyment of some very small number of persons? *It should be noted that as a whole the MPAs in CA are working and have been recognized internationally for their successes* (<https://opc.ca.gov/2025/06/for-immediate-release-californias-marine-protected-area-network-recognized-as-international-gold-standard-for-marine-conservation/>). Instead of focusing on increasing regulation, shouldn't we be looking at ways to improve understanding and compliance with existing regulations?

This has been written by Kent Khtikian. I am not representing EAC. This has not been reviewed by EAC nor by any other person. I have not been asked by any organization or by any person to write this. Any error in this document is solely my own. I have hurriedly written this in a few hours the morning of July 26 after it came to my attention this morning that letters in opposition to EAC's petition are being solicited today starting at 1:00 p.m. in front of the library. It is at best only marginally adequate in addressing this issue. There is much more that I would like to call you your attention but am not able to in this short time I have had to write this that is material to this issue. Please research this matter before you take action which might result in action being taken which can not be corrected for another 10 years. Please CALL me [REDACTED] if you have any questions, would like to discuss any aspect of this (e.g. the impact on abalone fishing, the balance of equities or any point that you would like to discuss), or if you want to simply rant at me.<sup>2 3</sup>

- Kent Khtikian  
Saturday, July 26, 2025 at 2:07 p.m.

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<sup>2</sup> I have met with local fishermen and am attempting to set up a meeting with them in the next few weeks.

<sup>3</sup> Although they are not relevant to the merits of this matter, I have heard rumors that an opponent of EAC's petition has been making ad hominem arguments against the petition based on an interaction between myself and that person that I believe is being materially misrepresented. I am willing to address those false assertions. However, what is material here is the question of the merits or lack of merit of EAC's petition, not allegations of my relationship to anyone and personality issues.

*\* "Save Duxbury Access" is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship.*


California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090


Dear California Fish and Game Commissioners,

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I do NOT believe that changing the designation of Duxbury Reef State Marine Conservation Area to a "State Marine Reserve" as well as an expansion of its northern and southern borders is necessary to protect the reef. We simply need better signage, public education, and enforcement to uphold the current regulations already in place. Thank you for your consideration.

Sincerely,

  
Meg Simonds

  
Bolinas, CA

  
*(Please include full name, residence, and "wet" signature)*

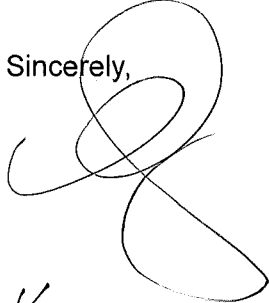
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Sincerely,



K. Scott Kandlor, DC

Katauma, Ct

(Please include full name, residence, and "wet" signature)

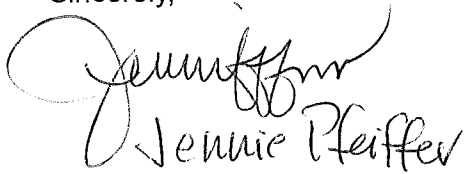
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Sincerely,



Jennie Pfeiffer



Bolinas, CA



*(Please include full name, residence, and "wet" signature)*

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Sincerely,

Kelly Mark Green

Bolinas, CA

Kelly Green

(Please include full name, residence, and "wet" signature)

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P.O. Box 944209  
Sacramento, CA 94244-2090

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Sincerely,

Anna E. Gade      ANNA E. GADE



Dolmar, CA



*(Please include full name, residence, and "wet" signature)*

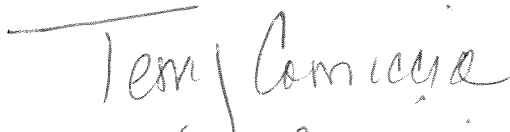

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Sincerely,

  
Terry Comaccia  


Bolinas, Ca.  


*(Please include full name, residence, and "wet" signature)*

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

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Sincerely,

*Ralph Camiccia*

Ralph Camiccia



Bolinas, Ct



(Please include full name, residence, and "wet" signature)

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Sincerely,

TODD DOLAN SMITH

Todd D. ~~Smith~~

BOLINAS CALIF

(Please include full name, residence, and "wet" signature)

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Sincerely,

Joy Conway  
Joy Conway

Bolinas CA

(Please include full name, residence, and "wet" signature)

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Sacramento, CA 94244-2090

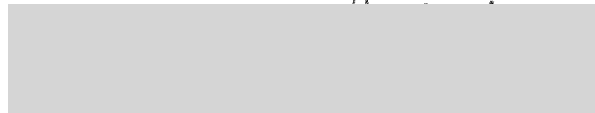
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David J. Moritz



Bolinas

David J. Moritz

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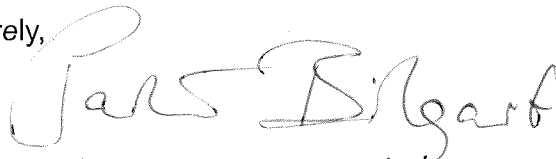
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Sincerely,



PAULETTE BILGART

BOLINAS, CA

*(Please include full name, residence, and "wet" signature)*



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Sincerely,

Pam Faboy  
  
  
Eolima, CA

*(Please include full name, residence, and "wet" signature)*

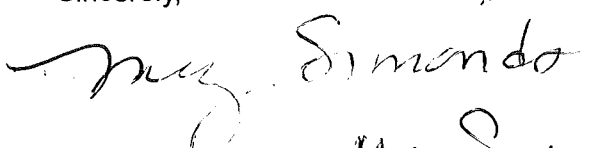
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Sincerely,

  
Meg Simonds

  
Bolinas, CA 

(Please include full name, residence, and "wet" signature)

---

**Opposition to Petition No. (2023-32MPA)**

---

From Chris Martinelli <[REDACTED]>

Date Thu 07/31/2025 03:38 PM

To FGC <[FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov)>

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because this change would have a significant impact on our community. If approved, this change would affect economic, recreational, and equitable access. It would also eliminate all rocky intertidal fishing access to our community and limit commercial and recreational fishing access by boat in the expanded areas. The justification for this closure has no merit and doesn't use any evidence-based rationale to justify this drastic change. The petitions' primary justification references activities that are already protected by the existing SMCA and complete closure would help with confusion about the existing regulations. I believe that the "violations" that have been cited throughout the petition should be looked at closely for validity and relevance to justify this change of protection and further expansion. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable fishing in this community.

Some of my most memorable experiences are poke pole fishing and learning to dive for abalone right in this area. These experiences at a young age shaped me into who I am today, understanding the value of these resources and developing a desire to keep it healthy so that future generations can enjoy this area as I did. It is vital that our youth develop a connection to the environment so that they recognize the importance of keeping it thriving.

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Chris Martinelli

Bolinas, CA

**From:** Mollie Lounibos <[REDACTED]>

**Sent:** Thursday, July 31, 2025 04:58 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef Classification

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The "violations" that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

As a teacher for over twenty five years I can sympathize with the challenges that many of the Agate Beach docents have shared in conversations as well as in their letters which were included in the EAC full petition. Teaching is not easy. Teaching takes time, energy, creativity and LOTS of repetition. Visitors to Agate beach are going to make mistakes as they engage with the environment down on the beach. Some of these visitors are brand new to tidepools and some may be regular visitors, or even live nearby. Agate Beach is a spectacular place to visit and I truly believe that every opportunity that a person has to enjoy the tidepools there, is a win for the future of our planet. After all, people will never fight to protect something that they do not know about or love. Each visit to Agate is a seed planted.

Based on my review of the examples of "potential violations" provided by the MPA Watch, it seems that the majority of the violations concentrate at the Agate Beach tidepools and have nothing to do with finfishing or abalone take. I'm confused why the EAC is petitioning to close these low impact activities done by knowledgeable anglers who statistically tend to know and follow the rules (according to the EAC cited study on "consumptive" vs "non-consumptive" users.) Why would we punish these fishermen, fisherwomen, and fisherchildren? I also see that there appears to be very little data provided for the area north and south of Agate Beach that is within the area for the

proposed expansion, which mind you, would nearly **triple** the current MPA area. Where is the evidence to support this need?

The EAC cites “confusion of regulations” as the main driver for reclassification, but I just do not understand this correlation. Does the EAC really think that if a visitor sees someone fishing they will think it's ok to let their dog off the leash? Or, if a child sees a fisherman they will think that means that they can put a specimen in a ziploc bag? The fact of the matter is that people do these things on the beach regardless if there happens to be a fisherman on the beach within view. That's just a reality. So for me, as a teacher, I just see the whole issue comes down to education and enforcement, and education takes time and LOTS of repetition.

I also noticed that a majority of the reported incidents were actually resolved after the docent informed the visitor of the rules. For example, when a dog was off the leash, the dog was put back on the leash when a docent informed the visitor of the Marin County Park rules. When a child was seen to be carrying specimens away in a ziploc bag, the child put those items back when informed of the rules. This is a win, and it actually shows a system that's working. I applaud the docents who volunteer their time (and patience!) to make this work, and from what I hear there are many more community members who would like to get involved as well. I think we can all agree that when communities work together towards a common goal we can do our best work. Collaboration is key!

Now, some of the reported incidents were troubling to me, such as “moved a rock”, and “trampled the reef” so I would like to know more about what's happening here. How big was the rock? And please define “trampling”. Perhaps we could use a more refined framework around what behavior is actually currently allowed and what is not. I see that on the Marin County Parks website that dogs must remain on leash but I do not see any mention that walking on the tidepools is not allowed nor do I see that a visitor cannot touch or move rocks. <https://parks.marincounty.gov/parkspreserves/parks/agate-beach-park?tabnum=3>

Am I missing something here? On the externally linked EAC of West Marin website, they have posted a different set of rules, such as “1. Observe with your eyes, not with your hands”, and “2. Never pick up or move any rocks”. <https://www.eacmarin.org/visiting-the-reef>. Is this consistent with the Fish and Wildlife guidelines for SMCAs? Please advise.

If it's true that visitors cannot touch or walk on the reef then the inordinate numbers provided by the MPA Watch of over 1,200 potential violations makes more sense, and if it's true that these violate the current SMCA, then moving to a SMR would probably mean more of a complete closure to the entire span of the 8-10 miles of intertidal habitat

on Duxbury Reef??? Why else would there be a need for reclassification? Again, I don't think fishermen are the problem. Does the EAC think that the visitors to the tide pool are the actual problem?

Regardless, I think this is where the discussion should start, examining the discrepancies of interpretation and messaging between agencies - Marin County Parks and the EAC. Honestly, I have found this to be the most confusing aspect of the regulations. The Fish and Wildlife regulations are extremely clear, but the interpretations of what is **not** allowable are not. Again as a teacher, I know what confusion of rules can mean inside a classroom, and clarity around the rules within the Agate Beach "classroom" are just as important to ensure the safety of the Reef, the visitors, and the docents volunteering their time and energy.

In closing, rule-abiding fishermen should not be punished for the confusion between agencies interpretations of existing protections. We just need guidance to clarify the messaging. This is an easy problem to solve with many willing stakeholders who would love to be at the table. I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective and reading through this long message!

Respectfully,

Mollie Lounibos

Resident of Bolinas California

**JACK SIEDMAN**

ATTORNEY AT LAW

P.O. Box 37

BOLINAS, CALIFORNIA 94924

TELEPHONE: (415) 868-0997

E-MAIL: [jsiedman@yahoo.com](mailto:jsiedman@yahoo.com)

**BY EMAIL** [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

July 31, 2025

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

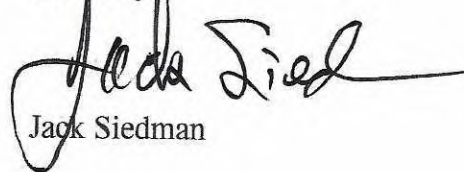
Re: Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 8, 2023

Dear President Sklar and Commissioners:

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The "violations" that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fishing.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Sincerely,



Jack Siedman

JS/ms

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)  
July 31, 2025

**RE: OPPOSITION TO PETITION NO. (2023-32MPA) TO CHANGE DUXBURY REEF FROM A STATE MARINE CONSERVATION AREA (SMCA) TO A STATE MARINE RESERVE (SMR) BY ASHLEY EAGLE-GIBBS OF ENVIRONMENTAL ACTION COMMITTEE (EAC) OF WEST MARIN DATED APRIL 6, 2023**

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area (MPA) from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

Upon review, the petition filed by the Environmental Action Committee of West Marin (EAC) contains substantial flaws that preclude serious consideration of the proposed change in designation and expansion of the MPA. These include (1) flawed scientific evidence provided to support the petition, (2) ill-conceived rationale, (3) a mischaracterization of the economic and recreational impacts, (4) evidence suggesting improper public noticing and stakeholder and community engagement.

The evidence provided in the EAC petition is mischaracterized as science to provide support for the expansion and change in designation of the Duxbury Reef MPA. The petition cites the “MPA Watch” data as evidence that the Reef’s ecosystem is under substantial threat due to current uses. The MPA Watch data were collected in a specific one-mile transect which represents a fraction of the proposed expansion. This transect (on Agate Beach) is also arguably the most heavily used portion of Duxbury Reef and both the collection methods and analysis lack the sufficient scientific rigor or objectivity to support the petition’s claims. Furthermore, there is virtually no scientific evidence presented to define or quantify pressures or harms under the status quo in other portions of Duxbury Reef. As a result, the petition contains no compelling evidence to support expansion and redesignation of the MPA in these areas.

The petition cites “potential violations” caused by ambiguous signage and enforcement (presumably at Agate Beach) as the key rationale for redesignation and expansion of the MPA. Again - the petition includes virtually no information in regard to existing impacts over the rest of the proposed MPA. It is unclear how redesignation or expansion of the MPA would provide an effective deterrent to address this issue since it appears the root cause is more likely limited resources to effectively communicate and enforce existing regulations. In my judgement this could be achieved through engaging the California Fish and Game Commission to more effectively implement and enforce existing regulations in combination with community engagement to better educate and inform the public about existing regulations. The latter could enhance local stewardship of Duxbury Reef which would benefit community education and connection with the local environment.

The California Department of Fish and Wildlife petition requires the petitioner to quantify the economic impact of the proposed expansion and change of use. This section of the petition wildly

NICK NEWCOMB  
OPPOSITION TO PETITION NO. (2023-32MPA)  
JULY 31, 2025

mischaracterizes the economic impact of the proposed MPA on the local economy. The petition fails to recognize local, sustainable food is West Marin's "brand", which the local economy is dependent on. A considerable portion of this brand is supported by seafood that is caught by local fishermen from Duxbury Reef and sold in local markets and restaurants, which brings tourism into the community of Bolinas and would be harmed by the proposed redesignation and expansion. To this end, the petition also fails to recognize the small (but critical) local commercial fishery that relies on the Reef. Given constraints on salmon and crab fishing, Duxbury Reef is one of the primary remaining local fisheries to support this sector of the economy. Additionally, the petition fails to recognize the impact this might have on regional charter boats that provide recreational fishing opportunities to residents of the broader Bay Area. The true economic impact needs to be objectively quantified before the petition can be seriously considered by the California Fish and Game Commission.

Finally, I have received anecdotal evidence to suggest EAC's petition did not undergo sufficient and transparent public noticing and public and stakeholder engagement. Almost all the other consumptive and non-consumptive users of the reef I have been in contact with were either (1) unaware of the petition or (2) misinformed about the nature of the proposed changes until very recently. This suggests that public notice was both insufficient and did not appropriately characterize the extent of changes to the management of Duxbury Reef. To that end, opposition to the proposal may not have been appropriately represented up until this time. This is extremely concerning given the breadth and magnitude of the proposed changes and the impact it may have on stakeholders and community members. I encourage the California Fish and Game Commission to invest in due diligence to ensure the petition followed appropriate procedures regarding noticing and public and stakeholder engagement and that the true public sentiment is appropriately characterized. This pertains to both the letter and spirit of the law.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,  
Nick Newcomb

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**From:** mark lucanic <[REDACTED]>  
**Sent:** Monday, August 4, 2025 8:09 AM  
**To:** FGC  
**Subject:** Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023  
Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

I personally use the area in question and have done so for the last ten years. I walk my dog around the cliffs, I take my kids there to swim, and I occasionally fish for perch there. I am out there all the time, and I do not see a regular misuse of the area or frequent violations of the current regulation. I can also tell you that, the proposed changes to the current regulations will be burdensome to me and will negatively impact my use of the area.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Mark Lucanic. Ph.D.

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**From:** Karen Kalumuck <[REDACTED]>  
**Sent:** Monday, August 4, 2025 5:40 PM  
**To:** FGC  
**Subject:** Petition No. 2023-32-MPA  
**Attachments:** EAC support letter final.docx

Attached to this email is a letter of support for Petition No. 2023-32-MPA, Submitted by the Environmental Action Committee of West Marin. It requests changes in the designation and the boundaries of the current Duxberry Reef State Marine Conservation Area.

All pertinent information is in the body of the letter.

Sincerely,

Karen Kalumuck  
Friends of Fitzgerald Marine Reserve

via email (fgc@fgc.ca.gov) & U.S. Mail  
California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

Re: Support for Environmental Action Committee Petition to the  
California Fish and Game Commission for regulation change at  
Duxbury Reef  
Petition No. 2023-32MPA

August 5, 2025

Dear President Zavaleta and Honorable Commissioners,

We are writing to express our support of the petition submitted by the Environmental Action Committee of West Marin ('EAC') for changes to: the designations of Duxbury Reef State Marine Conservation Area to State Marine Reserve; the extension of the of the north and south boundaries of the Duxbury Marine Protected Area; and the designation of these extended boundaries as State Marine Reserves.

We represent the Friends of Fitzgerald Marine Reserve (FFMR), which is part of the California North Central Marine Protected Area, specifically part of the Montara State Marine Reserve (MSR).

Fitzgerald is similar to Duxbury Reef in that it is a shale reef with a large, flat, intertidal topography, which hosts well over 100 different marine species, serves hundreds of school children in organized tours annually (led by FFMR volunteer naturalists) and sees an abundance of visitors year-round.

Prior to its designation as a State Marine Reserve, the touching of creatures populating the reef and a limited take of organisms was permitted. In 2012, with the designation of FMR as a State Marine Reserve within a California Marine Protected Area, the policy of "no take and no touch" of any marine creature was enacted, along with a zero-take policy regarding other biological and geological components of the FMR. Signage explaining these restrictions were placed prominently at both the north and south entrances of the Reserve.

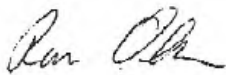
Information obtained from San Mateo County Parks Rangers (San Mateo County manages the Reserve) and long-time volunteer naturalists has captured the changes in visitor behavior over time. Initially, visitors showed a great resistance to the changes, especially with touching the organisms. Park rangers and volunteer naturalists took (and still take) the approach of educating the public on why these changes were important for the long-term health of the ecosystem. Over some years, public visitors have become much more compliant with the no-take, no-touch regulations. Today, most visitors seem to know and abide by the rules, and the few who may be unaware generally respond positively when provided the reasons for the restriction.

An important comparison of FMR to the Duxbury Reef situation exists on the southern tip of FMR. The southern end of FMR, and the Montara State Marine Reserve, abuts the Pillar Point State Marine Conservation Area. The boundary of the two is not distinct, as it bisects a beach and long flat area of shale reef. The State Marine Conservation Area allows limited take of certain species with a Fishing License. Due to the indistinct boundary, many visitors will continue to harvest organisms into the protected area. There is a general lack of enforcement of the rules in the area due to understaffing. Indeed, during the early days of the Covid-19 pandemic, visitors flocked to Pillar Point State Conservation Area and severely overharvested mussels, sea urchins, limpets, snails, crabs, clams and other invertebrates (1). This overharvesting occurred in both the Marine Conservation Area and the State Marine Reserve. Interviews with some foragers indicated that they did not know that there was a regulatory distinction between the areas.

Due to the unsustainable harvesting of organisms at Pillar Point, in February 2022 the Pillar Point Tidepool Stewards program was initiated (2). The group of stewards created signage at the junction of the Conservation Area and the Marine Reserve, and staffed an information area near the prime collection area of the reef. The education of visitors about the harvesting policies and the improved signage helped significantly decrease the overharvesting and illegal take at the site.

We strongly believe that the status of a no-take intertidal area in the state reserve helps coastal managers and educators to convey no-take practices more successfully, and makes it easier for visitors to understand and comply with. The requested change of designation and the boundaries of the Duxbury Reef area to a more protected status will, with time and education of visitors, clarify the currently confusing status of the area and preserve the unique natural resources and ecosystem of Duxbury Reef for generations to come.

Sincerely,



Ron Olson  
*President, Friends of Fitzgerald Marine Reserve*



Karen Kalumuck  
*Vice President, Friends of Fitzgerald Marine Reserve*

[1] Marshall-Chalmers, Anne. Packed at Pillar Point; How crowds are harvesting mussels and other invertebrates. Could this damage the much beloved reef? *Bay Nature*, January 12, 2021. <https://baynature.org/2021/01/12/packed-at-pillar-point/>

[2] Downe, Natalie. Lessons Learned from Pillar Point Tidepool Stewards. *San Mateo MPA Collaborative* website. October, 2022. <https://www.mpacollaborative.org/project/lessons-learned-from-pillar-point-tidepool-stewards/>

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**From:** Melinda Griffith <[REDACTED]>  
**Sent:** Sunday, August 10, 2025 4:50 PM  
**To:** FGC  
**Subject:** Opposition to Petition No. 2023-32MPA to Change Duxbury Reef from a State Marine Conservation Area to a State Marine Reserve

August 10, 2025

TO: California Fish and Game Commission

Dear President Sklar and Commissioners:

I am writing to urge the Commission to deny the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area to the highly restrictive State Marine Reserve. There has been no evidence-based rationale presented as part of the petition that justifies the Commission to approve this drastic change.

The rules applying to a State Marine Conservation Area are clear and simple, namely it is unlawful to take anything from the reef except finfish and abalone (which is currently closed). Improved signage, greater public education, and heightened enforcement are far more effective solutions to address unpermitted removals from the Reef than the proposed reclassification which eliminates fishing. EAC's petition does not provide ANY evidence that finfishing does any harm to the reef that would necessitate such a dramatic change.

Importantly, the petition does not address the harmful impact that the reclassification would have on the Bolinas community by ending the very long tradition of non-destructive hook and line fishing at Duxbury Reef. We are a small, rural community, with several local commercial fishermen dependent on access to fishing in the Duxbury Reef area for their economic survival. Our restaurant in town, the Coast Cafe, is one of the few Marin County food establishments serving fresh, unfrozen fish. We explore Duxbury Reef's tidepools with Bolinas school children and teach them the joys of fishing in 'halibut hole' just offshore from the reef at Duxbury Point. These non-harmful activities can all be banned with the reclassification to a State Marine Reserve.

I have lived in Bolinas since 1995, in a house overlooking Duxbury Reef and treasure its unique beauty. I join other members of the Bolinas community wanting to keep Duxbury Reef safe and thriving for generations to come. Preserving Duxbury Reef can be accomplished under the current regulations through improved signage, enforcement, and education, and not by eliminating healthy recreational activities. Please protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. I urge the Commission to deny this petition.

I appreciate your service and thank you for your consideration.

Kind regards,

Melinda Griffith

 Bolinas

August 10, 2025

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

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My name is Genevieve Trembaly and I have lived in Bolinas all my life. As a lifelong resident and community member I have learned so much from living on Duxbury reef. I grew up going tidepooling, watching my community members going out to sea bringing back dinner for friends and family. I still enjoy searching the reef for our ocean's treasures alongside friends, family and even strangers. I was taught to take nothing home and leave nothing but footprints and I remember to inform newcomers of the same rule.

While I am not a fisherman myself, I understand the importance of having fishing live on in our community. Local fishermen make their living from fishing our reef. It boosts the local economy and allows community members to stay in Bolinas. In a town with little options for its youth to begin with, fishing offers a way to stay in town and still make a living. Without the option of fishing many people in our community wouldn't be able to stay. It is unfair and even a bit selfish to ban fishing off the reef especially when there is no evidence that fishing is harmful. I grew up watching the elders of Bolinas fish and have watched my friends be passed the torch becoming the new generation to carry on local fishing. I even get the privilege to witness the children in this town the true next generation learn to love fishing and the ocean. Without access to Duxbury reef a whole legacy of Bolinas will be wiped out. Our little beach town relies on the ability to fish, our community members rely on the ability to fish, taking that away would do irreversible damage to our town's ecosystem.

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible,

low-impact recreational and commercial fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Genevieve Tremblay

B.A. Psychology, California State University, Monterey Bay

August 10, 2025

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

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My name is Janice Tremblay. I have been a resident of Bolinas for over 50 years and worked as a preschool teacher in town for 35 of those years. I have watched generations of local children and families as well as out of town visitors enjoy the Duxbury reef, discovering new things while tidepooling (tidepool treasures) and many just enjoying the paradise we locals get to call home. Children and adults alike have learned and continue to learn so much from our reef. I have also watched as the families of fishermen carry on their legacies by passing the love of our ocean onto their children. These families rely on fishing and so does our local economy. It is unfair to punish our local fisherman by stopping fishing altogether on our reef with little to no evidence that there is any harm being done. These are people's livelihoods we are talking about. It is one of the only ways our locals can earn a living and still create a life here. The fishing community we have is what keeps our children in Bolinas, it is what will keep future generations in Bolinas. A suggestion might be to stop fishing within 200 feet of the reef rather than 1,000. This would allow the halibut holes themselves to be protected while not stopping fishing altogether. Or adding a fine for those who take treasures from the reef. I believe this petition is going too far, I understand protecting the reef but at what cost?

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Janice Tremblay

Retired Preschool Teacher and Bolinas resident

**From:** Melinda Griffith <[REDACTED]>

**Sent:** Sunday, August 10, 2025 4:50 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to Petition No. 2023-32MPA to Change Duxbury Reef from a State Marine Conservation Area to a State Marine Reserve

August 10, 2025

TO: California Fish and Game Commission

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The rules applying to a State Marine Conservation Area are clear and simple, namely it is unlawful to take anything from the reef except finfish and abalone (which is currently closed). Improved signage, greater public education, and heightened enforcement are far more effective solutions to address unpermitted removals from the Reef than the proposed reclassification which eliminates fishing. EAC's petition does not provide ANY evidence that finfishing does any harm to the reef that would necessitate such a dramatic change.

Importantly, the petition does not address the harmful impact that the reclassification would have on the Bolinas community by ending the very long tradition of non-destructive hook and line fishing at Duxbury Reef. We are a small, rural community, with several local commercial fishermen dependent on access to fishing in the Duxbury Reef area for their economic survival. Our restaurant in town, the Coast Cafe, is one of the few Marin County food establishments serving fresh, unfrozen fish. We explore Duxbury Reef's tidepools with Bolinas school children and teach them the joys of fishing in 'halibut hole' just offshore from the reef at Duxbury Point. These non-harmful activities can all be banned with the reclassification to a State Marine Reserve.

I have lived in Bolinas since 1995, in a house overlooking Duxbury Reef and treasure its unique beauty. I join other members of the Bolinas community wanting to keep Duxbury Reef safe and thriving for generations to come. Preserving Duxbury Reef can be accomplished under the current regulations through improved signage, enforcement, and education, and not by eliminating healthy recreational activities. Please protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. I urge the Commission to deny this petition.

I appreciate your service and thank you for your consideration.

Kind regards,

Melinda Griffith



8/11/2025

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of the Environmental Action Committee (EAC) of West Marin, dated April 6, 2023

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” cited throughout the petition may require additional education and enforcement, but do not warrant increased regulations that would negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fishing.

I remember going to Duxbury Reef on a field trip while at Coleman school in the early 1960s, and taking Al Molino’s COM class in 1972, where we hiked up and down that part of the coast to learn the importance of that area. I have surfed near there since 1966, and only use the area with the utmost respect.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Otis Guy

[REDACTED]

Fairfax, CA [REDACTED]

[REDACTED]

**From:** Baird Conner <[REDACTED]>

**Sent:** Monday, August 11, 2025 1:21 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Oppose Petition 2023-32MPA

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our back yard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

I fish regularly at Agate Beach and I know that the take of fin-fish with hook and line fishing is miniscule.

Respectfully,



***Baird Conner** President*

**WHEELER-SONOMA Printers**

836 Sonoma Boulevard  
Vallejo, CA 94590

[REDACTED]  
wheeler-sonoma.com

**From:** jonna alexander green <[REDACTED]>

**Sent:** Monday, August 11, 2025 12:36 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

*August 11th, 2025*

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our backyard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

I am a local resident and fisher. Fishing is a great hobby for how it allows me to relax, catch food and nurture my relationship with the natural world. As I do not have my own boat,

shoreline fishing locations are critical to me and my community. It is important to acknowledge this restriction (if approved) would negatively affect people of a middle and lower income levels and ocean fishing should be available to everyone.

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal activities, by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing outside the reef in alignment with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

**jonna alexander green**

architectural designer

A solid grey rectangular box used to redact a signature.

website: [jonnaalexandergreen.com](http://jonnaalexandergreen.com)

**From:** estella mora <[REDACTED]>

**Sent:** Monday, August 11, 2025 10:47 AM

**To:** FGC <[FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov)>

**Subject:** Opposition to Proposed Change of Duxbury Reef from SMCA to SMR (Petition by Ashley Eagle Gibbs, Environmental Action Committee of West Marin.)

9/11/25

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re: Opposition to Proposed Change of Duxbury Reef from SMCA to SMR (Petition by Ashley Eagle Gibbs, Environmental Action Committee of West Marin.)

Dear President Skylar and Commissioners,

I am writing to oppose the proposed petition to change the Duxbury Reef Marine Protected Area from SMCA to SMR.

I was born and raised in Bolinas and have spent my entire life fishing along this coastline. My father is a sport fisherman, and my uncle works in commercial fishing. Many of my friends and family members have sustainably and respectfully fished these waters for decades, relying on this way of life to support themselves and their families. They possess deep knowledge of fishing regulations, limits, and best practices, ensuring their methods are both responsible and compliant. Local, hardworking, small-scale fishermen like them play a vital role in preserving the ecological balance of our coastal waters. Without their presence, we risk increased dependence on large-scale commercial fishing operations, which often carry significantly greater environmental consequences.

This proposal is not just about conservation, it is also an issue of equity and access. Changing Duxbury Reef to an SMR restricts access to folks who don't have the privilege of having boats or offshore gear, come from marginalized backgrounds and use the reef/coastline for educational and affordable recreation, and use intertidal zones for cultural, medicinal, or subsistence purposes. If it becomes an SMR, these individuals lose a space they've historically used, possibly without having the resources to go elsewhere. True environmental stewardship means balancing ecological protection with inclusive access.

I urge the Commission to keep the current SMCA status at Duxbury Reef and to rethink ways we can strengthen marine protections without excluding the very communities that have long been stewards of these waters, i.e., proper signage on take regulations, education, enforcement on said take regulations by California Fish and Game employees, etc. Conservation should not come at the cost of equity, access, and cultural connection. Local fishers, families, and shoreline users deserve a seat at the table, not to be shut out of spaces they've helped sustain for generations. Let us protect both our marine ecosystems and the people who depend on and care for them.

Sincerely,

Estella Mora-Lopez

Estella Mora-Lopez

**From:** Molly Brown <[REDACTED]>

**Sent:** Monday, August 11, 2025 8:53 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to Petition No. 2023-32MPA to Change Duxbury Reef from a State Marine Conservation Area to a State Marine Reserve

August 11, 2025

California Fish and Game Commission P.O. Box 944209 Sacramento,  
CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle- Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

I raised my sons in Bolinas who are both now commercial fishermen. They were so lucky to have had local fishermen mentors who helped raise them with many ocean skills and adventures. Currently, after graduating from UCSC and CalPoly, they commercial fish locally in all of the many important halibut fishing holes that potentially could be off limits if this petition is passed.

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Mary Garrett Brown

 Bolinas, CA 94924

--

Molly Brown



**From:** Otis Guy <[REDACTED]>

**Sent:** Monday, August 11, 2025 10:47 AM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Letter in opposition to EAC petition

Hello California Fish and Game, here is my letter against the EAC petition. Please consider my letter and so many others who have lived in this area all their lives and want this area to be enjoyed and preserved for generations to come, Otis

8/11/2025

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of the Environmental Action Committee (EAC) of West Marin, dated April 6, 2023

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” cited throughout the petition may require additional education and enforcement, but do not warrant increased regulations that would negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fishing.

I remember going to Duxbury Reef on a field trip while at Coleman school in the early 1960s, and taking Al Molino’s COM class in 1972, where we hiked up and down that part of the coast to learn the importance of that area. I have surfed near there since 1966, and only use the area with the utmost respect.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Otis Guy

[REDACTED]

Fairfax, CA 94930

[REDACTED]

[REDACTED]

**RE: OPPOSITION TO PETITION NO. 2023-32MPA TO CHANGE DUXBURY REEF FROM A STATE MARINE CONSERVATION AREA (SMCA) TO A STATE MARINE RESERVE (SMR) BY ASHLEY EAGLE-GIBBS OF ENVIRONMENTAL ACTION COMMITTEE (EAC) OF WEST MARIN DATED APRIL 6, 2023**

11 August 2025

Dear Commissioners, Calif Fish and Game:

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area (MPA) from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR). Upon review, the petition filed by the Environmental Action Committee of West Marin contains substantial flaws that preclude serious consideration of the proposed change in designation and expansion of the MPA. These include (1) flawed scientific evidence provided to support the petition, (2) ill-conceived rationale, (3) a mischaracterization of the economic and recreational impacts, (4) evidence suggesting improper public noticing and stakeholder and community engagement. These are arguments that have been substantiated by others, and I agree.

Most seriously, however, is that this change is merely a “paper tiger,” which will not lead to reaching its goal of preserving the intertidal community along this stretch of coast. The State (and County), owing to lack of resources, are unable to enforce current regulations in this area let alone an area more than twice the current size. Not that there are serious impacts to this stretch of coast, as it receives much protection from its difficult access and difficult travel (walking). Moreover, the northern extent of this area is already protected by the Marine Mammal Protection Act (Double Point and its Harbor Seal rookery) as well as the Migratory Bird Treaty Act (the seabird colonies at Double Pt and Stormy Stack). However, these two protections also are never enforced owing to lack of resources by the State or the Federal Government (in the case of Double Pt, Stormy Stack).

All that this change will accomplish is to antagonize the vast majority of the town of Bolinas, and others in West Marin, by its ineffective over-reach. The small, commercial fishing industry that fishes offshore of this stretch of beach is an important part of the community fabric.

The value of this stretch of coast is its presence as a teaching tool. At least from the Agate Beach parking lot entrance, the area 75 yds either side of the beach exit is popular among families and their kids. Owing to a survey I’m engaged in, almost daily Sept-Jan, I visit that entrance and thus have a sense of the shoreline use to the north and south. Yes, look and touch, but do not take. Some effective signage could transmit that message.

I have been a Marin resident for 55 years, 30 of those in Bolinas (as I am now), and am a practicing marine ecologist, who has published about 100 peer-reviewed papers (and two books) about the birds, mammals and fish of the California Current, centered around the Gulf of the Farallones. I started and ran the PRBO (now Point Blue) marine program at the Farallones for 25 years; and started the Beach Bird Survey that is now called Coast Watch run by the NOAA Sanctuaries (and which from the start includes Agate Beach). I helped in the various studies of Harbor Seals in Bolinas Lagoon and Drake’s Bay and served during a period on the Scientific Committee of the

Marine Mammal Commission. Through my work in the Southern Ocean, I initiated and was among the persons who worked to have designated the Ross Sea Region MPA (international treaty). Currently, I am a scientific advisor to the Marine Conservation Institute, of which a major activity is evaluating MPAs in its Blue Park initiative. Owing to the lack of effective enforcement, this State Reserve would not qualify as an MPA of note.

Please do not continue with the proposed, misguided, overreaching proposal to change the area in question from a State Marine Conservation Area.

Sincerely  
David Ainley, PhD  
Bollinas, CA

**From:** Sandy Monteko-Sherman <[REDACTED]>

**Sent:** Monday, August 11, 2025 8:21 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to Petition No. (2023-32MPA

08/11/2025

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our back yard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal activities, by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing outside the

reef in alignment with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Sandy Monteko-Sherman

Bolinas resident and fisherwoman

Sent from Gmail Mobile

---

**From:** Save Duxbury Access <saveduxburyaccess@gmail.com>  
**Sent:** Tuesday, August 12, 2025 8:43 AM  
**To:** Ashcraft, Susan [REDACTED]  
**Cc:** Newell, Caroline-Contractor [REDACTED] FGC  
**Subject:** Re: Missing Materials from Opposition to (2023-32) MPA Duxbury Petition

Thank you Susan and David,

We're glad you were able to find some more of the correspondence from our Save Duxbury Access group that opposes the (2023-32) MPA Duxbury petition, and we're hopeful that you will be able to locate the remaining dozens and dozens of letters that our rural community members have *individually* sent over the past weeks. It has taken a great effort for people to learn about this complex and pressing threat to our town, and an even greater effort for folks to actually write down their thoughts to share, so it's incredibly important that people can see proof that their letters have been received and heard. Including all of these letters in the binder matters to our small town. Thank you for taking time to find and *include all of our correspondence* that was sent to the Commissioners ahead of the 7/31 deadline.

As this is a publicly accessible binder, it's also important that our Bolinas community's voice is represented and recorded for others to see as well. Until now, the Fish and Game Commission and the general public has not really heard from our community at all, and that silence has been inaccurately portrayed by the EAC as "broad public support". This could not be further from the truth. *We were blindsided by this EAC petition to close down ALL of our fishing access along the entire 8-10 miles of our rocky reef intertidal coastline.* The town of Bolinas widely opposes this move to redesignate and expand the Duxbury Reef MPA, because we support the comprehensive regulations that are already in place, and we understand that further restrictions would have a huge negative impact for us and for all of our coastal visitors without any real benefit to the Reef. In fact, missing from the EAC's full petition is any applicable science whatsoever to validate their claims of an existing ecological problem and their unrelated proposed solution, nor any data driven rationale for the expansion of the current MPA to nearly triple in size. "Visitor confusion" is not enough. The EAC has also greatly mischaracterized the economic and cultural impact it would have on our small coastal fishing town. If passed, this change to our MPA designation would eliminate reef fishing access for children learning how to fish and anyone else who cannot afford a boat or special gear. This would also cripple our small sustainable hook and line commercial fishery that our town and the wider West Marin communities rely on to stock our restaurants and grocery stores. This petition is a major threat to our area's general well being, and we just found out less than a month ago!

As you can imagine it's been a ton of work for our townspeople to navigate the details of this petition as well as the general MPA petition process in such a short amount of time, so all of the letters that were received ahead of the deadline are the culmination of a massive local effort to organize and mobilize. **These letters also represent a major gap in the information provided by the EAC in their (2023-32) MPA petition to the Fish and Game, and perhaps this in particular has revealed**

**a significant blind spot in the new evaluation framework.** Is there a preliminary step in the petition process that can accurately vet a petitioner's transparency? If so, the inherent flaws of the EAC's Duxbury petition would surely have warranted a swift and resounding rejection.

We understand that the Fish and Game Commission will not be reviewing the merit of the Duxbury petition for a while and that there are many others that are set for action in this upcoming meeting. We can also imagine the enormous amount of work it has taken your staff to organize the current binder of over 2,500 pages! We just want to make sure that our voices are not lost in the shuffle, especially when we have just begun to engage in the process. We appreciate all the extra effort it will take to include *all* of the remaining letters in regards to petition (2023-32)MPA and we thank you all so much for this additional effort!

Sincerely,

Save Duxbury Access (and all future generations of Bolinas Anglers!)

August 12, 2025

**To: California Fish and Game Commission**  
P.O. Box 944209 Sacramento, CA 94244-2090

**Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)**

**Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef**

Dear President Sklar and Commissioners,

I am writing to request that the Commission deny the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a highly restrictive State Marine Reserve (SMR); as there has been no evidence-based rationale presented as part of the petition that justifies the Commission to approve this drastic change.

The current rules applying to a State Marine Conservation Area are clear and simple, namely it is unlawful to take anything from the reef except finfish and abalone (which is currently closed). **Improved signage, greater public education, and heightened enforcement are far more effective solutions** to address unpermitted removals from the Reef than the proposed reclassification which eliminates fishing. In short, the EAC's petition does not provide ANY evidence that fin-fishing does any harm to the reef that would necessitate such a dramatic change.

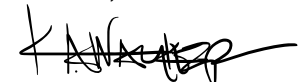
Notably, the petition fails to mention that reclassification would end a long-standing local tradition of non-destructive hook and line fishing at Duxbury Reef. Bolinas is a small, rural community, with merely a handful of local commercial fishermen dependent on access to fishing in the Duxbury Reef area for their economic survival, many of whom grew up here learning to fish from these shores by their elders. An additional local benefit is the Coast Café - one of the few Marin County food establishments supporting local fisherman by purchasing their catch to serve fresh, unfrozen fish; thus providing a unique, informative experience for residents and visitors from afar.

Other educational users of the Duxbury Reef include the **Bolinas-Stinson Union School District**, **College of Marin Biology Lab** and **Families** who explore its tidepools with school children, teaching them the wonders of Ocean Life and the importance to protect these vital resources thru experience inclusive of shore fishing. This reef is one of the few shore access points that provides fishing to licensed individuals and/or children who may not have access or means to fish from a watercraft. These non-harmful educational experiences are at threat of being banned with the proposed reclassification of Duxbury Reef to a State Marine Reserve.

Our family moved to Bolinas in 1984. We are active community members, environmentalist and fisherman. My deceased husband Ewan Macdonald and I have served over decades on several non-Profit Boards including **Point Blue** (previously Point Reyes Bird Observatory), **Gulf of the Farallones National Marine Sanctuary**, **World Wildlife Fund**, President/Directors **Bolinas Rod & Boat Club**, **Bolinas Lagoon Advisory Council**, **Bolinas Community Public Utility District**, **Bolinas Community Health Center**, and President/Director of **Bolinas Museum**. Together we brought up our son Finn exploring the wonders of the reef while teaching him to fish responsibly from the shore at a very young age. Now, at 15yrs old, Finn is a leader within his peer group (and elders) sharing his knowledge of the Ocean, the importance of its protection and survival thru the experience of fishing!

We appreciate your consideration here, and service to this critically important organization!

All Best,



Kirsten A. Walker-Macdonald, [REDACTED] Bolinas

**From:** Warrick Mitchell <[REDACTED]>

**Sent:** Tuesday, August 12, 2025 12:44 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to EAC Duxbury Petition

Opposition to EAC Duxbury Petition

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing. I am a resident of Bolinas and this petition will limit the ability for me to fish with my children. I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Will Mitchell

[REDACTED]

Bolinas, CA

**From:** Lauren Heusler <[REDACTED]>

**Sent:** Tuesday, August 12, 2025 6:29 AM

**To:** FGC <FGC@fgc.ca.gov>

**Cc:** FGC <FGC@fgc.ca.gov>

**Subject:** California Fish and Game Commission

8/12/25

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The “violations” that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

My name is Lauren and I have been living in Bolinas off and on for 8 years now. My boyfriend’s brother is a local fisherman in Bolinas. He was born and raised learning to fish from other local fishermen and Duxberry reef was a huge component in that learning. It’s important to keep sustainable practices of fishing in the area for young fishermen to learn these methods and to help keep the ecology of the area intact. In ecology, it’s important to understand that as much as humans are parts in the degradation of this planet and our ecosystem, they also play an important role in keeping those ecosystems functioning by practicing species control and respectful approaches to fishing, following local rules for Marine Protected Areas / SMCAs helps maintain fish populations and habitat integrity for everyone who uses the reef (recreation, fishing, science). Also by reducing lost gear and preventing entanglements which directly lowers wildlife injury and mortality and reduces

long-term damage from ghost gear. Minimizing physical disturbance (careful footing, not flipping rocks, staying out of tidepools when told) helps the reef's slow-growing species persist and keeps the area valuable for education and research. I think it would be wise to put your efforts in habitat protection by focusing your energy where it is actually needed by regulating tourism foot traffic and commercial fishing pressures offshore (or illegal harvest in the MPA) can have a bigger population-level effect than regulated local hook-and-line.

Here are some points to consider:

**Low habitat impact compared to other methods**

Hook-and-line from shore or pier doesn't drag heavy gear across the seafloor, unlike trawling or some traps.

**Selective and size-conscious**

Anglers can release undersized or non-target species alive, which helps maintain population structure.

**Cultural and community value**

Fishing is part of local heritage in Bolinas and Marin County — removing it could erode a sense of place and stewardship.

**Stewardship through engagement**

People who fish in an area tend to care about its health — they often become eyes on the reef, reporting pollution, illegal harvesting, or stranded wildlife.

**Food source with a tiny carbon footprint**

Locally caught fish eaten near where it's landed avoids the fuel use and packaging waste of imported seafood.

I urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead

on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and sustainable management

values. Thank you for considering this perspective.

Respectfully,

Lauren Heusler

**From:** Michael Valan <[REDACTED]>

**Sent:** Tuesday, August 12, 2025 3:08 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to PetitionNo. (2023-32MPA ) to change Duxbury Reef from SMCA to SMR

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our back yard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

*I am a Bolinas resident, recreational fisherman, my wife is a docent at Agate beach, active birder. Our children (now adults) have learned how to be stewards of this great resource. We have learned to protect this reserve, and hope to be able to continue to use as a SMCA.*

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal activities, by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing outside the reef in alignment with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

*Michael N Valan,*

*Bolinas*

---

opposition to petition no 2023-32MPA to change Duxbury Reef from a State Marine Conservation area to a State marine reserve and expand area.

---

From Jeffery McPhail <[REDACTED]>

Date Wed 08/13/2025 10:10 AM

To FGC <FGC@fgc.ca.gov>

8/13/25

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

My Name is Jeff McPhail, I am a resident of Bolinas and current president of the Bolinas Rod and Boat club. This letter is my personal opposition statement to the proposal. This proposal has been rushed. The community who would be most impacted has not been made properly aware of this extreme and probably permanent change to our way of life - one that honors the natural world and environment. The long-term financial and cultural impact of this action has not been addressed. This action is not necessary.

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our back yard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

My twin Daughters, Marina and Charlie, grew up fishing in the areas that would be closed by this proposal. They are 23 yrs old now. They would tell you that their lives are richer, they are more aware of the marine environment and the natural world because of their time spent on the water. I don't want to imagine a time when their (or your) sons or daughters wouldn't have the same opportunity.

Respectfully yours,

*Jeff McPhail*

August 13, 2025

California Fish and Game Commission  
P.O. Box 944209, Sacramento, CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners:

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

While I agree that it is important to protect the Duxbury Reef and the Agate Beach tide pools, the proposed petition does not address the problem. There has been a large increase in visitors to the tide pools, but there has not been an increase in fishing in the Duxbury Reef Marine Protected Area; and in my experience as a Bolinas-based recreational fisherman, there has been a decrease in such fishing. So your proposed change from SMCA to SMR does not address the problem.

It is a positive that there is an increase in visitors to the Agate Beach tide pools. They are being educated to the tide pool and its wildlife. Unfortunately the increased use has subjected the tide pools to increased damage. So it is good for the Commission to attempt to reduce the damage, but the proposed Petition does not address the real cause of the problem – increased use and abuse of visitors, not fishing.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, increased fines, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fishing by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our backyard. The current regulations, if enforced, can protect both our fishing tradition, and the natural environment.

As a recreational fisherman and past president of the Bolinas Rod and Boat Club, I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, and to focus instead on education and targeted enforcement by accredited California Fish and Wildlife employees. Thank you for considering this perspective.

Respectfully,

Robert R. MacDonald  
Past President  
Bolinas Rod and Boat Club  
P.O Box 248, Bolinas, CA 94924

**From:** Michael Rafferty <[REDACTED]>  
**Sent:** Wednesday, August 13, 2025 5:05 PM  
**To:** FGC <FGC@fgc.ca.gov>  
**Subject:** letter from Michael Rafferty

Michael Rafferty  
[REDACTED]

Bolinas, California 94924  
[REDACTED]  
[REDACTED]  
[REDACTED]

August 13, 2025

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners:

I am writing in opposition to the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our

back yard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

I am a long-time member and Past President of the Bolinas Rod and Boat Club. My brother, Mark Rafferty, and I had an outboard sports fishing boat for many years moored in the Bolinas Lagoon.

I came to Bolinas in late 1971, and for many years earned my living as a butcher at the Bolinas Store, where I got to know everyone who then lived in Bolinas and what they ate. It was while behind the butcher counter that I met the local commercial fishermen and was able to buy and sell their local catch in every season. I have a complicated history, having worked my way through college and graduate school in butcher shops in Mankato, Minnesota and later in Iowa City, Iowa.

I was working as a butcher when I started the Bolinas Hearsay News in March of 1974. Subsequently, with Bob Anderson and Gregg Hewlett, I also started and managed Faultline Institute of Adult Education – followed by Radio Free Bolinas. My last major startup was the Bolinas Book Exchange, which survived under new management until the building caught on fire four or five years ago. I am now 85 years old and likely retired from managing these kind of activities, but they (including catching fish to feed my family) are still close to my heart.

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal activities, by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing outside the reef in alignment with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

Michael Rafferty

cc: The Bolinas Hearsay News, The Point Reyes Light, The Executive Committee of the Bolinas Rod and Boat Club

-----Original Message-----

From: Lynn O'Hare Berkson <[REDACTED]>

Sent: Friday, August 15, 2025 2:09 PM

To: FGC <FGC@fgc.ca.gov>

Subject: Duxbury access Bolinas

It is vital to protect the rights of our small commercial fishermen and hook & line fishing by NOT EXTENDING FISHING BANS ON DUXBURY REEF. These activities do not harm the reef, but SMR restrictions will harm people who responsibly fish!

I strongly oppose the EAC Duxbury Petition.

Lynn O'Hare Berkson

Bolinas

**From:** Kirsten Walker <[REDACTED]>

**Sent:** Saturday, August 16, 2025 10:13 AM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Re: Opposition to Petition No. 2023-32MPA to Change Duxbury Reef from a State Marine Conservation Area to a State Marine Reserve

With minor edits from prior submittal in blue below (updated letter attached - thank you!)

August 12, 2025

**To: California Fish and Game**

**Commission**

P.O. Box 944209 Sacramento, CA

94244-2090 **Sent via Email:** [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

**Re.** Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef

Dear President Sklar and Commissioners,

I am writing to request that the Commission deny the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a highly restrictive State Marine Reserve (SMR); as there has been no evidence-based rationale presented as part of the petition that justifies the Commission to approve this drastic change.

The current rules applying to a State Marine Conservation Area are clear and simple, namely it is unlawful to take anything from the reef except finfish and abalone (which is currently closed). **Improved signage, greater public education, and heightened enforcement are far more effective solutions** to address unpermitted removals from the Reef than the proposed reclassification which eliminates fishing. In short, the EAC's petition does not provide ANY evidence that fin-fishing does any harm to the reef that would necessitate such a dramatic change.

Notably, the petition fails to mention that reclassification would end a long-standing local tradition of non-destructive hook and line fishing at Duxbury Reef. Bolinas is a small, rural community, with merely a handful of local commercial fishermen dependent on access to fishing in the Duxbury Reef area for their economic survival, many of whom grew up here learning to fish from these shores by their elders. An additional local benefit is the Coast Café - one of the few Marin County food establishments supporting local fisherman by purchasing their catch to serve fresh, unfrozen fish; thus providing a unique, informative experience for residents and visitors from afar.

Other educational users of the Duxbury Reef include the **Bolinas-Stinson Union School District, College of Marin Biology Lab** and **Families** who explore its tidepools with school

children, teaching them the wonders of Ocean Life and the importance to protect these vital resources thru experience inclusive of shore fishing. This reef is one of the few shore access points that provides fishing to licensed individuals and/or children who may not have access or means to fish from a watercraft. These non-harmful educational experiences are at threat of being banned with the proposed reclassification of Duxbury Reef to a State Marine Reserve.

Our family moved to Bolinas in 1984. We are active community members, environmentalist and fisherman. My deceased husband Ewan Macdonald and I have served over decades on several non-Profit Boards including **Point Blue** (previously Point Reyes Bird Observatory), **Gulf of the Farallones National Marine Sanctuary, World Wildlife Fund, Natural Resource Defense Council**, President/Directors **Bolinas Rod & Boat Club, Bolinas Lagoon Foundation, Bolinas Community Public Utility District, Bolinas Community Health Center**, and President/Director of **Bolinas Museum**. Together we brought up our son Finn exploring the wonders of the reef while teaching him to fish responsibly from the shore at a very young age. Now, at 15yrs old, Finn is a leader within his peer group (and elders) sharing his knowledge of the Ocean, the importance of its protection and survival thru the experience of fishing!

We appreciate your consideration here, and service to this critically important organization!

All Best,

Kirsten A. Walker-Macdonald, [REDACTED] Bolinas

On Aug 16, 2025, at 9:15 AM, Kirsten Walker <[REDACTED]> wrote:

August 12, 2025

**To: California Fish and Game Commission**

P.O. Box 944209 Sacramento, CA 94244-2090 **Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)**

**Re.** Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef

Dear President Sklar and Commissioners,

I am writing to request that the Commission deny the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a highly restrictive State Marine Reserve (SMR); as there has been no evidence-based rationale presented as part of the petition that justifies the Commission to approve this drastic change.

The current rules applying to a State Marine Conservation Area are clear and simple, namely it is unlawful to take anything from the reef except finfish and abalone (which is currently closed). **Improved signage, greater public education, and heightened enforcement are far more effective solutions** to address unpermitted removals from the Reef than the proposed reclassification which eliminates fishing. In short, the EAC's petition does not provide ANY evidence that fin-fishing does any harm to the reef that would necessitate such a dramatic change.


Notably, the petition fails to mention that reclassification would end a long-standing local tradition of non-destructive hook and line fishing at Duxbury Reef. Bolinas is a small, rural community, with merely a handful of local commercial fishermen dependent on access to fishing in the Duxbury Reef area for their economic survival, many of whom grew up here learning to fish from these shores by their elders. An additional local benefit is the Coast Café - one of the few Marin County food establishments supporting local fisherman by purchasing their catch to serve fresh, unfrozen fish; thus providing a unique, informative experience for residents and visitors from afar.

Other educational users of the Duxbury Reef include the **Bolinas-Stinson Union School District, College of Marin Biology Lab** and **Families** who explore its tidepools with school children, teaching them the wonders of Ocean Life and the importance to protect these vital resources thru experience inclusive of shore fishing. This reef is one of the few shore access points that provides fishing to licensed individuals and/or children who may not have access or means to fish from a watercraft. These non-harmful educational experiences are at threat of being banned with the proposed reclassification of Duxbury Reef to a State Marine Reserve.

Our family moved to Bolinas in 1984. We are active community members, environmentalist and fisherman. My deceased husband Ewan Macdonald and I have served over decades on several non-Profit Boards including **Point Blue** (previously Point Reyes Bird Observatory), **Gulf of the Farallones National Marine Sanctuary, World Wildlife Fund**, President/Directors **Bolinas Rod & Boat Club, Bolinas Lagoon Advisory Council, Bolinas Community Public Utility District, Bolinas Community Health Center**, and President/Director of **Bolinas Museum**. Together we brought up our son Finn exploring the wonders of the reef while teaching him to fish responsibly from the shore at a very young age. Now, at 15yrs old, Finn is a leader within his peer group (and elders) sharing his knowledge of the Ocean, the importance of its protection and survival thru the experience of fishing!

We appreciate your consideration here, and service to this critically important organization!

All Best,

Kirsten A. Walker-Macdonald,  Bolinas

<Protect Dusbury Reef Letter\_Walker-Macdonald\_250812.pdf>

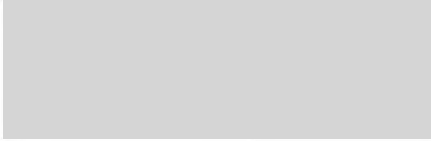
Received  
California Fish and Game Commission  
08/25/2025

Aug. 21, 2025

California Fish and Game Commission  
PO Box 944209  
Sacramento, CA 94244 – 2090

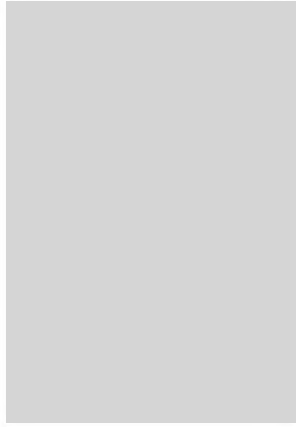
Good Morning , I am writing to oppose the 2023 -32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR). The proposed change would not protect the environment. The underlying problem is increased visitors abusing the reef. More regulation is useless. Increased enforcement of current regulations would do more to protect the reef and its creatures. Please reconsider your current plans and make sure that the people of Bolinas are high on your priority list.

Thank you for listening ,



Phil Binley,  Bolinas, CA  
Past Bolinas Rod and Boat Club President and Fire Department Board President

P. G. BINLEY



SAN FRANCISCO CA 940

22 AUG 2025 PM 4 L



1775



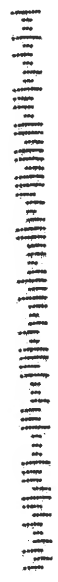
CALIFORNIA FISH & GAME

P. O. Box 944209

SACRAMENTO, CA,

94244-2090

94244-2090



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**From:** [REDACTED]  
**Sent:** Monday, August 25, 2025 4:34 PM  
**To:** FGC  
**Subject:** Petition to the CA F&G commission for regulation change

Please do NOT change the Duxbury SMCA to a SMR or expand the boundaries in any way. This would have negative impacts on the fishing community and I don't believe the fishing that currently takes place is causing the perceived decline of marine life abundance.

Thank you

**From:** erica HAWLEY <[REDACTED]>

**Sent:** Tuesday, September 2, 2025 6:48 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Re:opposition to Petition NO2023-32MPA

To California Fish and Game Commission

September 2, 2025

Dear President Sklar and Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change. The "violations" that have been cited throughout the petition may require additional education and enforcement but do not warrant increased regulations that will negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line finfishing.

I live in Bolinas and walk on Agate Beach 3-4 days a week and have seen no signs that warrants this change. The beach is usually empty along the reef except at low tides when there are school children enjoying the tidepools as an outdoor classroom.

There are already rules in place to protect the reef and I don't see the need to make them stricter. In my view the existing rules are working so why change it.

My friends and family have fished off the beach over the years. It is an easily accessible place to enjoy our coast. I haven't personally seen it abused.

I urge the Commission to preserve the current SMCA status at Duxbury Reef and focus instead on education, signage for take regulations, and targeted enforcement against illegal take by accredited California Fish and Game employees and to protect responsible, low-impact recreational fishing that aligns with California Coastal Access and sustainable management values.

Thank you for considering this perspective.

Respectfully,

Erica Hawley

**From:** dale polissar <[REDACTED]>

**Sent:** Tuesday, September 2, 2025 10:55 AM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Duxbury Reef, Bolinas

Fish and Game Commission:

In 2023 I signed a petition supporting the Environmental Action Committee's application to designate Duxbury Reef as a Marine Reserve. In recent months I signed an opposition petition retracting my support for EAC's application. I now believe I was wrong in retracting my support for EAC's application and would like to reinstate my support for Duxbury to become a Marine Reserve.

Dale Polissar

[REDACTED]

[REDACTED]

Bolinas, CA. 94924

**From:** Bill Jennings <[REDACTED]>

**Sent:** Friday, September 5, 2025 4:38 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Opposition to Petition No. (2023-32MPA)

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our back yard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

Over the better part of the last twenty years, I've had the good fortune to spend quite a bit of time enjoying the Bolinas community and surrounding area. I'm a surfer and lifelong waterman. I taught my son to surf and fish in Bolinas and I'm an active member of the Bolinas Rod & Boat Club. I'm all for protecting our environment but adamantly disapprove of the petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR).

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal activities, by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing outside the reef in alignment with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

William Jennings

Greenbrae, CA



From: Joanna Moore <[REDACTED]>

Sent: Tuesday, September 9, 2025 9:43 AM

To: FGC <FGC@fgc.ca.gov>

Subject: petition no. 2023-32MPA

Hello,

I'm writing in support of Reclassify and expand Duxbury Reef SMCA. I live above the reef in Bolinas, CA. I know it's visited often and it needs more protection so that it can regenerate and thrive in face of the many visitors, gathering and taking from the reef.

Regards,

Joanna Moore

**From:** DJ O'Neil <[REDACTED]>

**Sent:** Wednesday, August 13, 2025 9:06 AM

**To:** FGC <[FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov)>

**Subject:** save Bolinas fishing

*August 13, 2025*

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our back yard. The current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

I am a Bolinas resident, and I believe fishing is wonderful, healthy, life long passion. And it starts with fishing from the shore in the area where one lives. I want kids and adults a like to have access to this area to fish, because the benefits are enormous for the individual and the harm caused is minimal at worst. I find that hunters and fishermen actually become

stewards of the areas they love, often cleaning up after visitors who don't have such love. I also feel like if this ban is enacted offshore as well, it will be one more blow to the small commercial fishing fleet in Bolinas. These guys already can't fish for Salmon, have limited crab fishing because of the whale protections, and now this? There's a prolific halibut spot right offshore, and if this is restricted, it will be one more thing to make it nearly impossible to earn a living from a small commercial fishing craft.

I urge the Commission to preserve the current SMCA boundaries and status at Duxbury Reef, to focus instead on education, signage for take regulations, and targeted enforcement against illegal activities, by accredited California Fish and Wildlife employees, and to protect responsible, low-impact recreational and commercial fishing outside the reef in alignment with California's Coastal Access and sustainable management values. Thank you for considering this perspective.

Respectfully,

DJ O'Neil / CEO & Creative Director  
HUb Strategy & Communication

[hubsanfrancisco.com](http://hubsanfrancisco.com)

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This email may be confidential and is intended solely for the use of the individual to whom it is addressed; unless you happen to be famous, like, say, Mary Lou Retton or Dolph Lundgren or something, in which case, do what you will with it. And if you are, in fact, famous, we should get together sometime—like for a walk on the beach or a towel fight. Nothing weird. And don't worry about me not fitting in. I'll wear my famous-looking leather pants. Anyhow, if you are not the named addressee (or famous), you should not disseminate, distribute or copy this e-mail. And then you should get back to your regular, un-famous goings-on, and forget this ever happened.

From: Carol Cotton <[REDACTED]>

Sent: Monday, September 15, 2025 7:40 PM

To: FGC <FGC@fgc.ca.gov>

Subject: Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023 Dear Califo...

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners, I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

The petition which had been circulated by CAC which some in our community might have signed was very misleading and did not clearly spell out the drastic and unnecessary changes which it was promoting in a very brief presentation.

Please vote against this Petition.

Carol Cotton

[REDACTED]

Bolinas, CA



UNIVERSITY OF  
SAN FRANCISCO

CHANGE THE WORLD FROM HERE

Department of Biology  
2130 Fulton Street  
San Francisco, CA, 94117  
Tel 415.422.6755  
Fax 415.422.6353  
[biology@usfca.edu](mailto:biology@usfca.edu)

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090  
[fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

**Re: Petition for modification of Duxbury Reef Marine Protected Area  
Petition # 2023-32MPA**

Dear President Zavaleta and Honorable Commissioners,

I am writing to you in support of Petition #2023-32MPA submitted by the Environmental Action Committee of West Marin ("EAC") to reclassify the Duxbury Reef Marine Protected Area as a State Marine Reserve, to extend its southern boundary to the southerly tip of Duxbury Reef, and to extend the northern boundary from the outfall of Hondo Arroyo to Double Point.

I am an Associate Professor of Biology at the University of San Francisco (USF) where I have taught graduate and undergraduate level biology for the past 13 years. During that period, I have led numerous biology field trips to Duxbury Reef for my undergraduate Invertebrate Zoology and Marine Biology classes. In preparation for these class field trips, I have visited Duxbury Reef many times.

**I strongly support change in the designation of the Duxbury Reef State Marine Conservation Area to a "State Marine Reserve".**

Duxbury Reef has been a uniquely valuable learning environment for my students. Duxbury offers, within a practical travel distance from our campus, an opportunity for students to experience field studies that is unmatched.

As the most diverse college campus in the United States, USF provides education through such experiential field learning to an array of students from different backgrounds, both culturally and economic. Approximately 30% of USF students are first-generation students, the first in their families to attend higher education and 35% of USF students receive Pell grants due to financial need. They generally have had no or very little physical experience moving in unimproved outdoor areas, that is, outdoor areas that are off trail or not manicured. Duxbury presents a unique "wild" setting that is not physically challenging to most of the students. The relatively flat, gentle topography of the intertidal area is accessible with minimal physical risk for nearly all of my students to walk upon and explore. It does not pose the physical-balancing challenge of most rocky intertidal areas that are composed primarily of large algae covered rocks or cobble.



In addition, the large areas of gentle sloping, relatively smooth rocky substratum at Duxbury allows for a biodiversity that is simply not matched anywhere in the region except at the Fitzgerald Marine Preserve in San Mateo County, which is far smaller than Duxbury and, in my opinion, is only second in intertidal biodiversity to Duxbury. Duxbury contains diverse intertidal microhabitats which because of their size and number compound the overall diversity and biomass of the reef. It cannot be overstated that the rocky intertidal environment presented by Duxbury is exceptionally rare, due to relatively flat topography throughout the intertidal zones, the complexity of the diversity of those zones with numerous microhabitats, the overall (approx.) 6.5-mile length of the Reef, the width of its intertidal area, and the relatively soft shale substratum. The presence of all of these factors together allows for an exceptional degree of intertidal invertebrate and algal biodiversity and ecosystem complexity.

The continued, relatively easy accessibility to intertidal resources that are conserved in an area with the biodiversity and topographical features of Duxbury is, therefore, of significant practical educational value to students.

Unfortunately, there has been a marked decrease of invertebrate species diversity and biomass in the Duxbury Conservation Area, which appears to have increased in speed during approximately the past 7 years. This has negatively affected the educational value of the Duxbury Conservation Area for student field observations, as species which once were present in the area are now absent or comparatively rare.

I have observed that over the past several years an unfortunate reduction in both species diversity and specimen numbers has occurred at Duxbury. I have also observed at Duxbury numerous instances of visitors collecting invertebrates and intertidal fish. I have not seen that same visitor behavior at Fitzgerald Marine Preserve, which is a State Marine Reserve, nor has there appeared to be the negative species impacts over time at Fitzgerald that I have observed over the same time period at Duxbury. I believe that difference is due to the unqualified prohibition on taking at Fitzgerald without exception, which is not the case at Duxbury. I believe that having no exceptions to the “no-take” rule significantly reduces improper taking during the many days when there are no docents present, as well as reducing the number of taking instances when docents are present. My belief is premised upon my observations over the last 13 years that have seen prohibited taking and handling of protected species and the general loss of biomass at Duxbury, a Marine Conservation Area, in comparison to the activities and biomass health at Fitzgerald’s Marine Reserve.

Where there is a permitted exception, people often rationalize their own unpermitted activity by measuring it against the permitted exception. Simply, the status of a no-exception no-take intertidal State Marine Reserve makes it significantly easier for visitors to understand and comply, even when rangers or docents are not present, and substantially decreases illegal take in the area.



UNIVERSITY OF  
SAN FRANCISCO

CHANGE THE WORLD FROM HERE

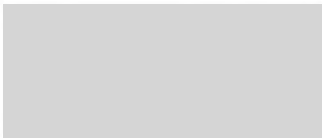
**The extension of the southern boundary to the southerly tip of Duxbury Reef and the extension of the northern boundary of the Duxbury MPA from the outfall of Arroyo Hondo to Double Point should be approved.**

The intertidal areas encompassed by both the Southern and Northern Reef extensions are in a relatively pristine state, with higher biodiversity, than the much more heavily visited area within the current Duxbury Conservation Area. In addition, those areas contain diverse microhabitats - some not present within the current Duxbury MPA. It is likely that both areas will see increasing numbers of visitors as more people discover the recreational value of Duxbury Reef.

I do not believe that designating the requested Southern and Northern extensions as Marine Reserves will have any appreciable impact on the fishing community. I have never observed any shore-based fishing in the Southern or Northern Reef extensions. Indeed, due to reef topography I believe that shore-based fishing would be almost entirely impractical on the Southern Reef extension. The alternative to designating the two requested extensions as Marine Reserves, that is designating them as Conservation Areas, would sacrifice the health of this intertidal community and the diminution of its educational value because of the taking and impactful handling that would occur as a consequence of the confusion caused by mixed rules.

Thank you for considering the petition that has been submitted and weighing my experiences as a professor and educator who routinely uses Duxbury Reef's unique and unparalleled habitat for my field biology courses each semester.

Respectfully submitted,



James Sikes, Ph.D.  
Associate Professor of Biology  
University of San Francisco



From: Lynn O'Hare Berkson <[REDACTED]>

Sent: Monday, September 22, 2025 12:19 PM

To: FGC <FGC@fgc.ca.gov>

Subject: MPA petition 2023-32

PLEASE - vote NO on this unnecessary, restrictive petition! The current SMCA has and will continue to function as protection for the reef. Eliminating ALL fishing will be devastating to small local commercial fishermen and extending the prohibition up north is absolutely unnecessary.

"If it ain't broke, don't fix it!"

Thank you.

Lynn O'Hare Berkson

Bolinas

September 23, 2025

California Fish and Game Commission

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners:

I attended this past week a Bolinas community meeting of 75+/- Bolinas citizens concerning the above Petition. It was very informative concerning the historical basis for Duxbury Reef designation as a State Marine Conservation Area and the extensive discussions and negotiated agreement at that time among the Bolinas fishermen and government officials. The presentation included a summary of historical changes in the health of the Duxbury Reef and the factual improvement and good health of the Reef. Regret was expressed that the Bolinas community was not included in this two year Petition process given our active role in the SMCA designation.

Attending the community meeting this last week were three members of the EAC. They agreed that the Reef was in historical good health but expressed their concern that observed violations of Agate Beach visitation rules by students and other visitors could endanger not just the approximate quarter mile of Agate Beach reef, but also the three miles of SMCA designated reef, and also the entire 8 +/- miles of the Duxbury Reef. Their support for changing the designation from SMCA (conservation area) to SMR (marine reserve) was based on their tabulation of visitor violations which included picking up living items and stones in the tide pools and dogs off leash. They stated that the allowed line and hook fishing from the shore was seen by visitors and encouraged those visitors to violate rules. As a result they want the 3 miles of SMCA to be changed to 8 miles of SMR which will outlaw picking up rocks, stepping in pools or on wet rocks, and any fishing on or offshore in the designated Reserve area.

While the Bolinas community meeting attendees agreed with the importance of protecting the reef, there was disbelief that the limited activity at the approximate 1500 feet by 300 feet tide pool section of reef at Agate Beach was negatively impacting the health of the entire 8 mile by 1000 feet of Duxbury Reef. There was agreement that the number of visitors to Agate Beach has increased in the last 20 years, but we were encouraged by the educational value of those visits and the fact that there was no noticeable impact on the 1500'x300' Agate visitor portion of Duxbury Reef.

We think it is important to take advantage of the educational value of Agate Beach. Existing signage is more warning than educational, so there is room for an increase in educational content as you walk down the path to Agate Beach. There was an emotional endorsement of the docent program as an important educational tool for the value of the tide pools and Duxbury Reef and as a way to promote preservation

of this valuable asset. More could be done to recruit docents from the Bolinas Community.

I hope you will join Bolinas in protecting this valuable asset of our community and the California coast by helping us reject MPA Petition no. 2023-32.

Respectfully,

Robert R. MacDonald

Past President

Bolinas Rod and Boat Club

 Bolinas, CA 94924

From: Jean Coleman <[REDACTED]>  
Sent: Tuesday, September 23, 2025 11:39 PM  
To: FGC <FGC@fgc.ca.gov>  
Subject: Duxbury

Dear FGW

Please do not try to change our current standing to something else.

This must be one of the more respected and appreciated reefs in the US already!

Gordon Chan, the naturalist who mapped every living creature on the reef, would not think this is a good idea because it keeps people from the reef, visiting, squiring, knowing the animals and land (reef) we protect by living in unison WITH it, not kept apart from it.

Jean McGuire Coleman

Sent from my iPhone

**From:** Jeffery McPhail <[REDACTED]>

**Sent:** Wednesday, August 13, 2025 10:10 AM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** opposition to petition no 2023-32MPA to change Duxbury Reef from a State Marine Conservation area to a State marine reserve and expand area.

8/13/25

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Re. Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

My Name is Jeff McPhail, I am a resident of Bolinas and current president of the Bolinas Rod and Boat club. This letter is my personal opposition statement to the proposal. This proposal has been rushed. The community who would be most impacted has not been made properly aware of this extreme and probably permanent change to our way of life - one that honors the natural world and environment. The long-term financial and cultural impact of this action has not been addressed. This action is not necessary.

I am writing to oppose the 2023-32MPA petition to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) because there has been no evidence-based rationale presented that necessitates this drastic change.

Preventing violations that have been cited throughout the petition can be achieved best through better signage, and additional education and enforcement, and do not warrant increased regulations that will negatively impact the Bolinas community.

There are already laws and protections in place which currently prohibit the named harmful activities. Within the currently protected area, where the illegal activity has been observed, the only take allowed is fin-fish by hook and line, and this is not cited as being a threat to the reef ecosystem.

Reclassifying and expanding Duxbury Reef from a Conservation area to a no-take Reserve will end the long tradition of sustainable hook and line fin-fishing in our back yard. The

current regulations, if enforced, can both protect our fishing tradition, and the natural environment.

My twin Daughters, Marina and Charlie, grew up fishing in the areas that would be closed by this proposal. They are 23 yrs old now. They would tell you that their lives are richer, they are more aware of the marine environment and the natural world because of their time spent on the water. I don't want to imagine a time when their (or your) sons or daughters wouldn't have the same opportunity.

Respectfully yours,

*Jeff McPhail*

From: Carol Cotton <[REDACTED]>

Sent: Wednesday, September 24, 2025 1:24 PM

To: FGC <FGC@fgc.ca.gov>

Subject: please vote against Petition no. preserve our traditional hook and lin

Dear Fish and Game Members

Re: please vote no on Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR)

PLEASE preserve our Bolinas traditional hook and line fishing at Duxbury—this includes both recreational shore-based fishing and important locations for boat fishing by local sport and commercial fishers.

While admitting that traditional hook and line fin-fishing is non-destructive at Duxbury, the Environmental Action Committee of West Marin (EAC) has nevertheless lodged a petition with the California Fish & Game Commission to ban all shore-based hook and line angling and to extend that prohibition north to Double Point, and southward to fully encompass the greater reef and its offshore waters.

There was a Bolinas town meeting on last Friday night with over 60 of us present. There were a few members who support the petition and when asked about their claims they were unable to provide us no data to support their reason for this ban covering 8 miles up our coast line in Bolinas (other than “observations”).

Please help us by voting no.

A Bolinas 40 year resident.

**From:** Pam Fabry <[REDACTED]>

**Sent:** Wednesday, September 24, 2025 2:43 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Petition # 2023-32MPA

Please do not change the designation of Duxbury Reef from a State Marine Conservation Area to a State Marine Reserve. The reef is adequately protected by current regulations and a change would destroy remaining traditional uses. It represents an unnecessary overreach.

Thank you.

Pam Fabry

Bolinas, CA

September 24, 2025

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090  
Sent via email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)  
cc: [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)

**Re. Opposition to Petition No. (2023-32MPA) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023**

Dear California Fish and Game Commissioners,

**I am writing to oppose the 2023-32MPA petition that was filed by the EAC of West Marin in 2023 without any meaningful dialogue with the Bolinas community.** According to the UC Santa Cruz Long-Term Intertidal Monitoring Site Data, Duxbury Reef is not in decline and therefore not in need of expanded regulations. This unnecessary proposal would nearly triple the size of the current Duxbury Reef MPA to cover the entire 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and reclassify this MPA from a limited-take Conservation Area that currently allows fin-fishing from shore to a more restrictive no-take Reserve which are primarily used for research and would be open to the public only for “managed enjoyment and study”. These drastic changes would have a devastating impact on our small rural coastal community’s economic and cultural access to our coastline, without any clear ecological benefit to the ecosystem of Duxbury Reef.

**I am a resident of Bolinas, my 25-year life partner, a commercial halibut fisherman, has been a resident of Bolinas since 1967.** One of his memories was learning to fin-fish in a class at Bolinas Elementary School taught by Josh Churchman.

For 32 years he has been one of a small group of commercial, hook and line, sustainable, legacy port, halibut fishermen who fish seasonally in the nearby Duxbury reef area, near shore waters to Point Reyes, and Bolinas Bay. **My partner, along with other Bolinas commercial fishermen, were a part of Eco Trust’s involvement in creating the current MPA as recognized economic stakeholders.**

Our local commercial fisherman land small catches and sell these directly to nearly every restaurant and grocery store in West Marin. This seasonal bounty helps support our vital coastal access tourist economy, our small businesses, and our community who benefit from the jobs created and local food source.

The impact of further limiting or removing any remaining fishing grounds accessible by boat within the proposed closure area would be devastating to our local halibut fishermen’s livelihoods. The impact of removing access to our local children and families to fin-fish from the reef would deny the generational teaching of coastal stewardship and fisheries.

**We respectfully ask that you include the commercial fishermen and representatives from the Bolinas Rod & Boat Club in any decisions regarding the MPA’s.** These are the people who have walked every mile of the beaches from Bolinas to Drakes Estero. We are accomplished fishermen, big wave surfers, and divers. We participate in rescuing misguided tourists who drift from their surfing spots or get caught in large sneaker waves. We monitor coastal changes, wave and weather patterns, abalone and fish populations. Our local volunteer Fire Departments are part of California’s Tsunami Warning protocols.

As a community we participate in meetings about the health of the Lagoon, the health of our beaches, sea level rise through climate change in relation to our towns, and the impact that humans and tourists have on all these issues. Our way of life depends on our access to our natural surroundings.

We all love Duxbury Reef and respect the clear and comprehensive SMCA protections that were established over fifteen years ago through a rigorous collaborative process with a diverse group of stakeholders. This successful compromise balances regulations with public access, recognizing that the best environmental stewardship relies on strong community support. I urge the commission to reject the 2023-32MPA petition in its entirety and preserve the current boundaries and status at Duxbury Reef. There has been no science-based rationale presented that necessitates a change to the current MPA. We should focus instead on improving signage, education, and enforcement while protecting low impact recreational & commercial fishing that aligns with the CFGC Coastal Fishing Communities Policy, the CFGC Justice, Equity, Diversity, and Inclusion (JEDI) Policy, and California's Coastal Access sustainable management values. Thank you for considering this perspective.

Respectfully,  
Kaye Fleming

A small, solid gray rectangular box used to redact the signature of Kaye Fleming.

Bolinas, CA

**From:** Ralph Camiccia <[REDACTED]>

**Sent:** Thursday, September 25, 2025 10:12 AM

**To:** FGC <FGC@fgc.ca.gov>

**Cc:** Dennis Rodoni <[REDACTED]>

**Subject:** Fw: Opposition to Petition # (2023-32MPA). Duxbury Reef.

Re. Opposition to Petition No. (2023-32MPA) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing again to express my opposition to the 2023-32MPA petition that was filed by the EAC of West Marin in 2023 without any meaningful dialogue with the Bolinas community.

After a recent public meeting held by Bolinas folks, with E.A.C. in attendance, I sensed the E.A.C. petition is based mostly on self-preservation rather than scientific data and need. At that public community meeting the E.A.C. representatives failed to present reliable quantitative or even qualitative data that Duxbury Reef is in decline and in need of further protection. Knowledgeable people at the meeting logically argued the present MPA designation was more than adequate and elevating the Reef to SMR would not be productive, nor solve their perceived notion that Duxbury Reef needs more restrictions. However, both factions did feel that signage and education was the real need. Yet, the E.A.C. representatives held steady on their position.

I, again, urge you to not change the status of Duxbury Reef based on the E.A.C. petition.

Ralph Camiccia

Bolinas

From Ralph Camiccia

**From:** Save Duxbury Access <saveduxburyaccess@gmail.com>

**Sent:** Thursday, September 25, 2025 4:39 PM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** SubjectOpposition to Petition No.(2023-32MPA) to Reclassify and Expand  
Duxbury Reef SMCA

Dear California Fish and Game Commissioners,

Please find our attached cover letter and supporting materials in opposition to Petition No.  
(2023-32 MPA)

Respectfully,

Save Duxbury Access

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Re. Opposition to Petition No. (2023-32MPA) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

**We are writing to oppose the 2023-32MPA petition that was filed by the EAC of West Marin in 2023 without any meaningful dialogue with the Bolinas community.** This petition is highly flawed and should be rejected in its entirety because of the following grossly negligent information gaps: 1.) No verified scientific evidence that there is an ecological problem to solve at Duxbury Reef SMCA, 2.) No verified scientific evidence presented that hook & line finfishing is harmful to the ecosystem at Duxbury Reef SMCA, 3.) No verified scientific evidence that there are any significant take violations of organisms at Duxbury Reef SMCA that are already protected under the current MPA regulations. (*Note: If there were significant verified take violations, enforcement would be the issue.*), 4.) Mischaracterization of the significant socioeconomic impacts to the Bolinas community and West Marin, 5.) Improper public noticing - no meaningful outreach to community stakeholders, and 6.) No compliance plan presented for proposed designation and boundary change.

**No verified scientific evidence that there is an ecological problem to solve at Duxbury Reef SMCA.** According to recent studies, Duxbury Reef is not in decline and therefore not in need of expanded regulations and expanded boundaries:

[UC Santa Cruz Long-Term Intertidal Monitoring Site Data](#)

[Kelp Forest is rebounding!](#)

[International Recognition: "International Gold Standard for Marine Conservation"](#)

[Anecdotal evidence posted on our Save Duxbury Access Community Slides](#)

*(see pages 24-32) provided by longtime local residents as additional testimony of the overall health at Duxbury Reef.*

The comprehensive protections that are already in place are working, which include: Area of Special Biological Significance (ASBS) - 1972, State Marine Conservation Area - 2009, Essential Fish Habitat (EFH) - 2000, as well as the following protective legislation: The Migratory Bird Conservation Act (MBCA) - 1929, Marine Mammal Protection Act (MMPA) - 1972, and The Endangered Species Act (ESA) - 1973. This represents a widespread collaboration between the following agencies: Fish and Game Commission (FGC), California Department of Fish and Wildlife (CDFW), Environmental Protection Agency (EPA), Point Reyes National Seashore (PRNS), Greater Farallones National Marine Sanctuary (GFMNS), National Oceanic and

Atmospheric Administration (NOAA), Marin County Parks and Open Space (MCPOS), Bolinas Community Public Utility District (BCPUD), as well as Bolinas Rod and Boat Club est 1964, Point Blue - est 1965, Bolinas Lagoon Technical Advisory Committee (BLTAC) est 1974, and the Duxbury Docents - EAC of West Marin est 2022.

Other protections occur naturally through the limited accessibility of this stretch of coastline due to fluctuating tides, steep cliffs, rugged terrain, weather, seasons, and few access points - Agate Beach is the only easy public access on this entire stretch of 8-10 miles of rocky reef coastline.

The Bolinas community itself has also contributed greatly to the health of the reef through our strong history of community led environmentalism as seen in the 1971 oil spill where townsfolk came together to help protect the Bolinas Lagoon by constructing a boom out of logs and straws with local carpenters, tree workers, and other citizens. Bolinas community volunteers spearheaded cleanup efforts, and did this again in the 2007 oil spill by teaming together in a remarkable collaboration between Marin County Parks and Open Space, the Bolinas Rod and Boat Club, to acquire an oil boom through OSPR plus training to deploy. Bolinas' participation in conservation efforts are a well established way of life because our town connects local well-being to ecosystem health, and our coastal town identity is intrinsically linked to our maritime culture. This is seen through our support of sustainable initiatives such as low impact, small scale, hook and line commercial and recreational fishing, organic farming, and environmentally focused curriculum at our pre-k - 8th grade Bolinas-Stinson School. Caring for nature is a deeply entrenched part of our coastal culture but it is also an integral part of the West Marin sustainable food "brand", which is the foundation of our local economy.

In short, Duxbury Reef is highly protected! The current SMCA represents a successful compromise that balances these protections with public access. It's important to recognize that this was not an easy process. Great efforts were made to listen to stakeholders on all sides of the issue and to find a solution that was workable for all. Significant local commercial fishing spots were lost during these negotiations, and these restrictions are still felt today in an increasingly regulated industry. It's also important to acknowledge the regulatory context we have throughout our county. Marin County has an extraordinary level of environmental protections in place which have unintended consequences for lower economic residents. As the fourth smallest county in California we have 9 MPAs and 2 State Marine Parks, 56% of land is permanently protected, and 85% is protected from development, compared with the rest of the country which has only 16-18%. These ecological protections are impressive but they can come with social drawbacks where marginalized voices can often get lost. This is why it is critical to balance environmental protections with community needs when moving towards more restrictive MPA regulations. The high percentage of restricted lands in Marin County equals higher housing costs & an extremely high cost of living. This has led the county to be one of the highest concentrations of wealth in the country, with a wider wealth disparity than the national average. Marin County is also one of the most racially and economically inequitable counties in the state. As there can sometimes be an unequal relationship between wealth and the number of MPAs that can harm fishing communities like Bolinas, it is critical to undergo a detailed socioeconomic analysis prior to submitting MPA petitions.

Additionally, Marin County also has more restrictive fishing regulations compared to other parts of California. For instance, All freshwater streams in Marin County are closed to all fishing, all year, with the exception of a small section of Walker Creek. Many Marin County MPAs prohibit the take of all living marine resources within its boundaries, dungeness crab fishing is prohibited in San Francisco and San Pablo bays, and faces more restrictions elsewhere, the ocean salmon fishery is currently closed, and nearby Seadrift has restrictive policies regarding beach access that affect fishing access. When we restrict fishing access for small coastal communities, we restrict the ability to be sustainable and self reliant. This regulatory context needs to be considered when making (and changing) policies.

**No verified scientific evidence presented that hook & line finfishing is harmful to the ecosystem at Duxbury Reef SMCA.** The EAC does not claim that hook and line finfishing is harmful to the reef but cites “visitor confusion” as the main driver for the no-take designation and extensive boundary change, but provides no verified scientific evidence. The EAC thinks the tide pool visitors at Agate Beach are harming the reef, yet they have also made this claim without any verified scientific evidence. They claim that the tide pool visitors are harming the reef because they are confused by the partial-take SMCA regulations, and the presence of fishermen, *again without data*. This entire claim of “visitor confusion” is based on anecdotal observations by a few EAC volunteer representatives in a very small portion of the current SMCA, at the base of the trailhead in the most accessible spot in the entire SMCA, arguably the most accessible spot on the whole stretch of rocky reef coastline in Bolinas. The EAC has used data collected (without independent peer review) by their own volunteers who were trained by the MPA Watch, a group that the EAC helps to manage. The EAC’s solution to this perceived problem is to simplify regulations by eliminating reef fishing altogether in Bolinas, by expanding these restrictions to nearly triple the size of the current SMCA to cover the entire stretch of 8-10 miles of our rocky reef coastline. The EAC believes that if people are no longer allowed to reef fish in Bolinas, tide pool visitors at Agate Beach will no longer be *potentially* confused and will stop *potentially* harming the reef.

**No verified scientific evidence that there are any significant take violations of organisms Duxbury Reef SMCA that are already protected under the current MPA regulations.** (Note: If there were significant verified take violations, enforcement would be the issue.) The EAC has been collecting their own data on human activity in the Duxbury Reef SMCA since 2014 through MPA Watch with EAC volunteers. EAC MPA Watch recorded an increase in “potential violations” of MPA regulations mainly by visitors to the Agate Beach tide pools at the base of the trailhead. “Potential violations” are reports of perceived violations but [these reports](#) are not verifiable by a third party independent scientific review, which is why they are only referred to as “potential” violations. This is a conflict of interest. [The EAC often refers to these “potential violations” as “poaching”](#). EAC believes tide pool visitors are violating regulations / “poaching” because they are confused by the partial-take MPA regulations at Duxbury Reef. The MPA Watch Regional Report includes “Dogs Off Leash” (2024 data shows that of the 132 “potential violations” reported by the EAC MPA Watch, 60 were dogs off leash), “Hand Collection of Biota” (often referred to “poaching”) where MPA Watch reporting mentions that “volunteer docents note

that when they engaged with individuals who were collecting biota, they observed that most collecting was for observation and not consumption, and most people appreciated learning about the impact and replaced the organisms”, “trampling” is mentioned, and *none* of the “potential violations” in 2024 include fishing violations. Are these “potential violations” actually “poaching”? According to the [CDFW](#), the “hand collecting of biota” (for observation) doesn’t appear to be poaching. To clarify, “hand collecting of biota” (for observation) is when a tidepool visitor picks something up, such as a crab or a piece of kelp, to observe closely and then returns it to the tide pool. The EAC conflates this behavior as “poaching” throughout their reporting. In fact, the EAC’s conflation of terms is repeated enough that Google AI confirms their claims (with no third party scientific source noted). See [Save Duxbury Access Community slides](#) (page 87).

How does the EAC decide what is a “potential violation”? There is confusion within [EAC MPA Watch reporting](#) of what tide pool visitors are allowed to do at the Duxbury Reef SMCA tide pools. “Dogs off leash” is a clearly communicated violation of Marin County Parks rules for Agate Beach, but are visitors allowed to gently touch organisms at the Duxbury Reef SMCA, and walk on the reef? The EAC MPA Watch sometimes records these activities as “poaching” and “trampling”. At Reserve tide pools, visitors cannot touch anything alive, and can only walk on dry barren rock / sand but is this true for SMCA tide pools or just “best practices”? The signs at Agate Beach do not say that visitors cannot touch tide pool organisms, nor do they say that visitors cannot walk on the reef or pick up biota for observation and then return it to the reef. The CDFW says “there are not specific regulations that govern tide pool best practices” so why does the EAC MPA Watch call “Hand Collection of Biota” for observation a “potential violation” and “poaching”? If the “potential violations” of “Hand Collection of Biota” for observation were removed from the unverifiable EAC MPA Watch reporting, the remaining violations would mainly be “Dogs off leash”. Would this be enough to justify the elimination of all reef fishing in Bolinas?

**Mischaracterization of the significant socioeconomic impacts to the Bolinas community and West Marin:** The impacts on commercial fishing are grossly mischaracterized in the EAC’s [full petition](#). “Known impacts from the three proposed changes (designation change, extension south, and extension north) may result in fewer people able to harvest food (fish and invertebrates, commercially and recreationally) on the intertidal reef and beach, and offshore of Duxbury Reef.” These MPA petition changes would have a devastating economic impact because it would cripple our small sustainable hook and line commercial fishery that feeds West Marin, plus the existing crab trap regulation changes, salmon closure, and current SMCA regulations. The EAC’s petition does not discuss the potential business failure for commercial fishermen like Jeremy Dierks who reports to be “barely hanging on” and further limits could be the “final nail in the coffin” for their businesses which should be a model on sustainable fishing practices. It also doesn’t discuss restaurant supply chains for Bolinas’ restaurants, such as the Coast Cafe, who have built reputations and menus around freshly caught, local seafood. Further limits would cut off this supply, forcing restaurants to source less local, and potentially less fresh, seafood, or to alter their menus entirely. Market sales would also be impacted for businesses like the Palace Market in Point Reyes, which purchase directly from local fishermen, would lose a key local product line. This could result in a drop in sales and a shift in consumer behavior.

Tourism could be affected as Bolinas' coastal town identity is intrinsically linked to its maritime culture. The loss of local commercial fishing could diminish this aspect of the town's character, potentially impacting the tourism and visitor experience. Ripple effect could be felt on related industries to trigger a wider impact. Businesses that provide fuel, ice, gear, and maintenance services to the fishing boats would see a significant drop in demand, as well as reduced tax revenue to state and local governments who would lose revenue from fees associated with fishing activities. State and local governments would also lose revenue from fees associated with recreational fishing activities that contribute to conservation measures.

**Improper public noticing - no meaningful outreach to community stakeholders.** The EAC submitted MPA Petition (2023-32) in 2023 without any meaningful community outreach in Bolinas. Many in Bolinas just discovered this petition in mid July of 2025. EAC secured endorsements from elected officials and public agencies without hearing from the impacted community: Supervisor Dennis Rodoni, Congressman Jared Huffman, plus: Marin County Parks, National Park Service, College of Marin, Marine Mammal Center, and members of the community. "Broad public support" becomes ["Strong Community Support"](#) in the EAC's supplemental materials to the Fish and Game Commission submitted on 7/3/25 (after gaining 22 more signatures gathered at two separate EAC events) while most of the town of Bolinas was still unaware of this petition. Bolinas, Ca has a population est. 1,200. We are a small, rural, tight-knit coastal town in Marin County, known for our strong commitment to preserving our character and independence, our long held focus on sustainability and local foods, and historic community led environmentalism. We even officially became a "socially acknowledged nature-loving town" with Measure G in 2003. Did the EAC hold a meeting in 2023 to discuss their petition at the Bolinas Community Center, at the Bolinas Firehouse, or at the Bolinas Rod and Boat Club? No. Why didn't the EAC include our town in this important discussion?

Behind our backs, the EAC circulated a one-sheet petition that contained significant information gaps: no clear overview of current and proposed MPA regulations, no stated science driven ecological problem, no compliance plan for regulation change, and no acknowledgment of community socioeconomic impacts. These information gaps are apparent in all the letters of support provided by the EAC for their petition. Each letter is missing these fundamental tenants that would have brought merit to the petition. These information gaps are apparent in the conversations with the few community members who had inadvertently signed the EAC one-sheet. Most did not know that this petition would affect fishing at all. *Note: the word "fishing" is not mentioned at all in the entire EAC one-sheet petition circulated in 2023.* Many did not know there would be negative impacts to the community, and some have formally withdrawn their support.

Without any meaningful community outreach in Bolinas, many valuable perspectives have been missing from the conversation. These voices come with hundreds of combined years of lived experience caring for the area that sustains us. These voices provide critical input from perspectives that must be included in any conversation that concerns this ecosystem because we are a part of this ecosystem, not separate. When only one small part of a story is told, we can never see the full picture. For lasting protections everyone must have a seat at the table,

marginalized voices must be protected, and transparency is paramount! Saving our planet requires all hands on deck, not just the few at the top. The exclusion of our community from this process is particularly egregious in light of our longheld and well known environmental stewardship.

### **No compliance plan presented for proposed designation and boundary change.**

According to a [study on signage](#) that was cited by the EAC in their supplemental petition materials, “consumptive users had a better understanding of rules than non-consumptive users.” Unfortunately, the EAC doesn’t see the benefit of fishermen, who understand the rules, being at the beach. Instead, the EAC wants to eliminate them: “By eliminating partial take (consumptive use) and simplifying regulations, the behavior of all visitors at the highly vulnerable Duxbury Reef would become less harmful to marine life.” The EAC claims that by removing knowledgeable law-abiding consumptive users from the area, everyone’s behavior will improve. This does not make sense to us in Bolinas. This would be like removing knowledgeable surfers from the beach because less knowledgeable beach visitors were getting hurt in rip tides. Just like with surfer “bystander rescues”, fishermen are often a knowledgeable extra set of eyes on the beach to keep the ecosystem and people safe. Why would the EAC want to eliminate this knowledgeable resource?

In summary, the EAC wants to eliminate ALL low impact traditional law abiding reef fishermen from the ENTIRE 8-10 miles of rocky reef coastline in Bolinas because the EAC wants to solve the *potential* “visitor confusion” that has been anecdotally reported by a few EAC MPA Watch volunteers from a very small portion of the current SMCA, at the base of the the Agate Beach trailhead, which is the most accessible spot in the entire SMCA, and possibly the most accessible tide pool in all of Marin County. The EAC believes that tide pool visitors have been *potentially* confused by the partial-take SMCA regulations, and this has led the tide pool visitors to cause *potential* harm to the reef by doing *potential* violations that are based on the EAC’s interpretation of the current SMCA regulations that they feel do not allow “hand collection of biota” for temporary observation that is later returned to the reef after observation, aka picking up crabs or kelp, even though this interpretation of the regulations is not posted anywhere at the beach. The EAC believes that the *potential* increase of these *potential* violations which are often conflated by the EAC as “poaching” has led to the *potential* harm of the reef which the EAC says is in *potential* decline even though the UC Santa Cruz long term scientific data proves otherwise. The EAC believes that if the fishermen were eliminated from this area then the reef would be *potentially* safer, even though the EAC has presented no *potential* plan for compliance. That is a LOT of “*potentials*”, without any verified scientific evidence.

**Save Duxbury Access does not think it’s justifiable to eliminate all low impact traditional reef fishing in Bolinas to solve *potential* “visitor confusion”.** We believe in BALANCE and collaboration, and that community support makes a huge difference! Save Duxbury Access believes that protecting coastal public access for all is the BEST way to protect our planet. Teaching children to fish and explore the tide pools helps them love nature and creates a lifelong connection to the natural world and that is why access is worth protecting! In the words

of famed local naturalist, Mrs. Terwilliger "Teach children to love nature. People take care of what they love."

We all love Duxbury Reef and respect the clear and comprehensive SMCA protections that were established over fifteen years ago through a rigorous collaborative process with a diverse group of stakeholders. This successful compromise balances regulations with public access, recognizing that the best environmental stewardship relies on strong community support. **We urge the Commission to reject the 2023-32MPA petition in its entirety and preserve the current boundaries and status at Duxbury Reef because there has been no science based rationale presented that necessitates a change to the current MPA.** We should focus instead on improving signage, education, and enforcement while protecting low-impact recreational & commercial fishing that aligns with the CFGC Coastal Fishing Communities Policy, the CFGC Justice, Equity, Diversity, and Inclusion (JEDI) Policy, and California's Coastal Access sustainable management values. Thank you for considering this perspective.

Attachments:

1. Save Duxbury Access Cover Letter
2. Bolinas Long-Term trends - UC Santa Cruz
3. Save Duxbury Access Community Slides
4. Save Duxbury Access Community Meeting Notes 9/18
5. EAC Fact Sheet Notations
6. Opposition to MPA Petition (2023-32) Letter Signatures
7. Revoke Signature Forms
8. Press Coverage

Sincerely,

Save Duxbury Access, on behalf of the Bolinas community

*"Save Duxbury Access" is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition in Bolinas of responsible stewardship.*

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# MARINe

Multi-Agency Rocky Intertidal Network *pacificrockyintertidal.org*

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[Home](#) / [Site Info](#) / [Bolinas Point](#) / [Bolinas Point Long-Term trends](#)

## Bolinas Point Long-Term trends



In order to standardize species resolution across all MARINe groups and over time, some species (typically rare) were lumped for graphical presentation of Long-Term monitoring data. See [lumped categories](#) for definitions (some variation occurs between methods and over time).

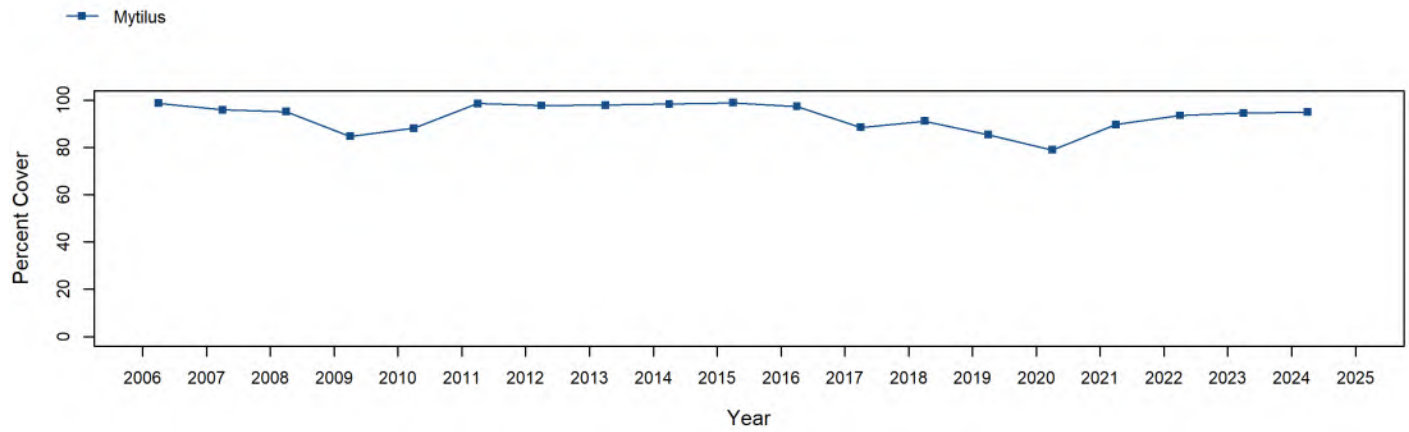
If you experience any barriers accessing the trend graphs below, please contact ([pacificr@ucsc.edu](mailto:pacificr@ucsc.edu)) for help.

## Photo Plots

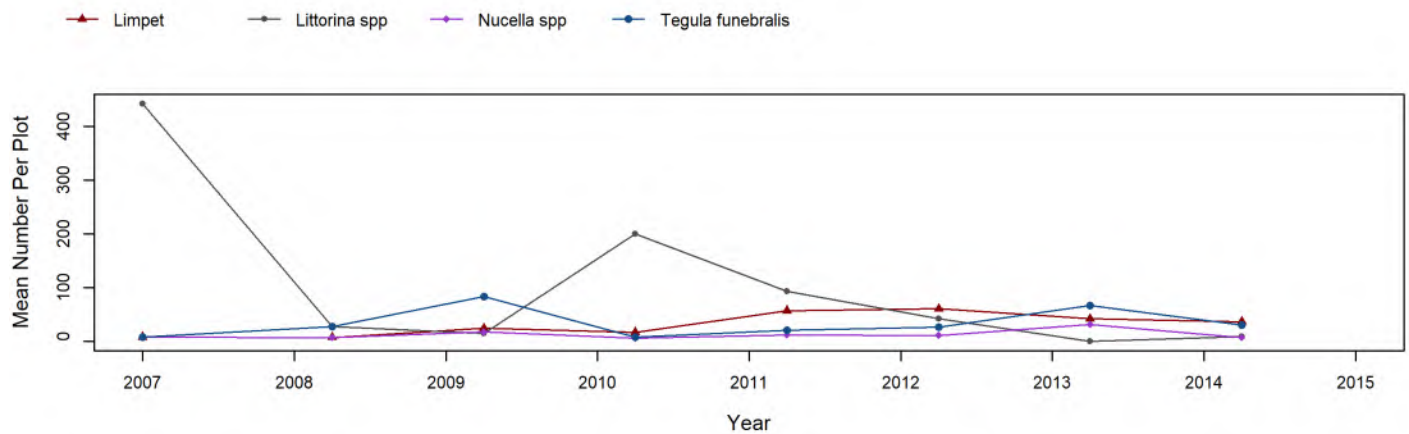


Below are the trends observed for each [Photo Plot target species](#) at this site. Long-Term percent cover trend graphs also include any species that reached a minimum of 25% cover during any single point in time within a given target species assemblage. Breaks in trend lines represent missed sampling events. For additional species observed that did not meet this 25% threshold, please use the [Graphing Tool](#).

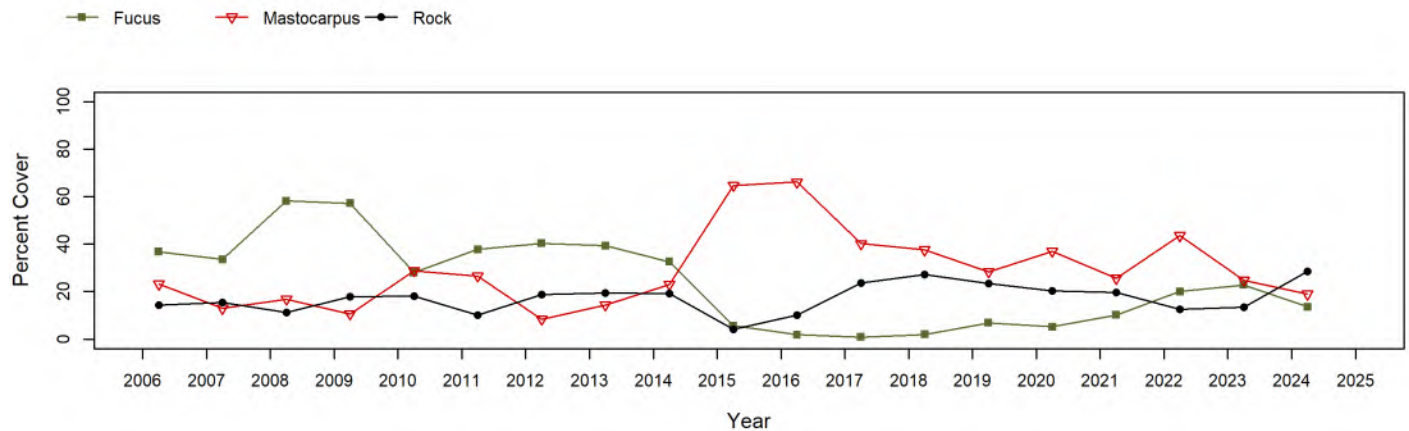
### ***Mytilus* (California Mussel)** – percent cover



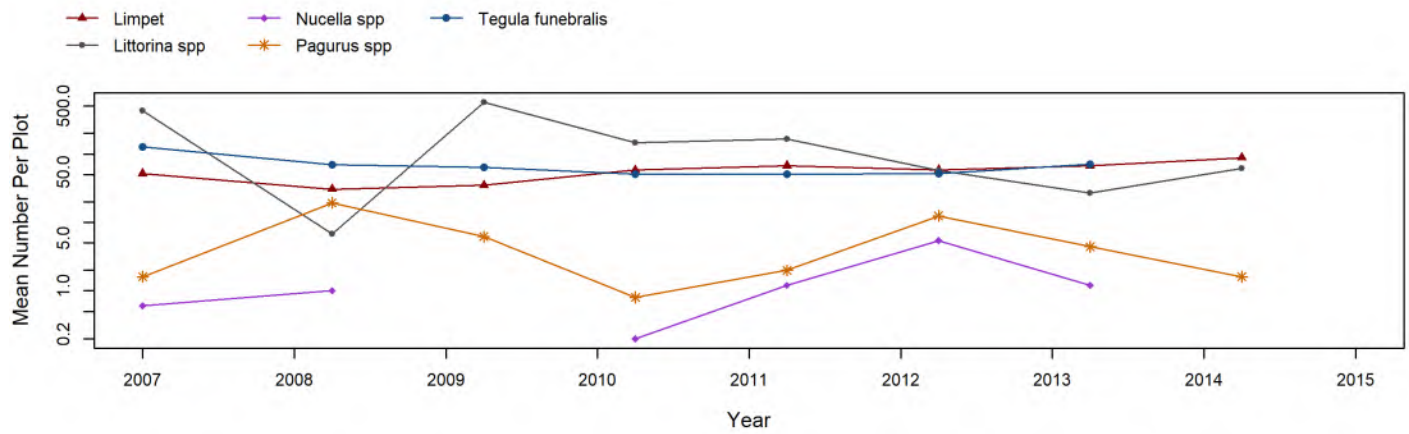
## *Mytilus* (California Mussel) – motile invertebrate counts



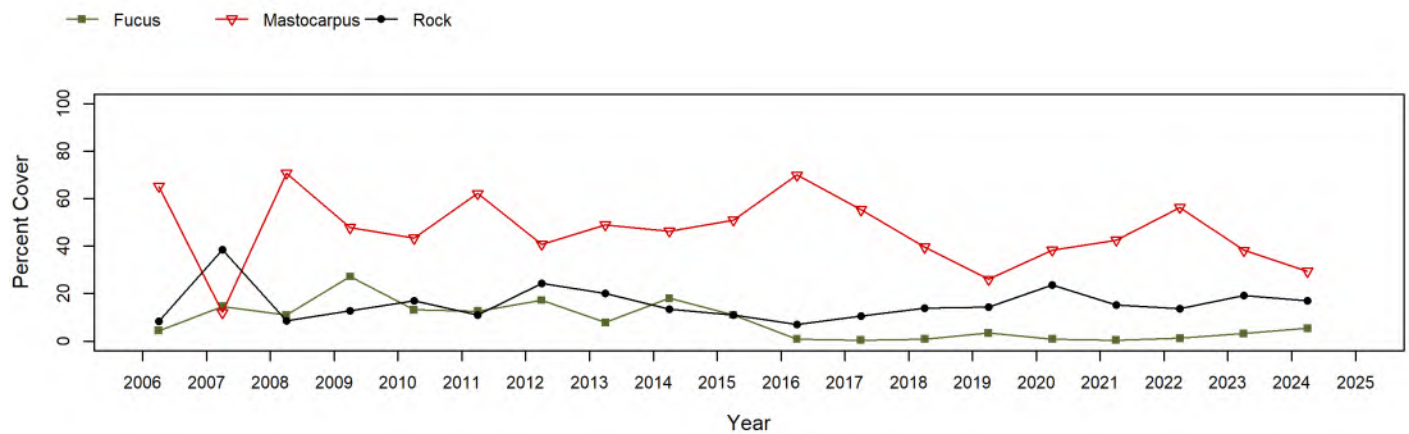
## *Fucus* (Northern Rockweed) – percent cover



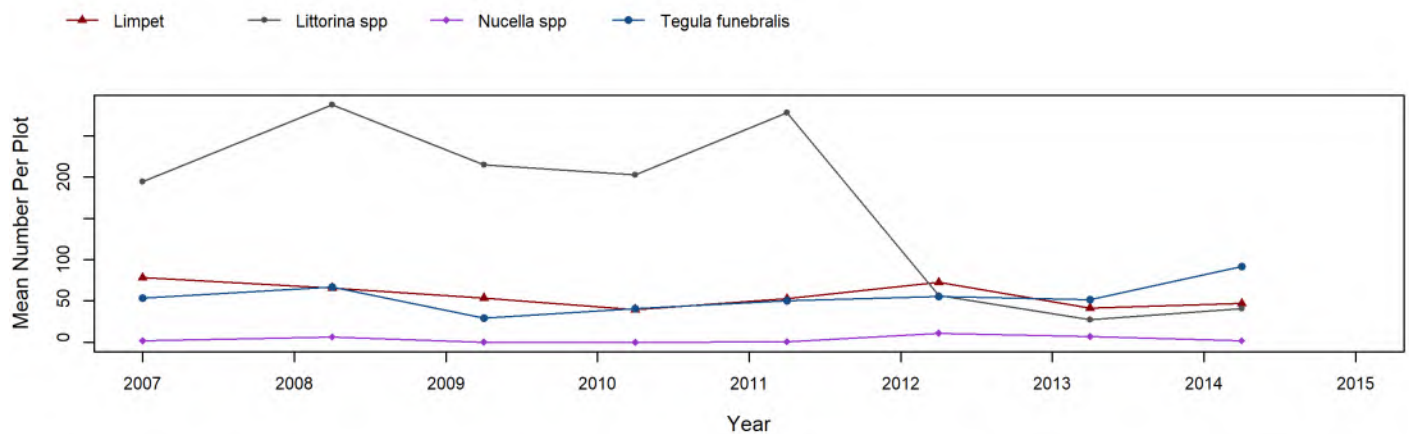
## *Fucus* (Northern Rockweed) – motile invertebrate counts



## **Mastocarpus (Turkish Washcloth) – percent cover**



## **Mastocarpus (Turkish Washcloth) – motile invertebrate counts**

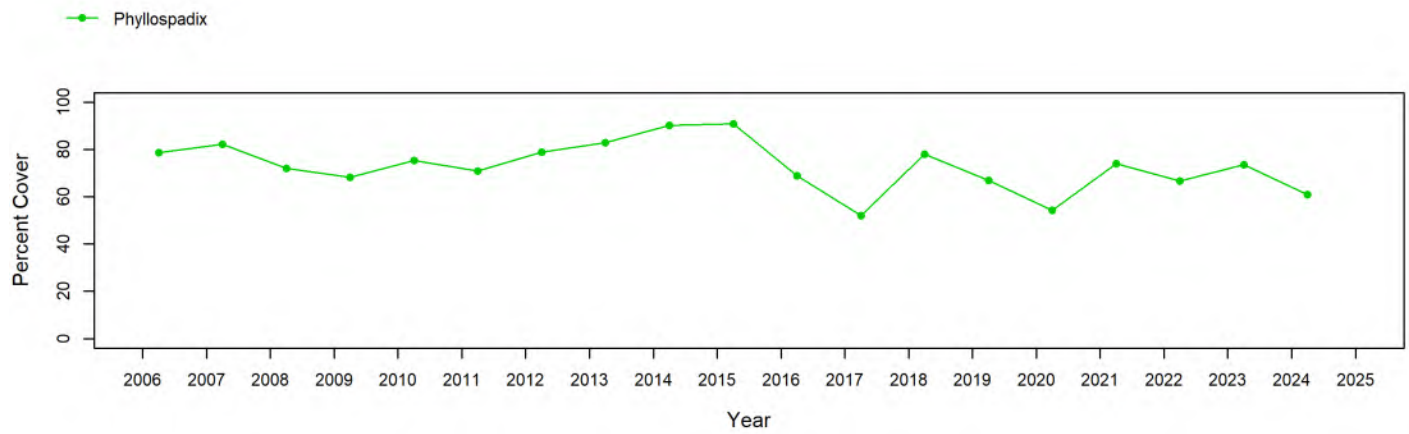


## **Transects**



Below are the trends observed for each [Transect target species](#) at this site. Long-Term trend graphs also include any species that reached a minimum of 25% cover during any single point in time within a given target species assemblage. Breaks in trend lines represent missed sampling events.

### ***Phyllospadix* (Surfgrass)**

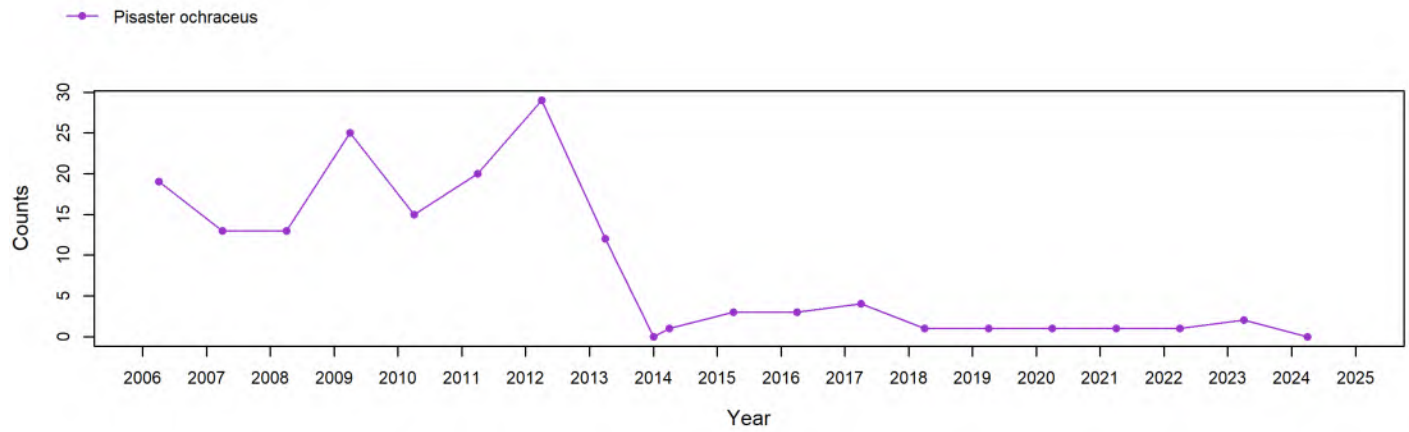


## Species Counts and Sizes

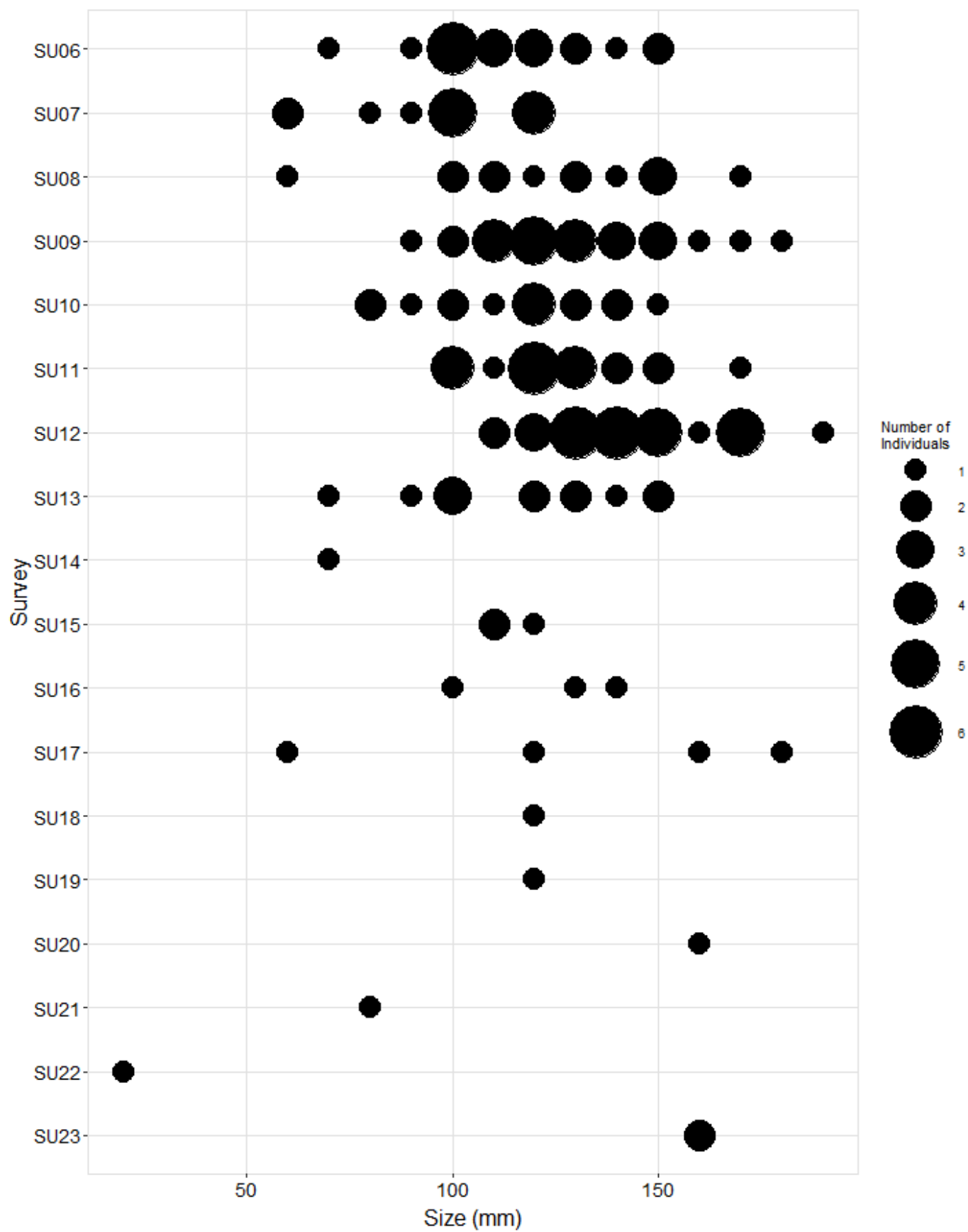


[Species Counts and Sizes](#) (where recorded) for *Pisaster* are shown below for this site. At some sites, other sea star species and *Katharina* are counted in addition to *Pisaster*. The sum of all individuals across all plots is displayed. Note that data gaps are represented by breaks in long-term count trend lines, but are not shown in size plots.

### ***Pisaster ochraceus* (Ochre Star) – counts**



## *Pisaster ochraceus* (Ochre Star) – sizes



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Multi-Agency Rocky Intertidal Network

[Contact Us](#)

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[Report an accessibility barrier](#)

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[Employment](#)

[Privacy](#)

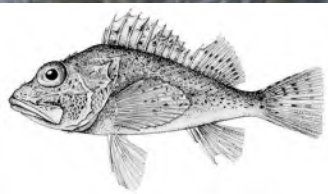
[Accreditation](#)

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Last modified: Jul 21, 2025

# SAVE DUXBURY ACCESS

Community Informational Meeting



Last update: 9/25/2025

Contact:

[saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

1.) No verified scientific evidence that there is an ecological problem to solve at Duxbury Reef SMCA,



Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

2.) No verified scientific evidence presented that hook & line finfishing is harmful to the ecosystem at Duxbury Reef SMCA,



Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

3.) No verified scientific evidence that there are any significant take violations of organisms at Duxbury Reef SMCA that are already protected under the current MPA regulations.



Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

*(Note: If there were significant verified take violations, enforcement would be the issue),*



Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

4.) Mischaracterization of the significant socioeconomic impacts to the Bolinas community and West Marin,



Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

5.) Improper public noticing - no meaningful outreach to community stakeholders, and



Photo courtesy of Alli Smith

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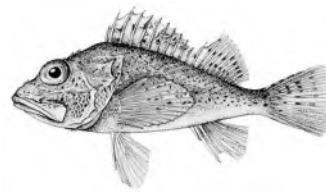
6.) No compliance plan presented for proposed designation and boundary change.



Photo courtesy of Alli Smith

# Agenda

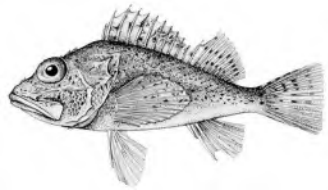
1. Overview of Duxbury Reef State Marine Conservation Area (SMCA)
  - a. Ecological Protections and Ecological Reporting
2. MPA Petition filed by Environmental Action Committee of West Marin
  - a. MPA Redesignation: “Conservation Area” vs “Reserve” and Impacts
  - b. MPA Expansion and Impacts
  - c. EAC Rationale: Why such big changes?
3. Save Duxbury Access: We believe in balance
4. Fish and Game Commission Evaluation Process
5. Q & A



# Duxbury Reef Overview

We love Duxbury Reef!

We are proud of the environmental stewardship we have led from within our community over multiple generations to protect this incredible ecosystem that we all treasure!





# Duxbury Reef Overview

## History:

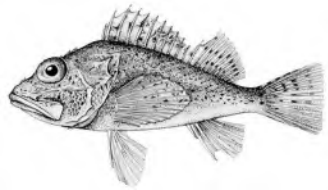
1972 - Area of Special Biological Significance (ASBS) - strict rules against harvesting intertidal organisms, such as mussels, urchins, and other sea creatures.



# Duxbury Reef Overview

## History:

2009 - Duxbury Reef was designated as a State Marine Conservation Area (SMCA) as part of the Marine Life Protection Act (MLPA).



# Duxbury Reef Overview

## History:

“North Central Coast Regional Stakeholder Group” included members of our Bolinas community established this MPA.

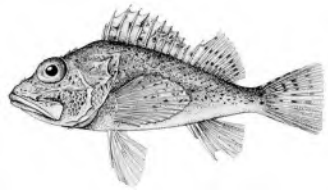


# Duxbury Reef Overview

## The rules are simple:

“It is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, EXCEPT: Recreational take of abalone, and finfish from shore only, is allowed.”

*(Note: Abalone is currently closed)*



# Duxbury Reef Overview

## Compromise:

The current rules represent a great compromise between stakeholders.

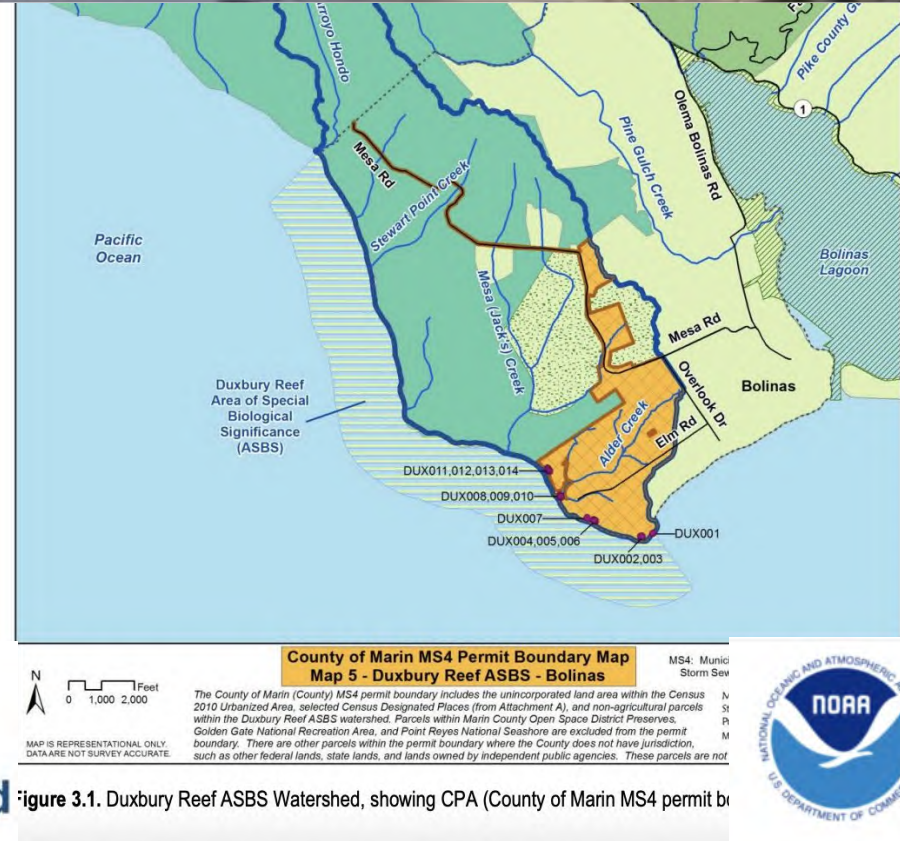
<https://wildlife.ca.gov/Conservation/Marine/M-PA/Duxbury-Reef#622764695-recreation>



# Duxbury Reef Protections

## Designations:

- Area of Special Biological Significance (ASBS) - 1972
- State Marine Conservation Area - 2009
- Essential Fish Habitat (EFH) - 2000



# Duxbury Reef Protections

## Agencies:

- Fish and Game Commission (FGC)
- California Department of Fish and Wildlife (CDFW)
- Environmental Protection Agency (EPA)
- Point Reyes National Seashore (PRNS)
- Greater Farallones National Marine Sanctuary (GFNMS)
- National Oceanic and Atmospheric Administration (NOAA)
- Marin County Parks and Open Space (MCPOS)
- Bolinas Community Public Utility District (BCPUD)



GREATER  
FARALLONES  
ASSOCIATION



GREATER FARALLONES  
& CORDELL BANK  
NATIONAL MARINE SANCTUARIES



# Duxbury Reef Protections

## Legislation:

- The Migratory Bird Conservation Act (MBCA) - 1929
- Marine Mammal Protection Act (MMPA) - 1972
- The Endangered Species Act (ESA) - 1973



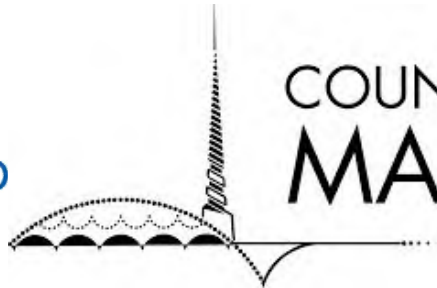
# Duxbury Reef Protections

## Local Groups:

- Bolinas Rod and boat Club - 1964
- Point Blue - 1965
- Bolinas Lagoon Technical Advisory Committee (BLTAC) - 1974
- Duxbury Docents - EAC of West Marin - 2022



**Point Blue**  
Conservation  
Science



COUNTY OF  
**MARIN**



# Duxbury Reef Protections

**Natural Protections:** Duxbury Reef has limited accessibility due to:

- Fluctuating tides
- Steep cliffs
- Rugged terrain
- Weather
- Seasons
- Few access points - *Agate Beach is the only easy public access on this entire stretch of 8-10 miles of rocky reef coastline.*



# Duxbury Reef Protections

## Community:

Strong history of community led environmental activism

## Oil spill - 1971

*Bolinas community came together to help protect the Lagoon from the oil spill by constructing a boom out of logs and straws with local carpenters, tree workers, and other citizens.*



Volunteers patching one of the three booms at Bolinas Lagoon, January 21, 1971 (Roy H. Williams, Oakland Tribune)

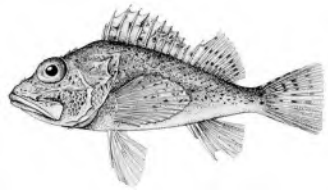
# Duxbury Reef Protections

## Community:

Strong history of community led environmental activism

## Oil spill - 2007

*Bolinas community volunteer cleanup efforts.*



November 12, 2007

↓ JPEG

<https://earthobservatory.nasa.gov/images/36104/2007-san-francisco-bay-oil-spill>

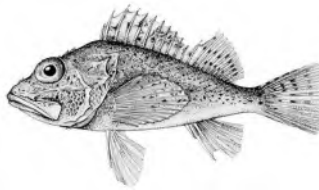
# Duxbury Reef Protections

## Community:

Strong history of community led environmental activism

## Oil spill - 2007

*Collaboration between Marin County Parks and Open Space, the Bolinas Rod and Boat Club, and citizens on acquiring an oil boom through OSPR and training to deploy.*



Chronicle / Deanne Fitzmaurice



Chronicle / Deanne Fitzmaurice



Chronicle / Kurt Rogers

# Duxbury Reef Protections

## Community:

- Hook and line fishing
  - Low impact
  - Small scale
  - Local
  - Sustainable
  - Healthy!

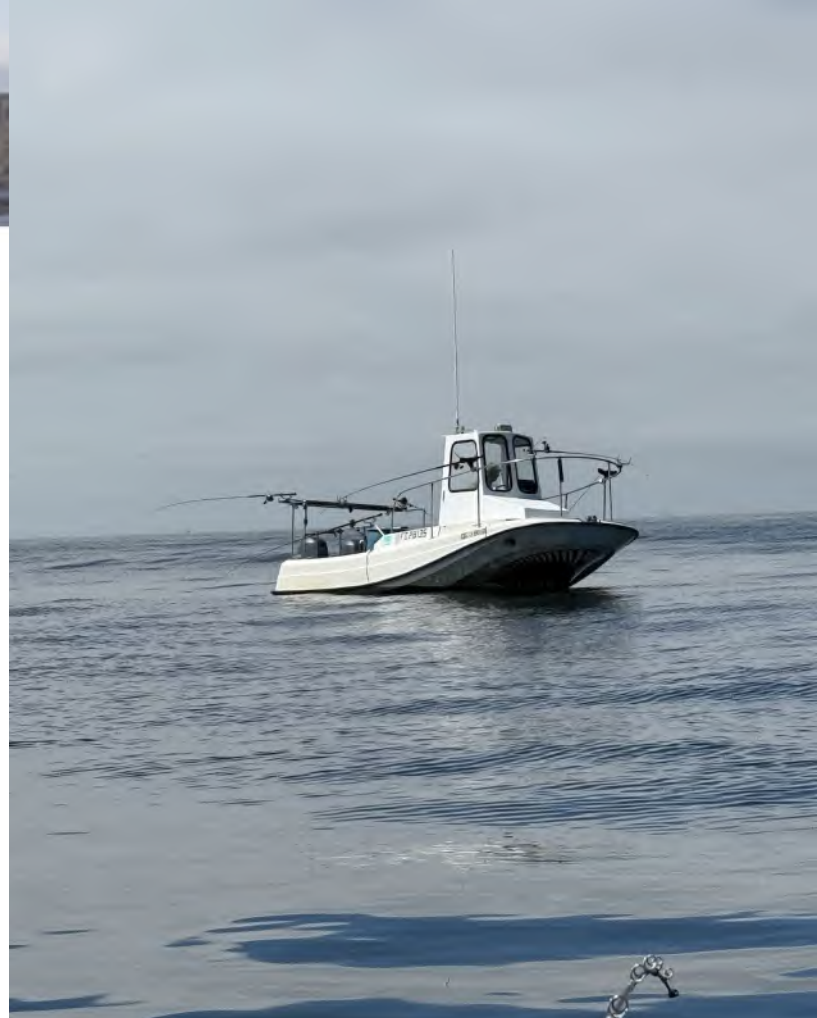
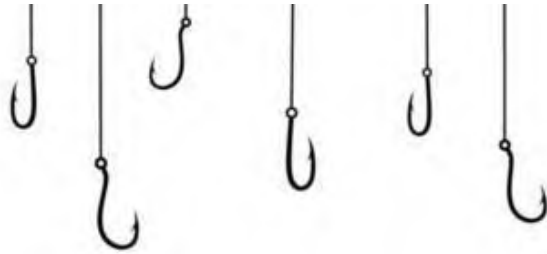
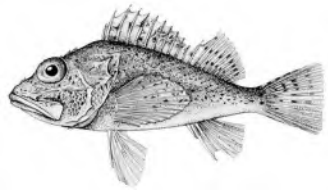


Photo courtesy of Willie Norton

# Duxbury Reef Protections

## Community:

- Organic Farming
  - Low impact
  - Small scale
  - Local
  - Sustainable
  - Healthy!

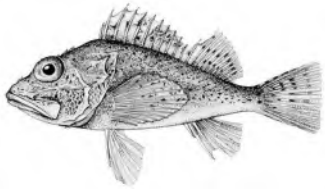


Photograph of Peter Martinelli's farm from Marin Organic

# Duxbury Reef Protections

## Community:

- Local citizen and docents volunteer work
  - Beach clean-ups
  - Docent tours
  - Field trip chaperones



(Genaro Molina/Los Angeles Times via Getty Images)

# Duxbury Reef Protections

## Community:

- Culture of Care
  - Nature centered school curriculum pre-k - 8
  - After school program “Stewards of the Land”
  - Field trip chaperones
  - “Nature Loving Town”



Photo courtesy of “Stewards of the Land”

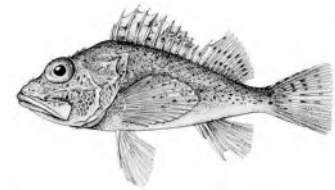
# Duxbury Reef Ecological Reporting

## It's working!

- International Recognition: “International Gold Standard for Marine Conservation”  
<https://opc.ca.gov/2025/06/for-immediate-release-californias-marine-protected-area-network-recognized-as-international-gold-standard-for-marine-conservation/>
- Kelp Forest is rebounding!  
<https://doi.org/10.6073/pasta/a9071a2ce1b78242c2ad1dda5854ec78>



<https://marinespecies.wildlife.ca.gov/kelp/true/>

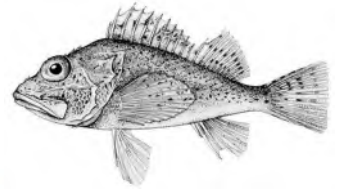


# Duxbury Reef Ecological Reporting

## It's working!

- “Here is a link to long-term intertidal monitoring site data within the SMCA at Bolinas Point. The long-term data show no declines in species of interest (e.g. mussels, rockweeds)” - Niko Kaplanis, marine biologist

[https://drive.google.com/file/d/1CgTXKHIKM5xGXLPLiYp9trefuY\\_03rlr/view?usp=sharing](https://drive.google.com/file/d/1CgTXKHIKM5xGXLPLiYp9trefuY_03rlr/view?usp=sharing)

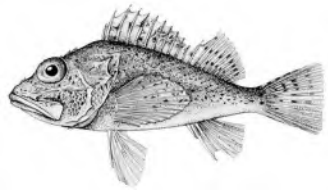


## Bolinas Point Long-Term trends



# EAC Rationale: Why such big changes?

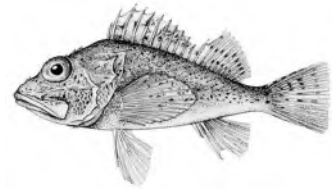
This is great news for the Reef!



# Duxbury Reef Ecological Reporting

## It's working!

- Anecdotal Evidence: “Over the past two years, bull kelp has returned prolifically between Duxbury Point and Double Point - more than I’ve seen in decades of surfing and exploring this coast. Dense thickets now float offshore, especially visible from RCA cliffs and the Palomarin Coastal trail, a striking contrast to the die-off after the 2013 “Perfect Storm” which Sonoma and Mendocino Counties have yet to recover from. As a foundation species, kelp signals ecosystem health: it provides structure, food, and shelter for fish and invertebrates, while buffering ocean conditions through photosynthesis. In contrast, when I dove the Sonoma coast last week - from Salmon Creek through The Grades to Fort Ross - I found no kelp at all. The absence was stark, with few fish and depleted food chains. The thriving kelp forests here are living proof of the resilience and health of our local reef habitat” - **Alli Smith**

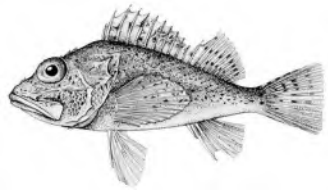


# Duxbury Reef Ecological Reporting

## It's working!

- Anecdotal Evidence: “Intertidal species like prickleback and monkey-face eels mostly eat kelp. Crustacean, mollusk, and small fish eating cabezon, greenling, perch and grass rockfish are healthy and even thriving. And because these resident fish reflect the environment that supports them, they are an accurate indication that the greater habitat is fundamentally healthy, too.” - **Rudi Ferris**

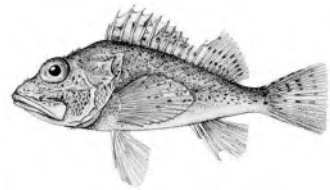
[https://www.ptreyeslight.com/news/eac-should-drop-duxbury-bid/?mc\\_cid=dc0250b1c7&mc\\_eid=a35235e3c1](https://www.ptreyeslight.com/news/eac-should-drop-duxbury-bid/?mc_cid=dc0250b1c7&mc_eid=a35235e3c1)



# Duxbury Reef Ecological Reporting

## It's working!

- Anecdotal Evidence: "I'm a lifelong resident of Bolinas and have been fishing and abalone diving (when it was still open) for over 50 years. 30 and 40 years ago saw greater numbers of people fishing on the reef (obviously before it was a SMCA) and it managed to stay healthy back then. Now that it is a SMCA it's in even better health. The mussel beds are much larger and prolific than years ago by far." - **Andrew Kleinberg**





8-25-2025



8-25-2025



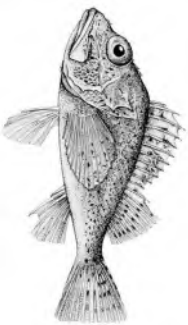
8-25-2025



8-25-2025



8-25-2025



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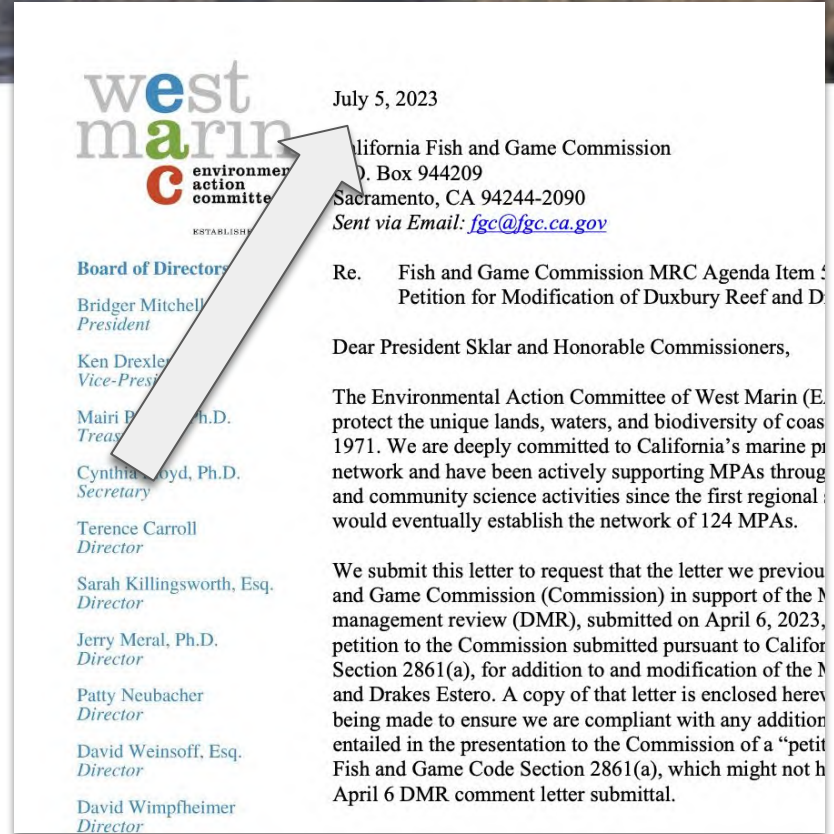
# EAC of West Marin Petition

Submitted MPA Petition (2023-32) in 2023 without any meaningful community outreach in Bolinas.

Many in Bolinas just discovered this petition in mid July of 2025.

This petition seeks to **expand** the MPA area to nearly triple the current Duxbury Reef SMCA and to **reclassify** it from a balanced use “Conservation Area” to a highly restrictive “Reserve”.

[https://drive.google.com/file/d/1c\\_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view](https://drive.google.com/file/d/1c_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view)



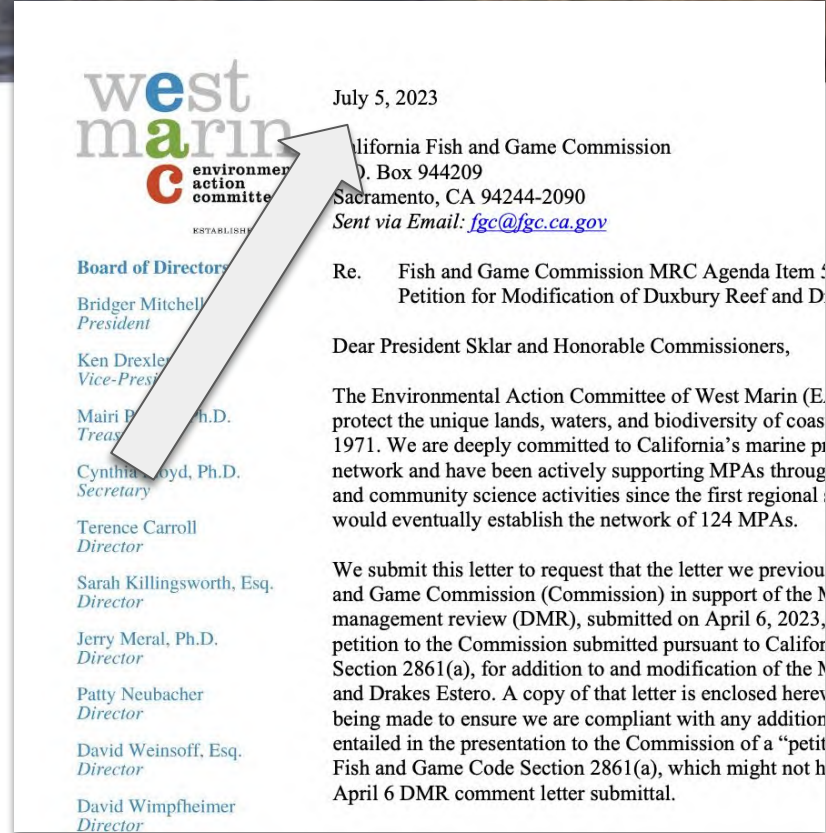


# EAC of West Marin Petition

EAC secured endorsements from elected officials and public agencies **without any meaningful community outreach in Bolinas:**

- Supervisor Dennis Rodoni
- Congressman Jared Huffman
- Plus: Marin County Parks, National Park Service, College of Marin, Marine Mammal Center, and members of the community

- Supervisor Dennis Rodoni
- Congressman Jared Huffman
- Plus: Marin County Parks, National Park Service, College of Marin, Marine Mammal Center, and members of the community



# EAC of West Marin Petition

“**Broad public support**” becomes “**Strong Community Support**” in the EAC’s supplemental materials to the Fish and Game Commission submitted on 7/3/25 *before most of the town of Bolinas is aware of this petition.*

## I. **There is Strong Community Support for our Petition.**

In attachments 21.2 and 21.3 to this letter, we include additional local community support for this petition. This support was gathered at two recent EAC events, where local members of our community were present. This builds upon the large record of **broad support** for our petition as demonstrated by the updated index (Attachment 21.1) for our petition.



- 22 more signatures gathered at two separate EAC events.

<https://drie.google.com/file/d/1DWQX9ftLVpsuDz6tksW0nWzOv8fEwTt/view?usp=sharing> (page 17-22)

# EAC of West Marin Petition

## Bolinas, Ca:

- Population: est. 1,200
- Small, rural, tight-knit coastal town in Marin County, known for its strong commitment to preserving its character and independence.
- Long held focus on sustainability and local foods.
- **Historic community led environmentalism.**
- Measure G "socially acknowledged nature-loving town" - 2003



# EAC of West Marin Petition

Did the EAC hold a meeting in 2023 at the Bolinas Community Center to discuss this petition?

No

Did the EAC hold a meeting 2023 at the Bolinas Firehouse to discuss this petition?

No

Did the EAC hold a meeting 2023 at the Bolinas Rod and Boat Club to discuss this petition?

No

Why didn't the EAC include our town in this important discussion?



# EAC of West Marin Petition

What's it called when a private agency secures endorsements from elected officials and public agencies without meaningful public outreach to the impacted community?

It can be called “Astroturfing”



“This is a deceptive tactic that creates the illusion of widespread grassroots support for a cause, person, or policy. In this context, it would involve manufacturing the appearance of public backing by using the endorsements from elected officials and public agencies to imply a broad, authentic consensus that doesn't actually exist.

Astroturfing is fundamentally about deception, and it contrasts with legitimate grassroots movements, which are driven organically by the public.”



# EAC of West Marin Petition

## How astroturfing works for regulatory change?

Ethically dubious practice to mislead both the public and regulators by manufacturing the illusion of public consensus. Instead of reflecting true grassroots engagement, the movement is orchestrated and funded by a group with a vested financial or political interest.

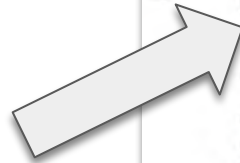
## Why is astroturfing harmful?

“Ethical governance emphasize the importance of two-way communication and direct public involvement to build trust and ensure policy decisions reflect the needs of all community members. By circumventing this process, an agency can bypass potential opposition or critical feedback from the community, leading to resentment and a breakdown of trust.”

# EAC of West Marin Petition

The EAC circulated a one-sheet petition containing significant information gaps:

- No clear overview of current and proposed MPA regulations.
- No stated science driven ecological problem, because the reef is not in decline.
- No acknowledgment of community socioeconomic impacts.
- No compliance plan for regulation change.



California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

Re: Fish and Game Marine Resources Committee Agenda Item 5: MPA DM  
Petition for modification of Duxbury Reef Marine Protected Area

Dear President Sklar and Honorable Commissioners,

This is submitted to you in support of the petition submitted to you by the End Action Committee of West Marin ("EAC") dated April 6, 2023.

Duxbury Reef's shale reef supports a complex and rich ecosystem of over 100 marine invertebrates, vertebrates and flora. Its tidal pools are easy to access and are used as outdoor classrooms for students from primary school to the university level. Each day there are 100s of visitors at Duxbury Reef, including many visitors from other states and countries, for tide pool exploration and wildlife watching.

We believe that in order to preserve unimpaired the ecosystem of Duxbury Reef for enjoyment, education and inspiration of current and future generations and to minimize the negative impacts of collecting on Duxbury Reef's intertidal habitat and species all the following additions to and modifications of the Duxbury Reef State Marine Conservation Area should be approved by the Commission.

1. Change the designation of the Duxbury Reef State Marine Conservation Area to a "State Marine Reserve". I understand that a designation as a "State Marine Reserve" will prohibit all taking, damage, injury or possession of any living, geological or mineral marine resource, except under a scientific collecting permit or authorized research, restoration or monitoring.

2. Extend the southern boundary of the Duxbury Marine Protected Area to the most southerly tip of Duxbury Reef exposed at mean lower low water

3. Extend the northern boundary of the Duxbury MPA to the Double Point Stack Special Closure, that is the northern point of the area known as Double

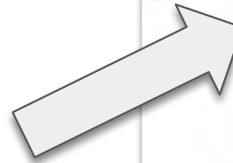
Name

Residence Address

# EAC of West Marin Petition

These information gaps are apparent in the letters of support provided by the EAC for their petition. *Each letter has:*

- No clear overview of current and proposed MPA regulations.
- No stated science driven ecological problem, because the reef is not in decline.
- No acknowledgment of community socioeconomic impacts.
- No compliance plan for regulation change.



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Stack Special Closure, that is the northern point of the area known as Double

Name

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# EAC of West Marin Petition

These information gaps are apparent in the conversations with community members who had signed the EAC one-sheet.

[https://drive.google.com/file/d/1c\\_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view](https://drive.google.com/file/d/1c_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view) (pages 78 - 109)

- Most did not know that this would affect fishing at all.\*
- Many did not know there would be negative impacts to the community.
- Some have formally withdrawn their support.

*\*Note: the word “fishing” is not mentioned at all in the entire EAC one-sheet petition.*

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

Re: Fish and Game Marine Resources Committee Agenda Item 5: MPA Duxbury Reef  
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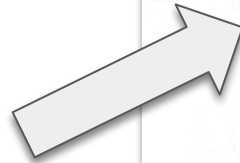
Residence Address

# EAC of West Marin Petition

Without any meaningful community outreach in Bolinas, many valuable perspectives have been missing from the conversation.

These voices come with **hundreds** of combined years of lived experience caring for the area that sustains us.

These voices provide critical input with **perspectives that must be included!**



California Fish and Game Commission  
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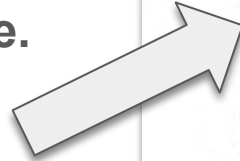
# EAC of West Marin Petition

When only one small part of a story is told, we can *never* see the full picture.

For lasting protections:

- Everyone must have a seat at the table.
- Marginalized voices must be protected.
- Transparency is paramount!

*Saving our planet requires all hands on deck, not just the few at the top...*



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# EAC of West Marin Petition

EAC reported that they are not “required” to submit public support as part of their MPA petition.

[https://drive.google.com/file/d/1xAgKyCzPf8kmsL8SOQXv3v\\_L7o3CFgjG/view?usp=sharing](https://drive.google.com/file/d/1xAgKyCzPf8kmsL8SOQXv3v_L7o3CFgjG/view?usp=sharing)

<https://www.youtube.com/watch?v=v7MjAExBVvg> 1:56

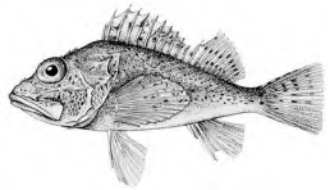
But Bolinas believes that community support is **essential** because it enhances participation in conservation efforts and connects local well-being to ecosystem health (*especially* when it supports livelihoods.)



# EAC of West Marin Petition

“Each one of us matters, has a role to play, and makes a difference. Each one of us must take responsibility for our own lives, and above all, **show respect and love for living things around us, especially each other.**”

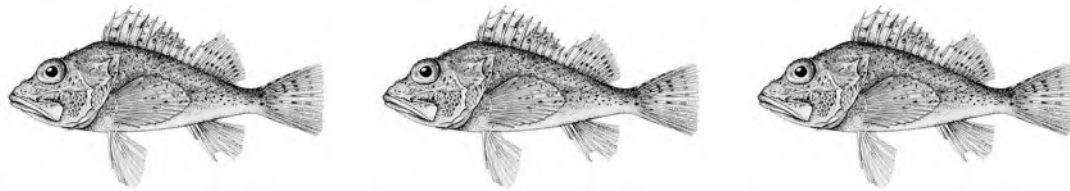
- Jane Goodall, Reason for Hope: A Spiritual Journey



# EAC of West Marin Petition

**Good news! The FGC and CDFW *also* believe that community support is essential. Here are key community factors the FGC and CDFW considers:**

- Potential for greater access for underserved communities.
- Socioeconomic implications.
- Public comments and input from stakeholders.



# EAC of West Marin Petition

## Impacts on Commercial Fishing

This MPA petition would have a devastating economic impact because it would cripple our small sustainable hook and line commercial fishery that feeds West Marin, plus existing:

- Crab trap regulation changes
- Salmon closure
- Current SMCA



Photo courtesy of Willie Norton

# EAC of West Marin Petition

**Impacts on Commercial Fishing are grossly mischaracterized in the EAC's full petition:**

*“Known impacts from the three proposed changes (designation change, extension south, and extension north) may result in fewer people able to harvest food (fish and invertebrates, commercially and recreationally) on the intertidal reef and beach, and offshore of Duxbury Reef.”*

[https://drive.google.com/file/d/1c\\_f9ekzfjNmVGlwDrvQgSfriM21/view?usp=sharing](https://drive.google.com/file/d/1c_f9ekzfjNmVGlwDrvQgSfriM21/view?usp=sharing) (page 5)

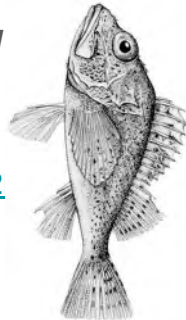


Photo courtesy of Willie Norton

# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Business Failure:** Fishermen like Jeremy Dierks report they are "barely hanging on" and further limits could be the "final nail in the coffin" for their businesses which should be a model on sustainable fishing practices.

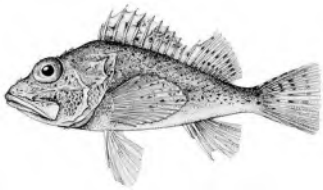


Photo courtesy of Willie Norton

# EAC of West Marin Petition

## The EAC's petition does not discuss:

- **Restaurant supply chains:** Bolinas' restaurants, such as the Coast Cafe, have built reputations and menus around freshly caught, local seafood. Further limits would cut off this supply, forcing restaurants to source less local, and potentially less fresh, seafood, or to alter their menus entirely.

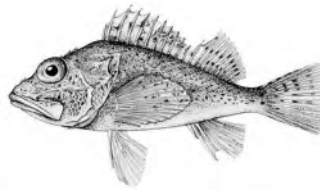


Photo courtesy of Willie Norton

# EAC of West Marin Petition

## The EAC's petition does not discuss:

- **Market sales:** Businesses like the Palace Market, which purchase directly from local fishermen, would lose a key local product line. This could result in a drop in sales and a shift in consumer behavior.

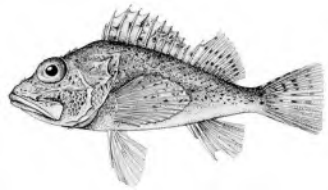


Photo courtesy of Willie Norton

# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Tourism effects:** Bolinas' coastal town identity is intrinsically linked to its maritime culture. The loss of local commercial fishing could diminish this aspect of the town's character, potentially impacting the tourism and visitor experience.

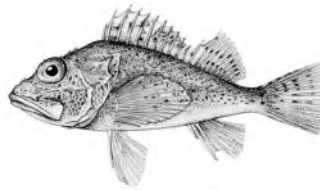


Photo courtesy of Willie Norton

# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Ripple effect on related industries:**  
The initial impact on fishermen and restaurants would trigger a wider ripple effect. Businesses that provide fuel, ice, gear, and maintenance services to the fishing boats would see a significant drop in demand.

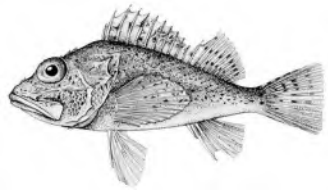


Photo courtesy of Willie Norton

# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Reduced tax revenue:** The state and local governments would lose revenue from fees associated with fishing activities.

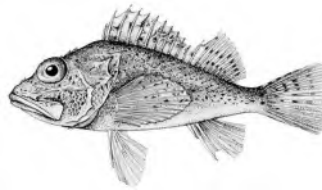


Photo courtesy of Willie Norton

# EAC of West Marin Petition

## Impacts on Recreational Fishing

This MPA petition would have a devastating cultural impact by ending equitable low impact shore based recreational fishing access along the ENTIRE 8-10 miles of rocky reef coastline.

- Where will people without boats fish?
- Where will the kids learn how to fish?
- Poke poling? Abalone?

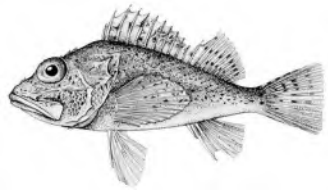


Photo courtesy of Alli Smith

# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Erosion of tradition:** Fishing is a deep-rooted tradition in Bolinas. Many residents have fished the waters for generations, and a ban would eliminate a significant aspect of their culture and way of life.

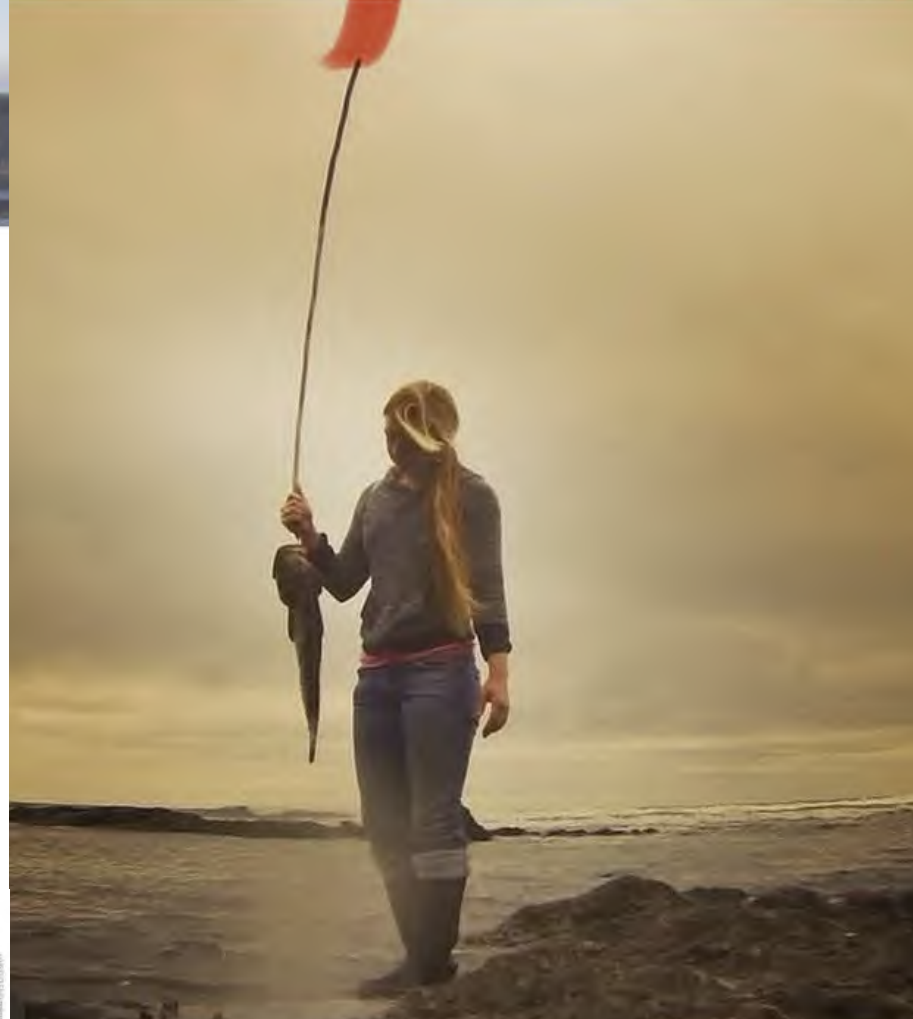
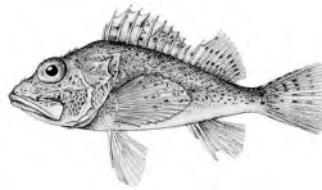


Photo courtesy of Alli Smith

# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Disproportionate impact on access:** Closures can disproportionately affect the fishing rights of lower-income individuals and communities who rely on accessible shoreline fishing.

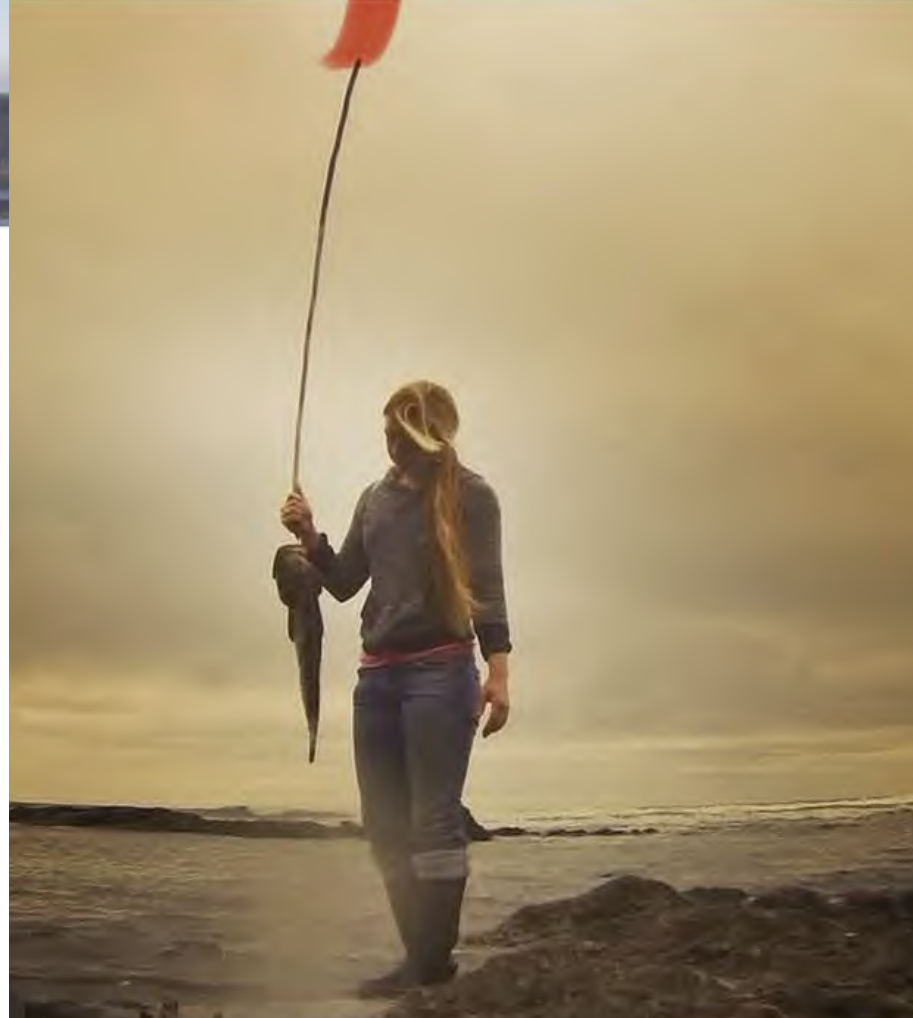
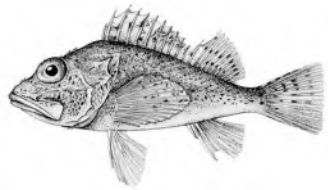


Photo courtesy of Alli Smith

# EAC of West Marin Petition

The EAC's petition does not discuss:

- A complex issue requiring broader solutions: Fishermen argue that they are often unfairly targeted for broader damage caused by environmental stressors.

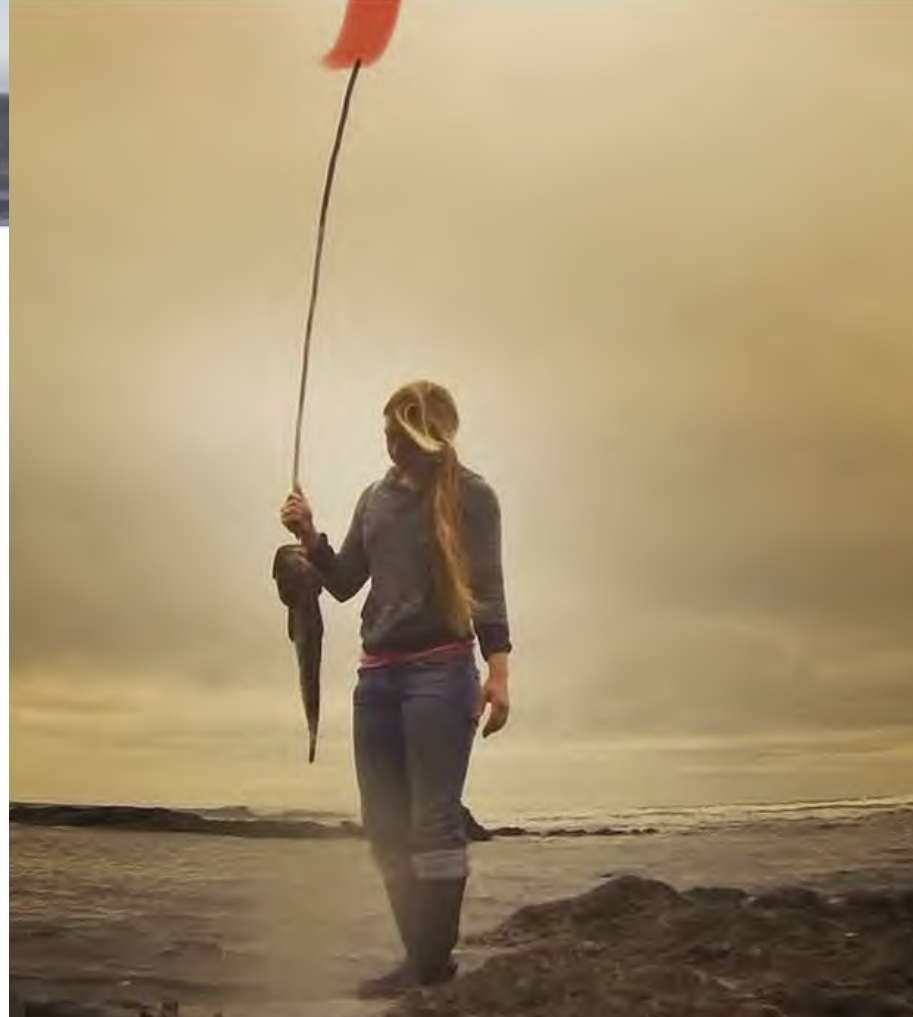
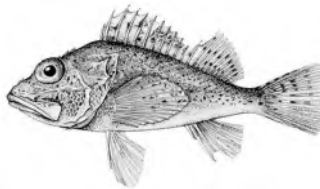


Photo courtesy of Alli Smith

# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Reduced tax revenue:** The state and local governments would lose revenue from fees associated with fishing activities that contribute to conservation measures.

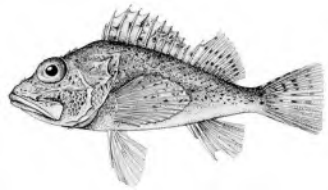
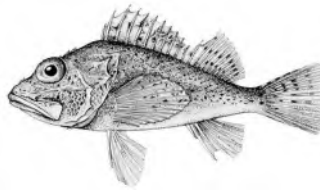


Photo courtesy of Alli Smith

# EAC of West Marin Petition

## Impacts on General Coastal Access

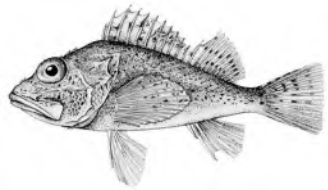
- No touch tide pooling
- No walking on anything but dry barren rock and sand
- No dogs
- Surfer access could be compromised



# EAC of West Marin Petition

The EAC's petition does not discuss:

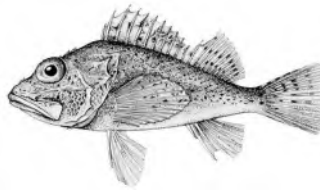
- **Decreased Community Vibrancy:** Bolinas is known for its distinctive coastal culture; further restrictions could diminish the community's unique character and appeal.



# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Increased feelings of exclusion:**  
As seen in other coastal areas, restrictions can make some groups feel excluded from public lands. Limiting access can be viewed as unfair, particularly for those who have historically used the space.



# EAC of West Marin Petition

The EAC's petition does not discuss:

- **Restricted recreational access:** For many local residents and visitors, walking their dog is a valued recreational activity. A ban would eliminate a dog-friendly area, requiring them to seek alternative locations.
- This could lead to opposition from the dog-owning community.



# Reclassification: SMCA vs SMR

Our general coastal access could also be restricted at *any* time it is determined to be interfering with the ecological goals of the Reserve.

(From the 2016 Master Plan for Marine Protected Areas)

Table 3. Definitions and overview of MPA classifications.

| Classification                               | Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Summary                                                                                                                                                                                                                                                                             | Additional Information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>State Marine Reserve (SMR)</b>            | In a <b>state marine reserve</b> , it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except under a permit or specific authorization from the managing agency for research, restoration, or monitoring purposes. While, to the extent feasible, the area shall be open to the public for managed enjoyment and study, the area shall be maintained to the extent practicable in an undisturbed and unpolluted state. Access and use for activities including, but not limited to, walking, swimming, boating, and diving may be restricted to protect marine resources. Research, restoration, and monitoring may be permitted by the managing agency. Educational activities and other forms of non-consumptive human use may be permitted by the designating entity or managing agency in a manner consistent with the protection of all marine resources. <sup>58</sup> | <ul style="list-style-type: none"><li>Prohibits all take and consumptive use (commercial and recreational, living or geologic); scientific research and non-consumptive uses are allowed<sup>59</sup></li><li>Definition is consistent with "marine life reserve" in MLPA</li></ul> | <ul style="list-style-type: none"><li>Scientific collecting permits (SCP) may be issued by CDFW pursuant to Section 650 of the CCR, Title 14, or specific authorization from the Commission for research, restoration, or monitoring purposes</li><li>Boating, diving, research, and education may be allowed, to the extent feasible, as long as the area is maintained "to the extent practicable in an undisturbed and unpolluted state," but activities may be restricted to protect marine resources, including non-extractive activities<sup>60</sup></li><li>Restrictions must be based on specific objectives for an individual site and the goals and guidelines of the MLPA<sup>61</sup></li><li>Does not imply that navigation will necessarily be restricted though MPAs or that other non-extractive activities will be regulated</li></ul> |
| <b>State Marine Conservation Area (SMCA)</b> | In a <b>state marine conservation area</b> , it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes that the designating entity or managing agency determines would compromise protection of the species of interest, natural community, habitat, or geological features. The designating entity or managing agency may permit research, education, and recreational activities, and certain commercial and recreational harvest of marine resources. <sup>62</sup>                                                                                                                                                                                                                                                                                                            | <ul style="list-style-type: none"><li>May allow select recreational and commercial harvest to continue; scientific research and non-consumptive uses are allowed</li></ul>                                                                                                          | <ul style="list-style-type: none"><li>SCPs may be issued by CDFW pursuant to Section 650 of the CCR, Title 14, or specific authorization from the Commission for research, education, or recreational purposes and certain commercial and recreational harvest, provided it does not compromise protection</li><li>Fishing restrictions may vary by focal species, fishing gear, habitats, and goals and objectives of individual MPA<sup>63</sup></li></ul>                                                                                                                                                                                                                                                                                                                                                                                             |

# Reserve Definition

“While, to the extent feasible, the area shall be open to the public for managed enjoyment and study, the area shall be maintained to the extent practicable in an undisturbed and unpolluted state. Access and use for activities including, but not limited to, walking, swimming, boating, and diving may be restricted to protect marine resources.”

*From the 2016 Master Plan for Marine Protected Areas, page 17*

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=133535&inline>

# Reserve Definition

“Boating, diving, research, and education may be allowed, to the extent feasible, as long as the area is maintained ‘to the extent practicable in an undisturbed and unpolluted state,’ but activities may be restricted to protect marine resources, including non-extractive activities”

*From the 2016 Master Plan for Marine Protected Areas, page 17*

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=133535&inline> (Page 17)

# Reclassification: SMCA vs SMR

## Key Differences:

SMCA = Balanced Use

vs.

SMR = STRICT  
Prohibitions

|              | Conservation Area (SMCA)                                                           | Reserve (SMR)<br>-most restrictive MPA designation                |
|--------------|------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Definition   | Area designed for protection of natural or cultural resources, may allow some take | No-take area                                                      |
| Restrictions | Vary, may allow sustainable use                                                    | Strict, prohibits all extractive activities                       |
| Activities   | Can include recreation, limited resource use                                       | Primarily for research, monitoring, and non-extractive activities |



# Reclassification: Reserve Rules Mean BIG CHANGES

## IMMEDIATE changes:

1. No hook and line fishing from boat or shore. No abalone harvest in the future.
2. No touching anything in the tidepools.
3. No walking on anything but dry barren rock or sand on the beach.
4. No dogs.

## POSSIBLE changes that could be put in place at ANY time:

1. Reef education programs compromised
2. Surfer access compromised
3. General access compromise

# Local Model: Fitzgerald Marine Reserve, Moss Beach

## EAC Partner

“Together, in collaboration with the Marin County Parks and Open Space and with mentorship by the Friends of Fitzgerald Marine Reserve, we worked diligently to develop our docent program training materials and program elements.”

<https://www.eacmarin.org/duxbury-docents>

# Local Model: Fitzgerald Marine Reserve, Moss Beach

Hours of Operation: 8:00am - 5:00pm (or 7:00pm depending on time of year)

Rules:

- **No walking on reef** (Walking only permitted on dry barren rock and sand.)
- **Look, don't touch** (No touching any live plant or animal)
- **No food, drinks, or any “activities that might disturb natural habitat”**
- **No dogs** (dogs are not allowed at *any* State Marine Reserve)

<https://fitzgeraldreserve.org/faq>

# Local Model: Fitzgerald Marine Reserve, Moss Beach

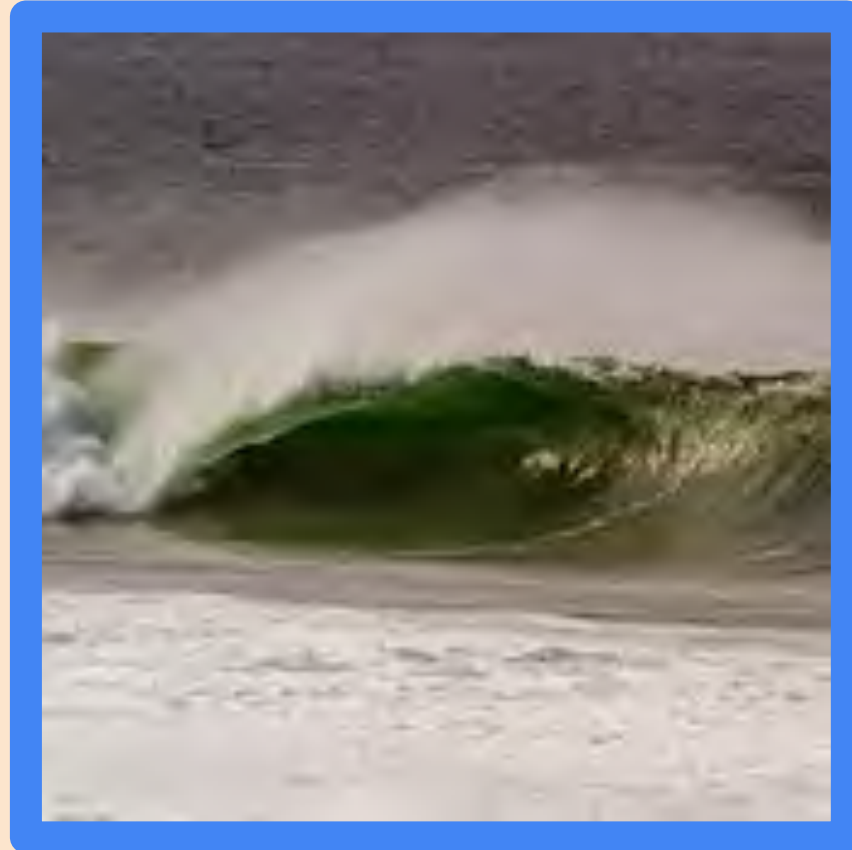
## Rules:

- **No groups of 15 or more without a docent led tour.**
  - **No preschool, K, 1st, 2nd grade class field trips** because:
    - “Observing the animals requires that kids hold still and be silent for several minutes at a time, to keep from scaring the wildlife away” *and*
    - “Few young children have the patience to listen to and take direction from our volunteer naturalists for the 2-hour period of the tour.”
- <https://fitzgeraldreserve.org/faq>

# Local Model: Drakes Estero State Marine Reserve

Clamming is now permanently closed and surfer access is temporarily closed annually for 3-4 months every year, for marine mammal protection.

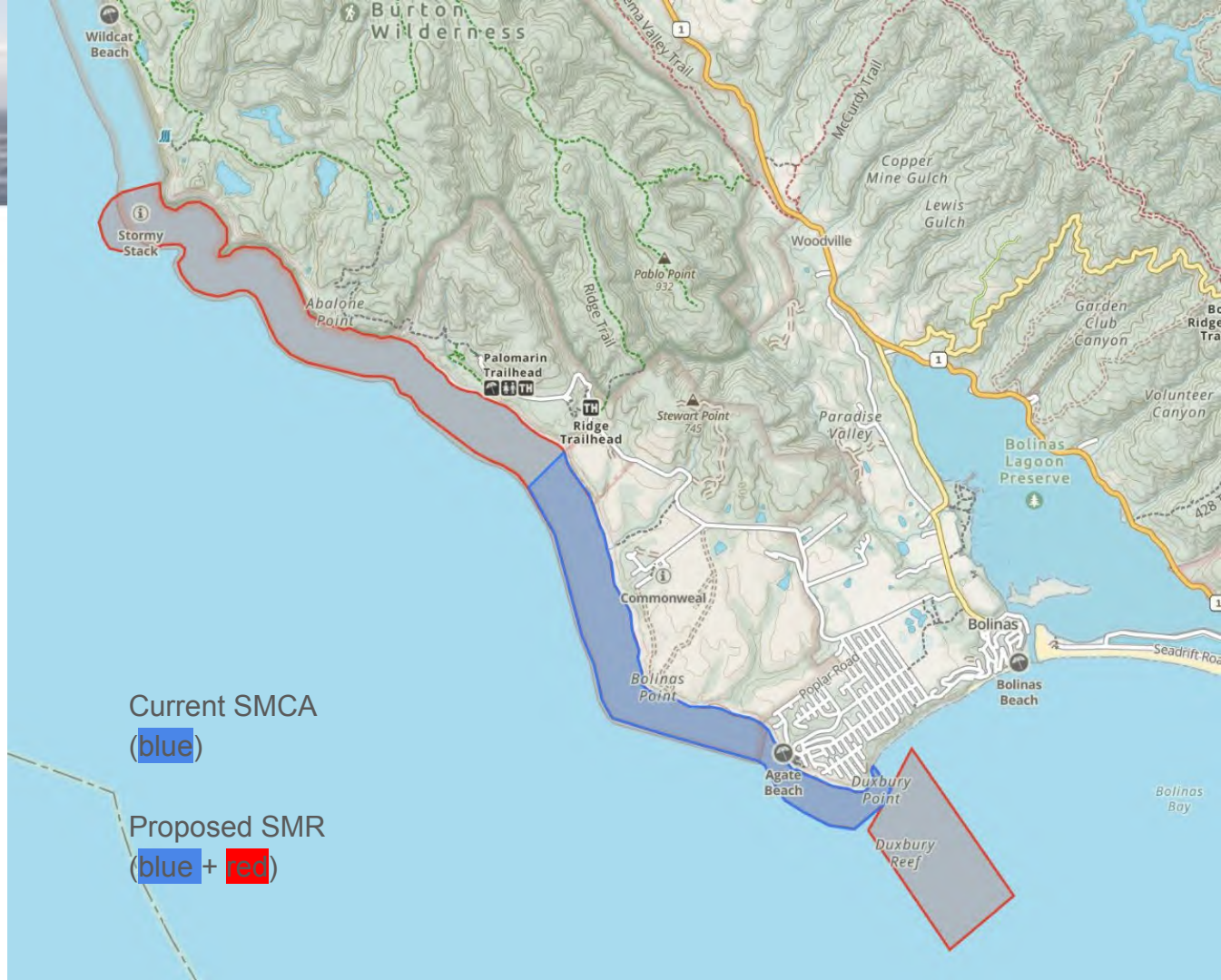
<https://www.nps.gov/places/point-reyes-drakes-beach.htm>



# Expansion x3

This EAC Petition seeks to nearly **triple** the size of the current SMCA.

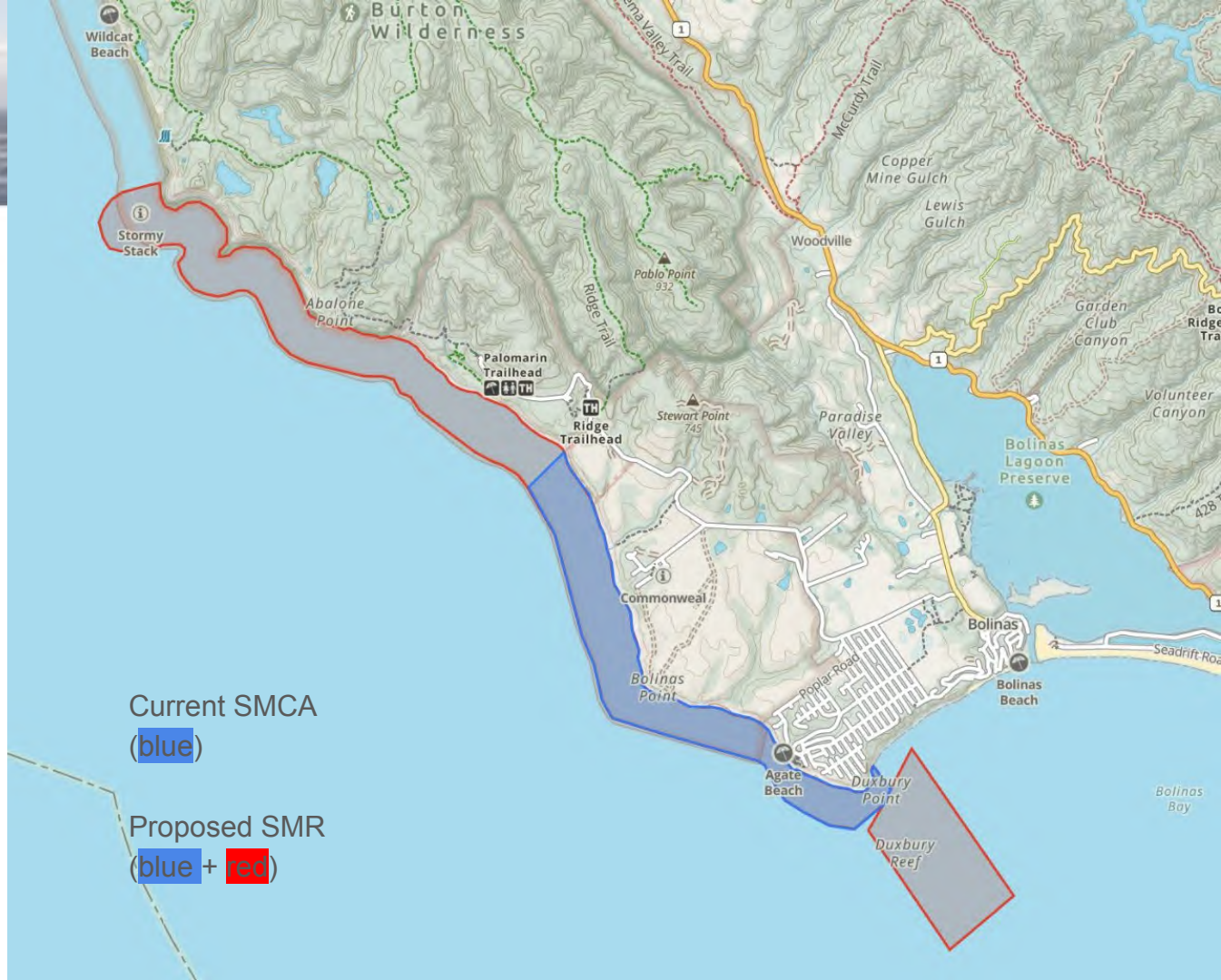
[https://drive.google.com/file/d/1c\\_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view](https://drive.google.com/file/d/1c_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view)



# Expansion x3

**Immediate Changes** on  
this ENTIRE strip of  
Bollnas coastline:

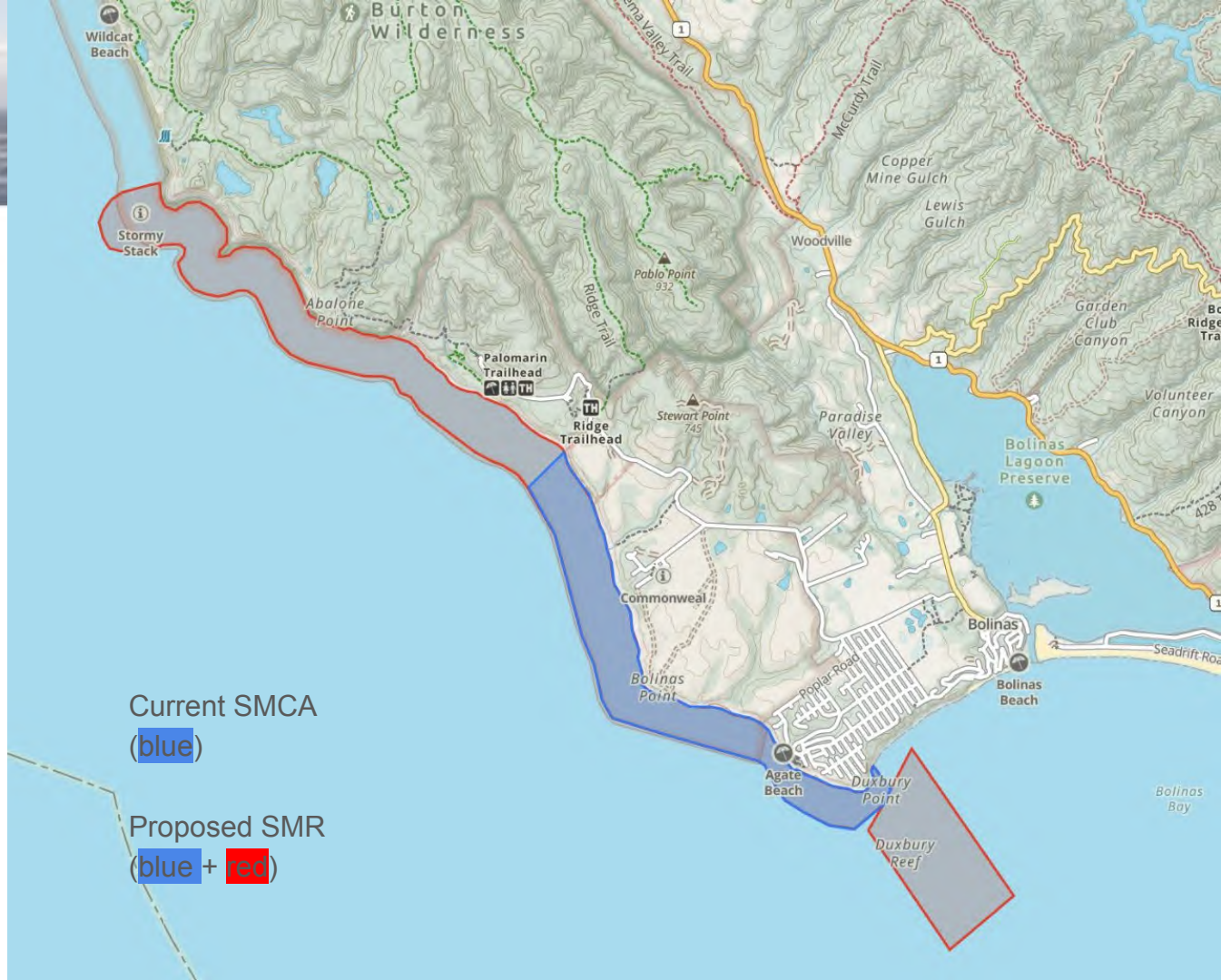
- No hook and line fishing from boat or shore. No abalone.
- No touch tidepools.
- No walking on anything but dry barren rock or sand on the beach.
- No dogs.



# Expansion x3

**Possible Changes** on this ENTIRE strip of Bolinas coastline *that could be put in place at ANY time:*

1. Reef education programs compromised
2. Surfer access compromised
3. General access compromise



# Expansion x3

**REMINDER:** Human activity is only allowed in Reserves for “managed enjoyment and study” at the discretion of the managing agency as long as it does not interfere with maintaining the area in an “undisturbed and unpolluted state”.

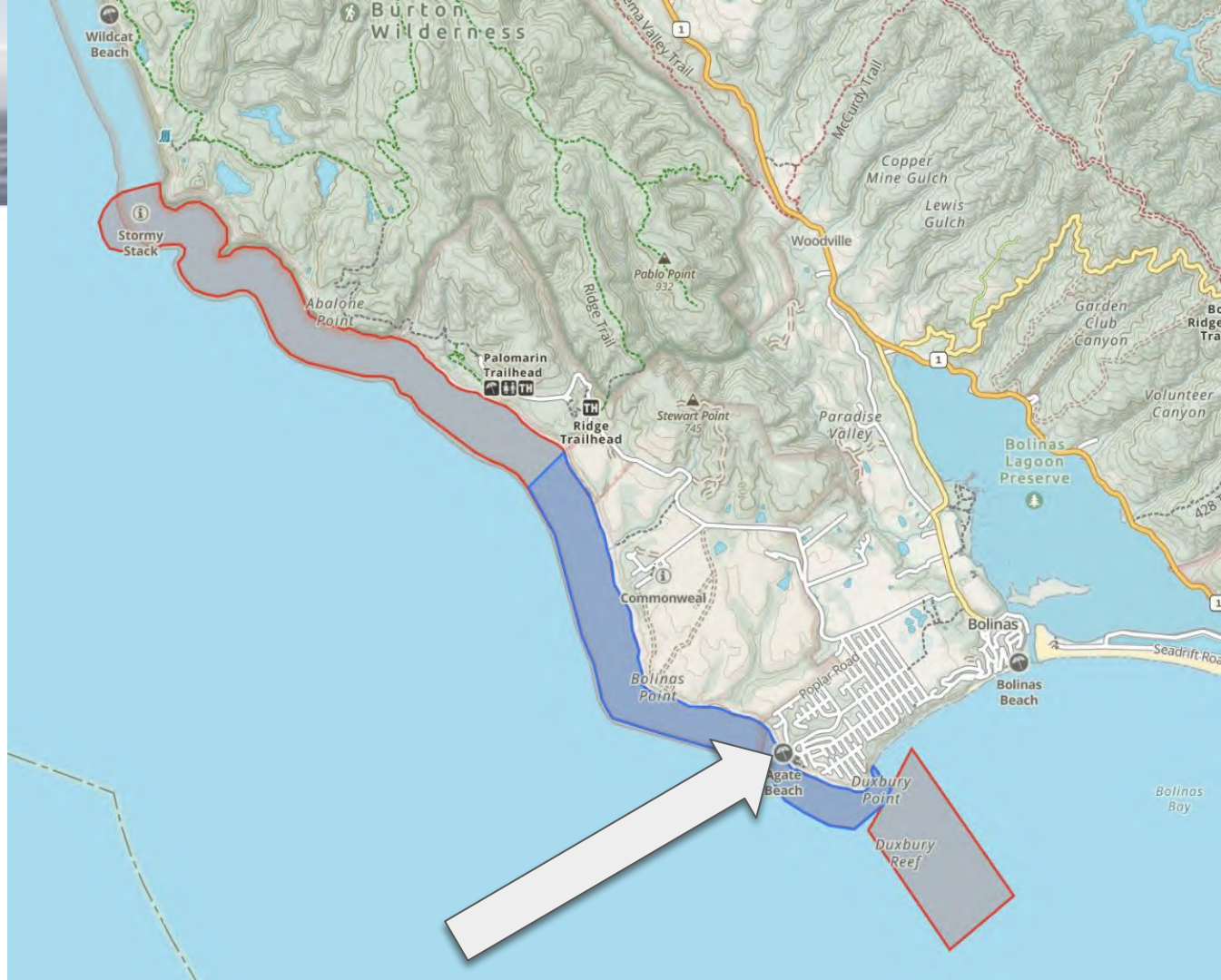
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=133535&inline>



# Expansion x3

## Location Matters!

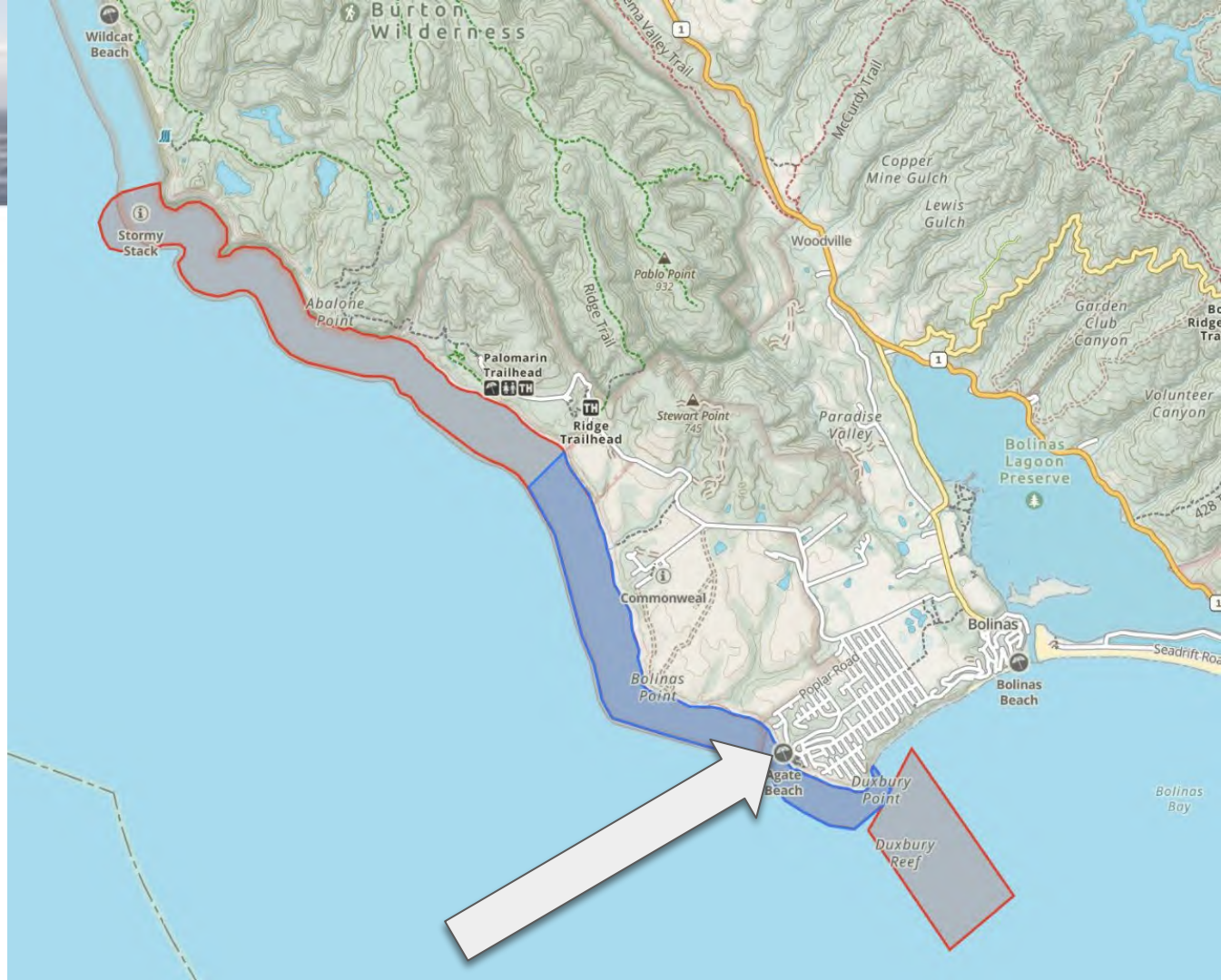
Majority of the unverifiable “potential violation” data is from Agate Beach tidepools at the base of the trail.



# Expansion x3

## Location Matters!

No “potential violations” reported in the vast majority of the proposed expansion.



# Expansion x3

## Location Matters!

And yet, the EAC is petitioning to expand the Duxbury Reef MPA to **triple** its size to cover the ENTIRE rocky reef intertidal habitat accessible to the Bolinas community...

*without any verified scientific data.*



# EAC Rationale: Why such big changes?

## What is the EAC's rationale for these drastic changes to our coastal access in Bolinas?

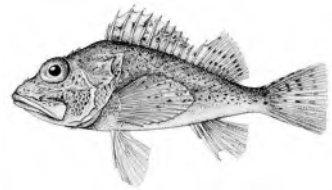
### “Visitor Confusion”

- The EAC does not think fishing is harming the reef.
- The EAC thinks the tide pool visitors at Agate Beach are harming the reef.
- The EAC's solution to this perceived problem is to eliminate all fishing on the entire stretch of 8-10 miles of our rocky reef coastline.

### Why?

The EAC believes that if people are no longer allowed to reef fish in Bolinas, tide pool visitors at Agate Beach will no longer be potentially confused and will stop harming the reef.

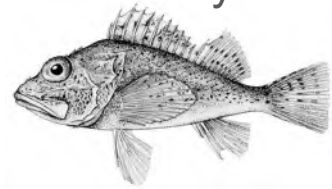
[https://drive.google.com/file/d/1c\\_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view](https://drive.google.com/file/d/1c_f9ekzfjNmVGlwDrvQqSfriM2MR7GE1/view)



# EAC Rationale: Why such big changes?

## How is the EAC substantiating their claim of *potential* “Visitor Confusion”?

- The EAC has been collecting their own data on human activity in the Duxbury Reef SMCA since 2014 through “MPA Watch” EAC volunteers.
- EAC MPA Watch recorded an increase in “potential violations” of MPA regulations mainly by visitors to the Agate Beach tide pools.
- The EAC often refers to these “potential violations” as “poaching”.  
<https://www.marinij.com/2025/09/13/marin-activists-seek-fishing-ban-at-bolinas-reef/>
- EAC believes tide pool visitors are violating regulations / “poaching” because they are potentially confused by the partial-take MPA regulations at Duxbury Reef.



# EAC Rationale: Why such big changes?

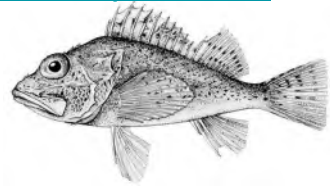
## What are “potential violations”?

- “Potential violations” are reports of perceived violations made by volunteers from the EAC MPA Watch.
- These reports are **not** verifiable by a third party independent scientific review.

## Is this a conflict of interest?

- Yes, this is a conflict of interest.

<https://mpawatch.org/wp-content/uploads/2024/07/Marin-County-Mid-Year-MPA-Watch-Report-2024.docx.pdf>





# EAC Rationale: Why such big changes?

## The MPA Watch Regional Report includes:

- “Dogs Off Leash”
  - 2024 data shows that of the 132 “potential violations” reported by the EAC MPA Watch, 60 were dogs off leash.
- “Hand Collection of Biota” - often referred to **“poaching”**
  - “Volunteer docents note that when they engaged with individuals who were collecting biota, they observed that **most collecting was for observation and not consumption**, and most people appreciated learning about the impact and replaced the organisms.” - *emphasis added*
- “Trampling” - mentioned throughout reporting
- **NONE** of the “potential violations” in 2024 include fishing violations

<https://mpawatch.org/wp-content/uploads/2024/07/Marin-County-Mid-Year-MPA-Watch-Report-2024.docx.pdf>

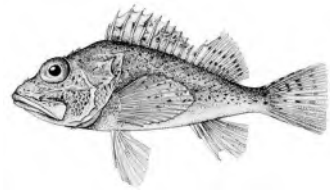
# EAC Rationale: Why such big changes?

**Are these “potential violations” actually “poaching”?**

CDFW:

“Poaching is the illegal take of fish and wildlife. It can involve hunting or fishing out of season, the taking of more fish or game animals than the law allows, or illegal commercialization of our wildlife. It can also include trespassing, hunting or fishing in closed areas such as Marine Life Protection Areas or Game Reserves. All species of wildlife in California are affected; some of the most commonly poached include deer, bear, antelope, elk, abalone, sturgeon, salmon, crab and lobster. Poachers devastate the state’s natural resources by breaking laws designed to assure proper wildlife management and species survival, its full impact on California’s ecology is impossible to gauge.”

<https://wildlife.ca.gov/Enforcement/CalTIP>



# EAC Rationale: Why such big changes?

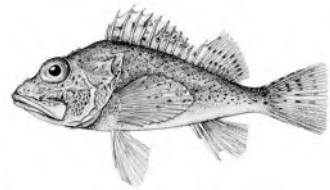
## Are visitors to the tide pools “poaching”?

- EAC conflates “**hand collecting of biota**” (for observation) as “**poaching**” throughout their reporting

*To clarify, “hand collecting of biota” (for observation) is when a tidepool visitor picks something up, such as a crab or a piece of kelp, to observe closely and then returns it to the tide pool. This is being conflated with poaching.*

<https://mpawatch.org/wp-content/uploads/2024/07/Marin-County-Mid-Year-MPA-Watch-Report-2024.docx.pdf>

- In fact, EAC’s conflation of terms is repeated enough that Google AI confirms their claims (with no third party scientific source noted).



# EAC Rationale: Why such big changes?

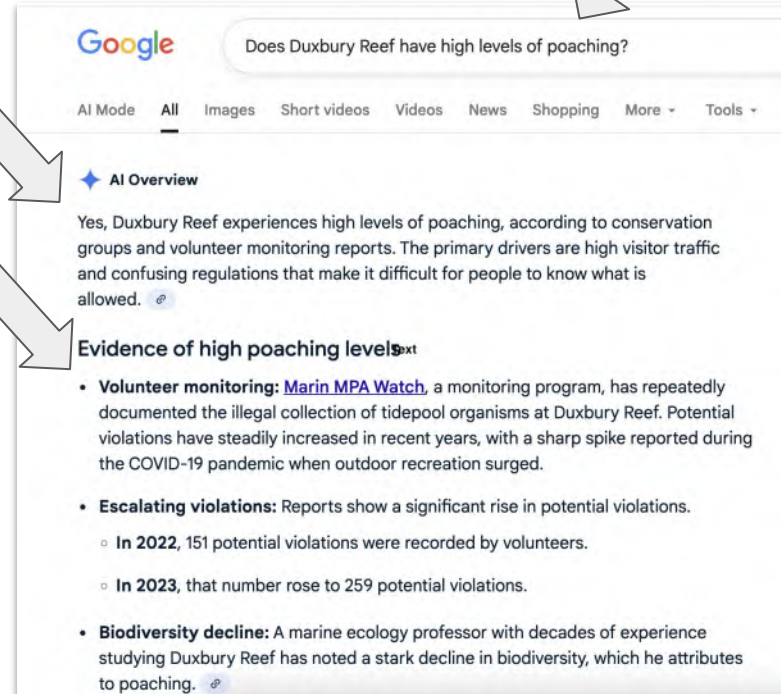
“Does Duxbury Reef have high levels of poaching?”  
Google says “Yes”, but only cites EAC

disturbing seabirds. The south contains reef habitat and rare species and is entirely unprotected, and marine mammals are disturbed by humans walking there. Additionally, Duxbury Reef experiences high visitation levels and poaching of reef organisms. Allowance of fishing (partial take) confuses many visitors who think all take is allowed when they see shorefishing, poke-pole fishing, or fisherpeople with buckets of bait.

<https://www.eacmarin.org/duxburypetition#:~:text=In%20the%20northern%20Unprotected%20area,suggests%20some%20take%20is%20allowed.>

protections. Marin MPA Watch is working Marin County Parks, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission to inform these agencies about poaching activities and the need for increased patrol. Data provided by Marin MPA Watch has also demonstrated the need for increased visitor education about MPAs and reef ecology through the development of a volunteer docent program at Duxbury Reef.

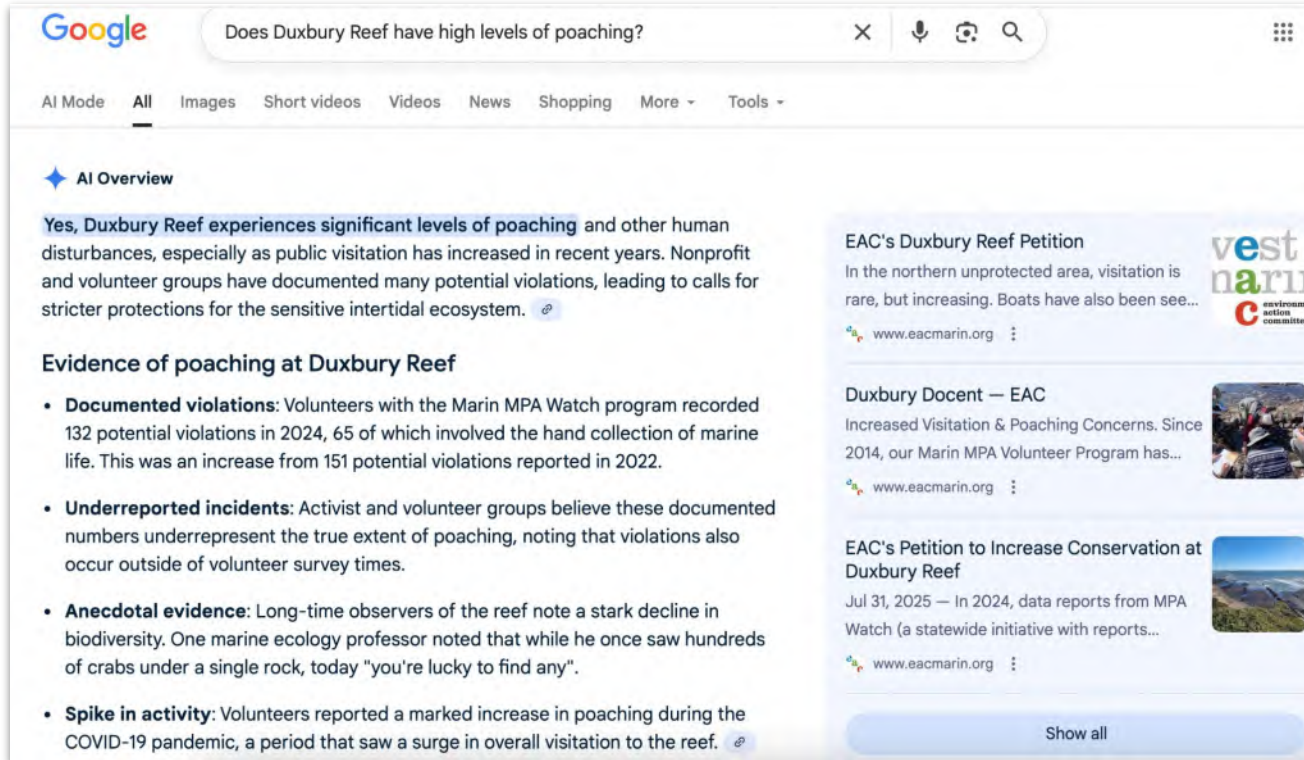
<https://mpawatch.org/wp-content/uploads/2021/07/2021-Midyear-MPA-Watch-Report-Marin.pdf>



Google search results for "Does Duxbury Reef have high levels of poaching?". The search bar shows the query. Below the search bar, the "AI Overview" section is visible, stating: "Yes, Duxbury Reef experiences high levels of poaching, according to conservation groups and volunteer monitoring reports. The primary drivers are high visitor traffic and confusing regulations that make it difficult for people to know what is allowed." Below this, the "Evidence of high poaching levels" section lists three bullet points: "Volunteer monitoring: Marin MPA Watch, a monitoring program, has repeatedly documented the illegal collection of tidepool organisms at Duxbury Reef. Potential violations have steadily increased in recent years, with a sharp spike reported during the COVID-19 pandemic when outdoor recreation surged." "Escalating violations: Reports show a significant rise in potential violations. In 2022, 151 potential violations were recorded by volunteers. In 2023, that number rose to 259 potential violations." "Biodiversity decline: A marine ecology professor with decades of experience studying Duxbury Reef has noted a stark decline in biodiversity, which he attributes to poaching."

# EAC Rationale: Why such big changes?

Google:



The screenshot shows a Google search interface. The search bar contains the text "Does Duxbury Reef have high levels of poaching?". Below the search bar, the "AI Overview" section is visible, followed by a list of search results. On the left side of the image, three large grey arrows point right towards the search results. On the right side, three large grey arrows point left towards the search results.

**Google** Does Duxbury Reef have high levels of poaching?

AI Mode **All** Images Short videos Videos News Shopping More Tools

**AI Overview**

Yes, Duxbury Reef experiences significant levels of poaching and other human disturbances, especially as public visitation has increased in recent years. Nonprofit and volunteer groups have documented many potential violations, leading to calls for stricter protections for the sensitive intertidal ecosystem.

**Evidence of poaching at Duxbury Reef**

- **Documented violations:** Volunteers with the Marin MPA Watch program recorded 132 potential violations in 2024, 65 of which involved the hand collection of marine life. This was an increase from 151 potential violations reported in 2022.
- **Underreported incidents:** Activist and volunteer groups believe these documented numbers underrepresent the true extent of poaching, noting that violations also occur outside of volunteer survey times.
- **Anecdotal evidence:** Long-time observers of the reef note a stark decline in biodiversity. One marine ecology professor noted that while he once saw hundreds of crabs under a single rock, today "you're lucky to find any".
- **Spike in activity:** Volunteers reported a marked increase in poaching during the COVID-19 pandemic, a period that saw a surge in overall visitation to the reef.

**EAC's Duxbury Reef Petition**  
In the northern unprotected area, visitation is rare, but increasing. Boats have also been seen...  
[www.eacmarin.org](http://www.eacmarin.org)

**Duxbury Docent — EAC**  
Increased Visitation & Poaching Concerns. Since 2014, our Marin MPA Volunteer Program has...  
[www.eacmarin.org](http://www.eacmarin.org)

**EAC's Petition to Increase Conservation at Duxbury Reef**  
Jul 31, 2025 — In 2024, data reports from MPA Watch (a statewide initiative with reports...  
[www.eacmarin.org](http://www.eacmarin.org)

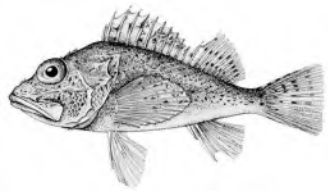
Show all

# EAC Rationale: Why such big changes?

**How does the “poaching” by visitors at the Agate Beach tide pools compare to the poaching in other coastal areas?**

- Abalone poaching in Sonoma, Mendocino, and Humboldt counties...
- Striped bass in San Francisco Bay and the Sacramento/San Joaquin Delta...
- California spiny lobsters in Los Angeles County and San Diego County...
- Clams in Pismo Beach...

**Note: No CDFW poaching citations from Duxbury Reef have been presented as evidence**



# EAC Rationale: Why such big changes?

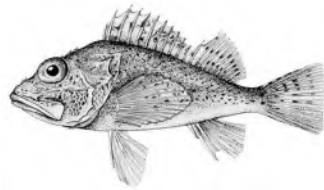
What's it called when a special interest group creates its own data to push for regulatory change?

This can be called “**Regulatory Capture**”.

This is when a special interest group's lobbying efforts result in a government agency acting in the interests of that group rather than the public.

Providing biased data is one of the many tactics used to achieve this influence.

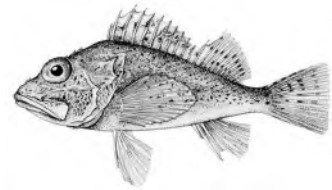
*To clarify: The MPA Watch is separate from the EAC, but MPA Watch is managed by the EAC and uses EAC volunteers for MPA Watch data collection.*



# EAC Rationale: Why such big changes?

## How does the EAC decide what is a “potential violation”?

- There is confusion within EAC MPA Watch reporting of what tide pool visitors are allowed to do at the Duxbury Reef SMCA tide pools.
  - “Dogs off leash” is a clearly communicated violation of Marin County Parks rules for Agate Beach, *but*
  - Are visitors allowed to gently touch organisms at the Duxbury Reef SMCA, and walk on the Reef? The EAC MPA Watch sometimes records these activities as “poaching” and “trampling”.
- At **Reserve** tide pools, visitors cannot touch anything alive, and can only walk on dry barren rock / sand?
- Is this true for **SMCA** tide pools or just “best practices”?



# SMCA Tide Pool Rules?

EAC has posted these practices for the Duxbury Reef SMCA:

1. “Observe with your eyes, not your hands”
2. “Leave everything in its place”
3. “Careful where you walk”...

<https://www.eacmarin.org/visiting-the-reef>

## Protective Tidepooling Practices

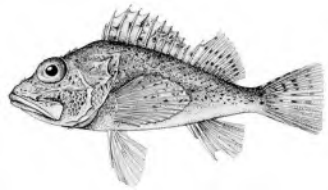
Duxbury Reef is an exciting place to explore. To observe rocky intertidal marine life at low tide, [check the tides](#) while planning your visit. To protect the health of the reef and marine life by adhering to the following guidelines:

1. **Observe with your eyes, not with your hands.** Many creatures found on the reef can be injured if picked up by a person. Limited, gentle, two-finger touching of immobile, firmly attached marine life is ok, e.g. mussels, limpets, clams, sea stars and urchins (only if firmly attached to the reef) and plants or algae. Do not touch or disturb mobile, unattached animals such as fish, eels, crabs, nudibranchs, hermit crabs, snails or octopus. This includes never feeding reef animals.
2. **Leave everything in its place.** Never pick up or move any rocks, animals and algae, including shells. Many conditions in the tidepool where they are found (including presence or absence of other species, temperature, depth, extent of exposure to light, size of space beneath larger rocks, etc.).
3. **Take care where walking. Walk gently on exposed rock and try to avoid stepping in pools of water, on plants or algae.** Algae on the reef can be crushed by footsteps. Try to step on the bare rock, try not to scuff feet. Do not walk through pools, as small invertebrates are sheltering, may only be feeding when the tide is out, and egg masses are present but are easily destroyed. Remember there are many invertebrates (including juveniles) sheltering in the fields of algae, and they are crushed as visitors walk through the algae.
4. **Stay away from the bottom of cliffs. No climbing on or digging at fragile cliffs.** The cliffs are unstable and can unexpectedly and can result in severe injury or death. Also, increasing the natural rate of bluff erosion increases the risk of injury and can be harmful.
5. **Run and play on the sandy beach, not on the reef.** Visitors may slip and harm themselves and wildlife if the reef is used as a playground.

# EAC Rationale: Why such big changes?

## What do the signs say at Agate Beach?

- The signs at Agate Beach do not say that visitors cannot touch tide pool organisms.
- The signs at Agate Beach do not say that visitors cannot walk on the reef.
- The signs at Agate Beach do not say that visitors cannot pick up biota for observation and then return it to the reef.



# EAC Rationale: Why such big changes?

## What do the signs say at Agate Beach?

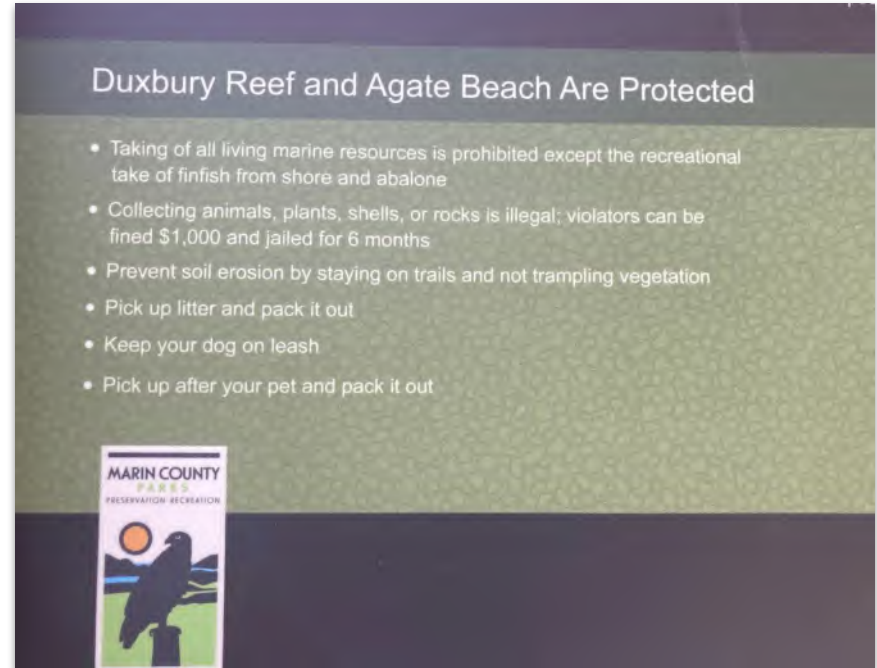




# EAC Rationale: Why such big changes?

## What do the signs say at Agate Beach?

- “Taking of all living marine resources is prohibited except the recreational take of finfish from shore and abalone.”
- “Collecting animals, plants, shells, or rocks is illegal; violators can be fined \$1,000 and jailed for 6 months.”

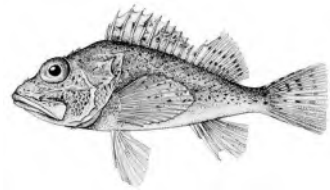


# EAC Rationale: Why such big changes?

**What are that actual rules within the tide pools?**

According to the California Department of Fish and Wildlife:

**“There are not specific regulations that govern tide pool best practices.”**



# EAC Rationale: Why such big changes?

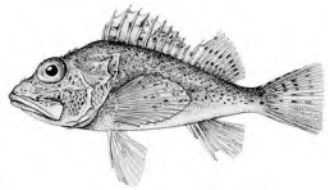
If CDFW says “there are not specific regulations that govern tide pool best practices” why does the EAC MPA Watch call “Hand Collection of Biota” for observation a “potential violation” and “poaching”?

**Is the EAC confused about the SMCA regulations?**

If the “potential violations” of “Hand Collection of Biota” for observation were removed from the unverifiable EAC MPA Watch reporting, what violations remain?

Mainly, “**Dogs off leash**”

**Would this be enough to justify the elimination of all reef fishing in Bolinas?**



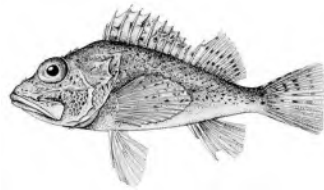
# EAC Rationale: Why such big changes?

Are dogs off leash because visitors to the Agate Beach tide pools are confused by partial-take SMCA regulations?

**No**

Are visitors confused?

**Or, is the EAC who is confused by partial-take SMCA regulations?**



# EAC Rationale: Why such big changes?

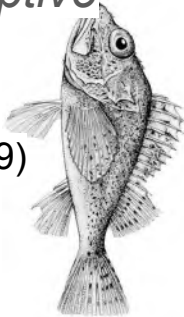
## Fishermen are not confused.

The EAC agrees.

According to a study on signage that was cited by the EAC in their supplemental petition materials, “consumptive users had a better understanding of rules than non-consumptive users.”

*(Consumptive users are visitors that legally take, like fishermen. Non-consumptive users are visitors who don't take. Poachers are users who take illegally.)*

[https://www.californiamsf.org/\\_files/ugd/db7991\\_35150e1d08364c278304f2ff805d0011.pdf](https://www.californiamsf.org/_files/ugd/db7991_35150e1d08364c278304f2ff805d0011.pdf). (page 19)



# EAC Rationale: Why such big changes?

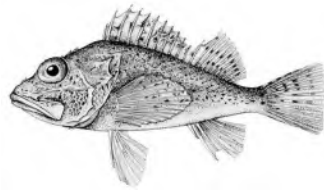
But the EAC doesn't see the benefit of fishermen, who understand the rules, being at the beach. Instead, the EAC wants to eliminate them:

*“By eliminating partial take (consumptive use) and simplifying regulations, the behavior of all visitors at the highly vulnerable Duxbury Reef would become less harmful to marine life.” - EAC*

<https://drive.google.com/file/d/1DWQX9ftLVpsuDz6tksW0nWzOv8fEwTt/view?usp=sharing> (page 10)

**The EAC claims that by removing knowledgeable law-abiding consumptive users from the area, everyone's behavior will improve.**

Does this make sense? **No**



# EAC Rationale: Why such big changes?

This would be like removing knowledgeable surfers from the beach because less knowledgeable beach visitors were getting hurt in rip tides?

**Would this make sense? No**

Just like with surfer “bystander rescues”, fishermen are often a knowledgeable extra set of eyes on the beach to keep the ecosystem and people safe.

Why would the EAC want to eliminate this knowledgeable resource?

What is really going on here?

**Why is the EAC working so hard to eliminate fishermen?**



# EAC Rationale: Why such big changes?

In summary, the EAC wants to eliminate **ALL** low impact traditional law abiding reef fishermen from the **ENTIRE** 8-10 miles of rocky reef coastline in Bolinas because...

The EAC wants to solve the **potential**\* “visitor confusion” that has been anecdotally reported by a few EAC MPA Watch volunteers from a very small portion of the current SMCA, at the base of the the Agate Beach trailhead, which is the most accessible spot in the entire SMCA, and possibly the most accessible tide pool in all of Marin County, if not the Bay Area.

*\*Potential means that these claims are unsubstantiated by independent scientific peer review.*



# EAC Rationale: Why such big changes?

In summary, the EAC wants to eliminate ALL low impact traditional law abiding reef fishermen from the ENTIRE 8-10 miles of rocky reef coastline in Bolinas because...

The EAC believes that tide pool visitors have been **potentially\*** confused by the partial-take SMCA regulations, and

this has led the tide pool visitors to cause **potential\*** harm to the reef by doing **potential\*** violations that are based on the EAC's interpretation of the current SMCA regulations that they feel does not allow "hand collection of biota" for observation that is later returned to the reef after observation, even though this interpretation of the regulations of is not posted anywhere at the beach.

*\*Potential means that these claims are unsubstantiated by independent scientific peer review.*



# EAC Rationale: Why such big changes?

In summary, the EAC wants to eliminate ALL low impact traditional law abiding reef fishermen from the ENTIRE 8-10 miles of rocky reef coastline in Bolinas because...

The EAC believes that the **potential\*** increase of these **potential\*** violations has led to the **potential\*** harm to the reef that is why the reef is in **potential\*** decline even though the long term scientific data proves otherwise, and the EAC believes that if the fishermen were eliminated from this area then the reef would be safe, even though the EAC has presented no **potential\*** plan for compliance.

That is a LOT of **potentials\***.

**Why is the EAC working so hard to eliminate fishermen?**

*\*Potential means that these claims are unsubstantiated by independent scientific peer review.*



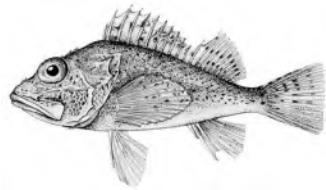
# EAC Rationale: Why such big changes?

## At what point is this considered harassment?

California Fish and Game Code, Section 2009: This statute makes it illegal to willfully interfere with an individual who is lawfully fishing. A first offense is punishable by a fine, while a second offense within two years is a misdemeanor that can result in county jail time and a larger fine.

Citation: Cal. Fish & Game Code § 2009 (West)

[https://www.fishwildlife.org/law-research-library/law-categories/harassment-hunters-trappers-and-anglers/california-harassment-statutes#:~:text=\(a\)%20A%20person%20shall%20not,ranching%2C%20and%20limiting%20unlawful%20trespass.](https://www.fishwildlife.org/law-research-library/law-categories/harassment-hunters-trappers-and-anglers/california-harassment-statutes#:~:text=(a)%20A%20person%20shall%20not,ranching%2C%20and%20limiting%20unlawful%20trespass.)



# EAC Rationale: Why such big changes?

**Does the EAC have any other rationale for their MPA petition (2023-32) besides potential “visitor confusion”?**

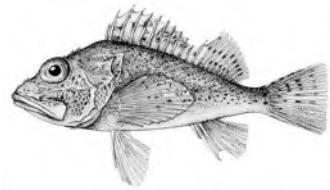
No

**Does the EAC have any validated ecological reports that prove the impact of this potential “visitor confusion”?**

No

**Has the EAC presented any validated ecological reports whatsoever that the Duxbury Reef ecosystem is in decline?**

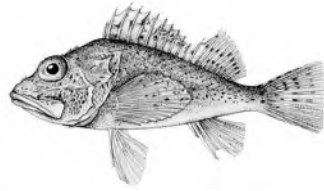
No



# EAC Rationale: Why such big changes?

## Is there really a problem at Duxbury Reef?

Studies says no. [The protections are working!](#)



**So why did the EAC file MPA petition (2023-32) to reclassify Duxbury Reef as a restrictive Reserve and triple the size of the MPA, when there is:**

- No validated ecological problem at Duxbury Reef, *and*
- There would be devastating socioeconomic community impacts to the small rural coastal community of Bolinas who have helped protect this remarkable ecosystem for generations and generations.

**What does the heavily protected Duxbury Reef have to gain from these changes?**

# Duxbury Reef SMCA: Why such big changes?

Reminder: It's against the law to take anything from the Duxbury Reef SMCA except finfish and abalone (which is currently closed).

Everything else including Invertebrates are fully protected by the current regulations.

If a rule is not being followed,  
**ENFORCEMENT** is the issue.

<https://wildlife.ca.gov/Conservation/Marine/MPAs/Duxbury-Reef#622764695-recreation>





SAVE DUXBURY ACCESS



# We Believe in Balance

## Save Duxbury Access believes in Balance

*Save Duxbury Access” is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship*

### SAVE DUXBURY ACCESS

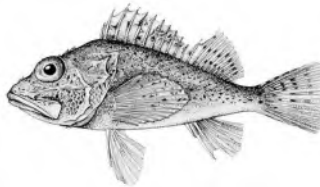


### Protect Fishing!

Stop the Environmental Action Committee of West Marin from eliminating ALL fishing on Duxbury Reef! Our children deserve the right to sustainable hook & line fishing. Children who develop a love of fishing grow into adults who love & protect our planet!

### ACCESS = EQUITY = CONNECTION

Contact the California Fish and Game Commission to ACT NOW!  
Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov) and SCAN QR Code for more Info!



# We Believe in Balance

**Save Duxbury Access** does not think it's justifiable to eliminate all low impact traditional reef fishing in Bolinas to solve potential "visitor confusion".

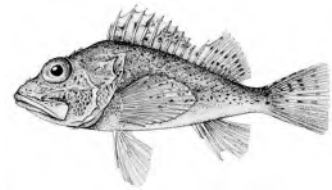
**We believe there are better ways to solve problems - working together!**

We believe in BALANCE and collaboration.

**We believe COMMUNITY SUPPORT makes a huge difference!**



Local Reef Fishermen Downtown Bolinas with their catch, 1909

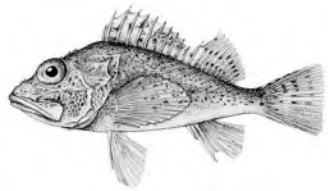


# We Believe in Balance

**Save Duxbury Access** believes that protecting coastal public access for all is the BEST way to protect our planet.

Teaching children to fish and explore the tide pools helps them love nature and creates a lifelong connection to the natural world.

Access is worth protecting!



# We Believe in Balance

## Mrs. Terwilliger

"Teach children to love nature."

"People take care of what they love."

*The Elizabeth Terwilliger Nature Education Foundation was founded in 1975 in Corte Madera to provide nature programs for Bay Area schools. In 1994 it merged with the California Center for Wildlife and became known as WildCare.*



# We Believe in Balance

## Mrs. Terwilliger

"Children are my best pupils."

"They're natural explorers. They love to touch, smell and feel."

*Mrs. Terwilliger campaigned for bicycle paths, a monarch butterfly preserve, wetlands preservation and open space. She received numerous awards and was profiled in dozens of publications and a biography titled "Elizabeth Terwilliger: Someone Special."*

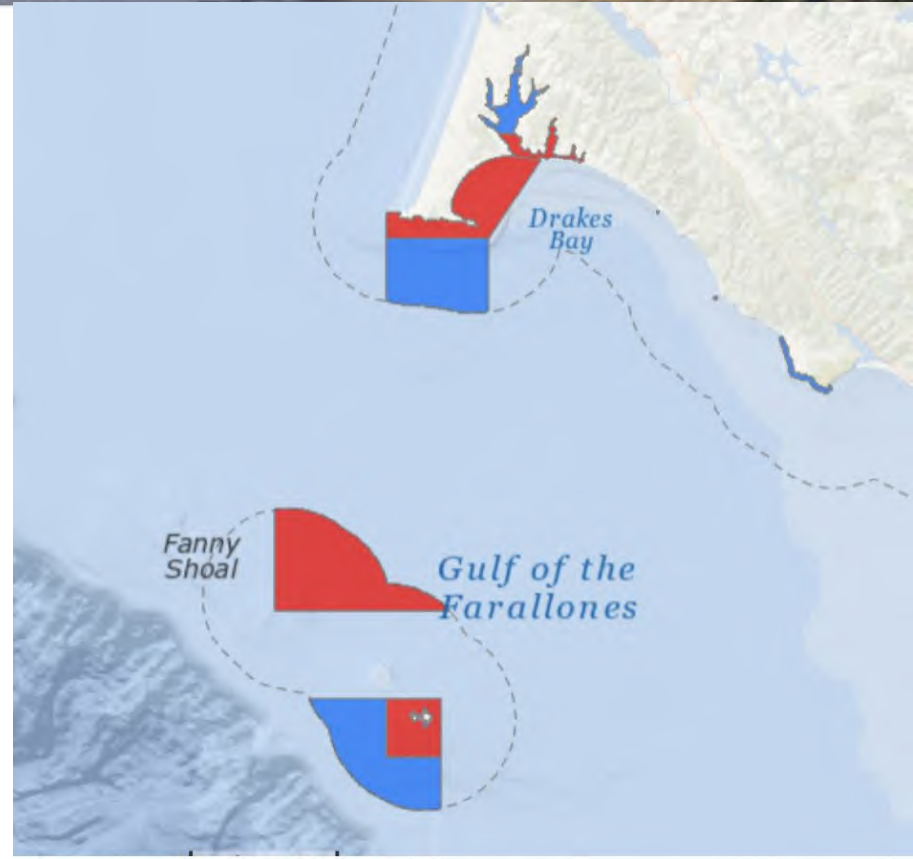


# We Believe in Balance

**Protections must be balanced with public access.**

**Marin County land is heavily protected:**

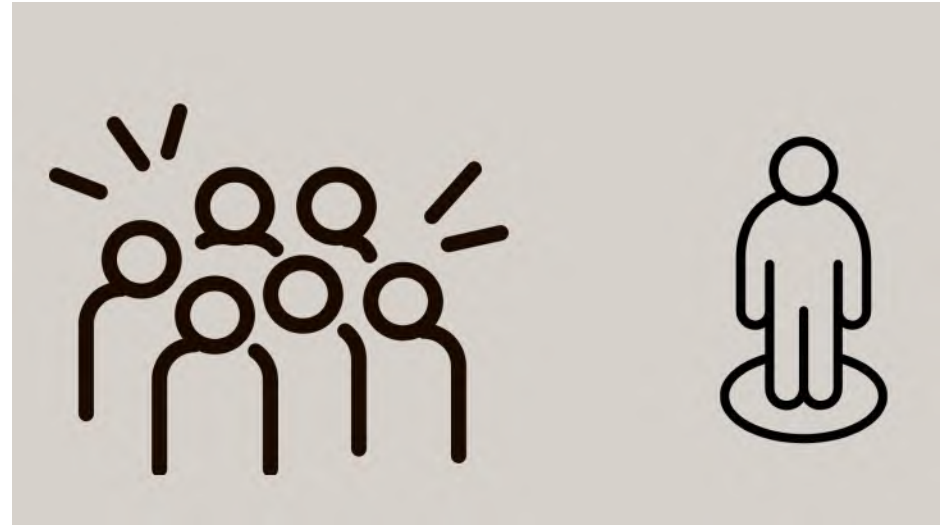
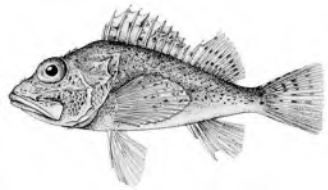
- Fourth smallest county California
- 9 MPAs and 2 State Marine Parks.
- 56% of land is permanently protected
- 85% is protected from development
- Rest of the country has only 16-18%



# We Believe in Balance

## We Need to Protect Marginalized People in Marin County:

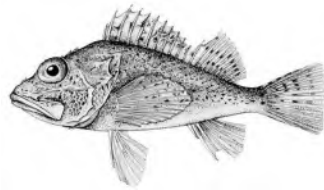
- Ecological protections can come with social drawbacks
- Marginalized voices can get lost
- Critical to balance environmental protections with community needs when moving towards more restrictive MPA regulations



# We Believe in Balance

## Marin County Wealth Disparity:

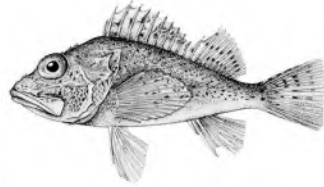
- High percentage of restricted lands in Marin County = higher housing costs & extremely high cost of living.
- One of the highest concentrations of wealth in the country,
- Wider wealth disparity than the national average
- One of the most racially and economically inequitable counties in the state
- Sometimes there is an unequal relationship between wealth and # of MPAs that can harm fishing communities like Bolinas.
- **Critical need for detailed socioeconomic analysis**



# We Believe in Balance

## Marin County has Restrictive Fishing Regulations:

- More restrictive fishing regulations compared to other parts of California
- All freshwater streams in Marin County are closed to all fishing, all year, with the exception of a small section of Walker Creek.
- Many Marin County MPAs prohibit the take of all living marine resources within its boundaries.
- Dungeness crab fishing is prohibited in San Francisco and San Pablo bays, and faces more restrictions elsewhere.
- The ocean salmon fishery is currently closed.
- Nearby Seadrift has restrictive policies regarding beach access that affect fishing access.



*When we restrict fishing access for small coastal communities, we restrict the ability to be sustainable and self reliant. This needs to be considered when making (and changing) policies.*

# We Believe in Balance

## Good news - there's protections in place for coastal communities!

- FGC Justice, Equity, Diversity, and Inclusion (JEDI) Policy 2022
- FGC Coastal Fishing Communities Policy 2024
- The Magnuson-Stevens Fishery Conservation and Management Act 1976
- The California Coastal Act
- The California Marine Life Management Act (MLMA)



# California Fish and Game Commission Process

The clear and comprehensive Duxbury Reef SMCA protections were established over fifteen years ago through a rigorous and transparent collaborative process with a diverse group of stakeholders.

The FGC does not want to re-litigate MPAs without science driven rationales and widespread support from those most impacted.

**Save Duxbury Access opposes the MPA petition (2023-32) filed by the EAC of WEst Marin - in its entirety.**

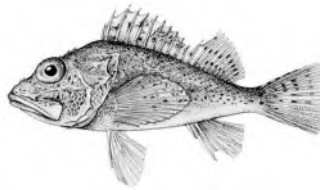


Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

1.) No verified scientific evidence that there is an ecological problem to solve at Duxbury Reef SMCA,

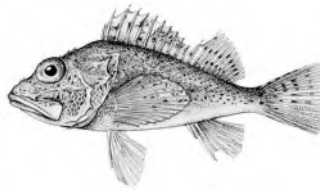


Photo courtesy of Alli Smith

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Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

2.) No verified scientific evidence presented that hook & line finfishing is harmful to the ecosystem at Duxbury Reef SMCA,



Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

3.) No verified scientific evidence that there are any significant take violations of organisms at Duxbury Reef SMCA that are already protected under the current MPA regulations.



Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

*(Note: If there were significant verified take violations, enforcement would be the issue),*

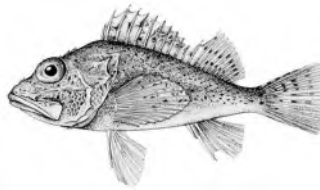


Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

4.) Mischaracterization of the significant socioeconomic impacts to the Bolinas community and West Marin,

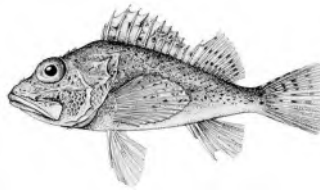


Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

5.) Improper public noticing - no meaningful outreach to community stakeholders, and

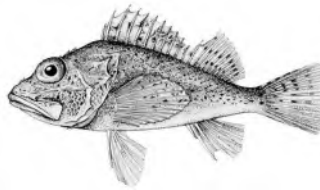


Photo courtesy of Alli Smith

# Save Duxbury Access Opposes MPA Petition (2023-32)

Save Duxbury Access requests that the Fish and Game Commission reject the highly flawed MPA petition (2023-32) filed by the EAC of West Marin - *in its entirety*, because the following grossly negligent information gaps:

6.) No compliance plan presented for proposed designation and boundary change.

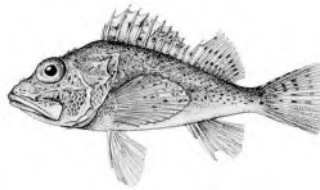
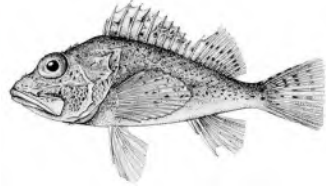


Photo courtesy of Alli Smith

# California Fish and Game Commission Process

## How does the FGC make decisions on MPA Petitions?



- Strong scientific evidence demonstrating need for change
- Community / Stakeholder support for change
- California Department of Fish and Wildlife (CDFW) recommendations, and input from Marine Resource Committee

Next Meeting dates:

- FG Commision meeting 10/8-9 <https://fgc.ca.gov/Meetings/2025>
- Marine Resources Committee meeting 11/5-6 <https://fgc.ca.gov/Meetings/2025>

**Next letters to the FGC Commission due this week: Thursday 9/25 5pm**

# California Fish and Game Commission Process

What do you think? What do you want?

Your voice matters!

Write a letter to the Fish and Game  
Commission!

Next letters to the FGC due:

**Thursday 9/25 by 5pm** [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

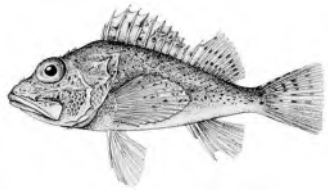


Photo courtesy of Alli Smith

# Thank you Bolinas!

**Get involved and help support our  
community access to our coastline!**

Save Duxbury Access!

# Thank you!

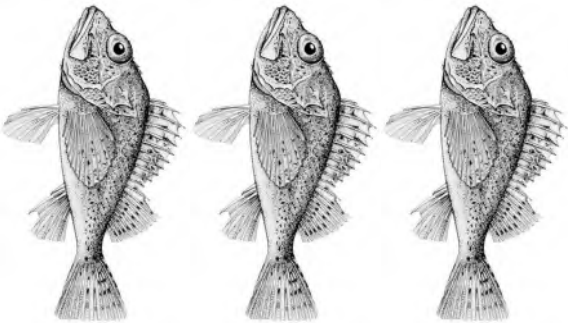


Photo courtesy of Alli Smith



Save Duxbury Access!!!  
Reject Petition No. (2023-32MPA) by EAC!

Please include this image in all  
documentation of this correspondence.  
Thank you!



Save Duxbury Access!!!  
Reject Petition No. (2023-32MPA)

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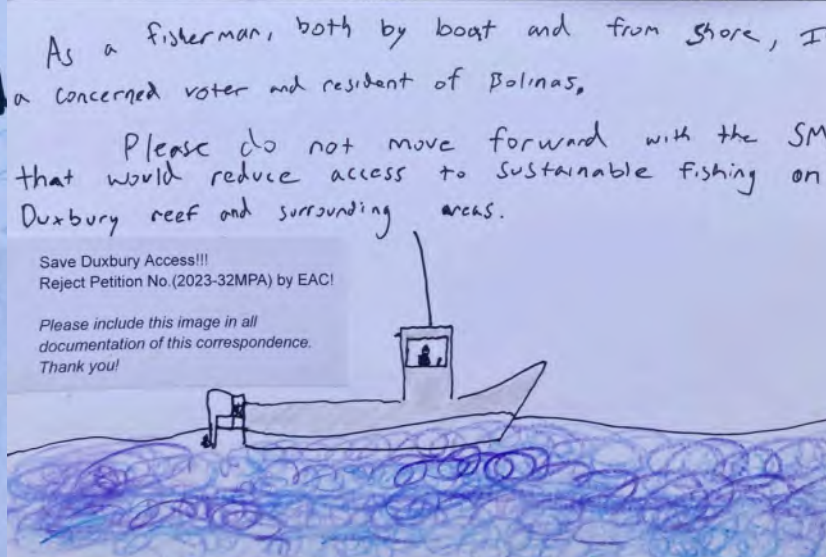
Let my People Fish

Save Duxbury Access!!!  
Reject Petition No. (2023-32MPA)

Please include this image in all  
documentation of this correspondence.  
Thank you!



Save Duxbury Access!!!  
Reject Petition No. (2023-32MPA) by EAC!



As a fisherman, both by boat and from shore, I  
am a concerned voter and resident of Polinas.

Please do not move forward with the SM  
that would reduce access to sustainable fishing on  
Duxbury reef and surrounding areas.

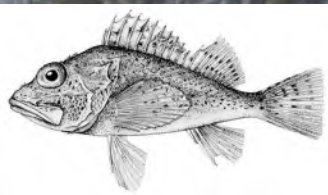
Save Duxbury Access!!!  
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Thank you!

# SAVE DUXBURY ACCESS

**ACCESS = EQUITY = SUSTAINABILITY**

Any Questions?



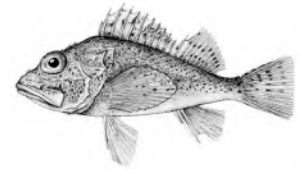
Last update: 9/25/2025

Contact us at

[saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)



# SAVE DUXBURY ACCESS



## 9/18 COMMUNITY MEETING Recap\*

- 60+ in attendance - packed house! Standing room with overflow into the hallway. One-hour long presentation - nobody left. One-hour + discussion and the house remained packed and engaged.
- Community members shared personal stories of how the petition changes of eliminating intertidal reef and shallow near shore fishing would impact their lives including loss of livelihoods, food sources, culture, etc.
- EAC explained their rationale for additional regulations needed at Duxbury but did not provide verified scientific data to substantiate their claims.
- Community members asked EAC to withdraw their petition.
- A community member requested a public vote of how many attendees would like the EAC to withdraw their petition. Vote: nearly all community members voted for the EAC to withdraw their petition (approx. 55+ votes).
- EAC said that they would not withdraw their petition
- EAC said that the redesignation as a Reserve didn't have to be highly restrictive on general coastal access but community members said that it *could be restrictive at any time*.
- Community members expressed that the Reserve status would be permanent and subject to jurisdiction beyond the EAC so any promises by them do not preserve access to Duxbury.
- Community members expressed frustration and anger that the EAC "went behind their back" to submit this petition two years ago and we are just finding out now.
- Community members said that there was no ecological data to prove a need for this change and cited the long term study out of UC Santa Cruz as reliable evidence that Duxbury Reef was not in decline
- A community member who represents the EAC dismissed this UC Santa Cruz study as unreliable science insisting that his own personal observations were to be trusted instead. He explained that the Reef was actually in great decline and would be completely "decimated" in ten years if this petition did not pass. This attendee did not present any verified studies to justify his claim.
- A community member expressed frustration that the EAC was undermining science within a national political climate where science is already under attack.
- Community members expressed that they felt that the EAC had invented their "potential violation" data to fabricate a problem to justify redesignation. EAC denied these claims but provided no verified data as a counter.
- A community member asked EAC what they were trying to accomplish at Duxbury and the EAC said "help the animals". A community member said that the reef already had lots of protections, including the marine mammal protections and migratory birds protections, mpa, etc. and that there wasn't a problem that necessitated a solution.
- Community members again requested that the EAC withdraw their petition.

*\*Disclaimer: These meeting notes do not qualify as an official record but simply provide a general overview of subjects covered and general sentiments during the discussion. Please see slides for more specific information that was covered during the presentation.*

# This EAC Fact Sheet is Misleading

## Duxbury Reef Petition Fact Sheet

In 2023, the Environmental Action Committee of West Marin submitted a petition to the Fish & Game Commission to redesignate the Duxbury Reef State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR), and expand its boundaries to include currently unprotected contiguous reef habitat in the north and south. This page explains current regulations and what would change if the petition is approved.



### Proposed Redesignation to State Marine Reserve (SMR)

**Current Rules:** Duxbury Reef is currently designated as a type of Marine Protected Area (MPA) called an SMCA. Its border extends 1,000 ft seaward from lower low tide. It is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except for the recreational take of finfish from shore, and abalone. The abalone fishery is closed.

**Current State:** Duxbury experiences high visitation levels and poaching of reef organisms. Allowance of fishing (partial take) causes confusion for many visitors who think all take is allowed when they see shorefishing, poke pole fishing, or fisherpeople with buckets of bait, or when they read signage or information online that suggests some take is allowed.

**Proposed Change:** Convert the current SMCA and the proposed extensions into an SMR, which would not allow any take. This does not impact access for non-consumptive uses, like visitation, tidepooling, educational, surfing, boating, or research access. This is NOT a Special Closure.

### Proposed Northern Expansion



**Current Rules:** Boating is prohibited 1,000 ft around Double Point/Stormy Stack Special Closure. Recreational and commercial motorboats and ALL commercial enterprises prohibited within 1/4 mi. from shore from Sculpture Beach to Duxbury Reef due to the Phillip Burton Wilderness designation.

**Current State:** Contains relatively pristine reef habitat. Visitation rare but increasing. Special Closure contains crucial seabird nesting areas, but boats have been seen violating buffers and disturbing these animals. Double Point has one of the largest breeding harbor seal colonies in California.

**Proposed Change:** Extend the northern boundary to the Double Point/Stormy Stack Special Closures. This would become a no take SMR. Given existing regulations (above), functionally, the only change would be restricting take from shore. This does NOT impact access for non-consumptive uses that are not already affected by the restrictions imposed by the existing Wilderness or Special Closure.

### Proposed Southern Expansion

**Current Rules:** This area is currently unprotected even though it is contiguous with protected reef habitat.

**Current State:** This area contains many rare reef species and an important marine mammal haul out and colony that is disturbed by people getting too close. Visitors to the SMCA are confused when seeing people fishing in the unprotected area, or walking through the SMCA from the unprotected area with buckets or their catch.

**Proposed Change:** Extend the southern boundary of the current MPA to the most southerly tip of Duxbury Reef exposed at mean lower low water, or to about 37°53'07.9"N, 122°41'45.3"W. This would become a no take SMR. This does not impact access for non-consumptive uses, like boating (more examples listed below).

### Questions?

Contact EAC at  
415-663-9312 or  
ashley@eacmarin.org  
isabel@eacmarin.org



- The petition only proposes to restrict take (e.g., fishing or harvest) within the protected area. **It will NOT RESTRICT "non-consumptive" uses**, like visitation, tidepooling, education, surfing, boating, or research access.
- **The petition is NOT requesting Duxbury Reef become a Special Closure.** We support continued public access for non-consumptive uses.
- **The petition is NOT seeking to restrict fishing in all of Bolinas Bay or in Bolinas Lagoon.**
- **Duxbury Reef is one of the smallest Marine Protected Areas in the state**, even with the proposed expansion. However, it is one of the largest shale reefs in North America, providing habitat for rare yet vulnerable intertidal species, marine mammals, and birds. Many rocky intertidal habitats across California are already fully protected as SMRs.



Learn more at [www.eacmarin.org/duxburypetition](http://www.eacmarin.org/duxburypetition)

Scan for Info ➡



# EAC Fact Sheet: Duxbury MPA Petition (2023-32)

## w/ Response in red by “Save Duxbury Access” \*

### Duxbury Reef Petition Fact Sheet

In 2023, the Environmental Action Committee of West Marin submitted a petition to the Fish & Game Commission to redesignate the Duxbury Reef State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR), and expand its boundaries to include currently unprotected contiguous reef habitat in the north and south. This page explains current regulations and what would change if the petition is approved.



The EAC submitted this MPA petition without meaningful community outreach in Bolinas, which has led to significant information gaps and confusion concerning these proposed changes. The one-sheet petition that was circulated two years ago was misleading and did not address the negative economic and cultural impacts that these changes would cause throughout West Marin, nor did it specify a clear benefit to the ecosystem at Duxbury reef beyond the regulations that are already in place with the current MPA established in 2009.

#### Proposed Redesignation to State Marine Reserve (SMR)

**Current Rules:** Duxbury Reef is currently designated as a type of Marine Protected Area (MPA) called an SMCA. Its border extends 1,000 ft seaward from lower low tide. It is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except for the recreational take of finfish from shore, and abalone. The abalone fishery is closed.

Yes, the current regulations are simple: it is unlawful to take ANYTHING from the reef EXCEPT finfish and abalone (which is currently closed).


**Current State:** Duxbury experiences high visitation levels and poaching of reef organisms. Allowance of fishing (partial take) causes confusion for many visitors who think all take is allowed when they see shorefishing, poke pole fishing, or fisherpeople with buckets of bait, or when they read signage or information online that suggests some take is allowed.

Does the EAC think visitors are a problem? What is the definition of “poaching”? Please provide examples. Have these reports of poaching been verified by the California Department of Fish and Wildlife (CDFW)? How do the numbers of poaching citations at Duxbury compare to other coastal areas statewide? How has this “confusion” been documented and substantiated? Wouldn’t improved signage, education, and enforcement of existing regulations be a better solution than eliminating low impact hook and line reef fishing?

**Proposed Change:** Convert the current SMCA and the proposed extensions into an SMR, which would not allow any take. This does not impact access for non-consumptive uses, like visitation, tidepooling, educational, surfing, boating, or research access. This is NOT a Special Closure.

What is the definition of “non-consumptive” use? When a person takes a rock home, is that “consumptive”? When a person picks up a rock and then returns the rock, is that “consumptive”? Why do the majority of “potential violations” reported by the EAC at Duxbury Reef focus on visitors to the tidepools at Agate Beach? Does the EAC consider visitation a problem? Note: a “Special Closure” is not necessary to restrict visitation. By CDFW definition, Reserves are used primarily for research and preservation. Human activities are only allowed in Reserves as “managed enjoyment and study” at the discretion of the managing agency.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=133535&inline>



**Proposed Northern Expansion**

**Current Rules:** Boating is prohibited 1,000 ft around Double Point/Stormy Stack Special Closure. Recreational and commercial motorboats and ALL commercial enterprises prohibited within ¼ mi. from shore from Sculpture Beach to Duxbury Reef due to the Phillip Burton Wilderness designation.

**Current State:** Contains relatively pristine reef habitat. Visitation rare but increasing. Special Closure contains crucial seabird nesting areas, but boats have been seen violating buffers and disturbing these animals. Double Point has one of the largest breeding harbor seal colonies in California.

This “relatively pristine” reef habitat is more proof that the current MPA and the 1972 designation Area of Special Biological Significance (ASBS) has worked! California’s Marine Protected Area Network was recently recognized as an International Gold Standard for Marine Conservation. Is there a need for more restrictions? Is it necessary to eliminate law abiding low impact reef fishing for an entire coastal community and its visitors?

<https://opc.ca.gov/2025/06/for-immediate-release-californias-marine-protected-area-network-recognized-as-international-gold-standard-for-marine-conservation/>

The recent kelp studies cited by the EAC to the California Fish and Game Commission (CFGF) also demonstrate the impressive resiliency of this area. “This data shows that, despite the recent kelp die off in much of California, the kelp forest in the requested northern [and southern] boundary extension has persisted until as recently as 2023, and perhaps has even increased in the portion just south of the Special Closures” <https://doi.org/10.6073/pasta/a9071a2ce1b78242c2ad1dda5854ec78>

Correction: According to CDFW, boating is prohibited only 300 ft around Double Point/Stormy Stack Special Closure. Note: if boaters have been violating buffers established by the current regulations, how will increasing regulations be any more effective? Shouldn’t we focus instead on ways to improve understanding and compliance with existing regulations?

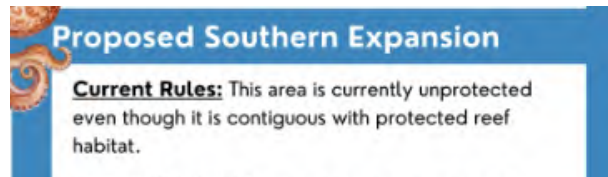
<https://wildlife.ca.gov/Conservation/Marine/MPAs/Double-Point#:~:text=The%20special%20closure%20was%20established.from%20human%20disturbances%20year%2Dround.>

**Proposed Change:** Extend the northern boundary to the Double Point/Stormy Stack Special Closures. This would become a no take SMR. Given existing regulations (above), functionally, the only change would be restricting take from shore. This does NOT impact access for non-consumptive uses that are not already affected by the restrictions imposed by the existing Wilderness or Special Closure.

Where is the data to support a need for more protections in *this* area? The EAC’s petition cites “confusion of regulations” as the main driver for reclassification and expansion. What “potential violations” have been reported in this northern area that necessitate MPA adjustments? Changing regulations and boundaries without a substantiated rationale is arbitrary and capricious.

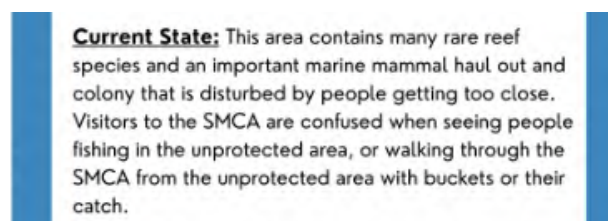
These MPA changes would go beyond fishing. If eliminating fishing was the only objective, why didn’t the EAC propose maintaining Duxbury as an SMCA and simply remove take? SMCAs can be take or no-take. Reserves are the most restrictive MPA designation, used primarily for research to

preserve an “undisturbed and unpolluted state”. General coastal access including tidepooling, reef education, and surfer access could be limited at the discretion of the managing agency “to protect marine resources, including non-extractive activities”. What is the EAC’s overarching goal for Duxbury Reef? Why isn’t this being disclosed to the public?



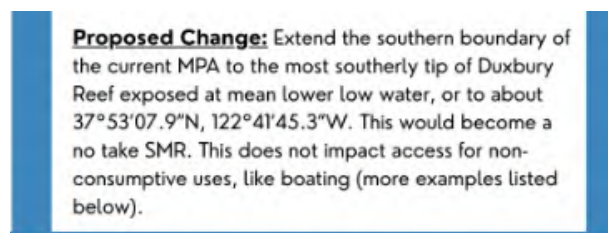
The geographic structure of the reef itself provides substantial protection as was discussed in a recent Point Reyes Light article by marine ecology professor at the College of Marin, Joe Mueller: “The exception, he said, is in the southern portion of the reef, which is buffered by a natural channel and is less accessible to visitors. That’s the area for expanded protections”. Why would we put further restrictions on top of what is already naturally protected? Note: limited accessibility due to fluctuating tides, steep cliffs, weather, and seasons, also provide additional environmental protections for this entire 8-10 miles of rugged coastline.

<https://www.ptreyeslight.com/news/anglers-say-eac-goes-too-far-on-duxbury/>



Where is the data about issues with visitors disturbing seals? Do visitors get confused when they do **not** see people fishing? Do the “potential violations” only occur when people are fishing on the beach? Do these same “potential violations” occur in no-take SMCA areas throughout the state, such as touching or removing rocks, or dogs off leash? Is there evidence of a reduction of such violations when SMCA’s go from take SMCAs to no-take SMCAs *without any other regulatory changes*? The EAC cited a 2023 study on signage that showed that “less than 5% of visitors to MPAs actually read signs upon arrival” which infers that Duxbury visitors would not be confused by signs because they are likely not to read the signs at all. How would the new regulatory changes be followed with more compliance if Duxbury was converted to a Reserve?

[https://www.californiamsf.org/\\_files/ugd/db7991\\_35150e1d08364c278304f2ff805d0011.pdf](https://www.californiamsf.org/_files/ugd/db7991_35150e1d08364c278304f2ff805d0011.pdf)



Agreed, since very few visitors access this area due to geographic barriers and tide fluctuations, very few *non-consumptive* users may be affected by this change to the southern border, **but is there a need for this change?** The vast majority of the EAC data focuses on the Agate Beach tide pools alone. Adding additional protections without substantiated merit sets a bad precedent, especially when there are negative social impacts. Is there any data provided of “potential violations” to support a need for reclassification in the vast majority of the proposed expanded area north and south beyond just Agate Beach? Additionally, though this change to the southern border may not affect many non-consumptive users, this combined with the total proposed zone would eliminate **ALL** of the reef fishing access in Bolinas from shore and further limit boat fishing access. This would have a devastating impact on our economic and cultural access to our coastline. If approved, this change would cripple our small sustainable hook and line commercial fishery in Bolinas that we rely on in West Marin to stock our restaurants and grocery stores. Why wasn't this economical impact addressed in the EAC petition to the FGC?

- The petition only proposes to restrict take (e.g., fishing or harvest) within the protected area. **It will NOT RESTRICT “non-consumptive” uses**, like visitation, tidepooling, education, surfing, boating, or research access.

False: This change CAN impact non-consumptive uses at the discretion of the managing agency. For example, “dogs off leash” reports make up the majority of the “potential violations” being used to rationalize the elimination of reef fishing access. Dogs are strictly prohibited in all MPA Reserves in California. **Does the Bolinas community know that dogs will likely NOT be allowed from below Agate Beach all the way to north of Double Point on 8-10 miles of our coastline if the Duxbury Reef MPA becomes a Reserve?** Why isn't this being disclosed to the public?

- **The petition is NOT requesting Duxbury Reef become a Special Closure.**  
We support continued public access for non-consumptive uses.

A “Special Closure” is not necessary to restrict visitation. Reserves are the most restrictive MPA designation that only allow “managed” human activities when they do not interfere with specific MPA preservation goals. Why does the EAC want to further restrict the public's access to Duxbury Reef? We all love Duxbury Reef and respect the comprehensive SMCA protections that were established over fifteen years ago through a rigorous collaborative process with a diverse group of stakeholders. This successful compromise balanced regulations with public access, recognizing that the best environmental stewardship relies on strong community support. The Bolinas community has been a model for community led environmentalism for generations and this remains true today. There has been no science based rationale presented that necessitates a change to this longstanding agreement. Why didn't the EAC engage in meaningful dialogue with the Bolinas community - a widely acclaimed nature-loving town, before submitting this MPA proposal?

<https://www.eacmarin.org/50-years-of-eac/2022/1/18/standard-oil-spill-eac>

- **The petition is NOT seeking to restrict fishing in all of Bolinas Bay or in Bolinas Lagoon.**

Clarification: The proposed southern expansion extends into part of the Bolinas Bay as seen on the CFG interactive map. The overall proposed expansion would nearly triple the size of the current

Duxbury Reef MPA, covering the entire rocky reef intertidal zone in Bolinas.

<https://storymaps.arcgis.com/collections/27e78c677dca484ebfb37120abc59d10?item=3>

- **Duxbury Reef is one of the smallest Marine Protected Areas in the state,** even with the proposed expansion. However, it is one of the largest shale reefs in North America, providing habitat for rare yet vulnerable intertidal species, marine mammals, and birds. Many rocky intertidal habitats across California are already fully protected as SMRs.



Duxbury Reef is the largest shale reef in North America but only a very small part of this reef is impacted by “heavy visitation” which is at the Agate Beach tidepools at the base of the trail from the parking lot. This has been a popular tidepooling area for generations of Bay Area visitors who come to explore the “nearly pristine” tidal ecosystem. The vast majority of the rest of the Reef in the area proposed for expansion is difficult to access because of geographic barriers, steep cliffs, tide fluctuations, and limited points of access. Consequently, the majority of Duxbury Reef is exceedingly protected and doing well considering environmental stresses and climate change.

The Duxbury Reef MPA is small but it is appropriate. This MPA was established over fifteen years ago when the state of California was mandated to establish protected marine areas through the Marine Life Protection Act (MLPA). Part of the adaptive management of the DECADAL MPA Review process is to see if these MPAs need to be adjusted to better meet their goals to provide a “sanctuary for marine life, and enhance recreational and educational opportunities”. There has been no science based rationale presented that necessitates a boundary expansion nor the addition of further restrictions to this longstanding collaborative MPA agreement.

Although Duxbury Reef may be one of the smallest MPAs in the state it is important to note that Marin County is the fourth smallest county by land in California at roughly 520 square miles and yet boasts 9 MPAs and 2 State Marine Parks. In comparison, Los Angeles County covers an area of approximately 4,084 square miles and has just 13 MPAs. Marin County has a high percentage of protected land overall with nearly 56% being permanently protected in parks, wildlife refuges, and open space preserves. Some sources even claim almost 85% is protected from development through open space purchases, federal parkland, watershed lands, and strict agricultural zoning, compared to just 16-18% of the rest of the Country.

While this is certainly impressive on an ecological level, it also comes with social drawbacks for marginalized residents who are often entirely left out of the conversation, as we have currently experienced in Bolinas regarding the EAC’s MPA petition that was submitted over two years ago without much input from those who would suffer most from the MPA changes. Without meaningful community dialogue, underserved people can fall through the cracks. It’s critical to balance environmental protections with community needs when establishing MPAs within isolated rural areas, especially when moving towards more restrictive regulations such as MPA Reserves.

For example, the high percentage of restricted lands in Marin County has had a significant impact on development. Limited developable land has led to a scarcity of land available for housing construction culminating in higher housing costs, and an overall extremely high price of living. Marin County has one of the highest concentrations of wealth in the Country, but this wealth is not evenly

distributed. Marin county has a wider wealth disparity than the national average, ranking as one of the most racially and economically inequitable counties in the state. While the County boasts a high median income, a notable percentage of its population is considered low-income. Evidence suggests there is a complex and often unequal relationship between wealth and the establishment of MPAs that can have mixed consequences, such as harm to fishing communities. **This emphasizes the critical need for more detailed analysis of socioeconomic impacts prior to submitting MPA petitions.**

Marin County also has more restrictive fishing regulations compared to other parts of California due to a higher concentration of these special management areas. All freshwater streams with the exception of a small portion of Walker Creek are closed to all fishing, all year. Many marine protected areas prohibit the take of all living marine resources within its boundaries. Fishing is prohibited in specific bodies of water such as, Muir Woods National Monument, and Rodeo Lagoon. Dungeness crab fishing is prohibited in San Francisco and San Pablo bays, and faces more restrictions elsewhere. The ocean salmon recreational fishery is currently closed. Nearby Stinson Beach does not have fishing restrictions but has restrictive policies regarding beach access at Seadrift, which is a 1.5 mile long private gated community located at the northern end of Stinson Beach. When we restrict fishing access for small coastal communities, we restrict their ability to be sustainable and self reliant. This needs to be considered when making (and changing) policies.

This is precisely why the California Fish and Game Commission adopted the Justice, Equity, Diversity, and Inclusion (JEDI) Policy in 2022 to outline the agency's commitment to inclusive and fair decision-making. This policy aims to correct historical inequities and expand access to environmental benefits for *all* Californians, especially for marginalized and underserved communities by the following guidelines: <https://fgc.ca.gov/About/JEDI>

- providing accessible engagement opportunities to CFG Commission decision-making for all affected and interested people,
- expand understanding of and improve response to the needs of marginalized fish and wildlife users,
- invest in meaningful and long-term partnerships with communities and cultures that have relationships with activities, fish or wildlife that CFG regulate,
- consider implications of our decisions on subsistence activities
- promote cultural, community, and economic opportunities related to fish and wildlife

**For all these reasons and more, we are urging that the California Fish and Game Commission remove MPA petition (2023-32) from consideration and preserve the current boundaries and status at Duxbury Reef, to focus instead on improving signage, education, and enforcement while protecting low-impact recreational & commercial fishing that aligns with the the CFGC JEDI Policy, the CFGC Coastal Fishing Communities Policy and California's Coastal Access sustainable management values.**

*\* "Save Duxbury Access" is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship. Contact us at [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)*

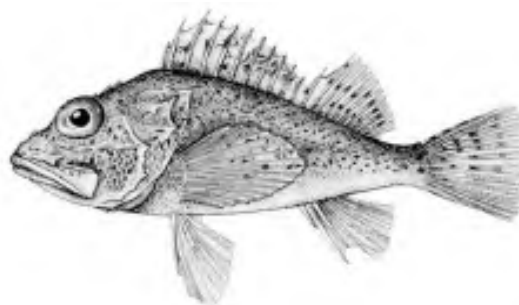
# SAVE DUXBURY ACCESS

The EAC of West Marin did **NO** meaningful community outreach in Bolinas before submitting their MPA petition (2023-32) over two years ago to expand and reclassify the Duxbury Reef Marine Protected Area (MPA) from a balanced use limited-take Conservation Area to a highly restrictive no-take Reserve. This expansion would be nearly triple the size of the current Marine Protected Area (MPA) and would cover the ENTIRE 8-10 mile rocky reef intertidal habitat accessible to Bolinas from below Agate Beach to north of Double Point. The EAC “Duxbury Petition Fact Sheet” is the EAC’s response to our town’s growing opposition to their proposal that would cause great harm to our economic and cultural access to our coastline, but this fact sheet is MISLEADING.

The EAC’s MPA petition goes beyond the elimination of low impact sustainable hook and line fishing on our entire rocky reef coastline in Bolinas. Moving to a Reserve designation would have a severe economic and cultural impact on our community and could affect ALL beach users without any clear science based benefit to the ecosystem at Duxbury Reef. Reserves are the most restrictive MPA, used primarily for ecological research. **Human activity is only allowed in Reserves for “managed enjoyment and study” at the discretion of the managing agency as long as it does not interfere with maintaining the area in an “undisturbed and unpolluted state”.** Why didn’t the EAC discuss these impacts with our town before submitting their petition?

General coastal access including tidepooling, reef education, and surfer access could be limited “to protect marine resources including non-extractive activities”. **Dogs will likely NOT be allowed on this entire stretch of the coastline**, as consistent with MPA Reserves throughout the state. Why isn’t this being disclosed to the public? We are urging the Fish and Game Commission to remove MPA petition (2023-32) from consideration to preserve the current boundaries and comprehensive protections at Duxbury Reef that align with the CFGC Justice, Equity, Diversity, and Inclusion (JEDI) Policy, the CFGC Coastal Fishing Communities Policy, and the California Coastal Act’s sustainable management values. We believe in balance and transparency.

## ACCESS = EQUITY = SUSTAINABILITY



*“Save Duxbury Access” is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for fishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship. Contact us at [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)*

# Written Request for Withdrawal of Signature from EAC Petition

(Note: this request must be mailed to the address below)

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

Dear California Fish and Game Commissioners,

This is a formal request to withdrawal my signature from the 2023-32MPA petition submitted to you by the Environmental Action Committee of West Marin ("EAC") dated April 6, 2023 regarding the change of the Duxbury Reef State Marine Conservation Area to a "State Marine Reserve" as well as an expansion of its northern and southern borders. While I am in full support of "preserving the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations", I believe that my signature was gathered in bad faith by circulators who intentionally misrepresented the petition's purpose and content by leaving out key information.

I do NOT believe that changing the designation of Duxbury Reef State Marine Conservation Area to a "State Marine Reserve" as well as an expansion of its northern and southern borders is necessary to protect the reef. We simply need better signage, public education, and enforcement to uphold the current regulations already in place. Thank you for your consideration.

Sincerely,

"WET" SIGNATURE  
FULL NAME  
RESIDENCE

*Bolinas, CA 94924*

(Please include full name, residence, and "wet" signature)

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Sincerely,

[REDACTED]  
Vanessa Marcotte

[REDACTED]  
Bolinas, CA 94924

(Please include full name, residence, and "wet" signature)

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P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fac@fac.ca.gov](mailto:fac@fac.ca.gov)

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Dear President Sklar and Commissioners,

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Additionally, the EAC petition has left out critical components to the State Marine Reserve (SMR) classification that include the strict protection that SMRs are designed "to protect the ecosystem in its entirety, allowing natural processes to occur WITHOUT HUMAN INTERFERENCE". "Interference" can have very broad interpretations with major implications. For example, walking across the surface of the reef could be seen as damaging the ecosystem, as could touching the water, or speaking too loudly. It could even be seen that walking across the sandy part of the beach is "interference" as well. It begs the question, what is the EAC's ultimate goal in this reclassification?

We all want to keep Duxbury Reef safe and thriving for generations to come. This is where many of us learned how to fish and still catch fish! It's where we explore the tide pools with our children, hang on the beach, and traverse to catch a wave. It's also where we honor and connect with the generations of those who came before by continuing their very same traditions. Preserving Duxbury can be accomplished under the current regulations through improved enforcement and education, NOT by shutting people out. Keeping access open ensures that our children will also nurture a connection with the place we all call home, and continue our shared tradition of responsible stewardship.

We urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, targeted enforcement against illegal take by accredited California Fish and Game employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and Sustainable Management values.

| <u>Name:</u>      | <u>Residence:</u>       |
|-------------------|-------------------------|
| Scott Roberts     | [REDACTED] BOLINAS      |
| Elizabeth Roberts | [REDACTED] BOLINAS      |
| Carlyn Roberts    | [REDACTED] BOLINAS      |
| Hannah Elserier   | [REDACTED] BOLINAS      |
| Melisa Miller     | [REDACTED] BOLINAS      |
| Daniel Max        | [REDACTED] BOLINAS      |
| PAUL SCOTT        | [REDACTED] BOLINAS      |
| MIKE VALA         | [REDACTED] BOLINAS      |
| Henry Borntraeger | [REDACTED] Greenbrae CA |
|                   |                         |

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| <u>Name:</u>              | <u>Residence:</u>                 |
|---------------------------|-----------------------------------|
| Jennifer Braham           | [REDACTED]<br>BOLINAS             |
| [REDACTED]                | [REDACTED]<br>BOLINAS, CA 94924   |
| Hattie Pohlman            | [REDACTED]<br>BOLINAS, CA 94924   |
| [REDACTED] / GREGG GEUPEL | [REDACTED]<br>BOLINAS, CA 94924   |
| Roscoe P. [REDACTED]      | [REDACTED] BOLINAS                |
| Nancy Donovan             | [REDACTED]<br>SAUSALITO, CA 94965 |
| Kevin Hicks               | [REDACTED] / Stinson Beach        |
| Karen Niederberger        | [REDACTED] / Stinson Beach        |
| Dino Colombo              | [REDACTED], Stinson Beach         |
| Aime Rand                 | [REDACTED]<br>STINSON BEACH 94970 |

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| <u>Name:</u>       | <u>Residence:</u>               |
|--------------------|---------------------------------|
| Maryana Bustamante | [REDACTED] Olenia CA 94936      |
| RUPY SAMUELS       | [REDACTED] MAL VALLEY, CA 94541 |
| Diane Kane         | [REDACTED] 94928                |
| Lia Sebbahin       | [REDACTED] Bolinas, CA 94924    |
| Valentini Muench   | [REDACTED] Mill Valley, CA      |
| TED MARSHALL       | [REDACTED] REDDING CA           |
| Vicki Markin       | [REDACTED] Bolinas              |
| [REDACTED]         | [REDACTED] SF                   |
| Arianne [REDACTED] | [REDACTED] Bolinas CA 94924     |
| Jacob Tanski       | [REDACTED] Bolinas CA 94924     |

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| <u>Name:</u>     | <u>Residence:</u>  |
|------------------|--------------------|
| Diane L. Swingle | Bolinas, CA        |
| Alex Oskander    | Cotati, CA         |
| Alice Hofer      | Novato CA          |
| [REDACTED]       | Novato CA          |
| [REDACTED]       | Stinson Beach CA.  |
| [REDACTED]       | Bolinas ca.        |
| [REDACTED]       |                    |
| [REDACTED]       | Bolinas, CA. 94924 |
| ROBERTO GARCIA   | BOLINAS, CA 94924  |
| Jack B. McEllen  | Bolinas, ca 94924  |
| [REDACTED]       | Bolinas, CA 94924  |

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| <u>Name:</u>        | <u>Residence:</u>                  |
|---------------------|------------------------------------|
| Peter Bradley       | [REDACTED]<br>PETALUMA CA 94954    |
| John Glavis         | [REDACTED]<br>Mill Valley CA 94941 |
| Jose Bustamante     | [REDACTED] BOLINAS                 |
| Richard Quinonez Jr | [REDACTED] San Pablo               |
| William Weese       | [REDACTED]                         |
| Italo Vaccaro       | [REDACTED] Bolinas                 |
| Cornelius Driscoll  | [REDACTED] San Francisco CA        |
| Karen Diblec        | [REDACTED] Bolinas, CA<br>94924    |
| [REDACTED]          | 11                                 |
| Miguel Bustamante   | [REDACTED] Bolinas CA<br>94924     |

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| <u>Name:</u>     | <u>Residence:</u>                    |
|------------------|--------------------------------------|
| Seth Anderson    | [REDACTED]<br>Robert Park 94928      |
| [REDACTED]       | [REDACTED]<br>Rohnert Park, CA 94928 |
| Donnie Melendy   | [REDACTED]<br>Stinson, 94970         |
| FRANCESCO LATINI | [REDACTED] SAN ANSELMO, CA 94960     |
| Chris Ratto      | [REDACTED] EX 94930                  |
| Hilary Wanslow   | [REDACTED] Bolinas CA 94929          |
| [REDACTED]       | [REDACTED] Bolinas                   |
| John Goldstein   | [REDACTED], Bolinas, CA              |
| Ben Gussack      | [REDACTED] SF CA 94118               |
| [REDACTED]       | [REDACTED] Bolinas CA 94924          |

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| <u>Name:</u>  | <u>Residence:</u>        |
|---------------|--------------------------|
| [REDACTED]    | [REDACTED]               |
| [REDACTED]    | Bolinas CA. 94924        |
| [REDACTED]    | [REDACTED]               |
| [REDACTED]    | Bolinas Ca. 94924        |
| [REDACTED]    | [REDACTED]               |
| [REDACTED]    | Pollock Pines, CA. 95726 |
| [REDACTED]    | [REDACTED]               |
| [REDACTED]    | Pollock Pines, Ca. 95736 |
| [REDACTED]    | [REDACTED]               |
| [REDACTED]    | Forest Knolls, CA. 94933 |
| [REDACTED]    | [REDACTED]               |
| [REDACTED]    | Penn Valley, CA. 95946   |
| [REDACTED]    | [REDACTED] CA.           |
| [REDACTED]    | 94906                    |
| [REDACTED]    | Stinson Beach 94920      |
| Jim F. Howell | [REDACTED]               |
| [REDACTED]    | STINSON BEACH, CA 94970  |
| [REDACTED]    | [REDACTED]               |
| [REDACTED]    | Stinson Beach, CA 94962  |
| [REDACTED]    | Muir Beach               |

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| <u>Name:</u>         | <u>Residence:</u>                                                   |
|----------------------|---------------------------------------------------------------------|
| Nina Phillips        | [REDACTED]<br>Bolinas                                               |
| Bryan McCarthy       | [REDACTED]<br>Mill Valley, CA                                       |
| Dolores McCarthy     | " " "                                                               |
| Samantha Ross        | [REDACTED]<br>Oakland, CA 94618                                     |
| Alison Miller        | [REDACTED]<br>Concord, CA 94521                                     |
| Seth Korsmeier       | [REDACTED]<br>Clanton, CA 94517                                     |
| Jacqueline Patterson | [REDACTED]<br>Bolinas CA 94924                                      |
| Henry Olson          | Bolinas CA 94924                                                    |
| Shari Coker          | [REDACTED] Ft. Lauderdale FL 3330<br><del>Sausalito, CA 94965</del> |
| Juliana Ross         | [REDACTED] CA 94618                                                 |

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|-------------------|-----------------------------------|
| MICHAEL<br>CARVER | [REDACTED]<br>WOODBERRY CA 94956  |
| SUSAN<br>BRENNAN  | [REDACTED]<br>San Rafael CA 94903 |
| James Meyer       | [REDACTED] Bolinas<br>94924       |
| Eoin McMillan     | [REDACTED]<br>BOLINAS, CA, 94924  |
| Terri Levy        | [REDACTED] SR 94903               |
| JAY ZIMMERMAN     | [REDACTED] SAN RAFAEL 94903       |
| William Anderson  | [REDACTED] San Rafael<br>94903    |
| Gerry Bisson      | [REDACTED] 94976<br>STINSON BEACH |
| Gott Kallsen      | [REDACTED] Bolinas CA 94924       |
| Terri Kallsen     | [REDACTED] Bolinas CA 94924       |

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|--------------------|----------------------------------|
| J. H. DILLON       | [REDACTED] BOLINAS<br>CA 94924   |
| Kim Appelquist     | [REDACTED]<br>Richmond, CA 94805 |
| Sage Storn         | [REDACTED]<br>Branston Ave.      |
| Schehera           | [REDACTED] Bolinas CA            |
| Adam H/ETC/IF      | [REDACTED]<br>BOLINAS            |
| Victor Nanyucha    | [REDACTED]<br>Hercules, CA       |
| Victor O. Nanyucha | [REDACTED]<br>Oakland, CA 94611  |
| [REDACTED]         | [REDACTED]<br>BOLINAS CA 94924   |
| [REDACTED]         | [REDACTED] Napa CA 94947         |
| Morgan Brunninger  | [REDACTED]<br>PETALUMA CA 94952  |

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We, the undersigned, are opposed to the 2023-32MPA petition submitted to you by the Environmental Action Committee of West Marin ("EAC") dated April 6, 2023 regarding the change of the Duxbury Reef State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) as well as an expansion of its northern and southern borders. We are in full support of preserving the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations, and we believe that this can be accomplished under the current SMCA regulations. The current regulations are very clear: It is unlawful to take ANYTHING from the reef EXCEPT finfish and abalone (which is currently closed). The hook and line fishing and poke poling tradition at Duxbury Reef is a sustainable fishing practice that dates back millennia beginning as early as 800 BCE by the Coastal Miwok. Terminating these traditions just to simplify public messaging is absolutely absurd and downright offensive. It is also not backed by any verifiable science that could necessitate such a drastic change.

Additionally, the EAC petition has left out critical components to the State Marine Reserve (SMR) classification that include the strict protection that SMRs are designed "to protect the ecosystem in its entirety, allowing natural processes to occur WITHOUT HUMAN INTERFERENCE". "Interference" can have very broad interpretations with major implications. For example, walking across the surface of the reef could be seen as damaging the ecosystem, as could touching the water, or speaking too loudly. It could even be seen that walking across the sandy part of the beach is "interference" as well. It begs the question, what is the EAC's ultimate goal in this reclassification?

We all want to keep Duxbury Reef safe and thriving for generations to come. This is where many of us learned how to fish and still catch fish! It's where we explore the tide pools with our children, hang on the beach, and traverse to catch a wave. It's also where we honor and connect with the generations of those who came before by continuing their very same traditions. Preserving Duxbury can be accomplished under the current regulations through improved enforcement and education, NOT by shutting people out. Keeping access open ensures that our children will also nurture a connection with the place we all call home, and continue our shared tradition of responsible stewardship.

We urge the Commission to preserve the current SMCA status at Duxbury Reef, to focus instead on education, signage for take regulations, targeted enforcement against illegal take by accredited California Fish and Game employees, and to protect responsible, low-impact recreational fishing that aligns with California's Coastal Access and Sustainable Management values.

| <u>Name:</u>              | <u>Residence:</u>                                |
|---------------------------|--------------------------------------------------|
| Taeya Glavis              | [REDACTED]<br>Stinson Beach CA                   |
| <del>Ametie Lopez</del>   | <del>[REDACTED]</del> MINOR<br>Bolinās, CA       |
| Amy Clark                 | [REDACTED]<br>Stinson Beach, CA. 94970           |
| [REDACTED]                | [REDACTED]<br>Novato, CA 94945                   |
| Ava Amanson               | [REDACTED]<br>Bolinās, CA 94924                  |
| Susan Sanders             | [REDACTED]<br>Bolinās, CA. 94924                 |
| Luke Arnold               | [REDACTED]<br>Bolinās, CA 94924                  |
| <del>Online Amanson</del> | <del>[REDACTED]</del> MINOR<br>Bolinās, CA 94924 |
| MAKOA <del>Broudel</del>  | [REDACTED]<br>Bolinās, CA 94924                  |
| OMAR Rifkin               | [REDACTED]<br>Bolinās, CA 94924                  |

California Fish and Game Commission

P.O. Box 944209 Sacramento,

CA 94244-2090

Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

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| Name:            | Residence:               |
|------------------|--------------------------|
| [REDACTED]       | Bolinas CA. 94924        |
| LORA ANDERSON    |                          |
| Nedra. G. Hatten | Bolinas. 94924           |
| Dan O'Connor     | Bolinas 94924            |
| [REDACTED]       | STINSON BEACH 94970      |
| [REDACTED]       | [REDACTED] BOLINAS       |
| John McHugh      | [REDACTED]               |
|                  | San Anselmo, CA 94960    |
| Alan Valbonesi   | [REDACTED]               |
|                  | Greenbrae, CA 94904      |
| [REDACTED]       | [REDACTED]               |
| [REDACTED]       | Point Reyes CA 94924     |
| Jelly Perceak    | Bolinas, CA 94924        |
| George Flynn IV  | STINSON BEACH, CA. 94970 |

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## POINT REYES LIGHT



A mariner from Bolinas once set me up with a rod and reel and left me at Duxbury Reef. I cast out into the wind and stood under a late sun, face to face with as raw a force as I ever faced. I didn't catch anything, but it did not matter. The cold and the sharp, the rushing and churning, the filling and emptying of black, living rock: I feel that ocean now, indifferent, vast, and overpowering.

9/25/25, 2:21 PM

Gmail - Point Reyes Light, August 7, 2025

Fishing delivers a visceral knowing of our atomic presence on earth. As a way to commune, to come back to zero, it is a thing worth preserving. One place we can is at Duxbury. Sophia explains [the new debate](#).

Today's edition brings news from Caltrans, about a redwood slated for removal no longer; from health officials readying for the school year; from scientists who have tracked salmon to their feeding grounds and found not only a boom in anchovy but the crippling absence of a chemical that links those fish; and from Marin Water, which extended the comment deadline on its proposal for the Nicasio dam through the year.

It also brings many letters, with many more already in the wings, in large part spurred by last week's news of the closure of Molly Myerson's farm. Never has your voice been louder on an issue.

Thank you for reading, writing, and contributing to our common future,

Tess

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[Click to read the August 7, 2025 edition](#)

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# POINT REYES LIGHT

## NEWS

### Anglers say EAC goes too far on Duxbury

by **Sophia Grace Carter**  
August 6, 2025



Visitation at Duxbury Reef in Bolinas has exploded in recent years, bringing with it disruptions to delicate intertidal life. Now, a local environmental group has asked the state to expand protections there. Fishermen say a ban of their sport would be overreach. (David Briggs / Point Reyes Light)

For generations, Bolinas residents have fished the waters off Duxbury Reef, casting lines from its shale ledges, diving for red abalone in its silty shallows and poke-poling for monkeyface eel in its tidepools.

Now, a proposal to ban all fishing around the reef has struck a nerve in the coastal village, where commercial and recreational fishing are woven into the local way of life.

“Bolinas is a fishing town,” said Rudi Ferris, a lifelong angler and vice-president of the Bolinas Rod and Boat Club. “We love the reef deeply, and we’re all for the protection of its invertebrates. But banning the take of finfish doesn’t get to the heart of the problem.”

The proposal, submitted by the Environmental Action Committee of West Marin as part of the state’s 10-year review of marine protected areas, asks the California Fish and Game Commission to reclassify Duxbury Reef—the largest exposed shale reef along the Pacific Coast and a trove of biodiversity—from a “state marine conservation area” to the more restrictive “state marine reserve” designation. The popular Agate Beach falls within the area.

The change would outlaw all fishing along an eight-mile stretch that would expand northward to Double Point, a harbor seal rookery, and southward to include a currently unprotected section of the intertidal zone that is exposed at low tide.

California’s marine protected areas, established 15 years ago under the Marine Life Protection Act, form a network of underwater canyons, sandy sea floors, kelp forests and rocky reefs designed to safeguard ocean biodiversity. The petition for Duxbury, submitted in 2023, garnered 150 signatures, 67 of which came from the Bolinas community, according to the E.A.C.

Over the decades he’s visited Duxbury Reef, Bolinas attorney and conservationist Kent Khtikian has seen firsthand the ruinous damage visitors can cause: prying up purple sea urchins with crowbars, smashing rocks with sledgehammers to extract fossils and collecting live specimen in five-gallon buckets to stock home aquariums.

“Most of the violations are pretty de minimus, but in the aggregate, they’re not,” he said. Mr. Khtikian supports the E.A.C.’s push to eliminate all take, arguing that a clear and simple prohibition would reduce the cumulative damage.

Currently, hook-and-line and poke-pole fishing are allowed from the shore, while harvesting other marine life—snails, clams, urchins, mussels and seaweed—is considered poaching and is punishable by fines. Abalone fishing, once common here, has been suspended statewide since 2017.

Ashley Eagle-Gibbs, the executive director of the E.A.C., said allowing some take while banning others contributes to violations. “If you can hook-and-line fish from the shore and you can poke-pole in the tidepools, that leads to confusion,” she said. “That is the crux of our concern—not that fin fishing itself is so harmful.”

Game wardens are just too scarce to adequately monitor the area, she said. Only nine state wardens cover Marin and 12 other counties. “We have a strong relationship with our local warden, but they are stretched over this large geographical area with many competing priorities,” Ms. Eagle-Gibbs said. “They can’t always be present on the reef.”

Docents with Marin MPA Watch—a volunteer monitoring program led by the E.A.C. with support from the Point Reyes National Seashore and the California Academy of Sciences—recorded 132 potential violations at Duxbury last year. Sixty-five of those were related to the hand collection of marine life.

Joe Mueller, a marine ecology professor at the College of Marin since the 1980s, said the decline in biodiversity at the reef in recent years has been stark. “I used to turn over a rock and see hundreds of crabs—four or five different species,” he said. “Today, you’re lucky to find any.”

The exception, he said, is in the southern portion of the reef, which is buffered by a natural channel and is less accessible to visitors. That’s the area proposed for expanded protections.

“All of a sudden, people are thinking that their rights are being eliminated, but we need as much protection out on the reef as possible, even if it inconveniences the fisherfolks,” Mr. Mueller said.

Yet many in Bolinas believe conservation and responsible fishing can coexist.

“There’s broad support for protecting the reef and stopping these violations,” said Chris Martinelli, a recreational angler and a battalion chief with the Marin County Fire Department who lives in town. “But shutting fishing down isn’t the solution.”

Mr. Martinelli learned to fish and dive for abalone at Duxbury as a child, and he later taught his own children. He said most of the infractions at the reef—people collecting marine life or letting dogs run off-leash—aren’t even fishing-related. “This is really an enforcement and signage problem,” he said. “I have the fortunate ability to boat elsewhere. But for a lot of people, shore fishing is their only option. This feels exclusionary.”

A new group, Save Duxbury Access, recently hosted a letter-writing event outside the Bolinas Library, offering templates for residents to submit comments to the Fish and Game Commission and request to withdraw their signatures from the E.A.C.’s petition. The group has collected 220 signatures for a letter opposing the petition.

Meanwhile, commercial fishermen say the reef is one of the last areas open to them, and they are girding for hardship if the proposed prohibition goes into effect. They say the proposal mischaracterizes the economic and recreational impacts, unfairly penalizes them for damage caused by unregulated visitation, and was drafted with minimal public engagement.

“To make fishermen take the brunt of this, it’s just absolutely unfair,” said Jeremy Dierks, one of a handful of men who make a living fishing out of Bolinas. “We’re barely hanging on as it is. This could be the final nail in the coffin.”

With salmon fishing shut down for three consecutive years and increasingly strict limits on crab harvest, Mr. Dierks relies heavily on halibut caught just off Duxbury Reef. He sells all his catch to local restaurants and to the Palace Market.

“The E.A.C. thinks there’s going to be no economic impact. That’s a bunch of baloney,” he said. “There’s a huge impact. They just haven’t done their research.”

Josh Churchman, another longtime Bolinas fisherman, agrees that the focus is misplaced. “I’ve seen people walk off with gunny sacks full of turban snails—that has to stop,” he said. “But the shore fishermen are low impact. A guy catches one or two fish, but mostly he’s out there to breathe in the open ocean air and cast his line out, and maybe he catches something and maybe he doesn’t.”

Of the 20 petitions received by the commission during this review cycle, 15, including the Duxbury proposal, led to scientific analysis and public engagement.

“These are complex management decisions,” said Sara Worden, an environmental scientist with the California Department of Fish and Wildlife. “At Duxbury, they’re asking for a large expansion and a redesignation to a state marine reserve, which we take very seriously. We want to take the time to be thoughtful and thorough.”

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## NEWS

## EAC should drop Duxbury bid

by **Rudi Ferris**  
September 17, 2025

Bolinas and its Rod and Boat Club were among those instrumental in the establishment of the Duxbury State Marine Conservation Area in 2009. Sixteen years later, the designation successfully protects the area today. We should know: We were here when gunny sacks were filled with mussels and urchins, and rock-boring piddocks were mined out with bars and picks. We were there when thick bunker oil coated the reef and cormorants flopped on the beach.

Thankfully, the conservation area strictly prohibited all take of invertebrates, marine algae and even stones and shells. The only allowable take consists of traditional shore-based hook-and-line fin fishing and abalone when in season. This allowance represents minimal angler effort and a miniscule take over a very large and difficult terrain.

The Environmental Action Committee of West Marin is correct in its admission that existing fishing is sustainable and non-damaging. Yet it is less correct about other things. The group cites anecdotal evidence of invertebrate decline, but species always naturally wax and wane, whether vertebrates, invertebrates or kelp.

Those with far longer and broader experience know this—precisely because they are anglers who can examine the stomach contents of their captured fish. Intertidal species like prickleback and monkey-face eels mostly eat kelp. Crustacean, mollusk, and small fish eating cabezon, greenling, perch and grass rockfish are healthy and even thriving. And because these resident fish reflect the environment that supports them, they are an accurate indication that the greater habitat is fundamentally healthy, too.

The present marine conservation area has worked well, and its allowance of fishing for legal license-holders, in obedience of tackle and bag limits, is an example of intelligent and responsible management. So why is the E.A.C. busily attempting to impose the ultimate closure of non-destructive hook-and-line shore-fishing, with a reserve expanded almost three times to include over eight miles of rocky and sandy beaches?

With respect, it appears that the E.A.C has a weak grasp of the human value of simple fishing. Executive Director Ashley Eagle-Gibbs told this newspaper: “It is not our intent to have a significant impact on the commercial fishing community.” Yet her organization has every intent to drastically impact non-commercial fishing in our community by eliminating a treasured and traditional, non-damaging pursuit.

Fortunately, the California Fish and Game Commission has a fuller understanding of commonly held resources and deep human values. As a result, it has banned commercial take for many species while permitting a democratic allowance for regular, non-commercial anglers.

The Fish and Game Commission respects non-commercial shore-based angling. The E.A.C. could use a page out of their book. The nonprofit cites “simplification of management” as the ostensible reason for its overreaching and unnecessary proposal. But the town of Bolinas and an original stakeholder of this resource—the 71-year-old Bolinas Rod and Boat Club—does not want its natural and cultural heritage “simplified” out of existence.

As a Bolinas resident of 62 years, a lifelong environmentalist and angler, an officer of the Rod and Boat Club and a longstanding member of the Bolinas Lagoon Advisory

## Letters

### Shakespeare in Inverness

For those that come our play to see  
One word I would explain to thee  
For when I say "solemnity"  
It marks not a solemn occasion  
Rather one of celebration.

Lowell Levinger  
Inverness

### Pesky raven problem

I might have a possible solution to the raven problem at the lighthouse. A few years back, a small bird was pecking his reflection in our bathroom window during mating season. I eventually came up with an idea. I dug up an old wildlife book in the basement and found a picture of a hawk—wings spread, talons out, in full attack mode. I cut it out and scotch-taped it to the window. The result was a very angry little bird who alighted on a nearby branch and tweeted out his fury until he saw it was to no avail and finally gave up.

John Aucoin  
Point Reyes Station

### EAC petition is unneeded

Your Aug. 7 article on the E.A.C.'s attempt to prohibit fishing on Bolinas's Duxbury Reef and eight miles northwards exposes a flawed rationale and weak excuses.

The E.A.C. director states, "If you can hook-and-line fish from the shore and you can poke-pole in the tidepools, that leads to confusion. That is the crux of our concern—not that fin fishing itself is so harmful." Fin fishing is not harmful, so why penalize the fishers for the damage tide poolers and visitors cause? Fishing for eel and other species is not so much a tide pool activity as it is a quiet focus on surge channels and undercut banks. If this isn't damaging the reef, why prohibit eight miles of shore fishing? Damage to the reef by tide poolers and visitors will continue long after the fishers are gone.

The real crux of the problem is education, signage and enforcement. E.A.C. has

a good docent program to educate and monitor Duxbury visitors, but they need more help from governing agencies and more volunteers. A few dedicated Bolinas folks already volunteer as docents, but again, they need more help. There are several California coastal areas that have sophisticated docent programs that are well funded and well-staffed, and that is what E.A.C. should strive for.

It should be restated that the E.A.C. petition bans everyone—not just Bolinas folks—from fishing on the reef, and it bans fishing on eight miles of beaches, both rocky and sandy ones, north to Double Point. That includes all fishing from shore and small boats within 1,000 feet of shore. And a new designation of state marine reserve could ultimately lead to other and greater restrictions.

I encourage your readers to write the California Fish and Game Commission and request them to deny the petition (2023-32MPA) and to support E.A.C. to expand its docent program instead. I also encourage E.A.C. to rescind its proposal and work toward more finely directed management. Such action will get everyone on board toward a common and worthy purpose.

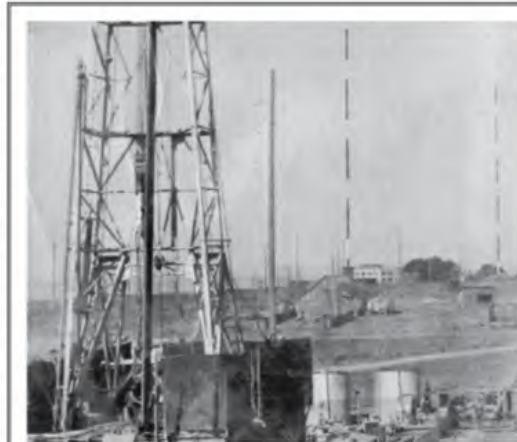
Ralph Camiccia  
Bolinas

### Birth of a new Gestapo

In a July 31 letter to the *Light*, Jim Harrigan rightfully bemoans the financial implications of Donald Trump's wealth redistribution plans as represented in the latest legislation rubber-stamped by Congress. He suggests that we might all work to reverse the intent of this bill by using any tax savings to assist those left high and dry.

Laudable, but I fear that the tax code changes are simply a distraction. What is truly alarming is the amount of funding (billions) dedicated to putting an armed and dangerous force on our streets under the guise of Immigration and Customs Enforcement. I do not hesitate to refer to these people as Gestapo (Geheim Staatspolizei, or secret state police) because that's exactly what they are. Wack-jobs with weapons, now with the authority of the federal government to "bring the hammer down." And you'd better believe they are doing it.

In the 1930s, according to my history



### West Marin's Past

By Elia Haworth

**OIL WELLS IN BOLINAS!** In the 1800s, fishermen and ranchers observed thick tar, gas and oil seeping on the coast of Bolinas, especially between Duxbury and Double Points and on the Big Mesa, sparking excitement about the riches to be made. Companies including the Bolinas Petroleum Company, Arroyo Hondo Petroleum Company, National Exploration Company and Standard Oil began prospecting for oil. Anticipating an oil boom, one of the town's inns was even renamed the Petroleum Hotel. The first well was drilled in 1865, but despite decades of exploration, little oil was ever found, and by the 1950s, drilling sites were abandoned. In 1948, the National Exploration Company leased part of the RCA station's land, where Commonweal is located today. This photograph shows the layers of history there. An oil well and an old dairy barn are in the foreground, with transmission poles beyond. In the distance is the 1914 Marconi building, where cutting-edge technology produced the first wireless transmissions across the Pacific. The specter of drilling arose again in the early 1970s, this time with government proposals for offshore drilling along California's coast. Communities had already experienced the devastating impact of crude oil accidents: in 1969, Union Oil's drilling platform blew out near Santa Barbara, and in 1971, two Standard Oil tankers collided outside the Golden Gate, smothering the shores and wildlife with oil. Bolinas activists raised the alarm and instigated an anti-offshore drilling campaign that spread beyond California and ultimately stopped the state initiative. As many have pointed out, environmental losses are permanent, and environmental victories are temporary. We must always be vigilant. *Photograph courtesy of Richard Nielsen.*

books (while they last), the Gestapo was able to "disappear" citizens of Germany at will. Habeas corpus was not a thing. My guess, given the direction of the supremes of late, is that it will not be "a thing" in the

U.S. much longer.

If you want to get a glimpse of a possible future for this country and the world,

Continued on page 6



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# Letters

## Fishing is our way of life

As a longtime West Marin resident, an organic gardener and a part-time commercial fisherwoman, I have a deep, living connection to our lands and waters. My husband practices hook-and-line fishing, a method as sustainable as it is time-honored. For us, these waters are not merely a livelihood; they are the very foundation of our way of life.

The proposal to ban fishing at Duxbury Reef threatens the entire culture of West Marin, a community built on small-scale farms, ranches, aquaculture and fisheries where residents work in close, respectful relationship with nature. These practices are essential not only to our economy but also to our identity and sense of place.

It is crucial to distinguish between small operations and larger-scale recreational and party boats that can extract significantly more marine life in a single outing. We fish mindfully, supplying our neighbors rather than mass markets. To regulate us as if we cause the same harm is misguided. In truth, we are part of the solution.

Indigenous people have fished these waters for generations, forming a sacred connection with the ocean long before any of us arrived. To close off these areas without meaningful Indigenous consultation would perpetuate a pattern of exclusion and erasure.

Moreover, these shores are essential for the well-being of our community. Local elders walk the beaches for peace and health, children explore tidepools and learn about marine life, and families surf, fish and gather in places that feel like home. Restricting access will diminish something essential—not just for food, but for mental wellbeing, intergenerational learning and community connection.

Rather than shutting down access, we should prioritize education. We need stronger programs that teach respect, stewardship and responsible use, especially for visitors who may not understand the ecosystem's fragility. Regulation without education punishes those acting in good faith and misses an opportunity to foster long-term, community-based conservation.

Some years ago, Prince Charles visited our farm in Paradise Valley. He spoke with my father-in-law about organic soil practices and with my husband about our fisheries. He was inspired that the food on our plates came from this region, grown and harvested by committed and caring people. That legacy is now at risk.

With each new restriction, small producers are pushed out while larger operations grow unchecked. If this trend continues, we will lose our sustainability and our food will increasingly come from distant sources. West Marin is not just a region; it is a living example of what community-based land and sea stewardship can look like. Let's invest in education rather than restrictive regulation, and preserve ac-

cess for the people who live here, who care deeply for this place, and who are raising the next generation to honor and protect what is sacred.

Kate Tohaney  
Bolinas

## Come swim in September

I've just returned from a swim at Heart's Desire Beach with West Marin Senior Services and am so inspired to write! I'm grateful for the program, which brings seniors to beach swims on Tuesdays from 12 till 2 p.m. during our Indian summers in September. Our fun-loving group enjoys food, drink, jokes and even crossword puzzles at picnic tables in plenty of shade with world-class views.

Tomales Bay was spotless and serene today; bay colors varied from emerald to azure. The view of Shallow Beach around the bend was filmable: pristine golden sand untouched by human feet, with a lush green forest as a backdrop. With parking passes and snacks in tow, our host, Angela, could not have been more gracious. Wishing we could do it every day, I encourage locals to join us!

Carolyn Losee  
Forest Knolls

## Turkeys make comeback

In recent years, I've enjoyed seeing wild turkeys around Point Reyes Station, as they've brought to West Marin delightful colors and curious courtship behavior. Presumably the bobcats and coyotes are pleased as well.

This spring, I've heard turkeys for the first time in Inverness, and early this summer, a flock of adults with their grown young were making themselves at home around Pierce Point Ranch. Presumably, they'll soon be well-established in appropriate habitats in the seashore and state park.

The question of whether we should welcome or oppose their arrival is a tricky but interesting one. Although wild turkeys have sometimes been maligned as a species "non-native" to California, broadly speaking, turkeys actually have a very long history here. In fact, California once had its own endemic Californian turkey, which

is among the most abundant bird remains found in the La Brea tar pits in Los Angeles. Now extinct, that species was apparently quite closely related and similar in size to the wild turkeys we see today over most of North America.

Along with the better-known megafauna now extinct in California—mammoth, saber-toothed cats, dire wolves, etc.—the Californian turkeys also disappeared after the arrival of humans, likely due to their being both easily hunted and extremely ed-

ible. Consistent with this historical record, a recent scientific study of their habitat preferences found that wild turkeys and/or Californian turkeys were likely widespread throughout much of the state.

Given their deep history here, rather than fearing the arrival of wild turkeys in West Marin, there is a credible scientific case for welcoming them back after their 10,000-plus-year absence. Along with the

Continued on page 6

## Pt. Reyes Subdivision is Approved

**Decision is delayed on Martinelli Farm plan; More local A-60 zones**

**Long Arm of Law Stops Subdivision for Point Reyes**

**DEVELOPER PULLS OUT OF MARTINELLI FARMS OWNERS RECEPTIVE TO ALTERNATE PROPOSALS**

## West Marin's Past

By Dewey Livingston

WHEN "MARTINELLI FARMS" THREATENED POINT REYES OPEN SPACE, Elmer Martinelli was a beloved character in West Marin as he presided over the local dump, but he elicited a big dose of controversy in 1972 when Inverness developer Lawrence J. Walters and other investors proposed a major housing and recreational development on his property near Point Reyes Station. Called Martinelli Farms and overlooking the south end of Tomales Bay, the land would be divided into up to 68 "ranchettes" and feature a golf course, polo field, gas station, motel and restaurant. Newer residents were appalled by the idea, while many of the old-timers supported the economic growth it could bring. The plan was first approved and then rejected by the county planning commission as it asked for revisions and more open space, and Bolinas attorney Paul Kayfetz sued over an incomplete plan. Inverness resident and planning commissioner John West fought the proposal and its gated roads, saying in a public meeting, "I just don't like the snotty, nose-thumbing aspect of this private enclave." After more than a year and up to \$60,000—almost half a million today—in expenses, Martinelli's developer dropped the plan in 1973 and eventually sold the land to the National Park Service. Now part of Golden Gate National Recreation Area, the once-threatened land is traversed by the popular Tomales Bay Trail. *Headlines from the Point Reyes Light 1972 to 1973.*



Art Rogers  
PHOTOGRAPHY  
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415.602.8345



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**MASONRY**  
**HECTOR MORA**  
**WESTMARINMASONRY.COM**  
415-300-7823  
BOLINAS, CA

submitted by Carol Cotton

**Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR)**

At a town meeting at the Firehouse this past Friday Sept. 19th an informative power-point presentation was given by Peter Martinelli to inform and promote discussion about the pending petition before the Fish and Game Commission. There was a long discussion with many questions asked following the presentation. My take away was to ask you to please oppose Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR)

We need all of the Bo community to help defend and preserve our traditional hook and line fishing at Duxbury—this includes both recreational shore-based fishing and fishing by local sport and commercial fishers along our western coast from Duxbury to Double Point.

Traditional hook and line fin-fishing is non-destructive at Duxbury and the Environmental Action Committee of West Marin (EAC) has

nevertheless lodged a petition with the California Fish & Game Commission to ban all shore-based hook and line angling and to extend that prohibition north to Double Point, and southward to fully encompass the greater reef and its offshore waters. This is a chunk of coast 8 miles long!

Please help defend against an unnecessary and ill conceived threat to our traditions and a treasured natural and cultural heritage. Current regulations which are already in place now, if enforced, align well with the need to protect both our fishing tradition as well as the natural environment. This effort to prohibit all hook and line fishing is an over reach

by the West Marin Environmental Activists. If needed we can find more docents to help educate the public about the rules now in place.

If this resolution is passed it may well prevent Bolinas kids who want to learn to fish as their fathers and grandfathers before them did.

Please send emails and letters to preserve our town's traditions.

Write or email:

California Fish and Game Commission

(Opposition to Petition No. (2023-32MPA) to Change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve SMR)

P.O. Box 944209

Sacramento, CA 94244-2090

Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

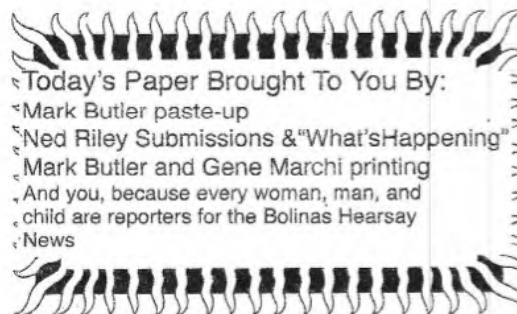
Also write and email to Dennis Rodoni, our County Supervisor, who at our WhiteCaps meeting on Thursday said he is "studying" this "situation".

Dennis Rodoni

Post Office Box 872

Point Reyes Station California 94956

email: [djrodoni4@gmail.com](mailto:djrodoni4@gmail.com)





## SAVE DUXBURY ACCESS

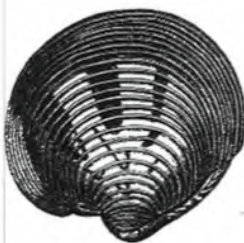
### 9/18 COMMUNITY MEETING Recap\*



- 60+ in attendance - packed house! Standing room with overflow into the hallway. One-hour long presentation - nobody left. One-hour + discussion and the house remained packed and engaged.
- Community members shared personal stories of how the petition changes of eliminating intertidal reef and shallow near shore fishing would impact their lives including loss of livelihoods, food sources, culture, etc.
- EAC explained their rationale for additional regulations needed at Duxbury but did not provide verified scientific data to substantiate their claims.
- Community members asked EAC to withdraw their petition.
- A community member requested a public vote of how many attendees would like the EAC to withdraw their petition. Vote: nearly all community members voted for the EAC to withdraw their petition (approx. 55+ votes).
- EAC said that they would not withdraw their petition.
- EAC said that the redesignation as a Reserve didn't have to be highly restrictive on general coastal access but community members said that it could be restrictive at any time.
- Community members expressed that the Reserve status would be permanent and subject to jurisdiction beyond the EAC so any promises by them do not preserve access to Duxbury.
- Community members expressed frustration and anger that the EAC "went behind their back" to submit this petition two years ago and we are just finding out now.
- Community members said that there was no ecological data to prove a need for this change and cited the long term study out of UC Santa Cruz as reliable evidence that Duxbury Reef was not in decline.
- A community member who represents the EAC dismissed this UC Santa Cruz study as unreliable science insisting that his own personal observations were to be trusted instead. He explained that the Reef was actually in great decline and would be completely "decimated" in ten years if this petition did not pass. This attendee did not present any verified studies to justify his claim.
- A community member expressed frustration that the EAC was undermining science within a national political climate where science is already under attack.
- Community members expressed that they felt that the EAC had invented their "potential violation" data to fabricate a problem to justify redesignation. EAC denied these claims but provided no verified data as a counter.
- A community member asked EAC what they were trying to accomplish at Duxbury and the EAC said "help the animals". A community member said that the reef already had lots of protections, including the marine mammal protections and migratory birds protections, mpa, etc. and that there wasn't a problem that necessitated a solution.
- Community members again requested that the EAC withdraw their petition.

\*Disclaimer: These meeting notes do not qualify as an official record but simply provide a general overview of subjects covered and general sentiments during the discussion. Please see slides for more specific information that was covered during the presentation.

[Opposition Letter Template PDF](#) Letters due: 9/25 5pm  
[Google Slides Link Here](#)



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# Marin activists seek fishing ban at Bolinas reef

Adrian Rodriguez

PUBLISHED: September 13, 2025 at 5:00 PM PDT

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*BOLINAS, CA - March 24: Duxbury Reef is exposed by a low tide at Agate Beach County Park in Bolinas, Calif., Wednesday, March 24, 2021.(Karl Mondon/Bay Area News Group)*

The western shore of Bolinas, a state marine conservation area of less than a square mile, boasts more than 200 species of invertebrates, seaweeds and marine plants.

An environmental group wants to strengthen regulations of the coastal waters of Duxbury Reef — one of the larger shale reefs in North America, which received protected status in 2009 — to ban fishing. Some locals see the proposal as a threat to their deep-rooted traditions as a fishing community.

Today, hook-and-line and poke-pole fishing are allowed from the reef, but beachgoers are prohibited from taking urchins, snails and other sea creatures from tidepools.





*A purple sea urchin sits in the tide pools of Duxbury Reef at Agate Beach County Park in Bolinas, Calif., Wednesday, March 24, 2021. (Karl Mondon/Bay Area News Group)*

The Environmental Action Committee of West Marin says existing regulations are confusing to many visitors and violations have risen over the past decade. Additionally, the entire reef is not within the boundary of the conservation area. Both issues demonstrate that existing protections are not adequate, the organization says.

Now, the nonprofit is petitioning to redesignate the reef as a state marine reserve, which would ban all fishing in the area. It also requests the protected area be expanded from its 2.8 miles of shoreline, which includes Agate Beach, to encompass nearly an 8-mile stretch. The new area would reach northward to Double Point,

which is a harbor seal rookery, to the southerly tip of the reef exposed at low tide.

“We wanted to increase, strengthen protections and also make sure the whole continuous reef habitat is protected,” said Ashley Eagle-Gibbs, executive director of the nonprofit. “From our perspective, it’s such a special place that we feel that it should have a really strong level of protection.”



The petition was submitted to the California Fish and Game Commission as part of the state’s 10-year review of marine protected areas in 2023. Though not required to, the nonprofit submitted it with 150 signatures, including 67 from residents of Bolinas.

Staff at the California Department of Fish and Wildlife have been reviewing the Duxbury petition along with a batch of other petitions. Twenty petitions were submitted as part of the decadal review of marine protected areas. Fifteen, including Duxbury, still under review.

“CDFW is working in close coordination with commission staff and Ocean Protection Council staff on the evaluations,” said Sara Worden, an environmental scientist for the wildlife agency.



Worden said she is unable to provide specific information on pending applications, but the Fish and Game Commission is expected to discuss next steps at its meeting in October.

Kent Khtikian, a Bolinas naturalist and environmental activist who helped develop a docent program at Duxbury Reef, is one of the supporters of the petition. Khtikian said he's observed suspected poaching at the reef.

Last year alone, docents with the volunteer Marin Marine Protected Area Watch, which was formed in 2013, recorded 132 potential violations at Duxbury. Since its formation, 1,606 potential violations have been observed, disproportionately higher than neighboring protected areas in Point Reyes and the Corte Madera marsh, according to the report filed with the Fish and Game Commission.



“I think that the petition is reasonable and on balance,” Khtikian said. “It’s quite equitable in terms of what limitations it would place on people’s activities and the benefits to visitors.”

For decades, though, the reef has been a go-to site for locals to teach their children how to fish.

Additionally, anglers argue that the fishing industry has been challenged recently. For the past three years, salmon fishing has been shut down, and abalone fishing has been suspended across the state since 2017.



“This is an unnecessary new classification,” said Rudi Ferris, vice president of the

Bolinas Rod and Boat Club. “We think what they’re proposing is an elimination of an important part of our natural and cultural heritage. There has been generations and generations of fishing out there.”

Patrick Sullivan, manager of the Coast Cafe in Bolinas, said his restaurant, other West Marin eateries and their patrons value locally sourced fish. Sullivan supports a competing effort called Save Duxbury Access.

“I definitely feel like the petition to change the category of the MPA (marine protected area) is unnecessary and detrimental to the town of hundreds in Bolinas who have a reverence for nature and living in harmony with nature,” Sullivan said. “It would impact the town in a huge way. There are protections already in place.”



Sullivan said he believes there is a way to amplify enforcement of the existing regulations, which could include adding more adequate signs detailing the rules and potential fines. He said volunteers could help educate potential violators to try to stop illegal poaching.

Enforcement is the responsibility of the state’s game wardens, but they cover a large area and are not always nearby, Eagle-Gibbs said.

Volunteers sometimes feel comfortable educating visitors they suspect may be violating the rules, but the confrontation is a challenging task, proponents say.



Community members have asked the county parks department to help, but that's another hurdle.

"Marin County Parks has no jurisdiction over the State Conservation Area in question," Samantha Haimovitch, the county parks superintendent, said in an email. "Parks owns and provides permits for the Agate Beach parking lot and pathway down to the beach, but our enforcement abilities end there. We have no jurisdiction or ability to enforce regulations on the beach or within the water."

Eagle-Gibbs said the Environmental Action Committee's petition does not ask to ban recreational activity such as tidepooling, kayaking or surfing in the coastal water.



She said the expansion north to Double Point covers water that is part of the Phillip Burton Wilderness Area, a preserve regulated by the National Park Service, and boating is already banned in there.

Eagle-Gibbs said a study showed that the most effective way to protect a marine area is through designations such as state marine reserves.

“It is not our intent to significantly impact commercial fishing with this petition,” Eagle-Gibbs said. “We need signage, we need enforcement, we need education. Our view is, we would like to see the regulation strengthened because our docents see a lot of confusion from people.”





*BOLINAS, CA - March 24: Duxbury Reef is exposed by a low tide at Agate Beach County Park in Bolinas, Calif., Wednesday, March 24, 2021.(Karl Mondon/Bay Area News Group)*

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**From:** Sherry Hirsch <[REDACTED]>

**Sent:** Thursday, September 25, 2025 10:33 AM

**To:** FGC <FGC@fgc.ca.gov>

**Cc:** saveduxburyaccess@gmail.com

**Subject:** Opposition to Petition No. (2023-32MPA) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

I am writing to oppose the 2023-32 petition filed by the Environmental Action Committee (EAC) of West Marin in 2023. This petition was submitted without meaningful dialogue with the Bolinas community and proposes expanding current regulations to a much larger portion of Duxbury Reef. The proposed restrictions have not been shown to be necessary and would impose devastating economic and cultural consequences on our rural coastal community, without delivering clear benefits to the reef itself.

Since 1986, my husband and I have lived in downtown Bolinas, on [REDACTED] across from the fishing dock. Over the years we have witnessed the evolution of our local fishing community as it has faced numerous challenges—severe weather events, the silting of Bolinas Lagoon, domoic acid cutting back the crab season, and salmon seasons reduced to just a few days. These are forces beyond our control. What we can control is whether we impose additional, unnecessary burdens on this community. Expanding Duxbury Reef regulations would do just that—and could ultimately destroy a way of life that has endured for generations.

I urge you not to approve this petition. We already have controls in place on the use of Duxbury Reef. Expanding the regulated area will not guarantee more effective enforcement, but it will cause significant harm to those of us who live in and treasure this coastline. Please do not let the pursuit of the “perfect” undermine the good that already exists.

Respectfully,

Sherry Hirsch and David Richman, [REDACTED] Bolinas, California

**From:** Marion Buchenau <[REDACTED]>

**Sent:** Friday, September 26, 2025 11:18 AM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** Re. Opposition to Petition No. (2023-32MPA) by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023

Dear California Fish and Game Commissioners,

**I am writing to oppose the 2023-32MPA petition filed by the EAC of West Marin without meaningful dialogue with the Bolinas community.**

According to the [Multi-Agency Rocky Intertidal Network \(MARINe\) long-term monitoring data collected by UC Santa Cruz researchers](#) over three decades at more than 200 rocky intertidal sites, Duxbury Reef is not in decline and therefore not in need of expanded regulations.

This unnecessary proposal would nearly triple the current Duxbury Reef MPA's size to cover the entire 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and reclassify it from a limited-take Conservation Area that currently allows shore fishing to a more restrictive no-take Reserve primarily used for research and open to the public only for "managed enjoyment and study." These drastic changes would devastate our small rural coastal community's economic and cultural access to our coastline without any clear ecological benefit.

As a Bolinas community member who has enjoyed Bolinas Bay for over 20 years, I've witnessed how vital our local fishing community is to what makes Bolinas special. This proposal would devastate fishers who already face strict crab limits and salmon closures—Duxbury Reef represents one of their last remaining fishing grounds, and a total ban could be "the final nail in the coffin" for their businesses.

Local fishers are being unfairly penalized for damage caused primarily by over-visitation and poaching. The solution is educating visitors, not banning sustainable local practices. The EAC misrepresents the economic impact and ignores the hardship an all-out fishing prohibition would create. Without credible ecological data showing decline, and contrary to the established MARINe monitoring dataset, this proposal undermines science-based policy at a time when scientific integrity is already under attack.

We all love Duxbury Reef and respect the clear and comprehensive SMCA protections that were established over fifteen years ago through a rigorous collaborative process with a diverse group of stakeholders. This successful compromise balances regulations with public access, recognizing that the best environmental stewardship relies on strong community support. I urge the Commission to reject the 2023-32MPA petition in its entirety

and preserve the current boundaries and status at Duxbury Reef because there has been no science based rationale presented that necessitates a change to the current MPA. We should focus instead on improving signage, education, and enforcement while protecting low-impact recreational & commercial fishing that aligns with the CFGC Coastal Fishing Communities Policy, the CFGC Justice, Equity, Diversity, and Inclusion (JEDI) Policy, and California's Coastal Access sustainable management values. Thank you for considering this perspective.

Respectfully, Marion Buchenau

**From:** Pat Wrobel-Dickens <[REDACTED]>

**Sent:** Wednesday, October 1, 2025 10:21 AM

**To:** FGC <FGC@fgc.ca.gov>

**Subject:** MPA Petition No. 2023-32

My name is Pat Dickens, a 30 year resident of Bolinas, CA. i strongly oppose MPA Petition No. 2023-32. This petition will in no way protect the Duxbury access or Agate

Beach. There are no data to suggest otherwise. Thank you!

[Sent from Yahoo Mail for iPhone](#)

**From:** Isabel Dawson <[REDACTED]>

**Sent:** Tuesday, October 14, 2025 04:05 PM

**To:** FGC <FGC@fgc.ca.gov>

**Cc:** Worden, Sara@Wildlife <[REDACTED]>; [REDACTED]  
<[REDACTED]>

**Subject:** Submission for MPA Petition No. 2023-32

Dear President Zavaleta, Commissioners, and staff,

Please see attached the letter (4 pages) we are submitting for MPA Petition No. 2023-32 on behalf of Colleen Hicks. A hard copy is also being sent through US Mail.

Thank you.

Best,

Isabel Dawson  
Policy Associate  
Environmental Action Committee of West Marin (EAC)  
PO Box 609 | 65 Third Street, Suite 12  
Point Reyes Station, CA | 94956  
(415) 663-9312  
[REDACTED]

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Colleen Hicks  
[redacted]  
Bolinas, CA [redacted]  
email: [redacted]  
telephone: [redacted]

October 14, 2025  
via email ([fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)) & U.S. Mail

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

**Re: Petition for modification of Duxbury Reef Marine Protected Area  
Petition # 2023-32MPA**

Dear President Zavaleta and Honorable Commissioners,

I am writing to you in support of the above-referenced petition submitted to you by the Environmental Action Committee of West Marin ("EAC") to reclassify the Duxbury Reef Marine Protected Area as a State Marine Reserve and to expand its boundaries.

Approximately 6 weeks ago I was approached on the street in Bolinas by people who sat behind a banner representing themselves as a committee To Save Duxbury. They asked for and I readily signed their "petition", which I did not take the time to understand and which is actually opposed to EAC's Petition. I then later learned more of the facts and I realized that in my haste I had erred.

**I hereby retract my agreement to the petition opposing EAC's Petition.**

**I hereby reaffirm, without qualification, my support for EAC's Petition as stated in my letter to the Commission dated January 27, 2024.** (I have enclosed a copy of my January 27, 2024 letter for your convenience.)

I understand that if EAC's Petition is successful, Duxbury Reef will be classified as a State Marine Reserve, all fishing done on the reef itself will be prohibited, fishing from a boat would be prohibited 1000 feet from low low water for the entire extent of the new Marine Protected Area, and the boundaries of the new Marine Protected Area will be extended to the South and North. I support that outcome for the reasons stated in my January 27, 2024 letter.

I apologize for the confusion I may have caused.

Respectfully submitted,

[redacted]  
Colleen Hicks

encl.

Colleen Hicks

Bolinas, CA

email:

telephone:

January 27, 2024

via email ([fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)) & U.S. Mail

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

**Re: Petition for modification of Duxbury Reef Marine Protected Area**

Dear President Sklar and Honorable Commissioners,

I am writing to you in support of the petition submitted to you by the Environmental Action Committee of West Marin ("EAC") regarding the Duxbury Reef Marine Protected Area.

**My experience/background relevant to this matter.**

I have continuously been a full-time resident of Bolinas for approximately 55 years from 1968 to the present. I am of Cherokee and Lakota lineage. From 2005 to 2017 I was the Executive Director of the Museum Of The American Indian ("MAI") in Novato, California. My duties as Executive Director of the MAI included: creating, planning and curating exhibits, educational programs, educational resources, and live events; writing and editing MAI's newsletter; and, other responsibilities all related to informing the public of the values, culture and history of Indigenous Peoples of Northern California. Those duties all required a knowledge of the past and present practices, culture, values, and interests of Indigenous Peoples of the Americas generally and Indigenous Peoples of Northern California more specifically. The museum had over 4,000 school children visit every year to learn about native life ways, which included respect and care for the Earth. We taught the school children that it is our duty to preserve the land for future generations as we were taught by our ancestors.

During my 55 years in Bolinas I have spent literally 1,000s of hours on Duxbury Reef, including on the northern portion of the current Duxbury Reef Marine Protected Area that comprises the shoreline of the former RCA broadcasting facility (now occupied by Commonweal).

For the reasons stated below, I strongly believe that in order to preserve unimpaired the ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations and to minimize the negative impacts of visitors to Duxbury Reef's intertidal habitat and species all three of the following additions to and modifications of the Duxbury Reef State Marine Conservation Area ("SMCA") which EAC has requested should be approved by the Commission.

I believe that designating the entirety of Duxbury Reef, including both the "Northern

and Southern Reef Extensions", as a State Marine Reserve is consistent with and will promote the interests and values of Indigenous Peoples of Northern California, and will not negatively impact that community.

**1. Change the designation of the Duxbury Reef State Marine Conservation Area to a "State Marine Reserve".**

Designating as a State Marine Reserve the entirety of the both the current Duxbury MPA and the Duxbury MPA expanded to the North and South as requested by EAC, is imperative. I understand that a designation of Duxbury Reef as a "State Marine Reserve" will prohibit all taking (including all fishing from shore), damage, injury or possession of any living, geological or cultural marine resource, except under a scientific collecting permit for authorized research, restoration or monitoring, whereas in Duxbury's current designation as a State Marine Conservation Area fishing from shore is permitted and some species are unprotected. The designation of the entirety of Duxbury Reef as a State Marine Reserve is consistent with and will promote the interests and values of Indigenous Peoples of Northern California, and will not negatively impact that community.

I have observed that fishing from the shore has become less frequent over the years. It still occurs but I do not recall seeing any people who made return trips to Duxbury for shore fishing in the past 6 or so years. I believe that such a change would only improve the condition of the reef, in some part by the reduction of that now-allowed taking, but also because of the effect that observing that fishing probably has on the behavior of the recreational, non-fishing visitors.

I have observed that the number of recreational visitors to the Duxbury MPA dramatically increased beginning in 2017. It is my impression that the increase in average visitation to Duxbury Reef in the past 6 years is far larger than the increase in the average visitation during any other 6-year period during the 49 years preceding 2017. The time for increasing the protection of Duxbury Reef is now.

**2. Extend the southern boundary of the Duxbury Marine Protected Area to the most southerly tip of Duxbury Reef exposed at mean lower low water (the "Southern Reef Extension") and designate the entire Reef as a State Marine Reserve**

I understand that at this time the Southern Reef Extension is outside of and unprotected by the current SMCA. I understand that this unprotected area constitutes about 5/6's of that portion of Duxbury Reef extending off the southern tip of the Bolinas peninsula.

I have wandered out into the intertidal area of the southernmost part of the reef from time to time, simply for the pleasure of being there. It is truly an uncommon biological wonderland. I do not recall that I have ever observed any shore-based fishing occurring on the Southern Reef Extension. This part of the reef should be included in the expanded boundaries of a Duxbury Reef State Marine Reserve.

**3. Extend the northern boundary of the Duxbury MPA to the Double Point/Stormy Stack Special Closure, that is the northern point of the area known as Double Point (the “Northern Reef Extension”) and designate the entire Reef as a State Marine Reserve**

I understand that the Northern Reef Extension is outside of and unprotected by the current SMCA. It is my understanding that this unprotected area commences at the North boundary of the current SMCA, roughly at the outfall of Arroyo Hondo Creek, and would extend to the northern point of Double Point.

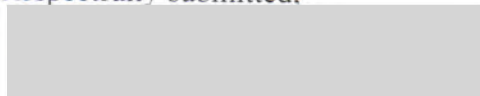
I am not aware of anyone fishing from shore, either recreationally or commercially, in the area of the Northern Reef Extension.

I have also explored the intertidal area of the Northern Reef Extension from time to time. It is pristine and rich with many species. It makes no sense to me that this and the Southern Reef Extension, both fragile ecological areas, have not been included in the Duxbury Reef Marine Protected Area. Both should now be included in an expanded State Marine Reserve.

**Summary**

In order to preserve without further impairment, and to correct harm that has been previously done to, the intertidal ecosystem of Duxbury Reef for the enjoyment, education and inspiration of current and future generations all three of the above-described additions to and modifications of the Duxbury Reef State Marine Conservation Area proposed by EAC should be approved by the Commission.

Respectfully submitted,

A rectangular grey box redacting the signature of Colleen Hicks.

Colleen Hicks

cc. Kent Khtikian

From: Joanna Moore <[REDACTED]>  
Sent: Thursday, October 23, 2025 03:24 PM  
To: FGC <FGC@fgc.ca.gov>  
Subject: Petition No. 2023-32MPA

Hello Commissioners,

My name is Joanna Moore. I'm writing in support of the petition for Duxbury Reef because I believe it's a precious marine environment that needs protection. I live directly above the reef. The reef is visited by many people. That is clearly because it's special. Unfortunately people take from dwindling marine life in the reef. It's simply not sustainable. Without a full-time guardian (which is likely not in the budget), Duxbury Reef must be fully protected by clear rules and regulations against any gathering and taking from the reef. Duxbury Reef is a special habitat that needs to be protected so that not only can the marine life have a chance to thrive but generations of people are able to visit and observe the wonders of the natural world in this special habitat for years to come. At the current rate of decline there isn't much chance for survival in the reef at all.

Kind regards,

Joanna Moore

Bolinas, CA

California Fish and Game Commission  
P.O. Box 944209 Sacramento,  
CA 94244-2090  
Sent via Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

October 23, 2025

Re: Opposition to Petition No. (2023-32MPA) to change Duxbury Reef from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) and to expand its boundaries to encompass the entire 8-10 miles of rocky reef coastline in Bolinas, by Ashley Eagle-Gibbs of the Environmental Action Committee (EAC) of West Marin dated April 6, 2023.

Dear California Fish and Game Commissioners and Marine Resources Committee,

On behalf of the Bolinas Community, we're adding to our previous letters of opposition to Petition No. (2023-32MPA) with further information regarding the EAC's MPA Watch data reporting. We appreciate your time and patience to review our materials as we have until just recently been excluded from this critical conversation that directly impacts our way of life. The EAC's petition has grossly negligent information gaps and blatant falsehoods that have misled elected officials and public agencies. They gained their endorsements by claiming that they had "strong community support" yet they did NO meaningful outreach in Bolinas, a violation of the Fish and Game JEDI Policy. Bolinas staunchly opposes this aggressive and unnecessary proposal to eliminate ALL reef fishing access for our ENTIRE coastal town, which would devastate our historic maritime culture and economy, a direct violation of the Fish and Game Coastal Communities Policy.

Upon thorough review of the only supporting evidence presented by the EAC to justify their petition, we have found substantial flaws including: (1.) omitting key scientific studies, (2.) unreliable and inconsistent data reporting, (3.) misleading data comparisons to dissimilar MPAs, (4.) **extreme** interpretation of regulatory language that identifies school children as "poachers" for the *temporary handling* of marine resources, and (5.) the strategic misrepresentation of poaching to scapegoat fishermen. (See *attached data analysis*.) This petition should be rejected in its entirety because:

- A. **The EAC has presented no verified scientific evidence of an ecological problem to solve at Duxbury Reef.** In fact, the ecosystem is doing well. This is well documented by the [UC Santa Cruz Long-Term Intertidal Monitoring Site Data](#) which was NOT included in the EAC's petition.
- B. **The EAC has presented no verified scientific evidence that hook & line fishing is harmful to the reef.** Instead, the EAC claims without evidence that the visitation from school children on educational field trips at the Agate Beach tidepools is harming the reef.
- C. **The EAC misled supporters of this petition** by categorizing the *temporary handling* of any living, geological, or cultural marine resource (such as shells) by tidepool visitors (mainly school children) as regulatory violations of the current SMCA, by extension, "high levels of poaching".
- D. **The EAC grossly mischaracterizes the significant economic impacts to the Bolinas Community and West Marin.** These proposed changes would devastate our small sustainable hook and line commercial fishery that feeds West Marin, hurting our restaurants, markets, and tourism, a violation of the Magnuson-Stevens Act of 1976.

- E. **The EAC ignores the significant impacts to non-consumptive beach users.** These proposed changes would limit children's educational coastal access at Agate Beach to "no-touch" dry rock tidepool exploration. This pedagogical approach is incompatible with the principles of immersive, experiential education, which relies on direct, practical experience. This proposal would also terminate ALL dog walking on 8-10 miles of our coastline - a treasured recreational pastime for many community members and visitors to Bolinas..

We all love Duxbury Reef and respect the comprehensive SMCA protections that were established over fifteen years ago through a rigorous collaborative process. This successful compromise recognizes that the best environmental stewardship relies on TRUE community support. **We urge the Commission to reject the EAC's misguided petition in its ENTIRETY because there is no science based rationale that necessitates ANY changes.** This petition is a waste of the Commission's time and it's a waste of our community's time. Eliminating ALL reef fishermen in Bolinas is nonsensical, counterproductive, and divisive. We should focus instead on working together to improve compliance with common sense tidepool best practices through effective educational initiatives that *include* the surrounding community. Thank you for your consideration.

Respectfully,

Save Duxbury Access, on behalf of the Bolinas Community

*"Save Duxbury Access" is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship. Contact us at [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)*

# EAC Data Reporting for Petition (2023-32) MPA Targets School Children but Blames Fishermen

*Data Analysis by Save Duxbury Access\**

The EAC submitted MPA petition 2023-32 to reclassify and expand Duxbury Reef to a no-take Reserve without presenting *any* verified scientific evidence to justify their stated need for regulatory change. The comprehensive and widely available [UC Santa Cruz Long-Term Intertidal Monitoring Site Data](#) (attached) was omitted from their petition. This 20 year study demonstrates that the ecosystem at Duxbury Reef is doing well and not in decline. The profound, generational insight of local surfers and fishermen further corroborates this data but was also excluded from the petition. In fact, these valuable stakeholders were not engaged in *any* meaningful dialogue whatsoever by the EAC even though they would arguably be the most impacted by the proposed changes, a violation of the Fish and Game Coastal Communities and JEDI policies. Instead, the EAC relies solely on data gathered by their own MPA Watch volunteers. This suppression of evidence erodes the integrity of the EAC's petition whose stated objective is to protect the reef. The EAC cannot credibly make this noble claim while simultaneously concealing critical scientific facts, and alienating the community that has protected the reef for hundreds of years. The EAC of West Marin has lost its way and deviated from their core mission: "To protect and sustain the unique lands, waters, and biodiversity of West Marin."

At face value, this petition is an attack on fishing and a struggling community that relies on its catch, but below the surface a much broader motive is revealed. The EAC's MPA Watch data reporting identifies school children and dog walkers as a problem at Duxbury Reef but blames fishermen instead. Ignoring conclusive scientific findings, the EAC maintains that the reef is actually unhealthy and that the trampling and "poaching" by school children "have long-term negative impacts to habitat and species". They bolster this accusation with claims of high and increasing visitation but *their own data shows the opposite* - visitation at Duxbury Reef is low compared to other accessible tidepools and has leveled off since the Pandemic surge. **The EAC amplifies fabricated claims of "high levels of poaching" and "recurring issues with illegal take" that are based almost entirely on school children temporarily handling biota for observation NOT what is widely understood as poaching**, i.e. "the illegal hunting or capturing of wild animals". The EAC argues that the legal definition of "take" and "possess" extends to *any handling* of a "living, geological, or cultural resource", categorizing such acts as regulatory violations and, by extension, poaching.

This report is an investigation of the nuanced layers of the EAC's misuse of the MPA Watch methodology to manufacture a problem in order to:

- Limit children's educational coastal access at Agate Beach to "no-touch" dry rock tidepool exploration. This pedagogical approach is incompatible with the principles of immersive, experiential education, which relies on direct, practical experience - particularly for youth suffering from nature-deficit disorder (NDD): decreased attention span and focus, increased stress and anxiety, reduced creativity and imagination, and physical health problems, such as obesity and vitamin D deficiency.

*This is also a discriminatory assault on inclusive marine science programming.*

- Eliminate ALL reef fishing in Bolinas which would devastate our small rural community's economic and cultural access to the coast, a violation of the Fish and Game's Coastal Communities Policy.
- Cripple our sustainable historic commercial fishery that feeds West Marin.
- End equitable hook and line finfishing from shore that has been practiced on our coastline for thousands of years beginning with the Coast Miwok people indigenous to these lands. *This would force lower economic anglers to travel further away from home to less pristine waterways to feed their families - a supreme environmental injustice and a violation of the Fish and Game's JEDI Policy.*
- Close ALL future opportunities for abalone harvesting in Bolinas for the entire community and our visitors that has been a cherished tradition for generations.
- Terminate ALL dog walking on 8-10 miles of our coastline - a treasured pastime. (Note: "dogs off leash" make up over half of the potential violations incidents recorded by the EAC's MPA Watch).

The following topics will be addressed: I. legalistic definition of the term "possess", II. unreliable & inconsistent reporting, III. misleading comparisons, IV. problematic framing of fishermen, V. strategic misrepresentation of "poaching", and VI. how education is the most effective and enduring solution to improving compliance with tidepool best practices. There is NO scientific need to reclassify and expand the Duxbury Reef SMCA. **This counterproductive and misguided petition should be rejected outright in its entirety because a more practical and direct solution exists: clarifying tidepool best practices, improving onsite signage, and expanding educational outreach at Agate Beach.**

## I. LEGALISTIC DEFINITION of "POSSESS"

The EAC argues that the *temporary handling of any* living, geological, or cultural marine resource at Duxbury Reef is a violation of current SMCA rules, as it legally counts as "possession". This extreme interpretation has guided the EAC's MPA Watch volunteers to record hundreds of "potential violations" by tide pool visitors at Agate Beach who are mainly school children on educational field trips. The EAC *publicly* reports these tide pool interactions as "high levels of poaching" and refers to them as "*potential* violations" because they have not yet been prosecuted. The EAC's definition of "no handling" SMCA regulations is not posted anywhere on site nor is it specified by the MPA Watch Manual or CDFW. This has led to significant public confusion as it is contrary to the common sense tide pool etiquette that has been practiced for generations at Agate Beach of "Do No Harm". The Agate Beach trail entrance says:

*"Taking of all living marine resources is prohibited except the recreational take of finfish from shore and abalone"*

*"Collecting animals, plants, shells, or rocks is illegal; violators can be fined \$1,000 and jailed for 6 months"*

A general beach visitor would most likely interpret "taking" and "collecting" as bringing things home. A hunter or a fisherman would understand "take" as the pursuit, capture, or killing of a wild animal, fish, or bird. The MPA Watch manual itself defines collection of biota as [\*"collecting marine life into a bucket or net and taking it away."\*](#) The spirit of the law is to protect Duxbury Reef from the excessive harvest seen prior

to the establishment of Area of Special Biological Significance (ASBS) in 1972. Why is the EAC's interpretation of the regulations different from what is posted on the Marin County Parks and Open Space signage? The EAC's severe and troubling interpretation is demonstrably out of touch with the public's understanding of the rule which was meant to be understood plainly, not to be scrutinized like a legal contract, unless the EAC is planning on bringing in school children to be fined and jailed? Rather than addressing their dissonant interpretation, the EAC has leveraged their "poaching" data to promote their petition to reclassify Duxbury Reef to an *even more restrictive* State Marine Reserve (SMR), and to expand these severe restrictions along the entire ocean facing coastline in Bolinas. This explains the EAC's high data count of 1,606 potential violations for the small tidepool area at Duxbury Reef, and why CDFW officers have chosen education over penalties for these incidents.

## II. UNRELIABLE & INCONSISTENT DATA REPORTING

While the MPA Watch is a valuable citizen science program that provides data on human activity, it is only one small component of the overall data required for sound adaptive management of MPAs. Regulatory decisions must incorporate a wide range of verified scientific evidence to be effective such as long-term ecological studies, CDFW enforcement citation records, socioeconomic impact assessments, and traditional knowledge from communities to provide critical historical and ecological context. MPA Watch data should never be the *only* data used to make consequential regulatory changes. Although their statewide protocols are standardized, data quality can vary depending on individual volunteer training and program oversight, and can be influenced by the experience level of the citizen scientists who may demonstrate potential observer bias. The EAC's reporting on Duxbury Reef consistently demonstrates these points.

*"In 2024, MPA Watch data shows 132 violations at Duxbury Reef. This includes 60 observations of dogs off leash and 65 counts of hand collection of biota."* What exactly is "hand collection of biota"? What specifically is being collected? Quantity? Is it taken home? Volunteers note that "most collecting was for observation and not for consumption". What were the other 7 potential violations? (132 total - 60 dogs off leash - 65 hand collection of biota = 7 nonspecified potential violations.) EAC's MPA Watch reports are frequently vague, with an average of over 50 potential violations left nonspecified per annual report, and often provide information that contradicts previous reports. (See Figure 1 - 2 for an overview of the EAC data inconsistencies.)

### A. The Illusion of Increased Visitation

*"This is especially critical in consideration of the combined impacts of dramatically increased visitation, ocean acidification, and sea level rise which will increasingly impact the biodiversity of the reef."* The EAC continues to argue that visitation is on the rise at Duxbury Reef but this is not demonstrated in their own data which surged during the Pandemic but has mostly leveled out. (See Figure 3.)

*"Below is a chart showing the activity data in the first half of 2024. This is the period of the year that gets high visitation because of the daytime timing of low tides and school field trip season (there are only a handful of daytime low tides during the later summer and fall months that enable access to the reef."*

(See Figure 4.) School children on educational field trips to the Agate Beach tidepools are responsible for the bulk of the visitation at Duxbury Reef, which is only accessible at mid-tide or lower tides. This is roughly 40-45 school days a year, plus 50-60 possible weekend days for visits to the exposed reef. Other than that, the reef is mostly under water and protected from *all* visitation. That's a total of only 90-105

days a year for possible tidepool visits, weather permitting, at the very narrow Agate Beach that is buffeted by a steep crumbling cliff, facing the Pacific Ocean. These limitations explain the *actual low visitation levels* at this site. Even during the Pandemic peak, the Duxbury Reef visitation rates are lower than other accessible tidepools within municipalities. Has the EAC compared Duxbury Reef's visitation to rates prior to the abalone closure? Has the EAC compared the current visitation rates with historic rates prior to the 1972 ASBS?

Note: The Agate Beach tidepools have the most visitation in the Duxbury Reef SMCA. The vast majority of the remaining area, as well as the area proposed for expansion is highly inaccessible due to terrain and lack of access points. Visitation is NOT increasing in the north despite the EAC's claims to the contrary, but has dramatically *decreased* since the abalone closure in 2018, and since the National Park Service closed the last trail for beach access from the Palomarin parking lot. (See Figure 3. for more examples of EAC's repeated claims of high increasing visitation)

#### B. Hypotheticals Deviate from MPA Watch Methodology

*"Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and take) have long-term negative impacts on habitat and species."* The EAC provides no verified scientific evidence to support this hypothetical claim, which is contrary to the [UC Santa Cruz Long-Term Intertidal Monitoring Site Data](#). The EAC also fails to present other known factors affecting the California North Coast intertidal communities such as disease in sea stars, disease in abalone, explosion in urchin numbers, loss of sea otters, etc. Additionally, creating hypotheticals is an ethical violation of the MPA Watch program's focus on purely observational, fact-based data collection. (See Figure 5. for more examples of EAC's ongoing claims of this hypothetical.)

The EAC's MPA Watch reporting is undermined by these ongoing methodological flaws and a lack of data consistency, an issue inherent to volunteer-based reporting. Regulatory changes cannot be effectively implemented without first developing a precise diagnosis of the underlying problem. If this is the *only* data that the EAC is using to eliminate ALL reef fishing for the ENTIRE Bolinas historic fishing community, details are critical. Ignoring a substantial body of verified scientific evidence in favor of unverified volunteer reports is a reckless approach to regulation.

### III. MISLEADING DATA COMPARISON

*"MPA Watch data shows that Duxbury Reef State Marine Conservation Area has the highest activity rate compared to other MPAs surveyed by Marin MPA Watch over all past years, accounting for 47% of all activities in Marin MPA Watch locations."* The overall conclusions of the EAC's MPA Watch data are unsound, primarily because they rest upon a comparison between Duxbury Reef with other Marin County MPAs that are fundamentally different: (See Figure 6.)

***The Duxbury Reef SMCA includes Agate Beach which has the most accessible and extensive tidepools in all of Marin County, where the EAC's MPA Watch has gathered most of their data on human activity. These tidepools constitute just a small portion of the overall MPA area, at the base of a short gravel path from a Marin County Parks and Open Space parking lot, within a residential neighborhood in the town of Bolinas. The rest of the MPA is extremely remote and inaccessible. Agate Beach has been a popular destination for tidepooling for generations of Bay Area residents. This area is also used for fishing, dog walking and abalone harvesting (when in season).***

**The Estero de Limantour SMR** is an estuary habitat that does not include tidepools within its boundaries and takes about 2 - 2.5 hours each way to hike the 7.8-mile roundtrip Estero Trail to the beach from the parking lot trailhead which is a 15 minute winding drive from Point Reyes Station. This area is mainly used for hiking, wildlife viewing, and kayaking.

**The Point Reyes SMR** is mostly a sandy beach that is closed to beach access 3-4 months a year for marine mammal protection, with much of the rocky reef intertidal area within the Special Closure boundaries which prohibits all access. The Drakes Beach parking lot is a 25 minute winding drive from Point Reyes Station. This area is mainly for hiking, camping, and wildlife viewing.

**Control PRSOUTH (Limantour Beach)** is mostly a sandy beach that is a 15 minute winding drive from Point Reyes Station. Limantour Beach is mainly used for walking, picnicking, and relaxing.

**Corte Madera Marsh SMP** is a path surrounded by marshland, located just off of Highway 101, mainly used for walking, jogging, running, and wildlife viewing - does not have tidepools.

Comparing these wildly different locations to the Duxbury Reef SMCA exposes the EAC's flawed use of the MPA Watch methodology because it guarantees predictably contrasting results. This selective bias weakens the foundation of the MPA petition, as they discredit their *only* supporting data. Why didn't the EAC use similar MPAs for comparison? The EAC's misguided petition is fundamentally baseless without any other verified scientific supporting evidence. (See Figure 7-9 for accurate comparisons.)

#### IV. FRAMING FISHERMEN as the PROBLEM

[“Docents, visitors and Marin County park rangers have repeatedly mentioned the visitor confusion about the MPA regulations that arises when people see fishing for pricklyback in the deeper pools on Duxbury Reef, or passing through the SMCA from areas to the south, currently unprotected, with buckets of fish and other biota.”](#) How has this “visitor confusion” been documented? Where did the Marin County park rangers report these observations? Were depositions taken by the CDFW? Are these records publicly available? Has anyone considered the EAC's incongruous interpretation of the regulations as the main source of confusion? This is yet another instance of the EAC's MPA Watch neglecting protocol in favor of formulating speculative arguments. Why is the EAC's MPA Watch straying from the statewide standardized protocols that ensure scientific consistency? This reveals yet another researcher (and publisher) bias. At what point is this considered a spoliation of evidence?

School children constitute the bulk of the visitation and are also responsible for the lionshare of the “potential violations” recorded as “hand collection of biota” by the EAC volunteers. Instead of directly addressing this issue, the EAC has strategically framed fishermen as the problem instead. They have achieved this nonlinear logic by claiming that the school children are confused by the presence of fishermen and that this is leading them to “violate” regulations by *handling living, geological, or cultural marine resources*, such as picking up shells. By this logic the EAC presumably believes that if reef fishermen are eliminated, the same school children will no longer be confused and will stop picking up shells? This strategic maneuver creates cover for what would otherwise be universally rejected, i.e. the criminalizing of children, especially for incredibly minor offenses. The EAC diverts the blame onto an easier target, the shorefishermen, who happen to be mostly non-white lower economic people trying to catch fish to feed their families. As these traditional hook and line fishermen have been historically underrepresented legally and politically, they are much easier to scapegoat. In fact, after priming the

public with repeated claims of “unrestrained” poaching at Duxbury, the EAC doesn’t even need to point a finger, they just let the public fill in the blank: *the fishermen must be the problem*.

This sideways approach avoids direct accusations against fishermen (and the school children) while still advocating for a policy that would end reef fishing and restrict children’s tidepool access. The EAC taps into the implicit bias by intermixing their reporting of potential violations with their reporting of the legal activities of fishermen. Even though finfishing is legally permitted at Duxbury Reef, the EAC’s MPA Watch began in 2022 to place these fishing activities under “Potential Violations”, just ahead of submitting their petition. To an undiscerning reader, it could be interpreted that fishing is illegal:

[“The vast majority of consumptive activities come from Duxbury Reef including on-shore hook and line fishing, and especially, hand collection of biota which would be a violation of SMCA regulations.”](#) (See Figure 10. for more examples)

The EAC also uses the technical terms of “consumptive” and “non-consumptive” in public discourse to obfuscate culpability. Members of the public who are unfamiliar with these terms would assume that “consumptive” use at the reef is fishing only, and that “non-consumptive” is everything else. What the public would not broadly understand is that whenever any natural resource is removed from the beach (including shells) that this is also considered “consumptive”. So when the EAC refers to the problem as “consumptive” the public will naturally assume that this means that the fishermen are the problem, and not the school children whom the EAC has overwhelmingly targeted in their data collection. What is the rationale behind the EAC’s narrow focus on schoolchildren, while simultaneously using the fishing community as a scapegoat?

The graph (See Figure 11.) shows the percentage of different beach users at Duxbury Reef. Non-consumptive users (general beach users) make up the vast majority 92%, while consumptive users (mainly fishermen) make up only 8%. For readers who have been primed to link the high level of consumptive potential violations (i.e. *handling* shells, etc.) to only be fishing, this would create the illusion that the fishers have a disproportional negative impact, i.e. a small group of people causing the vast majority of the problems.

Compounding this is the fact that we don’t know how precisely these users and their actions are being categorized by the EAC’s MPA Watch volunteers. A tidepool visitor is categorized as a non-consumptive user if they are “observing tidepools without physical contact to the wildlife/tidepool itself”, but what happens when someone switches activities? What if someone at the tidepool ceases to passively observe and reaches down to touch something? MPA Watch methodology only allows you to count someone once: [“If you see someone switch activities, such as someone who was originally laying on the beach but then goes in the water, count them only under the activity that you first observed them.”](#) Do the EAC’s MPA Watch volunteers follow these protocols? What if the EAC’s MPA Watch volunteer is simultaneously acting as a docent (an allowable but dubious practice), and they are able to successfully engage with the visitor to have them return the shell to the beach? Is this still consumptive use? Is the corrected behavior still counted as a potential violation? Details matter when public opinion is being leveraged for regulatory change.

## **V. STRATEGIC MISREPRESENTATION: “POACHING”**

["The number of MPA violations observed and recorded during 2024 at Duxbury Reef far exceeds the number of MPA violations observed in other Marin MPAs."](#) Of course the violations are higher. The EAC is comparing Duxbury Reef to MPAs with entirely different ecological makeup, public access, distance from urban areas, and historical uses, using unfamiliar legalistic interpretations of what constitutes a violation, which is not posted anywhere on site. It is a violation of SMCA regulations when a child takes a shell home from Duxbury Reef SMCA, but is it actually "poaching" if a child picks up a shell to look at it and then returns it to the beach? Would a CDFW officer issue a citation to the child? Whether or not this is *technically* poaching, it is absolutely NOT what most people in the public would refer to as "poaching".

["Current State: Duxbury experiences high visitation and poaching of reef organisms."](#) - (from the EAC's Duxbury Fact Sheet.) Poaching is a very serious charge, one not to take lightly, and certainly not one to weaponize for political leverage. If poaching is observed at Duxbury Reef it should be immediately reported to CDFW for investigation. How many of the EAC's 1,606 recorded incidents of "potential violations" were children "poaching"? How many of these were reported by the EAC to the CDFW? How many cases of children poaching has CDFW investigated at Duxbury Reef? How many citations has CDFW issued for children poaching at Duxbury Reef? (See Figure 1.) When pressed, the EAC acknowledges that the bulk of the "potential violations" are minor infractions done by children. However, when the EAC refers to these same "potential violations" as "poaching" and "illegal take" in their public outreach, there is a rhetorical shift - the EAC removes all mention of children as well as the specifics on the type of wildlife poached or the amount involved. The EAC leaves the slate blank to be filled by the public's imagination (and unconscious bias). (See Figure 12. for published examples of EAC referencing unsubstantiated claims of "poaching" and "illegal take".)

The allegation of "illegal take" and "poaching" requires substantiation with specific cases and a full documentation of the record. Without precise examples and the complete record, the comparison to poaching is an unfounded manipulation of public opinion. The EAC's repeated assertions of extensive poaching at Duxbury Reef are based on school children *handling* biota during field trips at Agate Beach. Repeating this inflammatory claim creates the illusory truth effect which is the tendency to believe that false information is correct after persistent exposure to it. The repetition makes the information feel more familiar and easier to process, which is then mistaken for truth. In fact, if you ask online if Duxbury Reef has high levels of poaching, Google AI says "Yes" but only cites the EAC as the source of this information without any third party verification. How does this help protect the reef environment? One could argue that disseminating information about the area's nearly pristine state, in conjunction with false claims of persistent poaching and compromised enforcement, carries substantial potential for damage. Has the EAC considered this liability of their misleading campaign?

## **VI. EDUCATION is the SOLUTION**

It is important to note that in 2024, 72 of the 88 potential violations recorded by Duxbury Docents were "redirected (successful engagement)" - this is great! That's nearly 82% of the potential violations were solved through docent education! This data confirms the effectiveness of educational initiatives, strengthening the argument for improved signage and more docent support as the best possible solution for compliance with SMCA regulations and tidepool best practices at Duxbury Reef.

[EAC 2024 Duxbury Docent Shift Report Data:](#)

*Example details about violations from Docent Shift Reports:*

- “2 young kids w/ few species in ziploc bags, put all back into pools easily when asked and told why. **This shows that education is working!**
- “Huge number of youth groups on reef: “...tide pool charts and science teachers so thought they'd be fine without me, but wasn't that way at all - overwhelmed with amount of touching and throwing. Kids on exchange trip ... with adults, explained by me and Kent to not touch species and then turned around literally trying to kick mossy chiton - had to explain they were alive and could kill animals. Too many violations to count or report, mostly picking up things in reef and moving them around. **This shows that education takes time!**
- “Was able to persuade someone to leash dog, return biota to pools. Nice people and kids visiting reef today. **This shows that education is working!**
- “Stopped someone collecting into a glass jar; Another violation: Couple showed me at bottom of steps a video of red octopus they picked up for a bit and put back. I reported to CDFW...I let the couple know that picking up the octopus wasn't a good idea for many reasons and they understood. **This shows that education is working!** (See Figure 13. for further examples of effective docent engagement.)

## VII. CONCLUSION

When special interest groups mislead and distort the truth by selectively highlighting data that supports their claims while ignoring contradictory findings, it undermines the entire purpose of scientific inquiry which is to provide a complete and objective picture based on all available evidence. When the public or other researchers discover that evidence has been withheld or suppressed, it erodes trust in the individual petitioning group, the regulatory process, and also in the scientific field at large. Cherry-picking stifles scientific progress, perpetuates misinformation, and can serve as a tool for denialism and propaganda - a significant concern in today's political climate where science is under attack.

Duxbury Reef is NOT in decline, and NOT in need of any designation or boundary changes. Approving *any* adjustments would constitute an unreasoned departure from established policy, setting an adverse precedent for similar petitions in the future. This change would compromise the fair and even-handed application of our democratic rules, paving the way for unequal treatment of vulnerable coastal communities. The EAC's Duxbury petition should be rejected in its entirety so we can focus our collective energy towards real ecological problems to solve throughout the state.

The central issue at Duxbury Reef is not the regulations. The clear and comprehensive SMCA protections that were established over fifteen years ago through a rigorous collaborative process have been an enduring success, contributing to the reef's current healthy state. While enforcement could be strengthened with more funding, the central conflict at Duxbury Reef stems from the EAC's severe interpretation of "possess," which is at odds with how the public understands the term. Can visitors pick up biota for temporary observation or not? Can visitors touch biota or not? Can visitors walk on the reef or not? Implementing a single set of posted behavioral guidelines from the CDFW would reduce visitor confusion and alleviate the struggles of the Duxbury Docents who are generously volunteering their time. Education works, and it's the most logical, efficient, and cost effective solution that absolutely does NOT require the discriminatory elimination of an entire group of people and a traditional low-impact way of life.

We urge the EAC of West Marin to refocus on their core mission: “To protect and sustain the unique lands, waters, and biodiversity of West Marin.” They could better serve Duxbury Reef by prioritizing support for our Bolinas community's longstanding effective environmental stewardship that we have

passionately maintained for multiple generations. We invite the EAC to overcome their implicit bias against school children, dog walkers, and harmless hook and line fishing, to better understand and leverage our sustainable practices. Involving marginalized communities ensures that valuable perspectives and traditional knowledge are preserved rather than lost. **Environmental justice requires that rural coastal communities have a decisive voice in the protections that affect their environment as outlined in the Fish and Game Commission's Coastal Communities and JEDI policies.**

*\* "Save Duxbury Access" is a grassroots group of locals who believe in preserving our beloved reef while keeping access open for finfishing (both commercial and recreational), surfer access, tidepooling, and reef educational programs for schools. Protecting access ensures that our children will nurture a connection with the place we all love, and continue our longstanding tradition of responsible stewardship. Contact us at [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)*

## Figure 1. **EAC MPA Watch (2019-2025):** **Unreliable and Inconsistent Data Reporting**

\*Conflicting Records

| Year                             | Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|----------------------------------|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| <a href="#">2019</a>             | 29.4                     | 63           | ?                          | ?                        | 35-13?*        | ?                            | ?                                  | ?                             | ?                    |
| <a href="#">2020</a><br>Pandemic | 27.5-<br>↑<br>52.8?*     | 98 ↑         | 305                        | 1 ↑                      | 76 ↑           | 6 offshore                   | 222                                | 0                             | 0                    |
| <a href="#">2021</a>             | 49.7<br>↓                | 69 ↓         | ?                          | 64 ↑                     | 59 ↓           | 0                            | ?                                  | 5 CDFW or MC?                 | 0                    |
| <a href="#">2022</a>             | 23.4<br>↓                | 138 ↑        | 151 ↓                      | 16 ↓                     | 127 ↑          | 0                            | 8                                  | 2 Marin County                | 0                    |
| <a href="#">2023</a>             | 22.0<br>↓                | 129 ↓        | 259 ↑                      | 160 ↑                    | 92 ↓           | 0                            | 7                                  | 2?                            | 0                    |
| <a href="#">2024</a>             | 26.0<br>↑                | 61 ↓         | 130-68?*                   | 65-60?*                  | 60 ↓           | 0                            | 5-10?                              | 1 CDFW                        | 0                    |
| <a href="#">2025 mid</a>         | 34.5<br>↑                | 47 ↓         | 119 ↓                      | 54 ↓                     | 40 ↓           | 0                            | 25                                 | 0                             | 0                    |
| Total average                    | 30.3-33.9                | 86.4         | 192.8 - 180.4              | 60 - 59.2                | 69.8 - 66.7    | 1                            | 53.4 - 54.4                        | 1.6                           | 0                    |

↑ Numbers going up   ↓ Numbers going down

**Note:** The elevated reporting of Potential Violations and Hand Collected Biota at Duxbury Reef could be influenced by the Environmental Action Committee's (EAC) legalistic definition of the term "possess" within the State Marine Conservation Area regulations. Their definition includes the *temporary handling* of biota, which may contribute to a higher incidence count than a broader reading would produce. The EAC's interpretation conflicts with the MPA Watch Manual, has not been verified by the FGC or CDFW, and is not posted on site at the Agate Beach trailhead.

## Figure 2. **EAC MPA Watch (2019-2025):** **Unreliable and Inconsistent Data Reporting**

### 2019

| Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| 29.4                     | 63           | ?                          | 0?                       | 35-13?*        | ?                            | ?                                  | ?                             | ?                    |

\*Conflicting Data

### 2020

Pandemic

| Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| 27.5-52.8?*              | 98           | 305                        | 1                        | 76             | 6 offshore                   | 222                                | 0                             | 0                    |

\*Conflicting Data

### 2021

| Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| 49.7                     | 69           | ?                          | 64                       | 59             | 0                            | ?                                  | 5 CDFW and/or Marin County?   | 0                    |

### 2022

| Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| 23.4                     | 138          | 151                        | 16                       | 127            | 0                            | 8                                  | 2 Marin County                | 0                    |

### 2023

| Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| 22.0                     | 129          | 259                        | 160                      | 92             | 0                            | 7                                  | 2?                            | 0                    |

2024

| Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| 26.0                     | 61           | 130-68?*                   | 65-60?*                  | 60             | 0                            | 5-10?                              | 1 CDFW                        | 0                    |

\*Conflicting Data

2025 mid

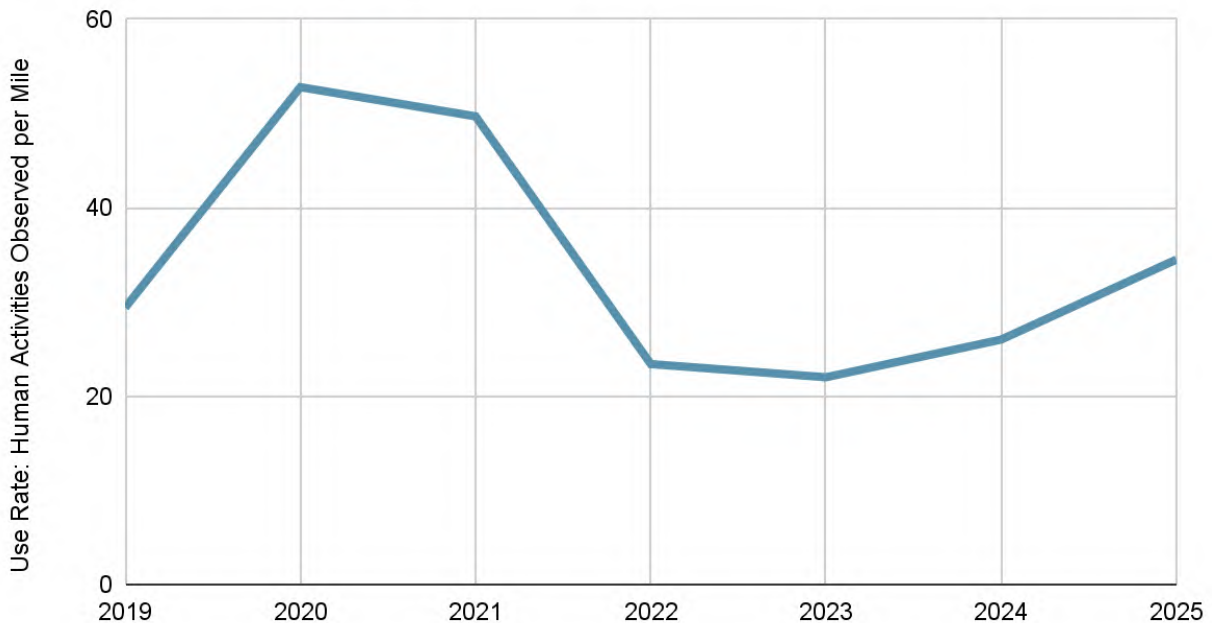
| Total Use Count per mile | # of surveys | Total Potential Violations | Hand Collection of Biota | Dogs off leash | Fishing Potential Violations | Potential Violations Not Specified | Reports to CDFW/ Marin County | CDFW citation issued |
|--------------------------|--------------|----------------------------|--------------------------|----------------|------------------------------|------------------------------------|-------------------------------|----------------------|
| 34.5                     | 47           | 119                        | 54                       | 40             | 0                            | 25                                 | 0                             | 0                    |

**Note:** The elevated reporting of Potential Violations and Hand Collected Biota at Duxbury Reef could be influenced by the Environmental Action Committee's (EAC) legalistic definition of the term "possess" within the State Marine Conservation Area regulations. Their definition includes the *temporary handling* of biota, which may contribute to a higher incidence count than a broader reading would produce. The EAC's interpretation conflicts with the MPA Watch Manual, has not been verified by the FGC or CDFW, and is not posted on site at the Agate Beach trailhead.

### Figure 3. **EAC MPA Watch Data Reporting:** **The Illusion of Increased Visitation**

Here is the use rate of Agate Beach in the Duxbury Reef SMCA leveling off post Pandemic.

Duxbury Reef SMCA Use Rate



\*Pandemic in 2020

<https://mpawatch.org/reports/>

[EAC MPA Full Petition \(2023-32\)](#)

**“Increased visitation** and violations: Marin MPA Watch data shows significantly greater visitation and potential violations relative to other monitored MPA sites in Marin County, including take and potential poaching incidents.”

“This is especially critical in consideration of the combined impacts of **dramatically increased visitation**, ocean acidification, and sea level rise which will increasingly impact the biodiversity of the reef.”

“Request a science-based analysis to review a northern extension of the Duxbury Reef SMCA to Double Point Special Closure based on **increased visitation** by the public to the Area of Special Biological Significance.” **FALSE.**

*“At Duxbury Reef SMCA, our experience on the ground is that the permitted allowance of recreational finfish and abalone from shore is confusing to the public, and with **increased visitation** since 2017 this tends to lead to non-compliance that may be hindering the goals of the MLPA at this site.”*

*“Since 2014, the MPA Watch program has collected human-use data including potential violation data that is not reflected in the public enforcement violation data. Specifically, the MPA Watch and Duxbury Docent programs have collected data on **increased visitation** prior to the noted influx of visitation due to the pandemic in 2020.”*

#### July 16-17, 2025 Marine Resources Committee Staff Summary

*“Duxbury Reef sustains a **high rate of activity and visitation** in general, accounting for 51% of all activities in Marin County MPA Watch locations in the first half of 2024, vastly greater than all other survey locations combined.”*

*“EAC’s Duxbury Docent program establishment in 2022 was informed by MPA Watch data which showed **increased visitation** and non-compliance at Duxbury Reef in recent years prior to 2022.”*

*“This is the period of the year that gets **high visitation** because of the daytime timing of low tides and school field trip season (there are only a handful of daytime low tides during the later summer and fall months that enable access to the reef.”*

#### Point Reyes Light August 6, 2025

*“**Visitation at Duxbury Reef in Bolinas has exploded** in recent years, bringing with it disruptions to delicate intertidal life.”*

#### EAC’s Duxbury Reef Petition Fact Sheet

*“Duxbury experiences **high visitation** and poaching of reef organisms.”*

*“Unfortunately, many have noticed that the abundance and diversity of species have decreased in recent years, while **visitation and poaching have increased**”*

#### EAC Website

*“Additionally, Duxbury Reef experiences **high visitation levels** and poaching of reef organisms.”*

Figure 4. **EAC MPA Watch Data Reporting:**  
**The Illusion of Increased Visitation**

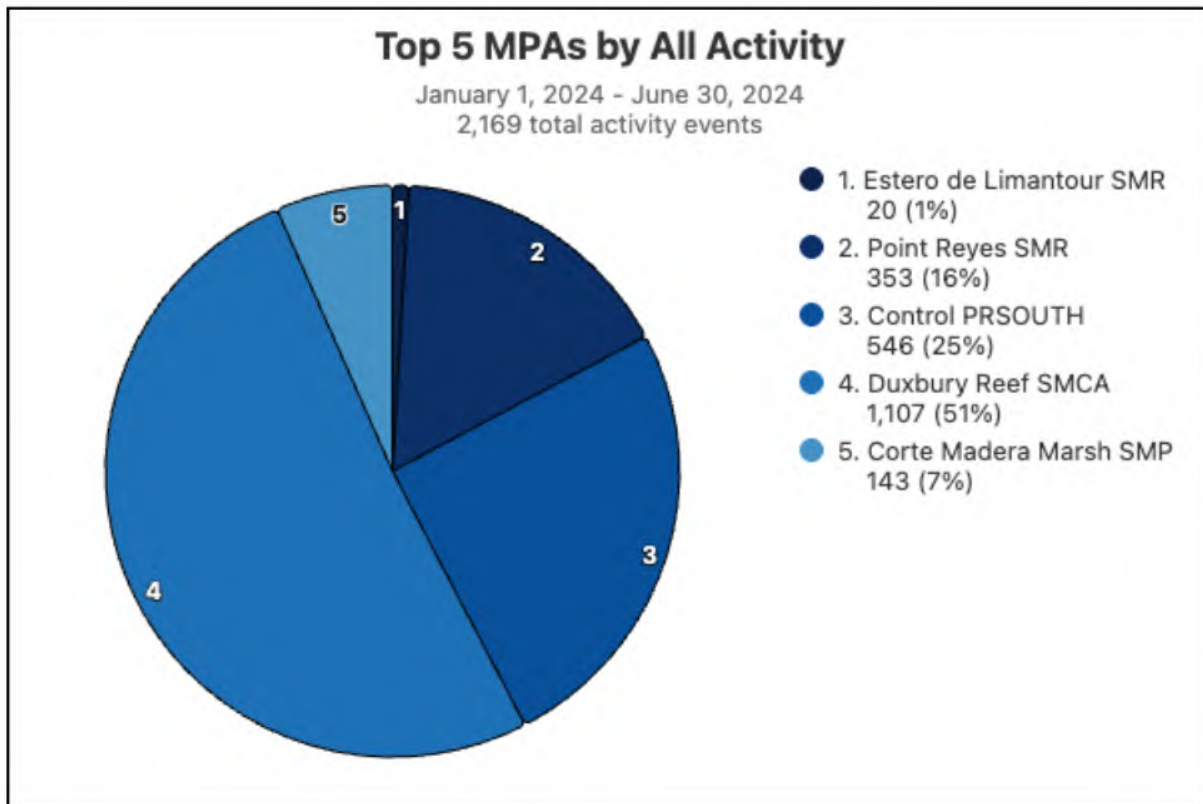


Figure 5. **EAC MPA Watch Data Reporting:**  
**Hypotheticals Deviate from MPA Watch Methodology**

[Marin-County-MPA-Watch-2020-Annual-Report](#)

“Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

“Duxbury Reef SMR has the highest use count per activity mile surveyed (66%) in one of the smallest survey areas. Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

[2021-Midyear-MPA-Watch-Report-Marin](#)

“Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

“Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

[EAC Marin MPA Watch Year-end 2021 Report](#)

“Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

[Marin-JAN-JUN-MPA-Watch-Report-2022](#)

“Note: Duxbury Reef SMR has a high activity count (65%) in one of the smallest survey areas, much smaller than Control PRSouth, which has (15%). Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

“Duxbury Reef SMCA continues to have a high use compared to other MPAs surveyed by Marin MPA Watch, accounting for 65% of all Marin MPA Watch activities in one of the smallest survey areas. Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

[EAC Marin MPA Watch year-end 2022 Report](#)

“Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts to habitat and species.”

[EAC MPA Watch Annual Report 2023](#)

“Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) have long-term negative impacts to habitat and species. “

[Marin County Mid Year MPA Watch Report 2024](#)

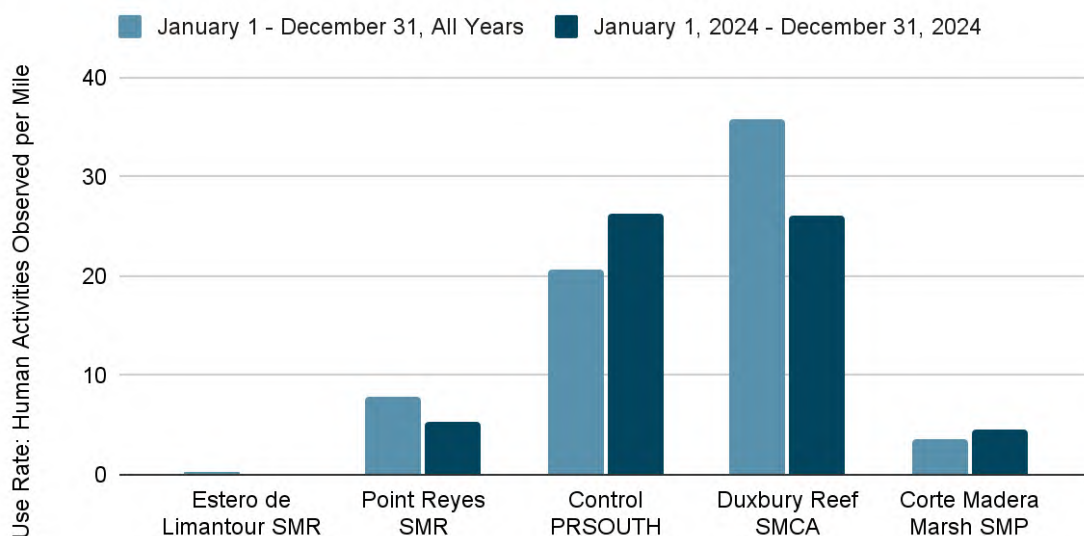
“Duxbury Reef SMCA continues to have a high use compared to other MPAs surveyed by Marin MPA Watch, accounting for 60% of all activities (throughout all years) in Marin MPA Watch locations in one of the smallest survey areas. Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts on habitat and species.”

[Marin County Mid Year MPA Watch Report 2024](#)

“Duxbury Reef is a sensitive intertidal habitat where human impacts (trampling and collecting) may have long-term negative impacts on habitat and species.”

## Figure 6. **EAC MPA Watch Data Reporting: Misleading Data Comparisons**

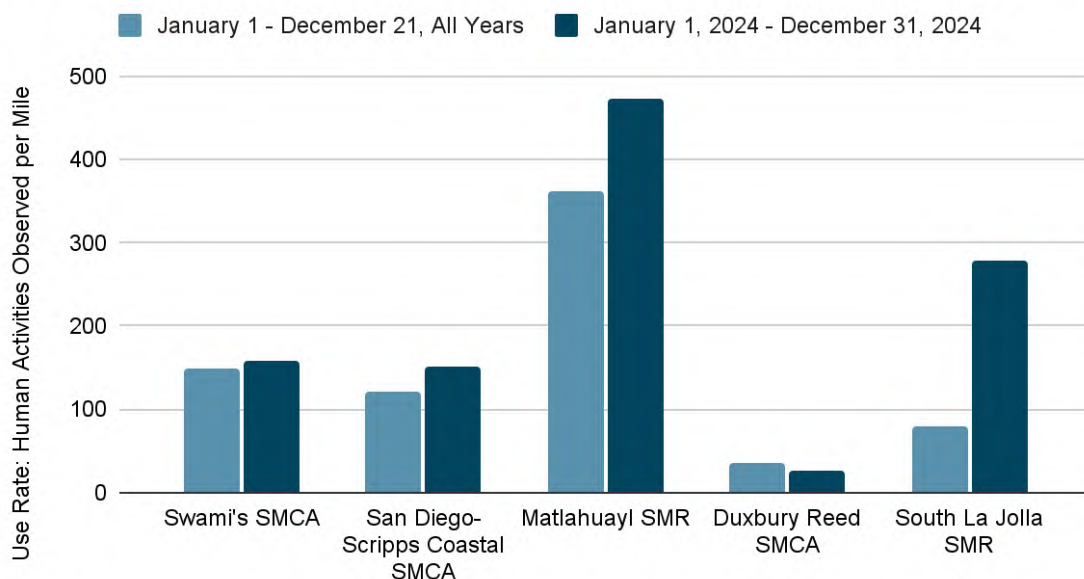
EAC Comparison of All Activity at Duxbury Reef SMCA with Dramatically Different MPAs without Tidepools



[EAC MPA Watch Year-end Report 2024](#)

## Figure 7. **Accurate Comparisons = Different Results**

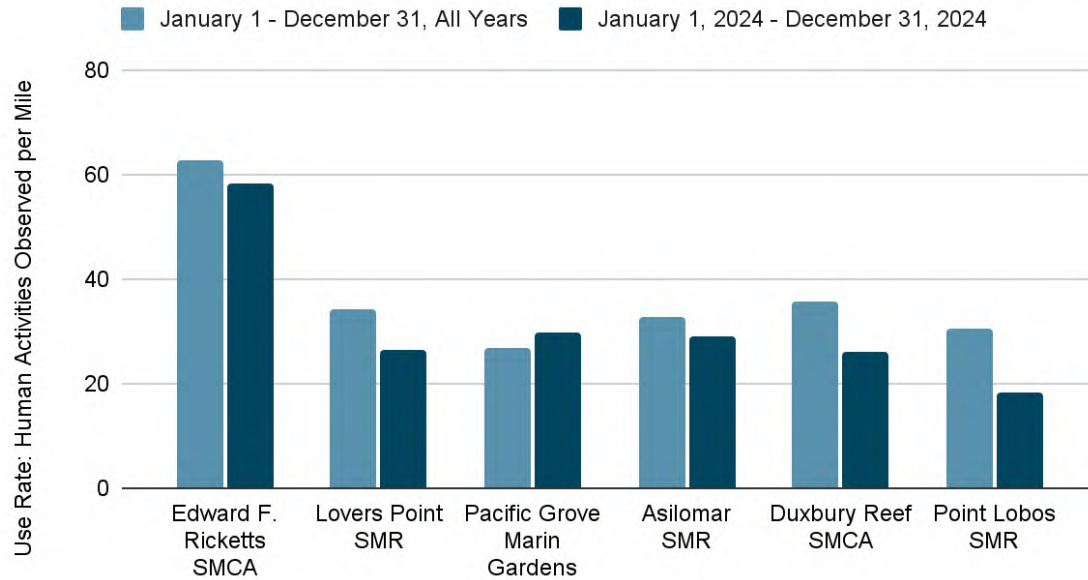
All Activity Comparing MPAs with SIMILAR Accessible Tidepools



[San Diego County Year End MPA Watch Report 2024](#) and [EAC MPA Watch Year-end Report 2024](#)

Figure 8. **Accurate Comparisons = Different Results**

All Activity Comparing MPAs with SIMILAR Accessible Tidepools



[Monterey County MPA Watch Report 2024](#) and [EAC MPA Watch Year-end Report 2024](#)

## Figure 9. **Additional Perspectives: EAC MPA Watch Data Differs from other MPA Watch Data Collection**

[Greater Farallones MPA Watch Annual Report - 2023](#)

| <b><u>POTENTIAL VIOLATIONS</u></b> |                                                |                                                          |
|------------------------------------|------------------------------------------------|----------------------------------------------------------|
| <b>MPA</b>                         | <b>January 1<br/>December 31<br/>All Years</b> | <b>January 1, 2023<br/>through<br/>December 31, 2023</b> |
| Del Mar Landing SMR                | 183                                            | 14                                                       |
| Stewarts Point SMR                 | 71                                             | 0                                                        |
| Russian River SMCA                 | 154                                            | 15                                                       |
| Russian River SMRMA                | 32                                             | 1                                                        |
| Bodega Head SMR                    | 1,303                                          | 363                                                      |
| Estero de Limantour SMR            | 97                                             | 13                                                       |
| Point Reyes SMR                    | 28                                             | 0                                                        |
| Montara SMR                        | 379                                            | 0                                                        |
| Año Nuevo SMCA                     | 149                                            | 13                                                       |
| Natural Bridges SMR                | 1                                              | 1                                                        |
| All MPAs Combined                  | 2,397                                          | 420                                                      |

Note: Greater Farallones MPA Watch recorded 97 potential violations for All Years at Estero de Limantour while the EAC MPA Watch collected only 5 potential violations. Greater Farallones collected a higher average of potential violations at SMR areas than at SMCA areas.

[July 16-17, 2025 Marine Resources Committee Staff Summary](#)

| <b>MPA</b>              | <b>January 1<br/>December 31<br/>All Years</b> | <b>January 1, 2024<br/>through<br/>December 31, 2024</b> |
|-------------------------|------------------------------------------------|----------------------------------------------------------|
| Estero de Limantour SMR | 5                                              | 0                                                        |
| Point Reyes SMR         | 51                                             | 10                                                       |
| Control PRSOUTH         | 0                                              | 0                                                        |
| Duxbury Reef SMCA       | 1,606                                          | 132                                                      |
| Corte Madera Marsh SMP  | 29                                             | 0                                                        |
| All MPAs Combined       | 1,691                                          | 142                                                      |

Note: The elevated reporting of Potential Violations at Duxbury Reef could be influenced by the Environmental Action Committee's (EAC) legalistic definition of the term "possess" within the SMCA regulations. Their definition includes the *temporary handling* of biota, which may contribute to a higher incidence count than a broader reading would produce. The EAC's interpretation conflicts with the MPA Watch Manual, has not been verified by the FGC or CDFW, and is not posted on site at the Agate Beach trailhead.

## [Pacific Grove Museum MPA Watch Annual Report - 2023](#)

### **POTENTIAL VIOLATIONS**

- The data from this year, taken at its face value, indicates that MPA violations (hand-collection of biota) have increased in 2023 – 25 violations this year compared to 86 of all years combined. 14 of these violations were observed at Lovers Point SMR, the PG Museum's most popularly surveyed site.
- However, I believe this is not due to a spike in violations, but reflects heightened volunteer awareness. Both the general public and new volunteers are amazed that even collection of rocks or driftwood is prohibited in a Monterey County SMR.
- I believe that future reports of potential violations will match 2023, rather than past years. We'll see if my hypothesis is correct!

Pacific Grove Museum MPA Watch notes that data collection can vary due “volunteer awareness”

## [Marine Protected Area \(MPA\) Watch Regional Report Monterey County January 1, 2024 – December 31, 2024](#)

### **Pacific Grove Marine Gardens SMCA**

**Breakdown:** Pacific Grove Marine Gardens is mostly rocky shore and is a popular place for tidepooling. Hook-and-line fishing is permitted here and is regularly observed, but not with the same frequency at the Del Monte control site. Rocky shore recreation, sandy shore recreation, and tidepooling are the most frequent activities at this site.

**Potential violations:** No violations have been reported at this site, both in 2024 and since the integration of this site into the MPA Watch program. Because this site is mostly rocky shore, there is less potential for hand collection of biota here than at other sites.

Note: No violations were reported at Pacific Grove Marine Gardens SMCA where hook and line fishing is allowed.

## Figure 10. **EAC MPA Watch Data Reporting: Framing Fishermen as the Problem**

In 2022, the EAC MPA Watch began to group shorefishing under the heading of “Potential Violations” in their MPA Watch data reporting:

[Marin-JAN-JUN-MPA-Watch-Report-2022](#)

### **7. Potential Violations**

The rate of consumptive activities observed in all MPAs remains relatively low. Consumptive activities in January-June of 2022 comprised slightly over 1% (36 observations) of all activities (2,359) in all MPAs. Last year during this same time period, the rate of consumptive activities was also 1%. All previous years of the same period (Jan-June) were slightly over 3% on average. The vast majority of consumptive observations come from Duxbury Reef (hook and line fishing and hand collection of biota on-shore).

[EAC Marin MPA Watch year-end 2022 Report](#)

### **7. POTENTIAL VIOLATIONS**

The rate of consumptive activities observed in all Marin MPA Watch sites remains relatively low (84 observations, less than 2% of total). In 2021, the rate of consumptive activities was 6%; in 2020 it was 7%; 2019 it was 2%; and 2018 it was 4%. The vast majority of consumptive observations come from Duxbury Reef (on-shore hook and line fishing, and especially, hand collection of biota).

[EAC MPA Watch Annual Report 2023](#)

### **POTENTIAL VIOLATIONS**

The rate of consumptive activities observed in all Marin MPA Watch sites remains relatively low (221 observations, less than 4% of total). In 2022, the rate was 2% of all activities; 2021, the rate of consumptive activities was 6%; in 2020 it was 7%; 2019 it was 2%; and 2018 it was 4%. The vast majority of consumptive activities come from Duxbury Reef (on-shore hook and line fishing, and especially, hand collection of biota).

## POTENTIAL VIOLATIONS

The rate of consumptive activities observed in all Marin MPA Watch sites was relatively high in the first half of 2024 (96 observations, 6% of the total). In January-June 2023, the rate of consumptive activities was 2%, or 64 observations. In both 2022 and 2021, the rate was 1%, and in all previous years of the same period (Jan-June) consumptive activities were slightly over 3% on average. Almost all consumptive observations come from Duxbury Reef, mostly consisting of **on-shore hook and line fishing** (32 observed instances), and hand collection of biota (38 instances).

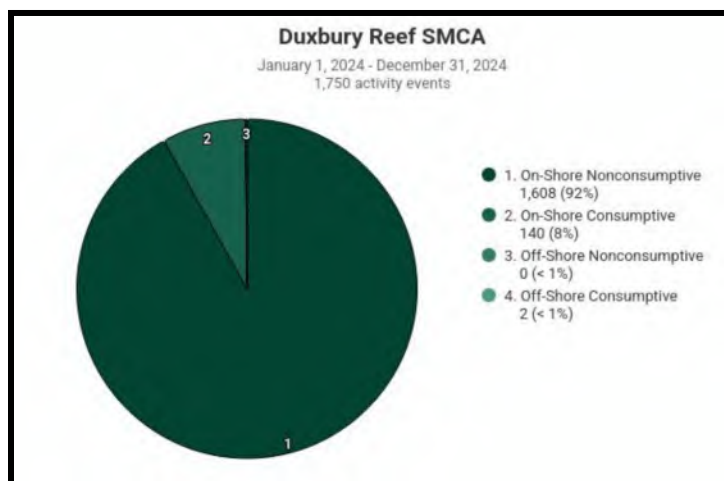
## POTENTIAL VIOLATIONS

The rate of consumptive activities observed in all Marin MPA Watch sites remains relatively low at 185 observations (3.7% of 4,959 total activities). In 2023, the rate was under 4% of total; in 2022 – 2%; in 2021 and 2020 - 6% & 7%; and in 2019 and prior it was 2-4%.

The vast majority of consumptive activities come from Duxbury Reef including **on-shore hook and line fishing**, and especially, hand collection of biota which would be a violation of SMCA

Figure 11.

[EAC MPA Watch Year-end Report 2024](#) - page 3



## Figure 12. EAC MPA Watch Data Reporting: Strategic Misrepresentation of Poaching

### [EAC MPA Full Petition \(2023-32\)](#)

*“The rate of visitation and potential **poaching** increased significantly since 2017.”*

*“Visitation declined somewhat after the COVID pandemic emergency but remains elevated and potential **poaching** incidents remain high.”*

*“Duxbury Reef deserves the additional attention of the Commission and increased protection against ongoing take and **poaching** activity.”*

### [Point Reyes Light August 6, 2025](#)

*“Duxbury Reef deserves the additional attention of the Commission and increased protection against ongoing take and **poaching** activity.”*

### [Marin IJ September 13, 2025](#)

*“Duxbury Reef deserves the additional attention of the Commission and increased protection against ongoing take and **poaching** activity.”*

### [EAC’s Duxbury Reef Petition Fact Sheet](#)

**“Current State:** Duxbury experiences high visitation and **poaching** of reef organisms.”

**Duxbury Reef Petition Fact Sheet**

In 2023, the Environmental Action Committee of West Marin submitted a petition to the Fish & Game Commission to redesignate the Duxbury Reef State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR), and expand its boundaries to include currently unprotected contiguous reef habitat in the north and south. This page explains current regulations and what would change if the petition is approved.

**Proposed Redesignation to State Marine Reserve (SMR)**

**Current Rules:** Duxbury Reef is currently designated as a type of Marine Protected Area (MPA) called an SMCA. Its border extends 1,000 ft seaward from lower low tide. It is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except for the recreational take of finfish from shore, and abalone. The abalone fishery is closed.

**Current State:** Duxbury experiences high visitation levels and poaching of reef organisms. Allowance of fishing (partial take) causes confusion for many visitors who think all take is allowed when they see shorefishing, poke pole fishing, or fisherpeople with buckets of bait, or when they read signage or information online that suggests some take is allowed.

*“Unfortunately, many have noticed that the abundance and diversity of species have decreased in recent years, while visitation and **poaching** have increased”*

### [EAC Website](#)

*“Additionally, Duxbury Reef experiences high visitation levels and **poaching** of reef organisms.”*

### [Marin IJ October 4, 2024](#)

*“Reported incidents of **poaching** are directly translatable to overfishing or a depletion of species. Is the reef’s ecology and population imperiled”*

#### [EAC Marin MPA Watch 2019 Report](#)

*“According to volunteers, recurring issues with the **illegal take** and disturbance of tide pool organisms in Duxbury Reef State Marine Conservation Area is an ongoing problem during low tides.”*

*“Even if the noncompliance rate is low, it is important to note that any **illegal take** from MPAs jeopardizes the success of the MPA and health of the ecosystems which they protect.”*

#### [EAC Marin MPA Watch 2020 Report](#)

*“According to volunteers, recurring issues with the **illegal take** and disturbance of tide pool organisms in Duxbury Reef State Marine Conservation Area is an ongoing problem during low tides. Even if the noncompliance rate is low, it is important to note that any **illegal take** from MPAs jeopardizes the success of the MPA and health of the ecosystems which they protect.”*

#### [Marin-County-MPA-Watch-2020-Annual-Report](#)

*“Recurring issues with the **illegal take** and disturbance of tidepool organisms in Duxbury Reef SMCA is an ongoing problem during low tides and was exacerbated in the summer months due to outdoor recreational increases as a consequence of stay-at-home orders due to the pandemic. Marin MPA Watch worked in the summer months to alert Marin County Parks, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission about **poaching** activities and for patrol increases.*

#### [2021-Midyear-MPA-Watch-Report-Marin](#)

*“Recurring issues with the **illegal take** and disturbance of tidepool organisms in Duxbury Reef SMCA is an ongoing problem during low tides, with elevated rates as a consequence of previous stay-at-home orders due to the pandemic and social media posts encouraging foraging without providing adequate information about MPA species protections. Marin MPA Watch is working Marin County Parks, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission to inform these agencies about **poaching** activities and the need for increased patrol.”*

#### [EAC Marin MPA Watch Year-end 2021 Report](#)

*“Recurring issues with the **illegal take** and disturbance of tidepool organisms in Duxbury Reef SMCA is an ongoing problem during low tides. However, this year has shown a lower rate of hand collection, perhaps as a consequence of people returning to work during the course of the year, and growing outreach to educate the community through social media posts and other online platforms and direct engagement (tabling, informal docenting). Marin MPA Watch is working Marin County Parks and Open Space, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission to inform these agencies about **poaching** activities and the need for increased patrol.”*

#### [Marin-JAN-JUN-MPA-Watch-Report-2022](#)

*“Recurring issues with the **illegal take** and disturbance of tidepool organisms in Duxbury Reef SMCA is an ongoing problem during low tides.”*

*“We continue to communicate with Marin County Parks and Open Space, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission to inform these agencies about **poaching** activities and the need for increased enforcement presence.”*

#### EAC Marin MPA Watch year-end 2022 Report

*“Recurring issues with the **illegal take** and disturbance of tidepool organisms in Duxbury Reef SMCA is an ongoing problem during low tides.”*

*“The reduced number of biota hand collection observed this year may be in part a result of the outreach and docent program work, but whether it is a trend will be determined over the coming years. We continue to communicate with Marin County Parks and Open Space, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission to inform these agencies about **poaching** activities and the need for increased enforcement presence.”*

#### EAC MPA Watch Annual Report 2023

*“Recurring issues with the **illegal take** and disturbance of tidepool organisms in Duxbury Reef SMCA is an ongoing problem during low tides; in 2023 there were 160 observations of hand collection. Evidence suggests consumptive activity rates are higher than reflected in the MPA Watch data (a snapshot estimate).”*

*“We continue to communicate with Marin County Parks and Open Space, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission to inform these agencies about **poaching** activities and the need for increased enforcement presence.”*

#### EAC MPA Watch Year-end Report 2024

*“Recurring issues with the **illegal take** and disturbance of tidepool organisms in Duxbury Reef SMCA is an ongoing problem during low tides.”*

*“We continue to communicate with Marin County Parks and Open Space, Point Reyes National Seashore, California Department of Fish and Wildlife, and the California Fish and Game Commission to inform these agencies about **poaching** activities and the need for increased protection and enforcement presence.”*

## Figure 13. EAC MPA Watch Data Reporting: Education is the Solution

[EAC 2024 Duxbury Docent Shift Report Data:](#) page 41-42

| # Cars | Number Visitors Engaged | Violations reported to CDFW, MC Parks | Total Violations Observed (includes MPA Watch data, dogs offleash, boat fishing w/in 1,000ft | Hand collection or handling of biota | Violations redirected (successful engagement) |
|--------|-------------------------|---------------------------------------|----------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------|
|        | 971                     | 2                                     | 88                                                                                           | 53                                   | 72                                            |

Here is a revised incidence count to demonstrate how the the 82% success rate of Duxbury Docent successful interactions would work:

[EAC 2024 Duxbury Docent Shift Potential Violation Report Data:](#)  
w/ Adjustment for 82% Duxbury Docents Violations Redirected Rate

| MPA                     | January 1 - December 31, All Years | Duxbury Docents Violations Redirected (Successful Engagement) 82% Rate | January 1, 2024 - December 31, 2024 | Duxbury Docents Violations Redirected |
|-------------------------|------------------------------------|------------------------------------------------------------------------|-------------------------------------|---------------------------------------|
| Estero de Limantour SMR | 5                                  | 5                                                                      | 0                                   | 0                                     |
| Point Reyes SMR         | 51                                 | 51                                                                     | 10                                  | 10                                    |
| Control PRSOUTH         | 0                                  | 0                                                                      | 0                                   | 0                                     |
| Duxbury Reef SMCA       | 1,606*                             | 289*                                                                   | 132*                                | 24*                                   |
| Corte Madera Marsh SMP  | 29                                 | 29                                                                     | 0                                   | 0                                     |
| All MPAs Combined       | 1,691                              | 374                                                                    | 142                                 | 34                                    |

\*The elevated reporting of Potential Violations could be influenced by the Environmental Action Committee's (EAC) legalistic definition of the term "possess" within the State Marine Conservation Area regulations. Their definition includes the *temporary handling* of biota, which may contribute to a higher incidence count than a broader reading would produce. The EAC's interpretation conflicts with the MPA Watch Manual, has not been verified by the FGC or CDFW, and is not posted on site at the Agate Beach trailhead. A revised count may decrease the numbers adjusted for the 82% Duxbury Docent Violations Redirected rate.

Examples of successful docent engagement is apparent throughout the EAC MPA Watch reporting as follows:

#### [EAC 2024 Duxbury Docent Shift Report Data](#)

*“Example details about violations from Docent Shift Reports:*

- *“2 young kids w/ few species in ziploc bags, put all back into pools easily when asked and told why.*
- *“Huge number of youth groups on reef: “...tide pool charts and science teachers so thought they'd be fine without me, but wasn't that way at all - overwhelmed with amount of touching and throwing. Kids on exchange trip ... with adults, explained by me and Kent to not touch species and then turned around literally trying to kick mossy chiton - had to explain they were alive and could kill animals. Too many violations to count or report, mostly picking up things in reef and moving them around.*
- *“Was able to persuade someone to leash dog, return biota to pools. Nice people and kids visiting reef today.*
- *“Stopped someone collecting into a glass jar; Another violation: Couple showed me at bottom of steps a video of red octopus they picked up for a bit and put back. I reported to CDFW...I let the couple know that picking up the octopus wasn't a good idea for many reasons and they understood.”*

#### [Marin-County-MPA-Watch-2020-Annual-Report](#)

*“Volunteers noted that they interacted with individuals who were collecting and observed that most collecting was not for consumption and most replaced species after removing.”*

#### [2021-Midyear-MPA-Watch-Report-Marin](#)

*“Volunteers noted that they interacted with individuals who were collecting and observed that most collecting was not for consumption and most replaced species after removing. One incident of collecting for consumption was observed. After volunteer interaction, the visitors returned them as best as they could but had damaged urchin sheltering holes, and a violation was reported.”*

#### [EAC Marin MPA Watch Year-end 2021 Report](#)

*“Generally, volunteers noted that when they interacted with individuals who were collecting biota, they observed that most collecting was not for consumption and most people replaced the organisms.”*

#### [Marin-JAN-JUN-MPA-Watch-Report-2022](#)

*“Their engagement with those visitors for the most part is successful, in that with knowledge of the regulations and sensitivity of marine life, visitors cease collecting and return the marine life to the tidepool.”*

*“With growing outreach to educate the community through social media posts and other online platforms and direct engagement including tabling at the trailhead, we hope that more people become informed about and practice tidepool stewardship practices.”*

#### [EAC Marin MPA Watch year-end 2022 Report](#)

**“Volunteer docents note that when they engaged with individuals who were collecting biota, they observed that most collecting was not for consumption and most people appreciated learning about the impact and replaced the organisms.”**

“Our docents on the reef report numerous consumptive activities (though mostly not for harvest) at other times outside of MPA Watch surveys. Their engagement with those visitors for the most part is successful; with knowledge of the regulations and sensitivity of marine life, visitors cease collecting and return the marine life to the tidepool.”

“The reduced number of biota hand collection observed this year may be in part a result of the outreach and docent program work, but whether it is a trend will be determined over the coming years.”

#### [EAC MPA Watch Annual Report 2023](#)

“Volunteer docents note that when they engaged with individuals who were collecting biota, they observed that most collecting was for observation and not for consumption, and most people appreciated learning about the impact and replacing the organisms.”

“The numerous consumptive activities reported are mostly of collection for observation yet that has a significant detrimental impact on biota, even if the visitor returns the organisms to the reef. Docents’ engagement with visitors who collect or pick up organisms for the most part is successful; with knowledge of the regulations and sensitivity of marine life, visitors cease handling and return the marine life to the tidepool.”

“The ongoing high incidence of hand collection at Duxbure Reef indicates the need for additional educational approaches, including improved signage.”

#### [Marin County Mid Year MPA Watch Report 2024](#)

“Volunteer docents have noted that when engaging with individuals who are collecting biota, they observed that most collection was not for consumption and that most people appreciated learning about the impacts of such collection and replaced the organisms.”

“Most observations consist of picking up organisms and collecting for observation (e.g. by curious visitors including children) and not for harvest. Their engagement with visitors exhibiting such behavior is for the most part successful; with knowledge of the MPA regulations and sensitivity of marine life, visitors tend to cease collection, and return the marine life to the tidepool.”

#### [EAC MPA Watch Year-end Report 2024](#)

**“Volunteer docents note that when they engaged with individuals who were collecting biota, they observed that most collecting was for observation and not for consumption, and most people appreciated learning about the impact and replaced the organisms.”**

“The numerous consumptive activities reported are mostly of collection for observation yet that has a significant detrimental impact on biota, even if the visitor returns the organisms to the reef. Docents’ engagement with visitors who collect or pick up organisms for the most part is successful; with knowledge of the regulations and sensitivity of marine life, visitors cease handling and return the marine life to the tidepool. Additionally, a number of education organizations practice and model holding and touching of organisms for observation in their educational programming on Duxbury Reef to help people learn about and connect more deeply with marine life on the reef, yet cumulative impacts on sensitive species and regulation compliance associated with this practice are considerations.”

[2025 JAN to JUNE\\_EAC Marin MPA Watch Report](#)

**“Volunteer docents have noted that when engaging with individuals who are collecting biota, they observed that most collection was by people who do not know of or understand MPA regulations at Duxbury Reef. Most people who engage with docents appreciate learning about the impacts of handling and collecting, and replaced the organisms.”**

“Most observations consist of picking up organisms and collecting for observation (e.g. by curious visitors including children) and not for eating. The docents’ engagement with visitors is usually successful; by learning about the MPA regulations and sensitivity of marine life, visitors tend to cease collection, and return the marine life to the tidepool.”

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# MARINe

Multi-Agency Rocky Intertidal Network [pacificrockyintertidal.org](http://pacificrockyintertidal.org)

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## Bolinas Point Long-Term trends



In order to standardize species resolution across all MARINe groups and over time, some species (typically rare) were lumped for graphical presentation of Long-Term monitoring data. See [lumped categories](#) for definitions (some variation occurs between methods and over time).

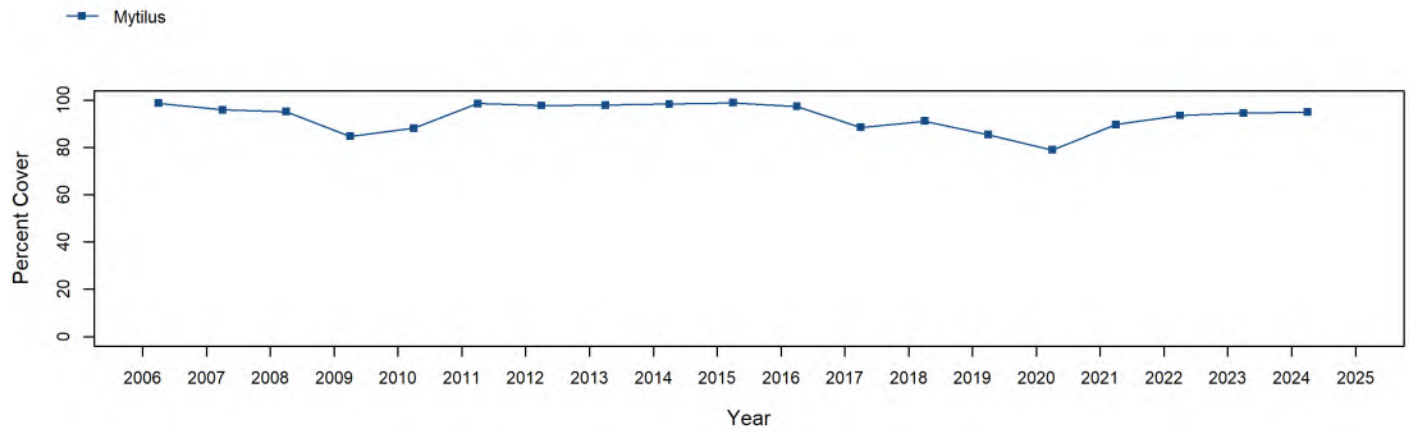
If you experience any barriers accessing the trend graphs below, please contact ([pacificr@ucsc.edu](mailto:pacificr@ucsc.edu)) for help.

## Photo Plots

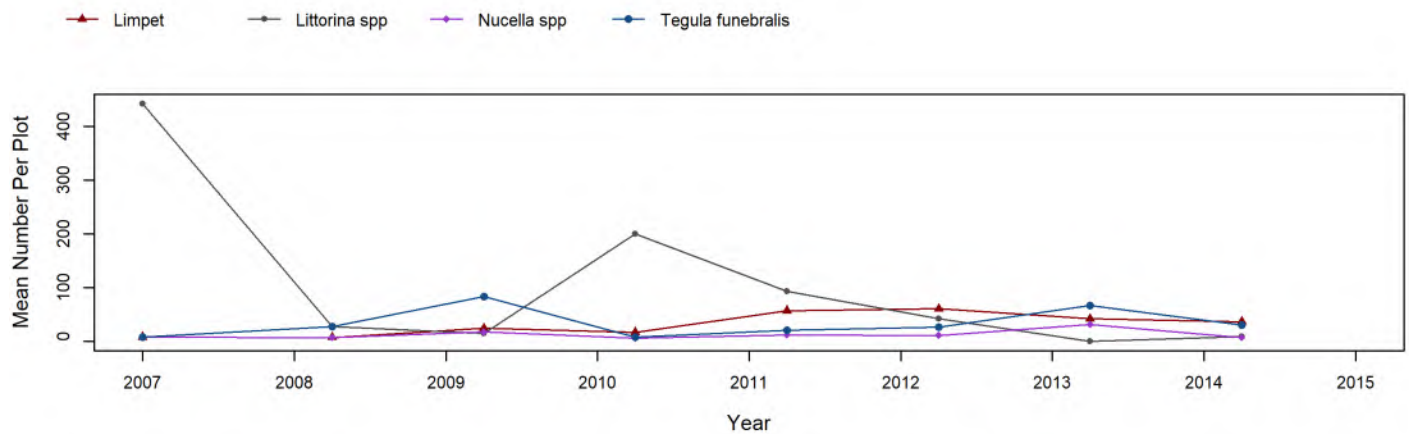


Below are the trends observed for each [Photo Plot target species](#) at this site. Long-Term percent cover trend graphs also include any species that reached a minimum of 25% cover during any single point in time within a given target species assemblage. Breaks in trend lines represent missed sampling events. For additional species observed that did not meet this 25% threshold, please use the [Graphing Tool](#).

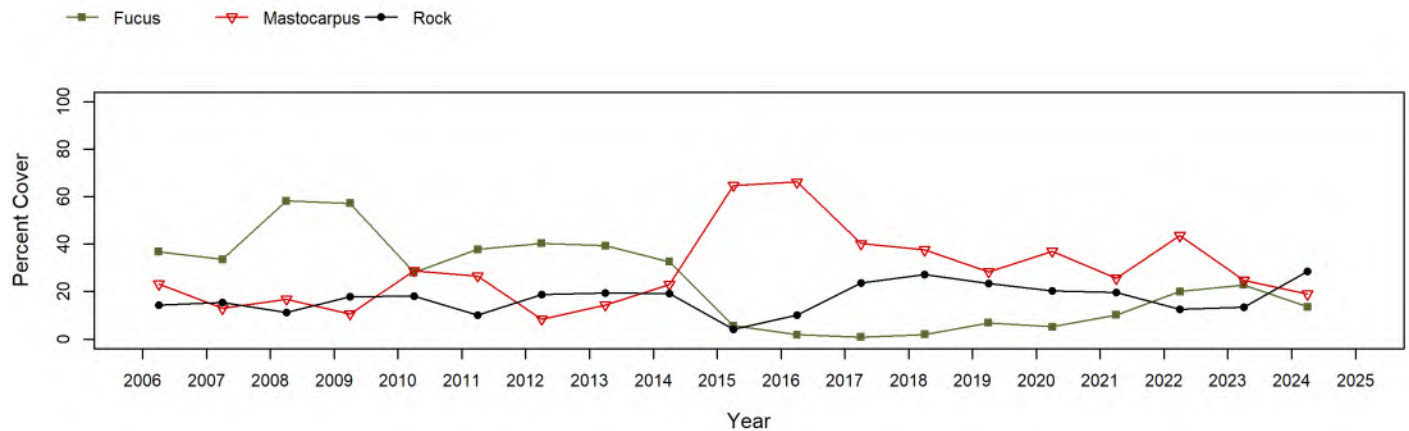
### ***Mytilus* (California Mussel)** – percent cover



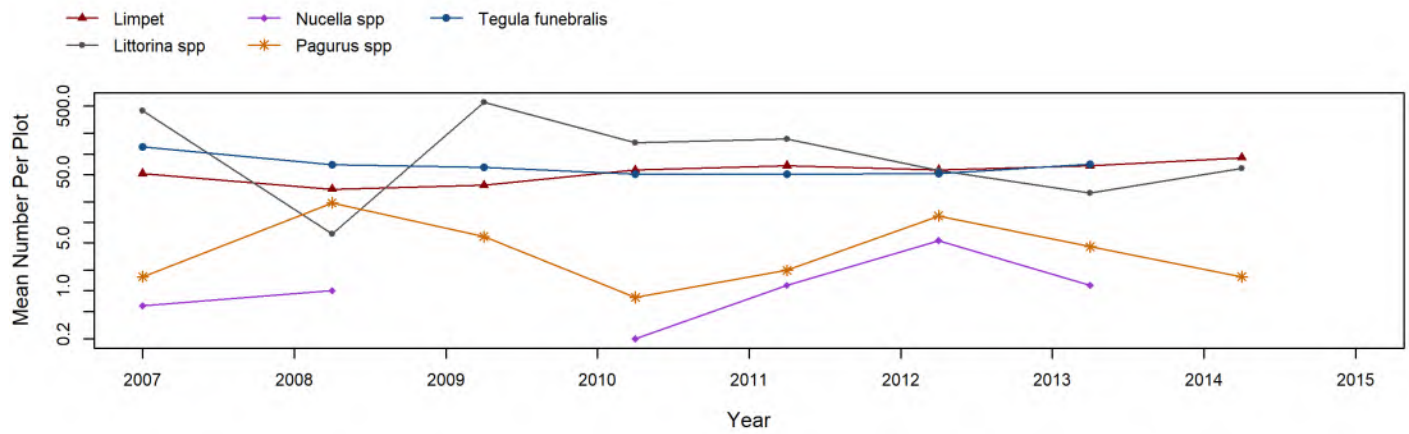
## *Mytilus* (California Mussel) – motile invertebrate counts



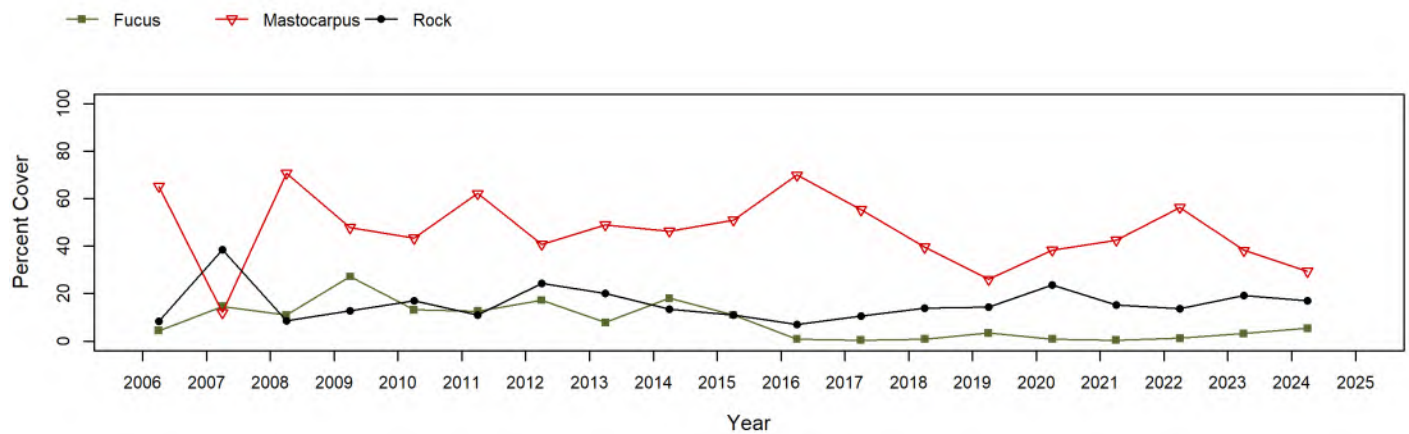
## *Fucus* (Northern Rockweed) – percent cover



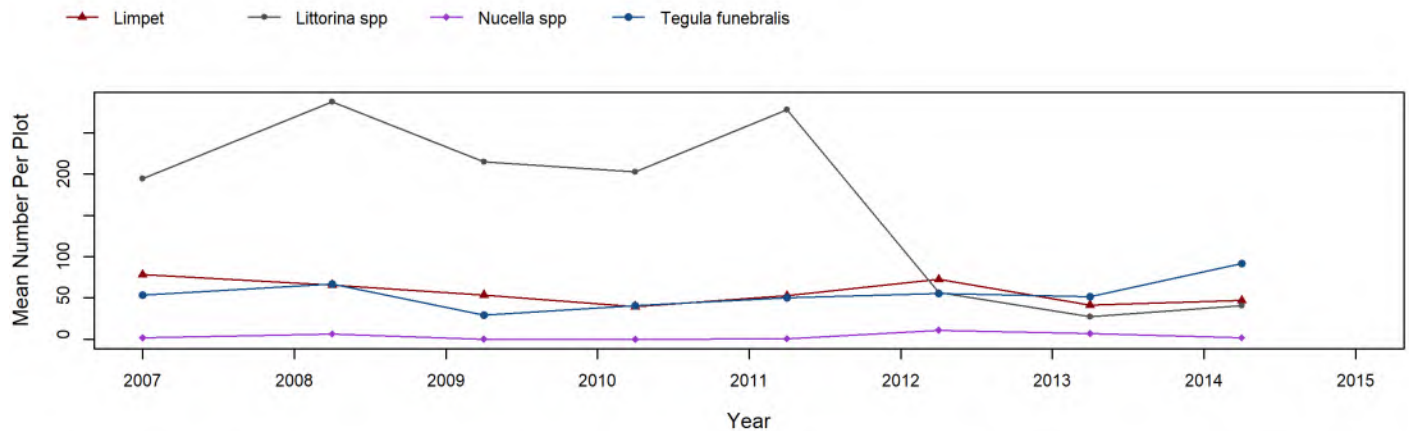
## *Fucus* (Northern Rockweed) – motile invertebrate counts



## **Mastocarpus (Turkish Washcloth) – percent cover**



## **Mastocarpus (Turkish Washcloth) – motile invertebrate counts**

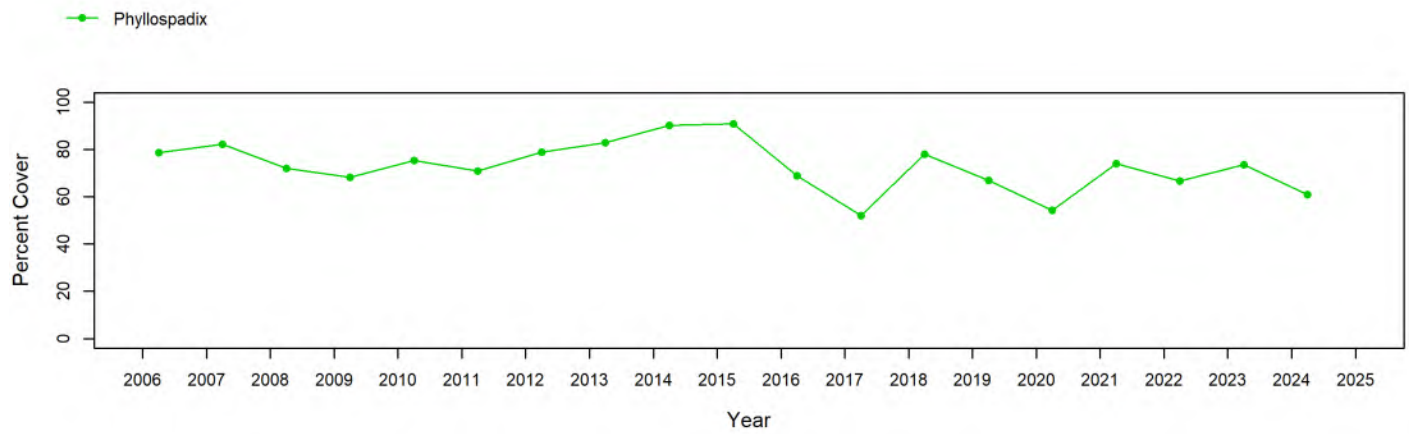


## **Transects**



Below are the trends observed for each [Transect target species](#) at this site. Long-Term trend graphs also include any species that reached a minimum of 25% cover during any single point in time within a given target species assemblage. Breaks in trend lines represent missed sampling events.

### ***Phyllospadix* (Surfgrass)**

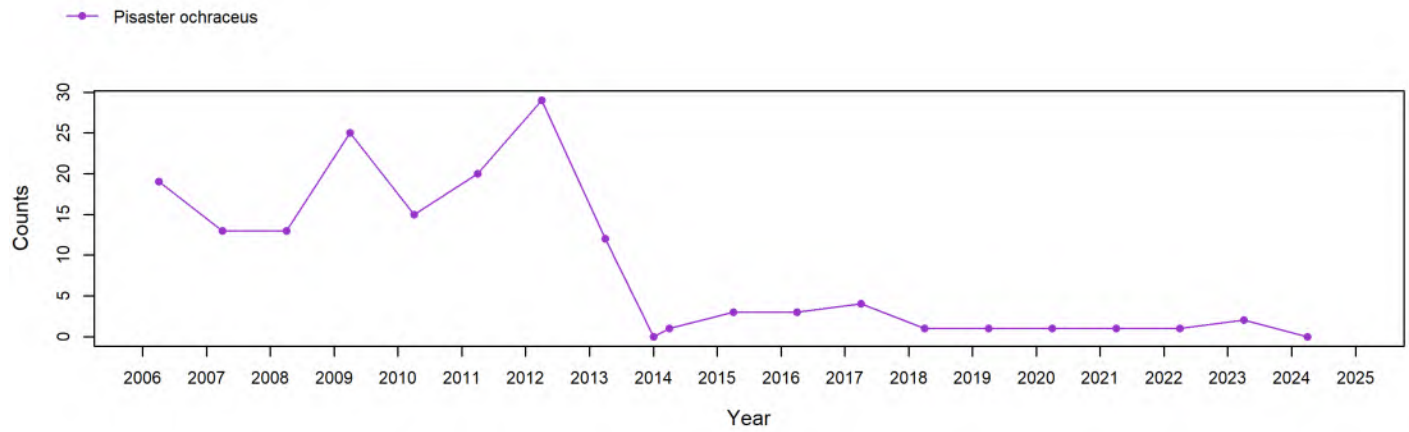


## Species Counts and Sizes

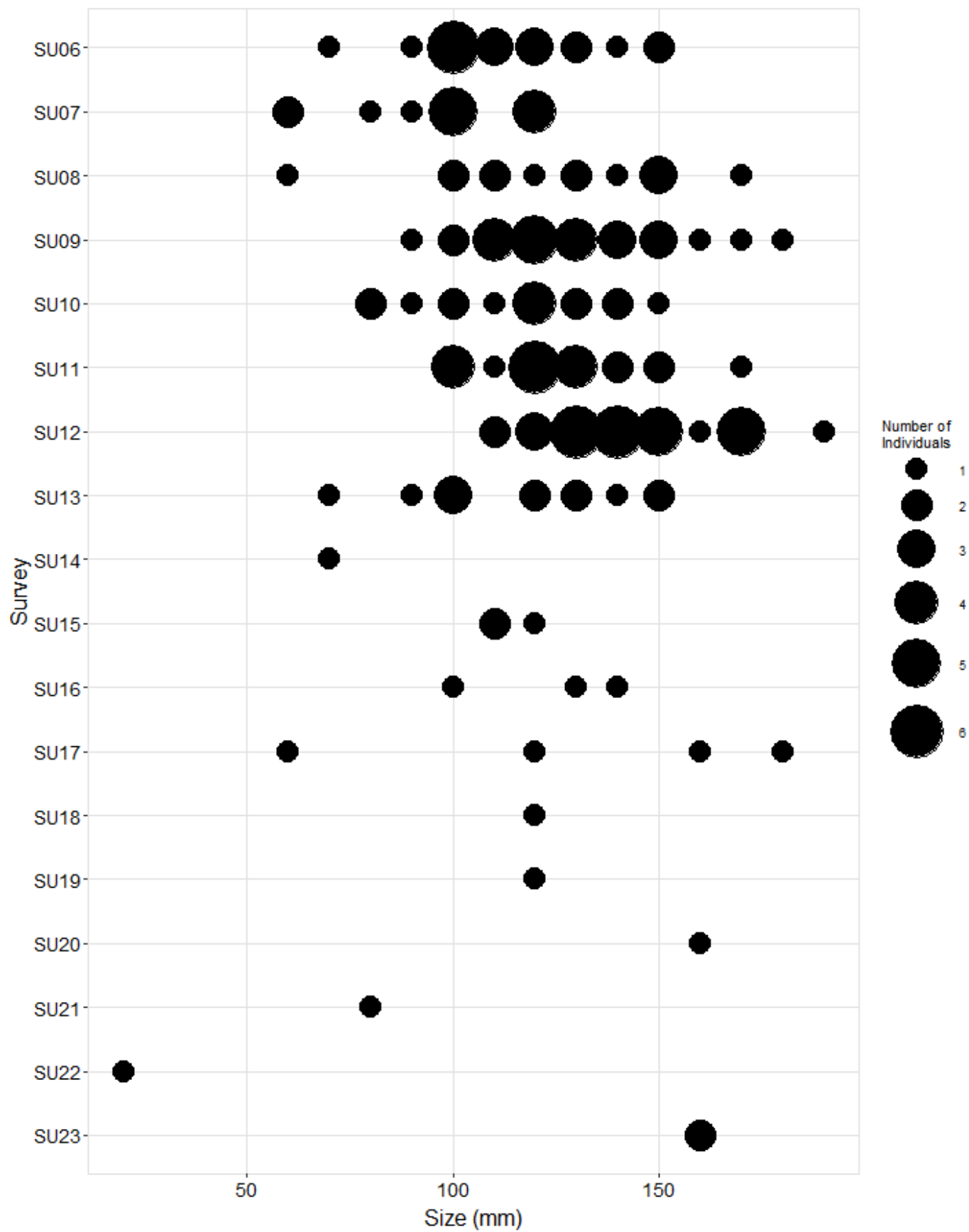


[Species Counts and Sizes](#) (where recorded) for *Pisaster* are shown below for this site. At some sites, other sea star species and *Katharina* are counted in addition to *Pisaster*. The sum of all individuals across all plots is displayed. Note that data gaps are represented by breaks in long-term count trend lines, but are not shown in size plots.

### ***Pisaster ochraceus* (Ochre Star) – counts**



## *Pisaster ochraceus* (Ochre Star) – sizes



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Multi-Agency Rocky Intertidal Network

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Last modified: Jul 21, 2025

**From:** EDSO FISH <[REDACTED]>

**Sent:** Tuesday, October 28, 2025 03:12 PM

**To:** FGC <[FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov)>

**Subject:** Let's Not Stop Curiosity

Hello Commission Members,

I am writing this to you to voice my opinion on redefining the Duxbury Reef SMCA to an SMR. Following is my written response. Thank you.

### Let's Not Stop Curiosity

Hello, my name is Ed Tavasieff. I am a commercial fisherman working here in the Bay Area for many years. I have recently been made aware of a suggestion to redefine a portion of the Duxbury Reef SMCA and make it a totally restricted SMR.

I am opposed to this idea because as a youth, the most influential aspect and driver of my lifelong love of the sea, was the curiosity and firsthand experience I had with tide pools at Ocean Beach in San Francisco.

As I look at today's youth and how they are engaged with a two-dimensional screen in their face, I am saddened to think they would not have that same experience I had as a youth. To touch a sea anemone, or watch a crab, or experience the feel of goose neck barnacles on my bare feet, the fresh smell of the sea and its life etc. would be denied to them because someone wants to "protect" a unique geological feature.

California is a mass of geological features and experiencing them and learning about them is a very worthwhile endeavor for everyone, not just the youth. Taking away access to any of them only discourages curiosity and learning. You can't experience a tide pool on a screen.

Some might claim that people walking on the exposed reefs would do harm and destroy the life there. I would claim that a continuous barrage of waves and wind have little to no effect on this same reef and I would point out that the effects of a bunch of people exploring the reefs would have little to no effect in comparison.

As a regional stakeholder for the North Central Coast I am also concerned with any changes to **any** of the MPA's we developed. We all worked very hard to develop a science-based array of MPA's that are biologically sound and provide areas that are safe zones for specific species while allowing public access. This access includes consumptive and non-consumptive access. I hear of many who want to change or add MPA's. If changes are made will they be reviewed by the Science Advisory Team as we in the RSG were subject to during the MLPA process?

A decadel review is fine but consider that abalone, kelp, and star fish are in steep decline along with other associated species. MPA's have not provided any aid to the recovery of these species. This is where attention needs to be focused on.

Adaptive Management will have little effect if we are unable to keep everyone involved. If we continue to restrict and deny access to our amazing coastline, supporting interest will be lost.

I can only hope everyone is able to continue exploring and developing curiosity in our California coastline and not be blocked by unnecessary closures that deny us of firsthand experience.

I mention curiosity often because that is what drives learning and learning enhances our experiences which encourages further curiosity etc.

I am no public speaker, and this is how I can communicate my thoughts, so I hope I have made my point clear enough.

Thank You.

Ed Tavasieff