

## 9. Regulation Change Petitions (Marine) (Consent)

Today's Item	Information <input type="checkbox"/>	Action <input checked="" type="checkbox"/>
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This is a standing agenda item for the Commission to receive new regulation change petitions and act on regulation change petitions received from the public at previous meetings. This meeting will address:

- (A) Action on previously received regulation change petitions
- (B) Receipt of new petitions for regulation change
- (C) Comments received on referred petitions not yet scheduled for action

### Summary of Previous/Future Actions

(A) ***Petitions for Regulation Change – Scheduled for Action***

- Received Petition 2025-18
- **Today, potentially act on petition**

December 10-11, 2025  
**February 11-12, 2026**

(B) ***New Petitions for Regulation Change – Receipt***

- **Today, receive new petitions**
- Potentially act on new petitions

**February 11-12, 2026**  
April 17-18, 2024

(C) ***Comments Received on Referred Petitions (N/A)***

### Background

(A) ***Petitions for Regulation Change – Scheduled for Action***

Petitions received at the previous meeting are scheduled for Commission consideration at the next regularly scheduled business meeting. A petition may be: (1) denied, (2) granted, or (3) referred to a Commission committee, staff, legal counsel, or the Department, for further evaluation. Referred petitions are scheduled for action once a recommendation is received.

Today, one petition is scheduled for action.

- I. *Petition 2025-18: Request to restrict recreational hoop net deployment and retrieval north of Point Arguello to the period between sunrise and sunset only (Exhibit A1)*

The petitioner's stated intent is reducing nighttime gear loss and associated marine life entanglement risk, addressing nighttime fishing safety concerns, discouraging poaching, and improving enforcement effectiveness.

### Staff Evaluation

The Department's enforcement staff have not identified gear loss, entanglement risk, safety issues, or poaching as significant problems with nighttime hoop net use in this region. Additionally, the petitioner has not provided evidence demonstrating that the concerns occur at a level warranting regulatory change. Introducing

## Staff Summary for February 11-12, 2026

additional time-based restrictions would add complexity to existing hoop net regulations without clear conservation or enforcement benefits.

(B) **New Petitions for Regulation Change – Receipt**

Pursuant to Section 662, any person requesting that the Commission adopt, amend, or repeal a regulation must complete and submit Form FGC 1. Petitions submitted by the public are “received” at this meeting if they are delivered by the public comment or supplemental comment deadlines or in person at the Commission meeting.

Under the Bagley-Keene Open Meeting Act, the Commission cannot discuss or act on any matter not included on the agenda, other than to determine whether to schedule issues raised by the public for consideration at future meetings. Thus, petitions for regulation change generally follow a two-meeting cycle of receipt and decision. The Commission will act on petitions received at today’s meeting at the next regularly-scheduled Commission meeting (April 17-18, 2026) following staff evaluation, unless the petition is rejected under the 10-day staff review as prescribed in subsection 662(b).

The Commission received one new petition for regulation change by the comment deadline for this meeting, regarding recreational crab trap buoys (Exhibit B1).

(C) **Comments Received on Referred Petitions**

This item provides an opportunity for public comment on any petition previously referred for review and recommendation, but not yet ready for Commission action. Action on any referred petition will be scheduled once the Commission receives a recommendation.

*Marine Protected Area (MPA) Petition Comments Update*

In 2025, the Commission directed staff to compile and make publicly available all public comments received on the pending marine protected area (MPA) petitions since the petitions were submitted in December 2023. To fulfill this request, staff compiled comments for each petition into a single, consolidated packet so they can be easily viewed in one place. Individual comment packets have been prepared and posted online for each of the 15 pending MPA petitions. The packets can be accessed through an online tracking table titled, “[Status of MPA Petitions for Reg Change](#),” found via the link at the bottom of the Commission’s petitions for regulation change website at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>.

*The Commission is not expected to discuss referred marine protected area (MPA) petitions until the regional meetings scheduled for April and May 2026.*

## Significant Public Comments

### (C) **Comments on Referred MPA Petitions**

#### *Petition 2023-28MPA-AM1 (proposed new state marine conservation area at Point Sal)*

##### Support

- California State Senator Limón and Assembly Member Bennett express support for the petitioned action at Point Sal, contending that the proposed new MPA would help protect and restore ocean health, enhance coastal recreation, and support long-term health of the central coast economy (exhibits C1 and C2).
- The U.S. Department of the Air Force (DAF) supports the petition, provided that the southern boundary is adjusted northward, as DAF indicates was agreed to in discussions with the petitioner, to avoid conflicting with facilities and operations at Vandenberg Space Force Base. DAF includes a map depicting modified boundaries that would prevent overlap with aircraft flight paths. (Exhibit C3)

#### *Petition 2023-29MPA-AM1 (proposed new “Mishopshno State Marine Conservation Area” at Carpinteria)*

##### Support

- California State Assembly Member Bennett supports the petition, contending that the proposed MPA would help restore ocean health, enhance coastal recreation, and ensure long-term health of the central coast, ocean-based economy (Exhibit C2).
- The petitioner provides statements from seven members of the Santa Ynez Band of Chumash Indians based on a series of interviews, as well as a letter with excerpts from the interviews and additional history related to the proposed MPA (Exhibit C4).

#### *Petition 2023-32MPA (Duxbury Reef State Marine Conservation Area)*

##### Support

- A Sierra College biology professor and frequent Duxbury Reef visitor supports the petition, citing that clearer “no-take” rules would improve voluntary compliance as well as expanded protection for high biodiversity habitat beyond the current MPA (Exhibit C6).

##### Neutral

- U.S. Congressman Huffman modifies his prior support to a position of neutrality due to the absence of broad local community support, and urges the community to work together toward a consensus solution (Exhibit C5).

##### Opposition

- Marin County Supervisor Rodoni withdraws prior support for the petition citing West Marin community members who have emphasized the lack of local

## Staff Summary for February 11-12, 2026

community awareness and involvement prior to the submission of the petition. The supervisor now opposes the petition, requesting that the Commission consider other means of community engagement and feedback outside of regulatory change. (Exhibit C5)

- The Bolinas-Stinson Unified School District opposes the petition, citing a lack of engagement with educational stakeholders, such as school districts and community-based education programs, and the potential impact on tidepool-based experiential learning (Exhibit C5).
- On behalf of the Bolinas community, Save Duxbury Access urges the Commission to reject the petition and restart efforts outside a regulatory process, proposing a collaborative approach using scientific data, traditional knowledge, and educational input, while addressing socioeconomic impacts on subsistence harvesters. The group cites conflicts with state laws and Commission policies (specifically, JEDI and Coastal Fishing Communities), and advocates for non-regulatory alternatives such as improved signage, outreach, community stewardship, university partnerships for reef monitoring, and agency collaboration on education. They provide numerous materials documenting opposition, including withdrawals of support and additional opposition from throughout the area (Exhibit C7). Twenty postcards with original art and individual email messages from the West Marin community express similar perspectives (exhibits C8 and C9).

#### *Other MPA Petitions*

The Marine Conservation Institute reports that its team of scientists conducted an independent analysis of the 15 pending petitions using a peer-reviewed framework, [The MPA Guide](#). Based on the analysis, the institute asserts that 10 of the 15 petitions would strengthen California's MPA network; the 10 petitions include existing MPAs at Duxbury Reef, Laguna Beach and Anacapa Island, and proposed new MPAs at Tanker's Reef and Point Sal, among others. (Exhibit C10)

#### **Recommendation**

**Commission staff:** Deny Petition 2025-18 for the reasons stated in subsection (A)l. of the background section.

#### **Exhibits**

- A1. [Petition 2025-18, received December 3, 2025](#)
- B1. [Petition 2025-19, received December 8, 2025](#)
- C1. [Letter from California Senator Monique Limón, 21<sup>st</sup> Senate District, received December 12, 2025](#)
- C2. [Letter from California Assembly Member Steve Bennett, 38th Assembly District, received December 12, 2025](#)
- C3. [Letter from David Bell, PhD, Regional Environmental Coordinator, Department of the Air Force, received December 8, 2025](#)

## Staff Summary for February 11-12, 2026

- C4. [Letter from Isabella Sullivan, Next Wave Oceans Fellow; Sandy Aylesworth, Pacific Initiative Director; and Margaret Brown, Equity and Community Partnerships Senior Director, Natural Resources Defense Council, received December 17, 2025](#)
- C5. [Letters from U.S. Congressman Jared Huffman, 2<sup>nd</sup> District of California, received January 23, 2026; Marin County Supervisor Dennis Rodoni, 4th District, received January 21, 2026; and Leo Kostelnik, Superintendent, Bolinas Stinson Unified School District, received January 28, 2026](#)
- C6. [Letter from Jeffrey Roberts, PhD, Professor of Biology, Sierra College, received January 9, 2026](#)
- C7. [Letter from Save Duxbury Access with packet of comments and supporting materials, received January 29, 2026](#)
- C8. [Postcards with original art from 20 Bolinas community members, received January 9, 2026 and January 27, 2026](#)
- C9. [Sample emails from Maxine Meckfessel, Point Reyes Station resident, and Margaret Quigley, Bolinas resident, received between December 23, 2025 and January 16, 2026](#)
- C10. [Letter from Lance Morgan, PhD, President, and Nikki Harasta, Marine Conservation Scientist, Marine Conservation Institute, received January 29, 2026](#)

**Motion**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission adopts the staff recommendations for items 5 through 10 on the consent calendar.



Tracking Number: (2025-18)

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: Michael Rescino

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

### **2. Rulemaking Authority (Required) - Sections 200, 205, 399, 7075 and 7078 Fish and Game code. Reference: sections 200, 205, 270, 275, 7050, 7055 and 7056 Fish and Game code.**

### **3. Overview (Required) - Revise California**

**Code of Regulations (CCR), Title 14, Section 29.80 to restrict the use of vessel-based Recreational Hoop nets North of Pt. Arguello to daylight hours only.**

### **4. Rationale (Required) - Restrict the use of vessel based recreational**

Hoop nets to daylight hours only, to reduce lost fishing gear (“ghost gear”), reduce vertical lines in the water, discourage poaching activity, and enhance enforcement effectiveness while maintaining sustainable access to resources.

#### **-Reduction in Lost Gear (Ghost Gear)**

Nighttime hoop net visibility is difficult and leads to an increase in lost gear. A daylight-only policy would significantly reduce abandoned and/or lost hoop nets.



**-Increase risk of line entanglement with vessel and sensitive marine life**

A daylight-only policy would significantly reduce abandoned and lost hoop nets. Recreational hoops nets have an impeccable record with zero documented whale entanglements in the recreational fishery

**Deterrence of Illegal Harvest (Poaching)**

- Fewer witnesses
- Reduced enforcement visibility
- Easier concealment of undersized or over-limit catch
- Restricting nighttime use:
- Removes cover for illegal activity
- Allows enforcement to focus on daylight hours
- Simplifies compliance checks
- Improved Enforcement Day-only fishing:
- Makes illegal activity easier to detect allowing officers to verify compliance visually reducing ambiguity over legitimate vs. illegal use.

**Nighttime fishing presents higher risk of:**

Drowning/Vessel accidents

Equipment entanglements

Exposure to unpredictable ocean conditions

Daylight hours reduce hazard and liability.

**SECTION II: Optional Information**

**5. Date of Petition: 12/10/2025**

**6. Category of Proposed Change**

- Sport Fishing
- Commercial Fishing
- Hunting
- Other, please specify: [Click here to enter text.](#)

**7. The proposal is to: (To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)**

- Amend Title 14 Section(s): 29.80
- Add New Title 14 Section(s): [Click here to enter text.](#)
- Repeal Title 14 Section(s): [Click here to enter text.](#)

**8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition .**

Or  Not applicable.



9. **Effective date:** If applicable, identify the desired effective date of the regulation.  
If the proposed change requires immediate implementation, explain the nature of the emergency: 11/01/2026
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents:
11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing:
12. **Forms:** If applicable, list any forms to be created, amended or repealed:

[Click here to enter text.](#)

### **SECTION 3: FGC Staff Only**

Date received: 12/12/2025

FGC staff action:

Accept - complete  
 Reject - incomplete  
 Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: \_\_\_\_\_

Meeting date for FGC consideration: \_\_\_\_\_

FGC action:

Denied by FGC  
 Denied - same as petition \_\_\_\_\_  
 Granted for consideration of regulation change

Tracking Number

Tracking Number: ( 2025-19 )

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: [Gary Maganaris, Coastside Fishing Club Board Member on behalf of all members of Coastside Fishing Club. This petition is also being requested by Duane Winter, President of the Tyee Club on behalf of all Tyee Club members.]

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

**Rulemaking Authority (Required)** - Reference to the statutory or constitutional authority of the Commission to take the action requested: [Authority cited: Sections 200, 205, 399, 7075 and 7078, Fish and Game Code]

**Overview (Required)** - Summarize the proposed changes to regulations: **Amendment to Recreational Crab Trap Buoy Regulations to Reduce Whale Entanglement Risk**

The petitioner requests that the California Fish and Game Commission amend the existing recreational crab trap buoy regulation to authorize the use of two main buoys and one red marker buoy, replacing the current requirement of one main buoy and one red marker buoy.

This modification would enhance surface gear visibility and stability, thereby reducing the likelihood of lost traps and associated whale entanglements.]

Please note that this petition is being made all the members of both Coastside Fishing Club as well as the Tyee Club, which combined have over 2,000 active recreational fishing members.



**Rationale (Required)** - Describe the problem and the reason for the proposed change: Under current recreational crab fishing regulations, only one main buoy and one red marker buoy are permitted for each trap. This limitation can result in insufficient buoyancy and decreased visibility under certain sea conditions, leading to submerged or lost gear. Lost crab traps contribute to marine debris and increase the risk of whale entanglement—a concern that directly impacts marine resource conservation and compliance with the Marine Life Protection Act.

The proposed amendment would allow recreational crab fishers to deploy two main buoys placed no more than six (6) feet apart, along with one red marker buoy positioned no more than three (3) feet from the main buoys. This change would:

- Improve surface visibility and buoyancy of trap lines;
- Reduce the risk of gear submergence and loss;
- Enhance trap retrieval efficiency and safety; and
- Contribute to marine wildlife protection by minimizing the potential for entanglement in derelict gear.

For reference, commercial Dungeness crab gear regulations (California Code of Regulations, Title 14, §132.2) allow for one main buoy with a biennial tag, up to two “trailer buoys,” and one end marker buoy, with surface line length limits of 24 feet for depths of 210 feet or less and 36 feet for depths greater than 210 feet.

Aligning recreational regulations more closely with these commercial standards would increase consistency, improve environmental safety, and reduce the risk of gear loss that contributes to whale entanglement events. ]

## **SECTION II: Optional Information**

**2. Date of Petition:** [12/04/2025.]

**3. Category of Proposed Change**

X Sport Fishing

Commercial Fishing

Hunting

Other, please specify: [Click here to enter text.]

**4. The proposal is to:** (To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)

X Amend Title 14 Section(s): **Section 29.80, subsection (c)(3)**

Add New Title 14 Section(s): [Click here to enter text.]

Repeal Title 14 Section(s): [Click here to enter text.]

**5. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.]

Or X Not applicable.

**6. Effective date:** If applicable, identify the desired effective date of the regulation. If the proposed change requires immediate implementation, explain the nature of the emergency: [November 2026.]



**Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: [The proposed configuration mirrors proven commercial practices that improve gear recovery and reduce entanglement risks.]

Adoption would not increase the total number of traps or impact catch limits.

This change promotes consistency, safety, and environmental protection in line with state marine resource objectives. ]

**7. Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: [None.]

**8. Forms:** If applicable, list any forms to be created, amended or repealed:

[Click here to enter text. ]

### **SECTION 3: FGC Staff Only**

Date received: [12/8/2025] |

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: [ ]

Meeting date for FGC consideration: [ ]

FGC action:

- Denied by FGC
- Denied - same as petition [ ]

Tracking Number

- Granted for consideration of regulation change

CAPITOL OFFICE  
1021 O ST.  
SACRAMENTO, CA 95814  
TEL (916) 651-4021

SANTA BARBARA DISTRICT OFFICE  
222 E. CARRILLO ST., STE. 309  
SANTA BARBARA, CA 93101  
TEL (805) 965-0862  
FAX (805) 965-0701

OXNARD DISTRICT OFFICE  
300 E. ESPLANADE DR., STE. 430  
OXNARD, CA 93036  
TEL (805) 988-1940  
FAX (805) 988-1945

SANTA MARIA DISTRICT OFFICE  
1111 S. BROADWAY., STE. 101  
SANTA MARIA, CA 93454  
TEL (805) 346-2845

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SENATOR.LIMON@SENATE.CA.GOV



DEMOCRATIC CAUCUS  
CHAIR  
LEGISLATIVE WOMEN'S CAUCUS  
VICE CHAIR  
CENTRAL COAST CAUCUS  
VICE CHAIR  
COMMITTEES  
NATURAL RESOURCES & WATER  
CHAIR  
BANKING & FINANCIAL INSTITUTIONS  
ELECTIONS & CONSTITUTIONAL  
AMENDMENTS  
ENERGY, UTILITIES &  
COMMUNICATIONS  
HEALTH  
HUMAN SERVICES  
TRANSPORTATION  
JOINT LEGISLATIVE COMMITTEE ON  
CLIMATE CHANGE  
JOINT LEGISLATIVE COMMITTEE ON  
EMERGENCY MANAGEMENT  
JOINT COMMITTEE  
ON RULES

December 12, 2025

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

**Re: Support for Petitions 2023-28MPA**

Dear President Zavaleta and Honorable Commissioners:

I am writing in support of the proposed Point Sal State Marine Reserve (Petition 2023-28MPA) near the city of Guadalupe. Conserving this area will help protect and restore ocean health, enhance coastal recreation, and support the coastal economy of Santa Barbara County thrives for decades to come.

The proposed Point Sal Marine Protected Area (MPA) would conserve habitats that support rich biodiversity, such as kelp forests, tidepools, migratory whale corridors, a larval retention zone, and a seabird and sea lion rookery. Protecting these areas would have positive impacts that spread beyond their boundaries, bolstering ocean resilience and keeping our coastal waters healthy.

This area also holds cultural significance for several Indigenous communities in our region. Designating this MPA would honor and strengthen the Indigenous stewardship of the area and elevate their historical and present-day connection to the region.

Additionally, this area is important for ocean and coastal recreation activities. Public access to coastal recreation is limited along this area of the Central Coast. Point Sal is home to coastal bluff trails frequented by local hikers and tourists who come to view wildlife, relax at the beach, and enjoy this remote and pristine area. This also benefits our economy – collectively, ocean-based recreational activities contribute to the \$28 billion ocean tourism and recreation economy of our state.

The continued work of the Commission to protect the biodiversity of our state is critical. As such, I request your full and fair consideration of this proposal.

Sincerely,

A handwritten signature in black ink that reads "Monique Limón".

**MONIQUE LIMÓN**  
Senator, 21<sup>st</sup> District

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0038  
(916) 319-2038  
FAX (916) 319-2138

**DISTRICT OFFICE**  
300 E. ESPLANADE DRIVE, SUITE 1790  
OXNARD, CA 93036  
(805) 485-4745  
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**E-MAIL**  
Assemblymember.Bennett@assembly.ca.gov



**COMMITTEES**  
CHAIR: BUDGET SUBCOMMITTEE NO. 4 ON  
CLIMATE CRISIS, RESOURCES, ENERGY,  
AND TRANSPORTATION  
BUDGET  
ELECTIONS  
EMERGENCY MANAGEMENT  
WATER, PARKS AND WILDLIFE

December 10, 2025

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

Re: Support for Petitions 2023-28MPA and 2023-29MPA

Dear President Zavaleta and Honorable Commissioners:

I am writing in support of the proposed Point Sal State Marine Reserve (Petition 2023-28MPA) near the city of Guadalupe, and the Mishopshno State Marine Conservation Area (Petition 2023-29MPA) off the coast of Carpinteria. Conserving these two special areas will help protect and restore ocean health, enhance coastal recreation experiences, and help ensure the Central Coast region's ocean-based economy thrives for decades to come. I urge you to approve these proposals.

Both the proposed Point Sal and Mishopshno MPAs would conserve important habitats that support rich biodiversity, such as kelp forests, rocky reefs, tidepools, sandy beaches, migratory whale corridors, an important larval retention zone, and a seabird and sea lion rookery. Protecting these areas would have positive impacts that spread beyond their boundaries, bolstering ocean resilience and keeping our coastal waters healthy. These two areas hold cultural significance for several Indigenous communities in our region. Designating these MPAs would honor and strengthen the Chumash peoples' stewardship of the area, and elevate their historical and present-day connection to the region.

In addition, these areas hold special importance for ocean and coastal recreation communities. Point Sal is home to stunning coastal bluff trails that are frequented by local hikers and tourists to view wildlife, relax at the beach, and enjoy the remote and pristine area. Carpinteria is a popular area for surfers, shore fishers, swimmers, kayakers, birdwatchers, and beach walkers. By making the ocean healthier and more resilient to climate change, strong marine protections help preserve everyone's ability to enjoy these areas through a variety of recreational activities, far into the future.

This also benefits our economy – collectively, ocean-based recreational activities contribute to our state's \$28 billion ocean tourism and recreation economy<sup>1</sup>. In 2024,

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<sup>1</sup> NOAA 2016, The National Significance of California's Ocean Economy  
<https://coast.noaa.gov/data/digitalcoast/pdf/california-ocean-economy.pdf>

coastal tourism brought just over \$1.7 billion in travel-related spending to Ventura County, directly supporting no less than 16,600 jobs<sup>2</sup>. Ventura Harbor is home-base for Island Packers Cruises: the go-to transport company between the mainland and Channel Islands National Park (CINP). CINP officials reported that in 2022, 323,000 tourists visited the National Park, spending almost \$22 million in neighboring communities, with a cumulative benefit to the local regional economy of \$31.9 million<sup>3</sup>.

The Commission's continued work to protect our state's biodiversity is critical, at a time when ocean conservation is more important than ever. Thank you for the opportunity to express our strong support for these proposals that aim to fill a current gap in network design to improve ecological connectivity throughout the region, provide additional resilience in the face of climate change, and protect critical marine habitats.

Sincerely,



Assemblymember Steve Bennett  
38<sup>th</sup> Assembly District

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<sup>2</sup> Visit California, 2024. The Economic Impact of Travel in California.

<https://industry.visitcalifornia.com/research/economic-impact>

<sup>3</sup> Tourism to Channel Islands National Park Contributes \$31.9 million to Local Economy

<https://www.nps.gov/chis/learn/news/pr082523.htm>



DEPARTMENT OF THE AIR FORCE  
AIR FORCE CIVIL ENGINEER CENTER  
JOINT BASE SAN ANTONIO LACKLAND TEXAS

Dec 8, 2025

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

via e-mail to [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)

Subject: DEPARTMENT OF AIR FORCE SUPPORT FOR 2023-28MPA-AM Point Sal SMCA

Dear Dr. Zavaleta, President  
California Fish and Game Commission

Thank you for the opportunity to comment on the 2023-28MPA-AM Point Sal petition submitted by the Natural Resources Defense Council (NRDC). As the Department of the Air Force (DAF) Regional Environmental Coordinator (REC) in U.S. Environmental Protection Agency Region 9, I provide coordinated responses to various environmental policies and regulatory matters for the DAF.

Petition 2023-28 MPA-AM proposes to establish a new marine protected area (MPA) or State Marine Conservation Area (SMCA) off the coast of Point Sal. The original petition did not account for the Vandenberg Space Force Base (VSFB) space launch facilities and operations. Upon conferring with representatives from the NRDC the MPA boundary was adjusted to deconflict with VSFB assets while still enabling protection of marine life and respecting culturally important waters of Point Sal. The attached graphic reflects the boundary that VSFB concurs with. We want to thank the NRDC for this adjustment and thus can support 2023-28MPA-AM.

Sincerely,

DAVID C. BELL, PhD  
DAF REC Region 9

Cc:  
Darryl York, SLD 30 Environmental Chief  
Jason Golumbfksie-Jones, DOD REC 9  
Karla Meyer, AFCEC /CZTQ  
Sandy Aylesworth, NRDC



0 0.5 1 1.5 2 Miles

- VSFB Launch Facility
- 239 to 275 degree flight path
- New Proposed Pt Sal Boundary (V2)
- Original Proposed Pt Sal MPA
- Vandenberg SFB
- State Marine Protected Areas

10/22/2025  
NAD83 California (Teale) Albers

California  
Coastal National  
Monument

LF-26  
LF-07  
LF-06  
LF-25  
LF-09

LF-05  
LF-21  
LF-10  
LF-04  
LF-23  
LF-24  
LF-08  
LF-22

California  
Coastal National  
Monument

**From:** Sullivan, Isabella <[REDACTED]>  
**Sent:** Wednesday, December 17, 2025 10:59 AM  
**To:** Commissioner Anderson <[REDACTED]>; Jacque Hostler-Carmesin <[REDACTED]>;  
Eric Sklar <[REDACTED]>; Erika Zavaleta <[REDACTED]>; FGC <FGC@fgc.ca.gov>  
**Cc:** [REDACTED] Azsha Hudson <[REDACTED]>; Aylesworth, Sandy <[REDACTED]>;  
<[REDACTED]>; Brown, Margaret <[REDACTED]>  
**Subject:** Chumash Testimonies Letter

Dear Honorable Commissioners and FGC staff,

I hope this email finds you well and getting ready for the much needed holiday break! We are excited to share a project that has been in the works for a couple months. Working with the Santa Ynez Band of Chumash Indian's Culture department, NRDC conducted interviews with various Chumash community members. to accompany the Mishopshno SMCA Petition 2023-29MPA. The purpose of these interviews was to convey Chumash peoples' sentiments and extensive knowledge of the area proposed to be protected, in a more expansive and informal format than a public meeting allows. These testimonies provide just a glimpse into the breadth of knowledge that Chumash people and cultures hold about their ancestral territories, ocean practices and traditions, and Tribal marine stewardship and management.

We hope you enjoy reading these testimonies, as they are deeply profound as well as informative. As always, thank you all for your work and time throughout the adaptive management process to safeguard our coast. Wishing you all happy winter holidays!

Sincerely,

Bella Sullivan



December 17, 2025

California Department of Fish and Wildlife  
715 P Street  
Sacramento, CA 95814

**Re: Tribal testimonies and support for Petition 2023-29MPA**

Dear President Zavaleta and Honorable Commissioners,

We are writing to share the testimonies of Chumash community members and additional history related to the proposed Mishopshno State Marine Conservation Area (SMCA). The Santa Ynez Band of Chumash Indians (SYBCI), the Natural Resources Defense Council (NRDC), and the Environmental Defense Center (EDC) are co-sponsors of Petition 2023-29MPA. The Mishopshno SMCA is named after a prominent Chumash coastal village of the same name that was historically proximate to the marine area under consideration. We share these testimonies to uplift the significance of the area and the SMCA proposal itself for individual Chumash community members, in addition to the SYBCI Tribal government that is co-sponsoring it.

Chumash people have inhabited the areas now known as the Santa Barbara Coast and Channel Islands for over 10,000 years.<sup>1</sup> Through the millennia, Chumash communities stewarded and lived in close connection to their lands and waters.<sup>2</sup> Beginning in earnest in the 18th century, settler colonialism and state-sponsored genocide in California disrupted the millennia-old Chumash relationships to the Central Coast – outlawing Chumash religion, language, and cultural and subsistence practices. In many cases settlers forcibly displaced Chumash people and communities and denied them access to their own territories.<sup>3</sup> Chumash people and communities resisted these efforts for centuries, and continue to fight today for stewardship and sovereignty of their ancestral territories, and the survivance and wellbeing of their respective cultures.

The Mishopshno SMCA seeks to advance Tribal co-stewardship, to honor the cultural and historical heritage of Chumash peoples in the area, and to conserve a unique and ecologically important area on the Southern California Coast. California is currently conducting its first-ever

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<sup>1</sup> McGinnis, Michael. 2022. *Co-Management of California-Chumash Marine Conservation Areas: A White Paper Produced for the Santa Ynez Band of Chumash Indians*, 4.

<sup>2</sup> Ibid., 7.

<sup>3</sup> *Chumash History*. Santa Ynez Band of Chumash Indians. (n.d.). <https://chumash.gov/chumash-history>.

MPA adaptive management process, and the state has the opportunity now to more thoroughly include the groups that were underrepresented during the initial implementation of the MPA network, including Tribes. This petition is one of the first Tribally proposed state MPAs in California, and its designation would pave the way for strengthening the role and authority of California Tribes in ocean management and marine life protection efforts. With a collaborative co-stewardship approach, the Mishopshno SCMA would also contribute to integrating Tribes in California's marine monitoring and management initiatives. Further, this proposal aligns with the state's goal of supporting Tribally-led conservation.<sup>4,5</sup>

Recognizing the deep connection and expertise Chumash people hold relative to the area of the proposed SMCA, NRDC interviewed community members from the Santa Ynez Band of Chumash Indians and Barbareño Band of Chumash Indians. The purpose of the interviews was to learn more about their connection to the ocean as Chumash people and why they support the designation of the Mishopshno SMCA. The testimonies below offer insight into perspectives around the designation of the Mishopshno SMCA and why increasing opportunities for Tribal marine stewardship is imperative.

## **The Santa Barbara Channel and Chumash Identity**

Mishopshno Village was an important coastal site in the ancestral lands of the diverse Chumash people because of its use for boatbuilding and close proximity to the ocean. Members of the Portolá expedition who encountered the town on August 17, 1769 described it as "...at the very edge of the sea a large village or very regular town here at this point, appearing at a distance as though it were a shipyard, because at the moment they were building a canoe that still had its topmost plank lacking from it (dubbed by soldiers La Carpinteria, the Carpenter Shop)."<sup>6</sup> The canoes described here were tomol, Chumash watercraft built using wood and tar that seeps naturally in the region.<sup>7</sup> Chumash tomol paddlers still use this region today to practice for their annual crossing to Limuw, also known as Santa Cruz Island.<sup>8</sup>

Levi Zavalla, who is S<sup>h</sup>amala Chumash and also from the Maidu and Chemehuevi Tribes, described how he visualizes what the coast looked like before colonization.

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<sup>4</sup> California Ocean Protection Council, 2025. *Roadmap to Achieving 30x30 in California's Coastal Waters*. <https://opc.ca.gov/wp-content/uploads/2025/07/Roadmap-to-Achieving-30x30-in-Californias-Coastal-Waters-508.pdf>

<sup>5</sup> California Department of Fish & Wildlife, 2022. *California's Marine Protected Area Network Decadal Management Review*, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=209209&&inline>

<sup>6</sup> "Chapter 4: Historic Chumash Settlements on the Mainland Coast," in *The Chumash World at European Contact: Power, Trade, and Feasting Among Complex Hunter-Gatherers*, by Lynn H. Gamble, 2011, 4.

<sup>7</sup> John Peabody Harrington et al., *TOMOL: Chumash Watercraft as Described in the Ethnographic Notes of John P. Harrington*, Ballena Press Anthropological Papers ; No. 9 (Socorro, N.M.: Ballena Press, 1978).

<sup>8</sup> National Marine Sanctuaries, *Homecoming: Journey to Limuw*. <https://sanctuaries.noaa.gov/earthisblue/wk259-stories-from-the-blue-chumash.html>

Here was the ‘aps right here— the houses, the tule houses— or was there kids playing on the beach? Some people gathering mussel shells or abalones? I visualize the tomols being out there in the kelp beds, fishing. It’s bittersweet.<sup>9</sup>

Despite the impacts of colonization and displacement, Chumash people continue to maintain and revitalize ocean practices and traditions. Many of the interviewees described how these practices comprise a significant part of their life and identity today. Eva Pagaling, who is a S<sup>h</sup>amala Chumash tomol paddling captain, explained the many lessons and values she has gained from tomol paddling as a central part of her life and upbringing.

The feelings that I have when I'm paddling is it feels right to be there. And it [tomol paddling] asks you to be a stronger person in the things that you're facing and also gives you time to breathe and just take a break from the things that are heavy on your heart. I think it [tomol paddling] is just one of the ways, the canoe has been one of the ways that we've been able to access the medicine of the ocean for as long as we can remember. The most important person in our crew is the canoe and that helps us think outside of ourselves and actually move together as a community on the water.

I think my takeaway is that we need to be paddling all the time. And we need to be able to be in that space with each other where the focus is supporting each other, just taking the individual out of the situation. We need more of that time together. We need to be able to curate and commit to spending time like that together as a community.<sup>10</sup>

Many of the Chumash people we spoke with shared that these coastal and ocean ecosystems are central to Chumash identity and culture. Interviewees talked about the importance of harvesting fish and other ocean animals for their traditional foods to feed their families and communities. Having healthy ocean plant and animal populations is essential to maintaining food sovereignty. Furthermore, access to traditional foods is not just for physical nourishment – even though traditional foods are most often healthier than alternatives – but is deeply connected to mental, spiritual and cultural wellbeing.<sup>11</sup> Levi Zavalla described certain harvesting practices.

We do a lot of coastal foraging for mussels and limpets, keyhole limpets, trying to keep that traditional food intact, so that's one of the main ways we use the coast, for food, for feeding ourselves. We'll take it right home and cook it up and eat, have a feast and invite our families and friends to come.

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<sup>9</sup> Levi Zavalla, interviewed by Isabella Sullivan, July 25, 2025, SYBCI Culture Department Office, Santa Ynez, CA.

<sup>10</sup> Eva Pagaling, interviewed by Isabella Sullivan, November 6, 2025, Santa Ynez, CA.

<sup>11</sup> Nguyen, Cassandra J et al. “Framing an Indigenous Food Sovereignty Research Agenda.” *Health promotion practice* vol. 24,6 (2023): 1117-1123. doi:10.1177/15248399231190362

<https://pmc.ncbi.nlm.nih.gov/articles/PMC12097726/#:~:text=While%20physical%20health%20impacts%20are,supported%20by%20Indigenous%20food%20sovereignty?>

My brother and I, we don't like to waste a lot of things. So if we're catching or harvesting these animals that have shells like the giant keyhole limpets or mussels or clams, we use those a lot in our jewelry. So it's not just, eat 'em and throw away, discard the shell.

We'll make our money shells, our money beads, clam shells. We'll make abalone ornaments. And we try to stick with the traditional cuts instead of making different shapes and stuff. But yeah, we utilize everything that we bring back from the ocean, whether it's fertilizing the plants with the carcasses in our yard or cutting the jewelry, cutting abalone and clamshells for jewelry, or using them for gifts and trade. We don't just keep our abalone a lot, me and my brother. We go, "okay these ones we're gonna keep and cut with, and then these ones we're gonna gift with." Because we like to gift because that's just our way.<sup>12</sup>

Bobby Duran, who is S<sup>h</sup>amala Chumash, also spoke about how he harvests and uses ocean materials.

I like to go there [the coast] and I like to gather things that I could use for my medicine or people that need it. Like I said, I gather shells and I make necklaces for people or there's different grasses out there and sea kelp and stuff like this. I like to use a lot of that stuff for my cultural things. We also gather a lot of tar that comes out naturally on the ocean, and we use that in a lot of our crafts and stuff. And our art, we take the tar and mix it with pine pitch and it makes a nice hard glue and when you cook it with the pine pitch, it eliminates all those ethanols so it doesn't have a sticky or smelly residue like oil would.<sup>13</sup>

Relationality to the coast, and the plants and animals within it, is inseparable from Chumash culture and spirituality. Hannah Lent, who is S<sup>h</sup>amala Chumash as well as Mono Lake Paiute and Yokut, spoke about how the ocean is at the center of Chumash life.

I'm really thankful for where I come from and it's important to fight for where you come from. And I know a lot of Chumash people believe that in their soul. The ocean is so important to us whether you're here in Santa Ynez, in Santa Barbara, Ventura, Malibu, it's so important. And if that ocean wasn't there, if it was polluted for our people, our whole ecosystem would've collapsed. Our whole way of life would've collapsed. So it's so important for us to protect [the ocean]-- without it, we wouldn't be here. We literally wouldn't.<sup>14</sup>

Levi Zavalla described some of the many important Chumash traditions and spiritual beliefs centered around the ocean.

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<sup>12</sup> Zavalla, interview.

<sup>13</sup> Bobby Duran, interviewed by Isabella Sullivan, July 24, 2025, SYBCI Culture Department Office, Santa Ynez, CA.

<sup>14</sup> Hannah Lent, interviewed by Isabella Sullivan, July 25, 2025, SYBCI Culture Department Office, Santa Ynez, CA

One of the main dances that they said every woman should know was the šutiwiyiš dance. And that dance comes from the island and we still practice that dance today. And just a few people only hold that dance unfortunately but that ties us to the ocean. We also have dances for the cormorant. We have dances for the swordfish. Obviously, we still paddle our tomols to the island, we're still connected in that way.

And, we honor the ocean. We say the ocean is šuyuwačhiši, which just means, the ocean is of the spirit world. I thought that was beautiful seeing that.”<sup>15</sup>

We also heard that the ocean is an important source of healing for Chumash people, as Bobby Duran describes.

All those things [respecting the ocean] are like what our ancestors used to think about too. Maria used to say that the ocean is medicine. That was one of her things she used to say. And I remember being in my teenage years and feeling depressed and going out and just laying in the ocean, and getting out and feeling better.<sup>16</sup>

Bobby also talked about how reciprocal his relationship with the ocean is - how it provides healing to him, and at the same time he takes responsibility for the ocean’s wellbeing.

We sing songs. We talk to the ocean. We make sure that we go out there to have fun, but we’re going out there to heal ourselves ‘cause we struggle with whatever goes on with what life throws at us. We go out there to heal ourselves and we go out there to make sure the ocean’s doing good and we talk to the ocean and all of its animals and we make sure we’re giving back what it gives to us, in that sense.<sup>17</sup>

Improving ocean health in the waters within and surrounding the Mishopshno SMCA would support the essential Chumash cultural practices that are inextricable from peoples’ identity and contribute to their physical and mental wellbeing.

## Historic Abundance and Biodiversity Decline

Many of the interviewees described changes in the coast’s ecological condition that are informed by their deep relationship to the coast and the ocean through their own lived experiences and through their ancestors’ accounts. They explained the vastly different baselines between Indigenous ways of knowing and Western knowledge when it comes to the ocean’s health. These different baselines are because

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<sup>15</sup> Zavalla, interview.

<sup>16</sup> Duran, interview.

<sup>17</sup> Ibid.

traditional knowledge encompasses a drastically longer timescale than Western knowledge. The Chumash people we spoke with noted the significant and concerning decline of biodiversity in coastal and ocean ecosystems.

Bobby Duran recounted how coastal plant and animal populations have diminished from how his ancestor Maria Solares had described them.

We have our, like I said, our Maria stories and her accounts of how the ocean was not like how it is [now] how we see it. How they seen it, how her generation seen it, how they gathered and where they went to gather and stuff like that. Those spots aren't around anymore.<sup>18</sup>

Levi Zavalla shared in detail the changes he has seen at the beach over the course of his life.

When you go up the coast, 'cause that's the southern current, when you go up the coast in the north, you see a lot of these plants and animals still around, but just not as prevalent [near Santa Barbara]. And, that's just in my lifetime of going to the beach [near Santa Barbara] so much and just seeing all these tide pools and now you go to the same ones and they're basically empty now.

When I was a kid, we'd go on the piers in Santa Barbara, Goleta, Avita Pier and we would catch fish all day. And, I go now to the piers and you don't catch anything, even bait fish, so it's just the waters are overfished. There's too much population here that just go out and fish. And so it's, you see those, it's a big difference since I was a kid. And that's why we mainly fish up north in Vandenberg because there's not a lot of public out there. And you can still catch these fish that you wouldn't be able to just a little further south.<sup>19</sup>

Chumash elder Julie Tumamait-Stenslie, who has direct lineage to Mishopshno Village, also shared these concerns about the consequences of overharvesting.

The more people you have, the greater the taking. We used to go to Pismo Beach all the time. My dad would take us out there to get the Pismo Clams. And they regulated you. You could not get 'em under a certain size. Nobody's watching anymore and people are getting away with taking undersize everything. Again, that hurts the reproductive cycles. It doesn't give these animals a chance to just be them. And they all have a purpose there. They all have a reason for being just like we do.

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<sup>18</sup> Duran, interview.

<sup>19</sup> Zavalla, interview.

So it's the same thing. It's a greed, it's a misalignment of priorities. Is it just for your benefit? Or is the benefit for what we say seven generations ahead? Most people don't like hearing that.<sup>20</sup>

Eva Pagaling also spoke to the ways declining marine populations have affected her family's gathering and harvesting abilities, as well as the increase in boat traffic near Santa Barbara.

When we have tomol practice, I definitely noticed from when I was younger to now, just the amount of people that are out at the harbor and the amount of traffic that's coming in and out has increased a lot. I'd say also whenever my dad would go gather mussels, the areas that he would go gather, started slimming over time. It seemed like he could pull off anywhere and go gather mussels. And now it's down to maybe one or two spots that he goes to in particular, like pretty regularly.<sup>21</sup>

Sofia Mata, who is S<sup>h</sup>amala Chumash, had similar sentiments about the way she's seen changes in the ocean.

From the stories that I used to hear from my grandparents, they'd be talking about certain things that would happen that I never really got the chance to see, like certain stories where they would go fishing and they would see a certain amount of fish and then I'm going to the same area and I don't see the same things. So like another example would be, growing up I remember I would – every time I would go to the beach – I would see dolphins, you'd see a pod of dolphins. And it's so rare for me to go see them now... And now all there are is boats, a lot of fishing boats. So many fishing boats. And then a lot of 'em are recreation, so people just going out and just driving around out there.<sup>22</sup>

## The Necessity of Tribal Management

The millenia-long relationship between Chumash people and the Central Coast means that, for many Chumash, they themselves are an integral part of the ecosystem. Chumash people were a part of a thriving and abundant ecological community for many thousands of years prior to settler colonialism. The Chumash connection to the ocean is largely relational, rather than extractive or primarily commercial. This interdependency of the coast, ocean, and Chumash peoples underscores not only how important the ocean is to Chumash identity but also to how important Chumash people are to a thriving ocean.

Sofia Mata explained,

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<sup>20</sup> Julie Tumamait-Stenslie, interviewed by Isabella Sullivan, August 17, 2025, Carpinteria, CA.

<sup>21</sup> Pagaling, interview.

<sup>22</sup> Sofia Mata, interviewed by Isabella Sullivan, July 24, 2025, SYBCI Culture Department Office, Santa Ynez, CA.

The way I viewed our people, I viewed them as a part of the ecosystem. So once you take away us, or once you remove us out of the ecosystem, I think everything shifts then. Because removing us as stewards of the land or even just a part of the ecosystem itself, then everything shifts and then it's almost impossible to get back to where it was before if we aren't allowed to be in that same position that we were in before.<sup>23</sup>

Hannah Lent made a similar point.

It's like a string, you pull it and it all comes together. And it's all connected. And if you remove one part, it's gonna mess up everything. And the Chumash people are a part of that. We're not outside looking in on this, this whole ecosystem. We were ingrained in it and it won't flourish unless we're actively engaging. And I say specifically Chumash people because we know. We know.<sup>24</sup>

Eva Pagaling also touched on the stewardship values and responsibilities that she learned from her relatives.

We've always been told that it's our job to take care of the ocean. Ever since we were little, especially around the canoe. That's our job. We need to go out and take care. Then being around different community members and seeing what certain aunties do when they're gathering seaweed. And then what other aunties do conversely, on the terrestrial counterpart when they're on the land gathering and how they apply those same values and practices when we are gathering and caretaking.<sup>25</sup>

Protecting and restoring important ecological and cultural resources requires Indigenous knowledge and stewardship. Many of the interviewees described the Chumash concept of not taking more than one needs, and specific cultural protocol around subsistence. Bobby described how Chumash peoples had their own ways and rules to make sure they weren't taking too much fish, and how that information can help them effectively steward their own territories today. He also explained how ocean protection efforts should never exclude the Indigenous peoples and Tribes whose territory it is.

All that stuff [stories from ancestor Maria] from when I was a kid made sense, about respecting the ocean and taking stuff that you might not want it to take or, you taking things from the ocean, how you take 'em, when you take them, 'cause even though there's these laws that we have now, we still had those kind of laws back in the day. Like when you should go get things or how you should go about getting them, or if you took too

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<sup>23</sup> Mata, interview.

<sup>24</sup> Lent, interview.

<sup>25</sup> Pagaling, interview.

much, or did you overfish? Did you take too much fish last time? Or even though you just caught maybe two or three fish, like maybe that was too much.

All those things are what our ancestors used to think about too. Maria used to say that the ocean is medicine. That was one of her things she used to say...

A lot of times what happens to Native Americans is they do get invited to these discussions and boards, but then they're still left out of whatever they're talking about. It's just like checking a box, oh they're checking a box, "yep, we have 'em here, we did our part" kind of thing, but I don't know. I think that, as the original stewards of the land, we should be taking over those kinds of things... It's nice talking about [this] because I love the ocean and I wanna see it protected. But I wanna also see involvement with our people. And, when you protect something, I don't want our people to feel like they're excluded from the protection. So it's like I said earlier, we, I, use the ocean for healing. If I wanted to go to an area like a protected area, I would like to use it as the symbiotic relationship that sanctuaries are trying to create. And as Chumash people we are part of that. All of that together. And our presence there is probably needed.<sup>26</sup>

Sofia Mata had similar sentiments about Chumash fishing and harvesting protocols, and how that same respect and vigilance would be carried through into marine stewardship today.

I also know that we were cautious about fishing. We didn't overfish. We were very responsible in that sense. And we were respectful of our surroundings and everything that we were doing... Because a lot of it has to do with the ocean, keeping track of fishing. We were cautious about our fishing, we were cautious about the sea mammals that we would take.

I would love to have our people regain stewardship. To be given the access to go to these areas, to hunt, to harvest... I feel, in a way it [the lack of authority in managing ancestral territories] is demeaning because it feels like someone's telling me that I don't have enough respect for our people's traditions and that we're just gonna go and take and not be responsible about it. Having that access to go back and to help with fires, help with restoring plants, help with removing invasive plants. Just being able to talk about or have an inserted opinion when it comes to overfishing.<sup>27</sup>

Recognizing the intrinsic need for Tribally-led management and Indigenous stewardship of ocean resources, the Mishopshno SMCA petition calls for Tribal co-management and continued

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<sup>26</sup> Duran, interview.

<sup>27</sup> Mata, interview.

access to the shoreline and marine resources for traditional, ceremonial, cultural, and subsistence purposes for all Chumash people.

## Visions for the Future

While understanding that a formal co-management plan between Tribes and the state of California would not be created until after designation, the Chumash people we interviewed expressed what they hoped the Mishopshno SMCA would achieve, as well as broader dreams for the future of Tribally led marine conservation and stewardship.

Levi talked about the opportunity the Mishopshno SMCA proposal holds for revitalizing a special area of the South Coast.

These areas need to heal themselves. They need to revive themselves and that's where the co-management comes in, where we can go help 'em. A lot of our areas on the coast, like I said, are bare. And if this [the MPA designation] goes through and we get this area where we can protect it and, say 20 years down the line what it could potentially be then?<sup>28</sup>

Hannah Lent also described a similar vision for the future.

When you feel something like that and you have something like that, it needs to be preserved. And I was reading something and it talks about how all the flora and fauna and everything there that used to be there is gone. So the way it [the area proposed for protection] looks right now isn't true, isn't correct. And we have the ability right now to correct something that's wrong. Whether that's in the ocean or on the shore, whatever it is, there's an ability to make it what it once was.

It [the coast before colonization] is amazing. I can only think about it, in my mind and picture what I believe what it once looked like, but it deserves that respect and it deserves its recognition. We have the ability to protect it.<sup>29</sup>

Sofia Mata tied the ability to protect these places and animals to Chumash identity and experience.

The animals that have been here should have a right to remain here....they shouldn't have to fight for the area that they're inhabiting....They should be protected. It's hard to say because, our people, we weren't protected like that. So if we can have the opportunity to

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<sup>28</sup>Zavalla, interview.

<sup>29</sup>Lent, interview.

in turn do that for something else that we couldn't do for ourselves, we're gonna advocate for that.<sup>30</sup>

Julie Tumamait-Stenslie had similar thoughts.

So to protect the waters, definitely, our stories connect us to the life that's in the water, that sacred water that we see and that we're in, keeping it clean for those relatives who live in that water, who migrate back and forth, and perhaps even at some point that may spread into the land. People are starting to get it.

Emma Lombardi, who is S<sup>h</sup>amala Chumash, described how she wants to see any part of their ancestral territory protected if there is an opportunity to do so.

It [the area proposed for protection] is near and dear to our heart. So no matter how far we are from it [currently], we still had some connection no matter what. If we're able to protect any part of our land, then I want to be part of that.<sup>31</sup>

Eva Pagaling founded a non profit called Ocean Origins for the purpose of providing training and resources to build up Indigenous capacity to carry out marine stewardship and management responsibilities. She discusses the ways in which her community is not only ready, but deeply excited, for a prospective Mishopshno SMCA designation.

Really it's all about being able to reconnect to the places that we know we're meant to be taking care of. Without our relationship to those places, a lot of who we are can get lost, or just be asleep.

For us to be able to have that – be who we are, we need to have that connection and develop that relationship with those areas and take care of them in the ways that they're meant to be taken care of. I hope that if it does get approved, we can go back there and start helping and start teaching. I would see it as a teaching place. We're ready as a community to be able to manage that area and we have the understanding that as our culture evolves, the tools and the methodologies that we need to use to be able to keep up with the times. We have access to those now as well. And we have a lot of young people who are eager to help, who are ready, who are able, who are just chomping at the bit to be, to be home with each other, to be helping and to be in a space where we can be ourselves. Yeah, we're just, we're good to go!

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<sup>30</sup> Sofia Mata, interviewed by Isabella Sullivan, July 24, 2025, SYBCI Culture Department Office, Santa Ynez, CA.

<sup>31</sup> Emma Lombardi, interviewed by Isabella Sullivan, July 25, 2025, SYBCI Culture Department Office, Santa Ynez, CA.

The co-sponsors are hopeful that designation of the Mishopshno SMCA would help to advance Tribal co-management and stewardship of the region's coastal and marine resources. Designation of the Mishopshno SMCA would honor the cultural and historical significance of the area for Chumash people and would aim to revitalize the area's biodiversity to historical levels that are detailed in traditional knowledge.

Thank you for your consideration.

Sincerely,

Isabella Sullivan  
Next Wave Oceans Fellow, Nature  
Natural Resources Defense Council

Sandy Aylesworth  
Director, Pacific Initiative, Nature  
Natural Resources Defense Council

Margaret Brown  
Senior Director, Equity and Community Partnerships, Nature  
Natural Resources Defense Council

**From:** Callaway, Jenny <[REDACTED]>  
**Sent:** Friday, January 23, 2026 5:52 PM  
**To:** FGC <FGC@fgc.ca.gov>  
**Cc:** Trimmer, Shane <[REDACTED]>  
**Subject:** RE: Letter from Congressman Jared Huffman re EAC petition for Duxbury Reef

Hello,

Attached please find a letter from Congressman Jared Huffman regarding the EAC petition regarding Duxbury Reef. Please confirm receipt.

Best,  
Jenny



**Jenny Callaway (she/her)**  
Senior Advisor & Director of  
Community Initiatives  
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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0502**

COMMITTEE ON  
NATURAL RESOURCES

WATER, WILDLIFE, AND FISHERIES – RANKING MEMBER

ENERGY AND MINERAL RESOURCES

COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE

HIGHWAYS AND TRANSIT

WATER RESOURCES AND ENVIRONMENT

RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,  
AND EMERGENCY MANAGEMENT

January 26, 2026

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 modify my letter of support for EAC's petition to designate Duxbury Reef as a State Marine Reserve to a position of neutrality.

My letter of support was based on representation of broad local community support which is not present. I am encouraging everyone to keep working toward a consensus solution.

Sincerely,



**JARED HUFFMAN**  
Member of Congress

**From:** Erica Smith <[REDACTED]>  
**Sent:** Wednesday, January 21, 2026 12:50 PM  
**To:** FGC <FGC@fgc.ca.gov>  
**Cc:** Sophie Helpard <[REDACTED]>  
**Subject:** Withdrawal of Support for Petition Regarding Duxbury Reef SMCA

Hello Executive Director Henson,

Please see attached.

Thank you,

Erica

**ERICA SMITH**

---

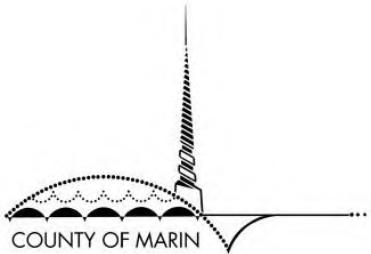
Senior Legislative Aide

**Shaw Yoder Antwhi Schmelzer & Lange**

[1415 L Street, Suite 1000, Sacramento, CA 95814](http://1415LStreet.com)

[REDACTED]

[REDACTED]



Marin County Civic Center  
3501 Civic Center Drive  
Suite 329  
San Rafael, CA 94903  
415 473 7331 T  
415 473 3645 F  
415 473 6172 TTY  
[Dennis.Rodoni@marincounty.gov](mailto:Dennis.Rodoni@marincounty.gov)  
[MarinCounty.gov/board](http://MarinCounty.gov/board)

January 15, 2026

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

**Re: Withdrawal of Support for Petition Regarding Duxbury Reef SMCA**

Dear President Zavaleta and Commissioners,

I am writing to formally withdraw my prior support for the Environmental Action Committee of West Marin's (EAC) petition requesting changes to the Marine Protected Area (MPA) designation at Duxbury Reef State Marine Conservation Area (SMCA), from my November 21, 2023 letter.

My prior support in 2023 was based on the petition's goal of improving clarity, consistency, and protection for a valued and sensitive marine environment. At the time my office was presented with 150 signatures of support, including from the local fishing community. The petition appeared to reflect broad and diverse community backing.

In the past year, I've heard from many other members of the West Marin community who are opposed to EAC's position and were unaware of the petition until well after its submission. They have shared their perspective that a more inclusive, community-informed approach is needed in shaping the future of Duxbury Reef – one that is rooted in long-standing connections to the reef.

Today, the Bolinas community is largely united in its opposition to the petition and their concern about being left out any public conversation prior to its submission. I hear my constituents clearly. They want an opportunity to be meaningfully engaged in shaping the future of Duxbury Reef, and deliberating this matter at the Fish and Game Commission level is simply too far along in the process.

I am respectfully asking for Commissioners to set aside, or withdraw, the petition. I request that Commissioners instead focus on creating an opportunity for meaningful community engagement and feedback – outside of a regulatory rulemaking context – to help develop a collective vision that reflects the local cultural, ecological, and recreational importance of Duxbury Reef.

The Bolinas community would be willing to come together for a constructive, respectful dialogue about the challenges facing the reef, especially those whose lives, work, and traditions are deeply linked to this coastline.

This is an opportunity for collaboration and for the community to work together toward shared stewardship of a place they deeply value.

I urge the Commission to set aside, or withdraw the petition, and allow the community to develop a broad community vision for stewardship of the Duxbury Reef.

Sincerely,

A handwritten signature in blue ink that reads "Dennis J. Rodoni".

Dennis Rodoni

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)  
Cc: saveduxburyaccess@gmail.com

Date: Jan 28, 2026

RE: Opposition to Duxbury Reef Petition no. 2023-32

Dear Fish and Game Commissioners,

I am writing on behalf of the Bolinas Stinson Unified School District to formally request that the Fish and Game Commission reject Duxbury Reef Petition no. 2023-32 regarding the proposed expansion and redesignation of the Duxbury Reef State Marine Conservation Area (SMCA) into a restrictive no-take State Marine Reserve (SMR).

In education, we are guided by the principle of educating students in the **least restrictive environment**—that is, within their community and alongside their peers. When a student needs significant support, we do not impose the most restrictive placement simply because it might address one aspect of the problem. Instead, we tailor solutions to the actual need while minimizing harm to the student's overall learning and social-emotional development. For example, we would not place a student with severe dyslexia in a residential program away from their peers solely because they might learn to read there, without regard to the broader consequences. We define the problem carefully and solve it with the least disruption possible.

Duxbury Reef Petition No. 2023-32 takes the opposite approach. It broadly restricts many unrelated activities on the reef in an attempt to address a problem that could be managed through more targeted, less restrictive, and more effective measures. In my profession, this kind of overbroad and uncaring response would be recognized for what it is: malpractice.

Additionally, this petition was crafted without necessary input from educational stakeholders and, if approved, would severely hamper critical experiential learning opportunities in our community.

- **Impacts to Experiential Learning and Student Access**

Our programs rely on the specific, safe, and accessible coastal habitats located in the proposed area to conduct tidepool studies. Bolinas-Stinson students and faculty have a long history of formal (and informal) study and conservation work in our local coastal biomes and microhabitats; Duxbury Reef is one of the most important. The proposed restrictions would create significant barriers to, or outright prohibit, these essential field activities. Experiential learning is crucial for cultivating the next generation of environmental stewards, and denying student access to these "living laboratories" contradicts the very goals of ocean conservation and education.

- **Missing Input from Educators and Stakeholders**

We are concerned that the development of this petition occurred without adequate consultation with local educators, school districts, and community-based education programs. While we support sustainable management, an effective MPA must balance conservation goals with human interaction, particularly education and research. The lack of outreach to educators suggests an incomplete assessment of the socio-economic and educational impacts of this proposal.

We urge the Commission to reject this petition and instead encourage a more comprehensive, stakeholder-driven approach that includes the perspectives of local education leaders. We are willing to collaborate on management strategies that protect marine life while allowing for sustainable educational access. Thank you for your time, consideration, and dedication to our coastal resources.

Sincerely,

Leo Kostelnik  
Superintendent  
Bolinas Stinson Unified School District  


From: Roberts, Jeff <[REDACTED]>  
Sent: Friday, January 9, 2026 12:24 PM  
To: FGC <FGC@fgc.ca.gov>  
Subject: Duxbury Reef Marine Protected Area petition #2023-32MPA

To: California Fish and Game Commission

President Zavaleta and Committee Members

Hello -

I am writing today in support of the proposed petition submitted by the Environmental Action Committee of West Marin to reclassify Duxbury Reef and to expand the area of protection.

The attached letter explains this in more detail, but as a professor of biology and marine biology who annually brings students to this unique ecosystem, I have seen first-hand the changes in the reef over the past few years, changes which are having and overall negative impact on the health of this system. Enhanced protection for the species which use the reef, including a change to make it so no species can be removed from the area, will help reduce this damage and give the system a chance to recover. Expanding the area of protection will further help the reef ecosystem stabilize and recover from disturbances, both natural and man-made.

As part of the California plan to expand areas of protection (part of the posted 2030 goals), now is a good time to enact these changes and provide the needed protection to this important marine ecosystem.

I hope the committee will vote to support these protective measures.

Please do not hesitate to email if you have any questions.

Thank you for your time and consideration.

Jeff Roberts

Jeffrey Roberts, PhD

Department of Biology

Sierra College

[jroberts17@sierracollege.edu](mailto:jroberts17@sierracollege.edu)

Jeffrey Roberts, Ph.D.  
Department of Biology  
Sierra College  
5100 Sierra College Blvd  
Rocklin, CA 95677  
email: jroberts17@sierracollege.edu

via email (fgc@fgc.ca.gov)

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**

29 December 2025

Dear President Zavaleta and Honorable Commissioners,

I am writing in support of the petition submitted by the Environmental Action Committee of West Marin (“EAC”): (i) to reclassify the Duxbury Reef Marine Protected Area as a State Marine Reserve; (ii) to extend its southern boundary to the southerly tip of Duxbury Reef; and, (iii) to extend the northern boundary from the outfall of Hondo Arroyo to Double Point. I believe that to preserve the ecosystem of Duxbury Reef for the education and enjoyment of current and future generations it is important to expand the area of protection and to enact regulation to help minimize the negative impacts of visitors to Duxbury Reef’s intertidal habitat. Furthermore, the reclassification of the Duxbury Reef Marine Protected Area as a Marine Reserve and the expansion of its boundaries could be a model for marine protection zones as part of California’s 2030 goals.

As a biology professor at Sierra College, one of my focuses in class is the impact people are having on our natural resources and the steps we can take to mitigate the damage. As an instructor at three Sacramento-area colleges (which also includes American River College and Yuba College) I interact with students from a wide range and backgrounds and experiences. And in most classes, I find that students are interested in doing what is best for the ecology of California and surrounding area. This is even more pronounced in my marine biology classes, where we spend time on the California coast studying different ecosystems and their species diversity. For the past few years, I have been bringing students to Duxbury (based on the suggestion of other instructors who have also brought field classes to the reef in the past), and my students have had the opportunity to experience the unique ecosystem that it is. But even in that short amount of time, we have noticed changes to the landscape, many due to human impact and neglect. Through discussions with people associated with Duxbury and other faculty who have been there, we have realized the need for more awareness and protection of this important system.

One of the reasons we visit Duxbury Reef is because it is a very accessible rocky intertidal area for marine field studies and the diversity of species which inhabit the reef system. Although I have not spoken to instructors from other schools, I suspect that is also true for any other groups coming from Marin County and beyond, including the Bay Area and Sacramento

Valley – there are just no other accessible areas like Duxbury for access and study in the immediate areas. Other coastal access points (such as Fort Ross or Bodega Bay) lack either the species diversity or ease of accessibility. Although care must still be taken, I have not been forced to exclude students from activities at Duxbury due to accessibility or environmental challenges, which means every student leaves the reef with a positive experience and a better understanding in the role as members of the greater ecosystem.

As important to the effectiveness of our field studies, Duxbury contains significantly more micro-habitats than the other intertidal areas within driving distance of our college and, therefore, a exposure students have to a broader spectrum of species and more complexity of environmental habitats. There is no doubt for me as an instructor that Duxbury Reef is a unique natural resource and an irreplaceable learning environment.

I have not had the extended time to monitor and study the species diversity at the reef that others have. I know that you have received documentation from other instructors (e.g., Professor James Sikes from the University of San Francisco) that provides detailed information on the ecosystem structure of Duxbury and species diversity. However, as an ecologist who has been making observations for several years, I have observed that in intertidal areas that are Marine Reserves (where no extractive activity permitted), when compared to Marine Conservation Areas (including at Duxbury) where some extractive activity is permitted, there is far more voluntary compliance by casual visitors with posted “no-take” rules, and overall better respect for the ecosystem and all species (including plant and animal). It is near impossible to get 100% public compliance, but with changes in designation and clarity of “rules of use”, there is an increase in the amount of protection provided for all species (invertebrates, vertebrates and plants) in an area where there is a simple “no-take” rule in place.

The intertidal areas encompassed by both the Southern and Northern Reef extensions are in a relatively pristine state, with higher biodiversity, compared to the more visited areas within the current Duxbury Conservation Area. In addition, the ecosystems within the proposed expansion areas contain diverse microhabitats - some not present within the current Duxbury MPA. It is possible (and likely) that expansion and redesignation will increase the number of visitors to Duxbury, but the net effect should be a reduction in impact to the ecosystem and species. As currently constructed, it is easy for people to claim they collected organisms outside of the Duxbury Marine Protection Area from Agate Beach parking area (the only reasonable access point to the entire zone). Expansion of the protected areas means all accessible habitats from Agate Beach are under protection, and therefore no species can be removed.

Designating the entirety of Duxbury Reef as a Marine Reserve, as well as the inclusion of both boundary extensions, provides this ecosystem with the protection it needs. And making these changes would not only be a “win” for the species found there, but also for the intertidal and marine ecosystem of Marin Count and all of California.

Thank you for your consideration.

Sincerely,

Jeffrey Roberts, Ph.D.

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)  
Cc: [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)

Date: January 28, 2026



RE: Opposition to Duxbury Reef Petition no. 2023-32

Dear Fish and Game Commissioners,

We are writing on behalf of the Bolinas Community in conjunction with Marin County Supervisor Dennis Rodoni to urge you to reject the Duxbury Reef MPA Petition no.2023-32 from consideration so our community can start again, outside of a regulatory rulemaking context, to identify and assess the challenges facing Duxbury Reef. This time will allow us to incorporate the most comprehensive scientific datasets available through the [UC Santa Cruz Long-Term Intertidal Monitoring](#), the long awaited College of Marin Bolinas Field Station intertidal studies, traditional ecological knowledge of community stakeholders, and the valuable perspectives of educational partners throughout the Bay Area who utilize the reef to inspire a love of our natural world. Starting fresh will also provide time to examine the socioeconomic impacts facing our vulnerable coastal community, with specific focus on subsistence harvesters who rely on the reef to provide nutritious food for their families. We look forward to collaborating amongst agencies to develop a cohesive and inclusive management plan for Agate Beach that can clearly communicate tidepool best practices through improved signage, educational outreach, and community driven stewardship that celebrates the long-standing sustainable fishing traditions in Bolinas. A fresh start will ensure that we maintain compliance in the following key laws and policies:

- **California Constitution, Article 1, Section 25:** This provision establishes a constitutional right for people to fish on public lands and in state waters. While the Legislature can regulate the *conditions and seasons* for fishing, the right itself is a "protected interest" that cannot be easily eliminated. Arbitrary restrictions without scientific basis could be seen as an unconstitutional infringement of this right.
- **California Coastal Act:** The Act contains several provisions relevant to this issue:
  - **Maximizing public access:** The Act mandates maximizing public access and recreational opportunities in the coastal zone, consistent with resource conservation principles. Eliminating access for specific communities could violate this goal.
  - **Social and economic needs:** The Act requires the balanced utilization and conservation of coastal resources, taking into account the "social and economic needs of the people of the state". Fishing is a vital source of food and income for

some low-income and marginalized communities, and an action that ignores these needs without justification would undermine this provision.

- Environmental Justice (EJ) Policy: The California Coastal Commission adopted an EJ Policy in 2019 to address systemic inequities and promote community-led decision-making. Actions that disproportionately harm marginalized communities and exclude them from the policymaking process would violate the spirit and potentially the letter of this policy.
- **California Marine Life Management Act (MLMA)**: The MLMA requires specific objectives for recognizing the interests and impacts on coastal fishing communities when managing fisheries. Decisions must be guided by the MLMA's master plan, which includes meeting socioeconomic objectives for fishery participants.
- **California Fish and Game Commission Policies**:
  - Policy on Coastal Fishing Communities: Adopted in February 2024, this policy formalizes how the Commission engages with fishing communities and incorporates their needs into decision-making.
  - Policy on Justice, Equity, Diversity, and Inclusion: This 2022 policy recognizes environmental justice as essential to addressing historic and current inequities and ensuring equitable access to environmental benefits.

We strongly recommend that the Commission reject petition no. 2023-32, enabling our community to develop a meaningful and enduring vision for science and stakeholder informed stewardship of Duxbury Reef. This creates an opportunity to combine our efforts to ensure the continued health and protection of this cherished place we all deeply love. Thank you for your time and consideration.

Sincerely,

Save Duxbury Access, on behalf of the Bolinas Community

*“Save Duxbury Access” is a grassroots group of locals who believe in protecting Duxbury 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.”*

# Save Duxbury Access

## Index of Attachments for Opposition to MPA Petition no.2023-32



### Withdraw of Support for MPA Petition no.2023-32:

- Marin County Supervisor Dennis Rodoni
- Bolinas Commercial Fisherman Josh Churchman
- Bolinas Sport Fisherman Jeff Clapp

### Additional Opposition to MPA Petition no.2023-32:

- Coast Miwok: Andrew Rocca
- Subsistence Harvesters
- Bolinas-Stinson Union School District Superintendent: Leo Kostelnik
- Bolinas-Stinson Union School District Teacher: Anna Tosich
- Bolinas Outdoor Education Coordinator: Meadow Evans
- Bolinas Marine Biology Scientist: David Ainley
- Bay Area Commercial Fishing Fleet
- Community Signatures: 171 new additional “wet” signatures

### Supplemental Materials:

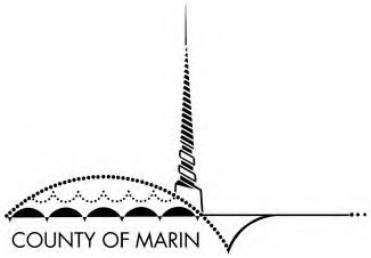
- Analysis of EAC Data Summary
- Petition Questions to Consider
- Key Points from 11/6/25 MRC Meeting Statement by EAC
- Notated Transcript from 11/6/25 MRC Meeting Statement by EAC
- Petition Impacts and Alternative Remedies
- Marin County Wealth Disparity and Food Insecurity Overview
- What is “Poaching”?
- Online Mixed Messages documentation
- Fishermen Testimonials re Docent Interactions

### Recent Press:

Point Reyes Light : “EAC loses key support for fishing ban” by Sophia Grace Carter 1/21/26

### Research:

- “Drift logs destroying intertidal ecosystems: research” by University of Victoria 11/13/25
- “Biodiversity Consequences of Replacing Animal Protein From Capture Fisheries With Animal Protein From Agriculture” by Amanda Lim 1/21/26
- “The next wave of U.S. ocean conservation: Creating marine protected areas with community input” by Jenna Sullivan-Stack 6/8/22



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415 473 6172 TTY  
[Dennis.Rodoni@marincounty.gov](mailto:Dennis.Rodoni@marincounty.gov)  
[MarinCounty.gov/board](http://MarinCounty.gov/board)

January 15, 2026

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

**Re: Withdrawal of Support for Petition Regarding Duxbury Reef SMCA**

Dear President Zavaleta and Commissioners,

I am writing to formally withdraw my prior support for the Environmental Action Committee of West Marin's (EAC) petition requesting changes to the Marine Protected Area (MPA) designation at Duxbury Reef State Marine Conservation Area (SMCA), from my November 21, 2023 letter.

My prior support in 2023 was based on the petition's goal of improving clarity, consistency, and protection for a valued and sensitive marine environment. At the time my office was presented with 150 signatures of support, including from the local fishing community. The petition appeared to reflect broad and diverse community backing.

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Today, the Bolinas community is largely united in its opposition to the petition and their concern about being left out any public conversation prior to its submission. I hear my constituents clearly. They want an opportunity to be meaningfully engaged in shaping the future of Duxbury Reef, and deliberating this matter at the Fish and Game Commission level is simply too far along in the process.

I am respectfully asking for Commissioners to set aside, or withdraw, the petition. I request that Commissioners instead focus on creating an opportunity for meaningful community engagement and feedback – outside of a regulatory rulemaking context – to help develop a collective vision that reflects the local cultural, ecological, and recreational importance of Duxbury Reef.

The Bolinas community would be willing to come together for a constructive, respectful dialogue about the challenges facing the reef, especially those whose lives, work, and traditions are deeply linked to this coastline.

This is an opportunity for collaboration and for the community to work together toward shared stewardship of a place they deeply value.

I urge the Commission to set aside, or withdraw the petition, and allow the community to develop a broad community vision for stewardship of the Duxbury Reef.

Sincerely,

A handwritten signature in blue ink that reads "Dennis J. Rodoni".

Dennis Rodoni

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

Date: 12/20/25

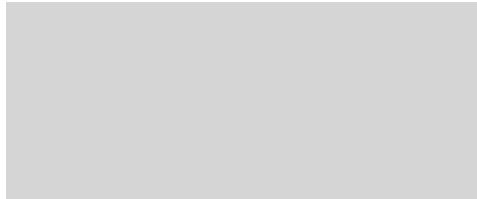
Dear California Fish and Game Commissioners,

This is a formal request to withdrawal my letter of endorsement 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 endorsement was gathered in bad faith by the petitioning group 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,

  
Josh Churchman



(Please include full name, residence, and "wet" signature)

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

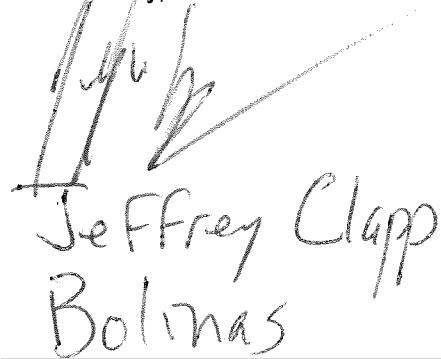
Date: 1/26/26

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Sincerely,



Jeffrey Clapp  
Bolinas

(Please include full name, residence, and "wet" signature)

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) to expand and reclassify Duxbury Reef 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 as a direct Coast Miwok descendant to strongly oppose the MPA Petition 2023-32MPA to change the Duxbury Reef SMCA into a highly restrictive no-take Reserve and to expand it to the full rocky reef coastline in Bolinas. This would ban low impact traditional hook and line reef fishing in a significant portion of our ancestral territory of Marin County, an area that has more restrictive fishing regulations compared to other parts of California. For instance, 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. While I support regulations that protect our environment, it's important to remember that vulnerable people also need to be protected. We need balance.

My family recently lost its boat mooring on Tomales Bay when the Tomales Bay Vessel Management Plan (TBVMP) went into effect. This plan aimed to balance recreation with habitat protection but did not include protections for subsistence anglers who cannot afford the annual rent, insurance, mandatory annual inspections, contractor fees, etc required to participate in the new program. When we restrict fishing access for marginalized people and small coastal communities, we restrict the ability to be sustainable and self reliant. This needs to be considered when making (and changing) policies. For millenia, the Coast Miwok people have lived, tended, and stewarded these coastal waters. Our connection to the ocean is inseparable from our culture, identity, and ability to sustain ourselves. My opposition to this MPA petition is based on the following:

- Coastal Access: Restricting traditional, subsistence-based fishing practices infringes upon our constitutional rights and disrupts the generational transfer of knowledge.
- Cultural Sustainability: The health of the land and the people are tied together. Forcing a ban on traditional methods disregards our role as stewards of these ecosystems.
- Minimal Impact: Shorebased traditional hook and line fishing is highly selective and has a negligible impact on fish stocks.

I urge the Fish and Game Commission to reject the MPA petition (2023-32) in its entirety, preserving the current boundaries and status at Duxbury Reef, because there has been no scientific based rationale presented that necessitates a change to the current MPA. We should instead focus on improving signage and education 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.

Sincerely,

Andy Rocca  
Marshall, California

A handwritten signature in black ink that reads "Andy Rocca". The signature is fluid and cursive, with "Andy" on the left and "Rocca" on the right, separated by a small gap.

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)  
Cc: saveduxburyaccess@gmail.com

RE: Opposition to Duxbury Reef Petition no. 2023-32 - Impact on Subsistence Harvesting

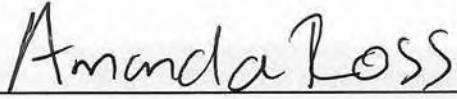
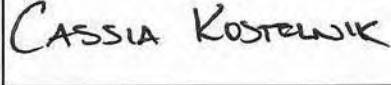
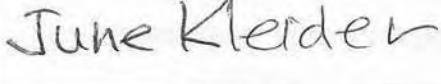
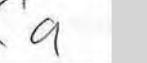
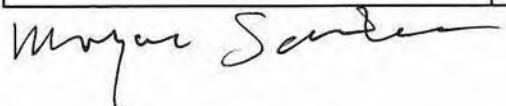
Dear Fish and Game Commissioners,

We, the undersigned, support local subsistence gatherers, fishers, kelp & shellfish harvesters, whose families rely on the renewable resources along the Marin County coastline for their way of life. We are writing to formally express our strong opposition to Petition no. 2023-32 regarding the proposed expansion and redesignation of the Duxbury Reef State Marine Conservation Area (SMCA) into a restrictive no-take State Marine Reserve (SMR). While we support the long-term health of our marine ecosystems, this proposed expansion relies on a top-down approach that lacks scientific justification regarding the benefits of restricting local access. Our community has maintained a deep cultural, spiritual, and nutritional connection to these coastal waters for generations. We practice lawful and responsible stewardship harvesting kelp, mussels, clams, and fish in a manner that ensures these resources remain available for the future. The proposed expansion areas are critical for our food security and cultural survival.

Our opposition is based on the following critical points:

- Excessive Existing Closures: Marin County is already heavily restricted. The high percentage of existing MPAs, Special Closures, fishing restrictions, and prohibitive access has severely limited the locations where we can responsibly harvest. Further closures leave no space for sustainable, traditional harvesting.
- Sustainability of Traditional Harvesting: Our legal and responsible harvesting of kelp and shellfish is done by hand, at small scales, and is sustainable. We understand the health of the ocean better than most because our lives depend on it.
- Lack of Justification: There is a lack of localized, robust scientific evidence that such an expansion is necessary. The proposed expansion threatens to turn areas with thriving, healthy ecosystems into closed zones, disproportionately impacting local users.
- Cultural and Nutritional Loss: These areas are not just recreational spots; they are essential for subsistence. Restricting access prevents us from feeding our families and practicing our cultural traditions.

We believe in protecting the ocean, but this must be done by working with, not against, the people who know it best. Restricting our access to this area threatens our cultural identity. We urge the Commission to reject the petition to expand and redesignate the Duxbury Reef SMCA and to instead work with our community to ensure our rights to subsistence harvest are protected.

<u>Signature:</u>	<u>Residence:</u>
	BOLINAS 
	 Bolinas CA 
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	 Bolinas CA 
	 Bolinas, CA 
	 Bolinas CA 

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)  
Cc: saveduxburyaccess@gmail.com

RE: Opposition to Duxbury Reef Petition no. 2023-32 - Impact on Subsistence Harvesting

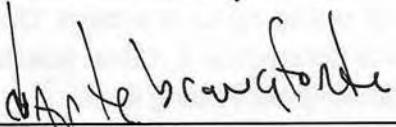
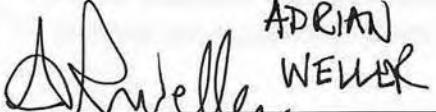
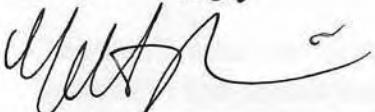
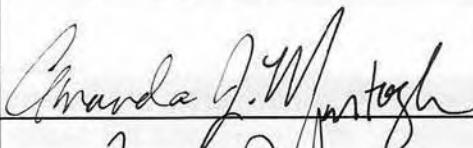
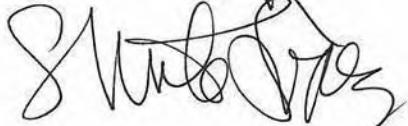
Dear Fish and Game Commissioners,

We, the undersigned, support local subsistence gatherers, fishers, kelp & shellfish harvesters, whose families rely on the renewable resources along the Marin County coastline for their way of life. We are writing to formally express our strong opposition to Petition no. 2023-32 regarding the proposed expansion and redesignation of the Duxbury Reef State Marine Conservation Area (SMCA) into a restrictive no-take State Marine Reserve (SMR). While we support the long-term health of our marine ecosystems, this proposed expansion relies on a top-down approach that lacks scientific justification regarding the benefits of restricting local access. Our community has maintained a deep cultural, spiritual, and nutritional connection to these coastal waters for generations. We practice lawful and responsible stewardship harvesting kelp, mussels, clams, and fish in a manner that ensures these resources remain available for the future. The proposed expansion areas are critical for our food security and cultural survival.

Our opposition is based on the following critical points:

- Excessive Existing Closures: Marin County is already heavily restricted. The high percentage of existing MPAs, Special Closures, fishing restrictions, and prohibitive access has severely limited the locations where we can responsibly harvest. Further closures leave no space for sustainable, traditional harvesting.
- Sustainability of Traditional Harvesting: Our legal and responsible harvesting of kelp and shellfish is done by hand, at small scales, and is sustainable. We understand the health of the ocean better than most because our lives depend on it.
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- Cultural and Nutritional Loss: These areas are not just recreational spots; they are essential for subsistence. Restricting access prevents us from feeding our families and practicing our cultural traditions.

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<u>Signature:</u>	<u>Residence:</u>
	Bolinas, CA
Sage Storm	
Kim Brantfort	Oakland CA
	Oakland CA
	BOLINAS CA
	Woodacre CA
	Fairfax, CA
	Bolinas CA
	BOLINAS
	Bolinas CA
	Bolinas CA
	Bolinas, CA

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)  
Cc: [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)

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<u>Signature:</u>	<u>Residence:</u>
Lloyd Kahn	
Malinda Griffith	Bolinas
Reagan	Bolinas

Dear Fish & Game Commissioners 1-25-26

PLEASE REJECT

Petition 2023-32MPA,

It disproportionately impacts low income subsistence fishers~~s~~ and gatherers who rely on

sustainable protein sources to feed their families. The

area north of the current SMCA are critical to remain open for vulnerable members of our community. PLEASE!

respectfully,

Amanda Ross

Amanda Ross BOLINAS RESIDENT

1-25-2025

Dear Fish & Game Commissioners,

I urge you to reject petition 2023-32MPA because it will disproportionately impact low income subsistence fishers & gatherers who rely on sustainable protein sources to feed their families. The area north of the current SMCA are critical to remain open for these vulnerable members of our community. Thank you for your consideration.

Sincerely,  
Mollie Lounibos

MOLLIE LOUNIBOS BOLINAS RESIDENT

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)  
Cc: saveduxburyaccess@gmail.com

Date: Jan 28, 2026

RE: Opposition to Duxbury Reef Petition no. 2023-32

Dear Fish and Game Commissioners,

I am writing on behalf of the Bolinas Stinson Unified School District to formally request that the Fish and Game Commission reject Duxbury Reef Petition no. 2023-32 regarding the proposed expansion and redesignation of the Duxbury Reef State Marine Conservation Area (SMCA) into a restrictive no-take State Marine Reserve (SMR).

In education, we are guided by the principle of educating students in the **least restrictive environment**—that is, within their community and alongside their peers. When a student needs significant support, we do not impose the most restrictive placement simply because it might address one aspect of the problem. Instead, we tailor solutions to the actual need while minimizing harm to the student's overall learning and social-emotional development. For example, we would not place a student with severe dyslexia in a residential program away from their peers solely because they might learn to read there, without regard to the broader consequences. We define the problem carefully and solve it with the least disruption possible.

Duxbury Reef Petition No. 2023-32 takes the opposite approach. It broadly restricts many unrelated activities on the reef in an attempt to address a problem that could be managed through more targeted, less restrictive, and more effective measures. In my profession, this kind of overbroad and uncaring response would be recognized for what it is: malpractice.

Additionally, this petition was crafted without necessary input from educational stakeholders and, if approved, would severely hamper critical experiential learning opportunities in our community.

- **Impacts to Experiential Learning and Student Access**

Our programs rely on the specific, safe, and accessible coastal habitats located in the proposed area to conduct tidepool studies. Bolinas-Stinson students and faculty have a long history of formal (and informal) study and conservation work in our local coastal biomes and microhabitats; Duxbury Reef is one of the most important. The proposed restrictions would create significant barriers to, or outright prohibit, these essential field activities. Experiential learning is crucial for cultivating the next generation of environmental stewards, and denying student access to these "living laboratories" contradicts the very goals of ocean conservation and education.

- **Missing Input from Educators and Stakeholders**

We are concerned that the development of this petition occurred without adequate consultation with local educators, school districts, and community-based education programs. While we support sustainable management, an effective MPA must balance conservation goals with human interaction, particularly education and research. The lack of outreach to educators suggests an incomplete assessment of the socio-economic and educational impacts of this proposal.

We urge the Commission to reject this petition and instead encourage a more comprehensive, stakeholder-driven approach that includes the perspectives of local education leaders. We are willing to collaborate on management strategies that protect marine life while allowing for sustainable educational access. Thank you for your time, consideration, and dedication to our coastal resources.

Sincerely,

Leo Kostelnik  
Superintendent  
Bolinas Stinson Unified School District



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)  
Cc: [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)

Date: Thursday, January 22, 2026

RE: Opposition to Duxbury Reef Petition no. 2023-32

Dear Fish and Game Commissioners,

I am writing as an educator at the Bolinas Stinson Unified School District to formally request that the Fish and Game Commission reject Duxbury Reef Petition no. 2023-32 regarding the proposed expansion and redesignation of the Duxbury Reef State Marine Conservation Area (SMCA) into a restrictive no-take State Marine Reserve (SMR). As an educator with over 25 years of experience in education, I believe this petition fails to account for necessary input from educational stakeholders and, if approved, would severely hamper critical experiential learning opportunities in our community.

### **Impacts to Experiential Learning and Student Access**

Our programs rely on the specific, safe, and accessible coastal habitats located in the proposed area to conduct tidepool studies. The proposed restrictions would create significant barriers to, or outright prohibit, these essential field activities. Experiential learning is crucial for cultivating the next generation of environmental stewards, and denying student access to these "living laboratories" contradicts the very goals of ocean conservation and education.

### **Missing Input from Educators and Stakeholders**

We are concerned that the development of this petition occurred without adequate consultation with local educators, school districts, and community-based education programs. While we support sustainable management, an effective MPA must balance conservation goals with human interaction, particularly education and research. The lack of outreach to educators suggests an incomplete assessment of the socio-economic and educational impacts of this proposal.

### **Recommendation**

We urge the Commission to reject this petition and instead encourage a more comprehensive, stakeholder-driven approach that includes the perspectives of local education leaders. We are willing to collaborate on management strategies that protect marine life while allowing for sustainable educational access. Thank you for your time, consideration, and dedication to our coastal resources.

Sincerely,

Anna Tosick  
6<sup>th</sup> grade teacher  
Bolinas Stinson Unified School District

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)  
Cc: [saveduxburyaccess@gmail.com](mailto:saveduxburyaccess@gmail.com)

Date: January 26, 2026

RE: Opposition to Duxbury Reef Petition no. 2023-32

Dear Fish and Game Commissioners,

I am writing to ask for your opposition to the Duxbury Reef Petition, heavily restricting access to Agate Beach and the Duxbury Reef area. For the last eight years, I have been part of the Steering Committee for two local grassroots outdoor after school programs, Bolinas Stinson Young Stewards of the Land (5th-8th grades) and Bolinas Stinson Earth Allies.(2nd-4th grades.) As part of a grant from the Marin County Parks, our youth visit Agate Beach multiple times a year, experiencing it in a variety of seasons, weathers, and tides, and have learned through our program how to interact with the place and its resident flora and fauna with wonder and without damage. To lose access to this incredible place which is literally their backyard would be a tragedy.

In my years of involvement with the youth outdoors here and through my own youth spent outdoors in the wilds of Wyoming, I have learned that people will only protect what they know and what they have a personal relationship to. When young people are given the opportunity to have joyful, engaging interactions with a place, they learn that they are intrinsically connected to the wider web of life and are much more likely to value these wild spaces, to continue seeking out connection to them and to work to fiercely protect them and all of their inhabitants. In contrast, when we enact the types of restrictions sought by the petition, we teach the youth that humans are separate from nature and not to be trusted outside, that nature can only live and thrive when people are wholly absent, and take away the lived experiences that give them a reason to care about the natural world their whole life.

Youth, in this moment, are being inundated with news of disaster on all fronts, definitely including the climate crisis and the health of the planet. They are also receiving a lot of pressure that their generation should fix the problems that were put upon the world by previous generations. While not inaccurate, it feels wildly unfair that they should be expected to take up this very heavy mantle without getting to have the kinds of reflective, euphoric, awe-filled, and connective experiences that we in previous generations have had. It is imperative that the root of their relationship to the wild spaces around them is first and foremost that of wonder and curiosity and joyfulness, not anxiety, despair, and expectation. If not, we stand a good chance of them turning away from a relationship to the land entirely, leaving the already vulnerable planet without its next generation of protectors.

Young people are incredible learners and ambassadors- we have seen first hand how our participants from 2nd grade up are able to easily understand that Agate Beach is home to many creatures and how important it is to leave them in their environs, to enjoy them without harassing them or transplanting them. Instead of locking this wild treasure away from the children of Bolinas

and Stinson, let's focus on educating the youth, lighting them up about protecting this magical spot, and, in turn, educating the community and outside visitors alike about how to be a good steward of this land.

Please oppose the Duxbury Reef petition and encourage the petitioner to start over with the full participation of the Bolinas community to come up with a comprehensive plan that protects the reef in all of its glory and maintains access for all.

Thank you for your consideration!

Meadow Evans

Steering Committee Secretary, Bolinas Stinson Young Stewards of the Land and Earth Allies

Editor, I thought that the article in the 23 Dec issue of *Point Reyes Light* to be well informed and well written, although I take exception to the title: "Anglers say proposed ban lacks merit." It is more than anglers who have an opinion contrary to Environmental Action Committee's (EAC) effort to change the designation of Duxbury Reef from a State Marine Conservation Area (SMCA) to the much more restrictive State Marine Reserve. While EAC has accomplished some good for West Marin during its tenure, for this issue it appears to be grasping at straws for mysterious reasons. EAC folk say that peer-reviewed science indicates that Marine Reserves are the most effective Marine Protected Areas, and that is true but effectiveness requires public support and enforcement. I know that from being a member of the Marine Conservation Institute's science advisory board, and what MPAs they deem qualify in their 'Blue Parks' initiative are not one's in which there is a lack of enforcement, which is admitted by the EAC, as well as a lack of monitoring of the resources (keeping track of dogs off leashes would not qualify).

Yes, Duxbury is the largest, exposed shale reef along the coast, but so what? The Monterey Shale extends all the way from Duxbury Point (south end of the Reef) northward to Limantour Beach (appears again North of Pt Reyes headland, along Pierce Point), and the California Marine Waters Area of Special Biological Significance Reconnaissance Survey Report (CMWASBSRSR phew!) notes that the Duxbury intertidal community of organisms has little difference from that of other hard intertidal reefs along the California Coast. The ASBS (for short) report says that the area does have a few unique critters, but only in its southern portion, the actual Duxbury Reef (Duxbury Point), which is well protected both by Mother Nature (extremely treacherous currents and terrain) and existing regulation. No school groups venture out there, with school groups and off-leash dogs apparently being the issue. It was the ASBS that led to the designation of Duxbury as an SMCA in the first place, and noted that such designation solved the issue of the actual taking of invertebrates (at the time, mostly shellfish).

South of the Duxbury SMCA is an untouched rocky intertidal community stretching for several miles (Stinson to Muir Beach) --- too treacherous for access, and to the north is the Pt Reyes Headlands and then Tamales Point rocky intertidal (also Monterey Shale). Has the National Park, with too much on its plate of late, not been doing its part to enforce the rules at the ocean edge of its piece of Earth, including the northern part of SMCA? Does it, too, lack the resources for enforcement of existing rules, which apparently, according to EAC, is the issue for the Duxbury SMCA? The Marine Mammal Protection Act and the Migratory Bird Treaty Act have been in place for the last few decades, supposedly protecting the north end of the area in question. Isn't EACs Docent Program working to protect the middle part?

I'm pretty sure I qualify as a 'scientist,' been at it for 50 years (300+ marine-related peer-reviewed publications, etc). In 2019, I wrote an article for *Bay Nature* ("How People Saved the Seabirds of the California Current"; <https://baynature.org/2019/06/14/how-people-saved-the-seabirds-of-the-california-current/>), in which I described how a well-informed public meant the difference in California waters becoming the "poster child" for ecosystem-based fisheries management. The result was that the indicator species, i.e. those seabirds, were allowed to increase thus to highlight not just one of the most productive stretches of ocean on the planet but one in which humans have controlled their excesses for the benefit of all. It took decades of actual scientific data from both fisheries research and management agencies and research-minded NGOs that convinced the public that certain fishing restrictions were necessary. The fishing industry saw the wisdom. Nowhere else on Earth has that been accomplished and it happened because of actual data and the support of an informed public.

West Marin has a highly educated public, though maybe not so much in marine issues, but for sure they don't want to be duped. The record shows they will support evidence-based marine management, but so far, in the case of Duxbury SMCA, I've only seen or heard hearsay about supposed impacts to the SMCA that need to be corrected (too many school groups, pets). A 20-year annual survey by researchers from UC Santa Cruz shows no trends in the invertebrates of the northern stretch (Bolinas Pt area). With such a well-founded 'control,' where are the data, i.e. the evidence, to show impacts in the middle portion (facilitated by Agate Beach parking area access)? So far, none, though admittedly any changes need to account for the dilution from the intermittent major flow of Alder Creek, right at the trailhead --- in a sense marine to estuarine conditions and changes to the infauna.

From what I assess of the Bolinas-Stinson public, not just the fishers, it is reacting to an earlier attempt of being duped by EAC into thinking there is a problem. Why? And speaking of those anglers? West Marin recently lost its ranching community, and here we have a proposal to take away the remaining vestiges of its fishing community, too. What's left? Just, interesting pieces on NPR/PBS and the touching pools at Steinhart Aquarium?

David Ainley, Bolinas  
28 Dec 2025

To the Fish and Game Commission,

This letter represents a consensus reached by the undersigned groups and individuals from the Bay Area Recreational and Commercial Fishing Community who stand in unified opposition against Petition No. (2023-32MPA) to expand and reclassify Duxbury Reef by Ashley Eagle-Gibbs of Environmental Action Committee (EAC) of West Marin dated April 6, 2023. While some of us may submit our own individual comments in addition, or have already, we would like the FGC and CDFW to understand that this diverse community of stakeholders from across the Bay Area are all united regarding the following comments on this misguided petition. With the adaptive management process of our MPA network underway, we ask to please take the below input into account when determining the outcomes of the Duxbury Reef Petition No. (2023-32MPA).

**No ecological problem and no link to fishing:** The EAC presents no verified scientific evidence that Duxbury Reef is ecologically degraded or that current SMCA protections are failing. Long-term UC Santa Cruz intertidal monitoring at Bolinas Point shows a stable ecosystem over roughly two decades, with no documented collapse requiring stricter rules. The petition also ignores major regional drivers of intertidal change (e.g., sea star disease, abalone disease, urchin increases, historic loss of sea otters) while implying that local visitation alone is responsible.

**Misuse of MPA Watch data and misleading “poaching” claims:** The petition relies almost entirely on EAC-run MPA Watch volunteer data while omitting independent ecological datasets and formal enforcement records. MPA Watch is a citizen-science tool meant to complement, not replace, long-term scientific studies, agency citations, socioeconomic analysis, and traditional ecological knowledge. Its volunteer-based observations are subject to interpretation and potential bias and should not stand alone as the basis for major regulatory changes.

**Unfair framing of fishermen and children:** The EAC’s own reporting indicates that school groups and children account for much of the “hand collection of biota,” yet the narrative repeatedly shifts blame toward legal fishermen. The petition argues that the presence of fishers “confuses” visitors and leads to non-compliance, implying that ending fishing would solve children’s handling of tidepool organisms. At the same time, technical terms like “consumptive use” are used in ways that cause the public to equate “consumptive” only with fishing, rather than with any removal of natural materials such as shells.

**Education works; more regulation is unnecessary:** EAC’s own Duxbury Docent data demonstrate that education is highly effective. In 2024, about 82 percent of recorded “potential violations” addressed by docents were successfully resolved through on-site engagement, with visitors leashing dogs, returning organisms, and changing behavior once rules and ecological sensitivity were explained.

Given this documented success, the most practical and equitable path is to strengthen education and communication, not to impose a no-take reserve or expand boundaries. Targeted measures include clearer tidepool best-practice guidelines, improved on-site signage at Agate Beach, and expanded docent and school-based programs that support experiential marine education without criminalizing children or Bay Area fishing access.

**Honor existing compromise:** The current Duxbury Reef SMCA was created through a rigorous Marine Life Protection Act process that balanced conservation with community access and traditional uses. Those protections have been successful in maintaining a healthy reef while allowing limited, sustainable finfishing and tidepool visitation. Altering that framework now, without a demonstrated ecological problem or inclusive stakeholder engagement, would be an unreasonable departure from established policy, and a dangerous precedent for other coastal communities.

For these reasons, we respectfully urge the Commission to reject Petition 2023-32MPA in its entirety, maintain the existing Duxbury Reef SMCA designation and boundaries, and prioritize improving signage and education at Duxbury Reef.

Signature	Business
James L. Shubert	Commercial FISHING F/V WILLANINA
John J. Attwells	New Roxy Sportfishing
Sean M. O'Donnell	F/V Mo's Heaven
Tom WASH	F/V IMPERIAL LLC
Nick Krigel	F/V ARIONNA Rose
Sean Cross	F/V SMEAGOL
Hilby Frehman	F/V PINK MERMAID
John K. Kryz	F/V SALMON'S TALKER
Sam Whittaker	F/V BOUNTY
John S. Shubert	F/V TROLL

To the Fish and Game Commission,

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Given this documented success, the most practical and equitable path is to strengthen education and communication, not to impose a no-take reserve or expand boundaries. Targeted measures include clearer tidepool best-practice guidelines, improved on-site signage at Agate Beach, and expanded docent and school-based programs that support experiential marine education without criminalizing children or Bay Area fishing access.

**Honor existing compromise:** The current Duxbury Reef SMCA was created through a rigorous Marine Life Protection Act process that balanced conservation with community access and traditional uses. Those protections have been successful in maintaining a healthy reef while allowing limited, sustainable finfishing and tidepool visitation. Altering that framework now, without a demonstrated ecological problem or inclusive stakeholder engagement, would be an unreasonable departure from established policy, and a dangerous precedent for other coastal communities.

For these reasons, we respectfully urge the Commission to reject Petition 2023-32MPA in its entirety, maintain the existing Duxbury Reef SMCA designation and boundaries, and prioritize improving signage and education at Duxbury Reef.

Signature	Business
POTS 'N WATER LLC	[REDACTED] SAN FRANCISCO [REDACTED]
	

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,

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?

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<u>Name:</u>	<u>Residence:</u>
Rosanne LaVay	Bolinas, CA
Rachel Johnson	Bolinas
Iekat Haefele	Bolinas
Jutta RICHERT	Bolinas, CA
Caren Quay	Bolinas, CA
Yvonne Offare	Bolinas
Roné Emerich	Bolinas, CA
Amita Stroh	
Emily Puchetti	

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<u>Name:</u>	<u>Residence:</u>
Jackson Oakley	Berkeley
George Fussell	Mill Valley, CA
Anna Diller	Mill Valley
Jeffrey Miller Jacob Milstein	Novato, CA
Grace Powell	Bolinas, CA
July Guzman	Bolinas, CA
MARCO GARCIA	Bolinas, CA
Eduardo Sanchez	Bolinas, CA
Isabelle Ellington	BOLINAS CA
Jeffrey Clipp	Bolinas

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<u>Name:</u>	<u>Residence:</u>
WALTER V.	Bolinas, Sonoma
Nick Newcomb	Bolinas, Sacramento
Sam Dolan	Marin County
Anna Bside	Bolinas, CA
Tahlia Amanson	Bolinas, CA
Ondine Amanson	Bolinas, CA
Nicole Amanson	Bolinas, CA
Leo Kostelnik	Bolinas, CA
Cassia Kostelnik	Bolinas, CA
Martha Anne Way	Bolinas

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Name:	Residence:
Susan Hyde Susan Hyde	Olema, CA
SHERI CATES Sheri Cates	San Rafael
Tony Brown	Bolinas, Ca.
NICOLAS WEISMILLER Osculow	BOLINAS CA
GREGOR DOCHERTY	Bolinas CA
ROSCARONI	Pt Reyes
Pat Decker	
DAVID KIMBELL David Kimball	
JENNIE PEIFFER	Bolinas, CA
Angie Hollis	Bolinas CA

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<u>Name:</u>	<u>Residence:</u>
BRIAN McWILLIAMS	SAN FRANCISCO CA
Cristina diGrazz	Bolinas, Ca
Carol Kress	
Andrew Kleinberg	Bolinas
William Braasch	Bolinas
Josh Garcia	Inverness CA
Tina Ann	Bolinas
Juan Jimenez	Bolinas 94924
Arcenia Vazquez	Bolinas CA
Ben Moseley	Inverness CA

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Name:	Residence:
Christine Harand [REDACTED] Berkeley, CA	→ [REDACTED]
Nick O'Connor	[REDACTED] Bolinas, CA
Kyla Neugebauer	[REDACTED] Bolinas, CA
* Lynn O'Hare	[REDACTED] Bolinas
Jeff Mitchell	[REDACTED] Bolinas Ca.
Charmain Krueger	[REDACTED] Bolinas Ca.
Sasha Achilles	[REDACTED] Forest Knolls, CA
Rachel Aronson	[REDACTED] Muir Beach CA
Cristina Sanchez	" "
David Haas	[REDACTED] Bolinas, CA

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Name:	Residence:
STEVE MATSON	BOLINAS
MEGAN MATSON	BOLINAS
Jon Cozzi	Bolinas
Dave Tasterson	BOLINAS
Dennis Dicks	
Holly Roberson	Bolinas CA
John Goldstein	Bolinas CA
Jill Moore	"
Allison Evans	
Janet Viglick	

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Name:	Residence:
Terry Lewis	Town Valley, CA
Javier Lopez Alvarado	Bolinas, CA
Robert Stevens	STINSON BEACH CA
Owen Bisson	STINSON BEACH, CA
Mex Kovalch	BOLINAS, CA
Jew Ellis	STINSON BC, CA
Chamber Collet	STINSON BEACH
Tim Tanner TIT	INVERNESS, CA
Savanna Rippe	Bolinas CA
Avalina Rippe	
Pactharker	Stinson Beach

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Name:	Residence:
 CARLIN BOWMAN-RIPPE	[REDACTED] BOLINAS CAL.
ROBERT RIPPE <i>Robert Rippe</i>	[REDACTED] Bolinas Calif.
Malia Bisson 	[REDACTED] Bolinas CA
ROBERT DEP SIFCO <i>Bob Dep Sifco</i>	[REDACTED] MILL VALLEY, CA
MARK H. FONG <i>MARK H. FONG</i>	[REDACTED] MILL VALLEY CA
Taylor Swift	[REDACTED] MILL VALLEY, CA
Terry Swift	[REDACTED] Sonoma CA
PAUL MOE <i>Paul Moe</i>	[REDACTED] MILL VALLEY CA
Daniel Hodulik <i>Daniel Hodulik</i>	[REDACTED] Fairfax, CA
Brad Rippe <i>BRAD RIPPE</i>	[REDACTED] SAN ANSELMO 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)

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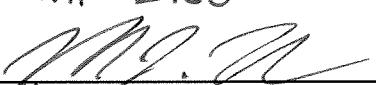
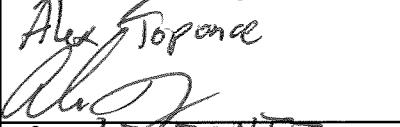
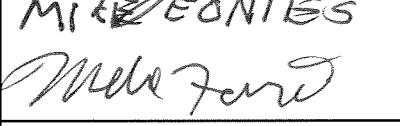
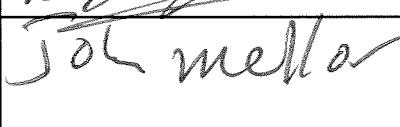
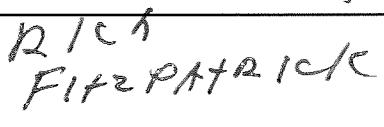
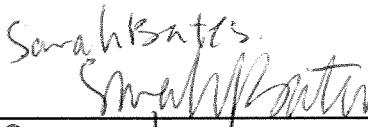
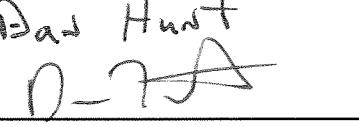
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<u>Name:</u>	<u>Residence:</u>
AARON Lwyd 	sonoma, CA
Matt Zidek 	Novato, CA
Alex Topone 	Nampa, ID
MIKE CONTESS 	S.F.
Shawn Flackney 	S.S.F., CA
John Mellor 	Emeryville CA
John Barnett 	Occidental CA
DICK Fitzpatrick 	PACIFIC
Sarah Bates 	oakland CA
Bar Hunt 	Dublin, Ca.

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Name:	Residence:
Jerry Grotzke	Bolinas
Clay Spark	SOLINAS
Mary Garrigues	Larkspur
ESKE ADDAMS	FAIRFAX CA
Perry Shimon	Bolinas CA
Barney Butterfield Beton	BOLINAS
NICOLAS LONDON	BOLINAS, CA
Katie Kincaid	Bolinas, CA
Ed Chiera	BOLINAS, CA
Nicoleth HahnNiman	Bolinas, CA

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<u>Name:</u>	<u>Residence:</u>
Julie Augustyn	Bolinas
Matthew MacLain	Mill Valley, CA
Sandra Dedekelle	Bolinas
anna & ella valle	Bolinas
William Alvaro	Bolinas, CA Rockville, MD
Kenneth Gardiner	Bolinas
Sergio Martens	Oakland, CA
Amy Pomerantz	Oakland, CA
SA SAMI ASHWORTH	Bolinas
Brent Mayeaux	Bolinas

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Name:	Residence:
Lee + Ben Colodzin	Bolinas
Betsyann Gallagher	Bolinas, CA
Susan Sanders	Bolinas, CA
Joel Booth	Bolinas, CA
Elias Rose	Marin
Susan Martinelli	
Jeanine Aragon	Bolinas
Stu	Bolinas
Ammon Elm Childs	ST. PAUL, MN
David Alexander	Bolinas

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<u>Name:</u>	<u>Residence:</u>
Rachel Cecchi DiPietro	Sausalito, CA
Skyler Cecchi	Sausalito, CA
Jesse Droston	Berkeley
Sandy Montebo	
Rivn Schweg	
CHRIS WHITFIELD	
Red Hoke	
Charles Morris	
<del>REB</del> Blawt Johnson	WILVERNESS, CA
RODNEY KRIEGER	BOLINAS

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Jan Hayes	[REDACTED] Stinson Beach
Mark Hill	[REDACTED] Placerville CA
Gail Beeson	[REDACTED] Bolinas CA
J. Bennett	[REDACTED] Bolinas CA
Frank Echenhofer	[REDACTED] Bolinas CA
Kara Perrys	[REDACTED] Petaluma 94952
Robyn Taylor Rob Singleton	[REDACTED] Santa Rosa, CA
Denise Capra	[REDACTED] Corte Madera CA
Genevieve Trembley	[REDACTED] Bolinas CA
Jon Trembley	[REDACTED] Bolinas CA

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Name:	Residence:
Jeff Wattin	Bolinas, CA
Eric Dzirin	
Bill Brank	Bolinas, CA
Clod Kahn	Bolinas
Janis Yerington	Bolinas, CA
Meadow Evans	Bolinas, CA
Alyssa Thalhimer	Santa Rosa
Sam Blake	Petaluma, CA
Laughty Nixdorff	Inverness, CA
Toby Nemee	Bolinas, CA

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Name:	Residence:
NICOLAS WEISMILLER	BOLINAS CA
SANDRA HIGBIE	BOLINAS, CA
Albert Hollander	CA.
Kestrel Cramer	Bolinas, CA.
Jutta RICHERT	Bolinas Co.
Nancy Todd	Fairfax
Amy Densmore	Bolinas
Whitney Payne	Bolinas
Amily Krenzler	Point Reyes, St. CA
ALICE MARK	SB CA

## **Reject Duxbury Reef MPA Petition no. 2023-32 submitted by the Environmental Action Committee of West Marin (EAC)**

The Bolinas community stands in unified opposition to Petition 2023-32MPA to change the Duxbury Reef Marine Protected Area from a State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) and to expand it to the full 8–10 miles of rocky reef coastline in Bolinas. This proposal would eliminate all reef fishing access (from shore and from boat) in Bolinas and severely damage our historic maritime culture and local food system, in conflict with the Fish and Game Commission's Coastal Communities and Justice, Equity, Diversity, and Inclusion (JEDI) policies. This petition contains major information gaps, misleading claims, unsubstantiated assertions of ecological crisis and “poaching,” and was advanced without meaningful outreach in Bolinas.

### **No data driven ecological problem and no link to fishing**

The EAC presents no verified scientific evidence that Duxbury Reef is ecologically degraded or that current SMCA protections are failing. [Long-term UC Santa Cruz intertidal monitoring at Bolinas Point](#) shows a stable ecosystem over roughly two decades, with no documented collapse requiring stricter rules. The petition also ignores major regional drivers of intertidal change (e.g., sea star disease, abalone disease, urchin increases, historic loss of sea otters) while implying that local visitation alone is responsible.

No data is provided showing that legal hook-and-line finfishing from shore or from boat harms habitat or depletes protected species at Duxbury. Finfishing from shore is explicitly allowed under current regulations and has been practiced sustainably for generations, including by lower-income, often non-white shore anglers who rely on this food source. Eliminating this low-impact practice would create an environmental injustice and contradict the Commission's commitments to coastal communities and equity.

### **Misuse of MPA Watch data and misleading “poaching” claims**

The petition relies almost entirely on EAC's MPA Watch volunteer data while omitting independent ecological datasets and formal enforcement records. MPA Watch is a citizen-science tool meant to complement, not replace, long-term scientific studies, agency citations, socioeconomic analysis, and traditional ecological knowledge. Its volunteer-based observations are subject to interpretation and potential bias and should not stand alone as the basis for major regulatory changes.

Key issues include an extreme interpretation of “possess,” treating any temporary handling of organisms, shells, or rocks—even by schoolchildren for observation—as a regulatory violation. These incidents are tallied as “potential violations” and then widely described to the public as “illegal take” and “high levels of poaching,” without specifying species, quantities, or whether items were removed from the site or returned. At the same time, the EAC's own numbers often conflict across years and categories, undermining claims of clear trends.

The EAC also claims “dramatically increased visitation,” yet its data show a pandemic-related surge followed by leveling off, with overall visitation limited by tides, weather, steep access, and an estimated 80-90 tidepool-accessible days per year. Duxbury is further portrayed as uniquely

problematic by comparing it to very different MPAs (e.g., remote estuaries, mostly sandy beaches, or marsh paths) rather than to comparable rocky tidepool sites that are easily accessible.

### **Unfair framing of fishermen and children**

The EAC's own reporting indicates that school groups and children account for much of the "hand collection of biota," yet the narrative repeatedly shifts blame toward legal fishermen. The petition argues that the presence of shorefishing "confuses" visitors and leads to non-compliance, implying that ending fishing would solve children's handling of tidepool organisms. At the same time, technical terms like "consumptive use" are used in ways that cause the public to equate "consumptive" only with fishing, rather than with any removal of natural materials such as shells.

This approach risks stigmatizing largely non-white, lower-income shore anglers who have historically had limited representation in regulatory decisions. It also obscures the fact that many of the recorded incidents involve minor, correctable behavior by children and families who are generally receptive to guidance.

### **Education works; more regulation is unnecessary**

EAC's own Duxbury Docent data demonstrate that education is highly effective. In 2024, about 82 percent of recorded "potential violations" addressed by docents were successfully resolved through on-site engagement, with visitors leashing dogs, returning organisms, and changing behavior once rules and ecological sensitivity were explained.

Given this documented success, the most practical and equitable path is to strengthen education and communication, not to impose a no-take reserve or expand boundaries. Targeted measures include clearer tidepool best-practice guidelines, improved on-site signage at Agate Beach, and expanded docent and school-based programs that support experiential marine education without criminalizing children or community access.

### **Honor existing compromise and community stewardship**

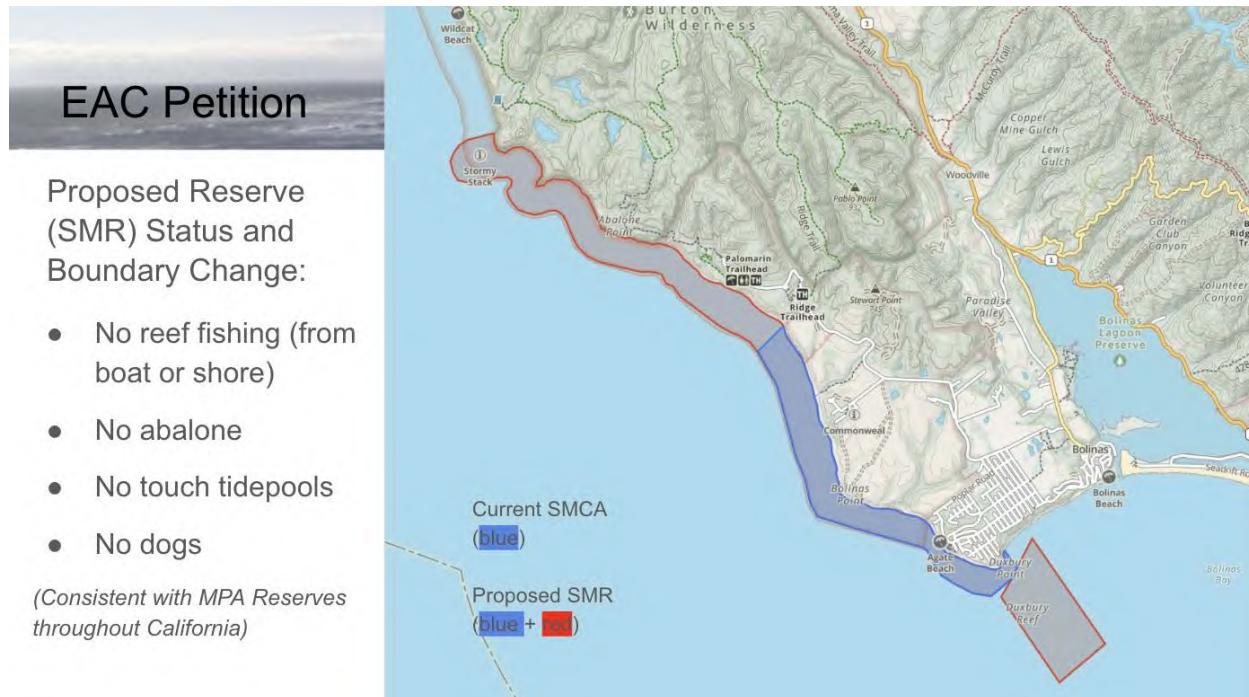
The current Duxbury Reef SMCA was created through a rigorous Marine Life Protection Act process that balanced conservation with community access and traditional uses. Those protections have been successful in maintaining a healthy reef while allowing limited, sustainable fishing and tidepool visitation. Altering that framework now, without a demonstrated ecological problem or inclusive stakeholder engagement, would be an unreasonable departure from established policy, and a dangerous precedent for other coastal communities.

Bolinas residents—including surfers, fishermen, scientists, educators, and families—have stewarded this coastline for generations making their input crucial for any policy changes affecting their home waters. Strengthening education, signage, and collaborative stewardship is far more effective and just, rather than eliminating fishing and expanding restrictions along the entire coastline.

**For these reasons, we respectfully urge the Commission to reject Petition 2023-32MPA in its entirety, maintain the existing Duxbury Reef SMCA designation and boundaries, and prioritize community-based, education-driven stewardship at Duxbury Reef.**

# Duxbury Reef MPA Petition 2023-32

Submitted by the Environmental Action Committee (EAC) on April 6, 2023



Questions to consider:

1. **Why didn't the EAC include the Bolinas community in meaningful discussions before submitting the Duxbury Reef petition? The EAC has not hosted a single public meeting in Bolinas about their petition. How does this help protect the reef?**
2. **What exactly is the ecological problem at Duxbury Reef and how does fishing relate? Where's the peer reviewed scientific data?**
3. **Why didn't the EAC include the [UC Santa Cruz long term 20 year study](#) that was conducted in the middle of the current State Marine Conservation Area (SMCA) showing the reef is not in decline? How does omitting comprehensive data help protect the reef? How can we understand the ecological problem if we don't use all available peer reviewed scientific data?**
4. **Where is the peer reviewed scientific data that demonstrates that visitors to Agate Beach (specifically fishermen) are responsible for any potential decline in reef organisms? What records are available that document the EAC's reports of high levels of illegal take at Duxbury Reef?**

5. **Why is the EAC proposing a designation change at Duxbury Reef to address a decline in reef organisms that are already fully protected under the current SMCA regulations? How does this help protect the reef? If protected species are being taken, this is an enforcement issue not a regulation issue. This requires better signage, education, and enforcement, NOT the exclusion of user groups.**
6. **Has the EAC considered other known factors affecting California north coast intertidal communities such as disease in sea stars, disease in abalone, explosion in urchin numbers, logs, pollution, and climate change? What about salinity shock from Alder Creek and Jack's Creek runoff? Ecosystems are dynamic. Peer reviewed data is critical to fully understand the problem before formulating solutions.**
7. **What are the ecological problems in the areas north and south of Agate Beach that justify the massive proposed boundary expansion? These areas are very difficult to access.**
8. **Why hasn't the EAC clearly communicated the PERMANENT Reserve status implications to the Bolinas community? These changes will impact more than just fishing. As a Reserve, restrictions to general use can happen at any time without any public process.**

### Reserve (SMR) 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"**

Once a Reserve, these restrictions can happen at any time **WITHOUT ANY PUBLIC PROCESS.**

*From the 2016 Master Plan for Marine Protected Areas*

9. **Why does the EAC want to eliminate all low impact hook and line fishing at Duxbury Reef that provides a sustainable and equitable food source for visitors and community members throughout West Marin? How does this help protect the reef? What is the EAC actually trying to accomplish at Duxbury Reef?**

## Questions for the EAC re MPA Petition (2023-32)

### **What's the Ecological Problem?**

#### **What's the ecological problem you're trying to solve?**

- EAC: There's been a reduction in biomass of intertidal species over the last 10 years

#### **Have you seen an increase in any intertidal species over the last 10 years?**

#### **Do you have peer reviewed scientific data that demonstrates this ecological problem?**

- EAC: No, just observations and anecdotal evidence

#### **How can we create an effective solution without a clear understanding of the problem? Data is critical!**

#### **Why did you not include the comprehensive long-term UC Santa Cruz study as part of your petition?**

- EAC: The study site is too far away

#### **But the UC Santa Cruz study was done in the middle of the current SMCA...**

- EAC: That location is very inaccessible and doesn't have much visitation, therefore the study doesn't capture the impacts of the heavy visitation at Agate Beach.

#### **So, the perceived ecological problem is only at the Agate Beach tidepools?**

- EAC: yes

### **Other Environmental Factors?**

#### **Has the EAC considered other factors that may be contributing to the perceived ecological problems at Agate Beach besides the moderate to low visitation and school children on educational field trips? Climate change? Etc?**

### **Justification for Expansion?**

#### **Is there an ecological problem to solve north and south of Agate Beach? Data?**

- EAC: the areas to the north and south of Agate are "nearly pristine" because these areas are mostly inaccessible

#### **So, why do they need more protection if they are most inaccessible?**

**So there is no problem in the areas set for expansion? What is the justification for the expansion if there is no ecological problem and the area is naturally protected by its inaccessibility?**

**How will the expansion help solve the problem that is specifically at Agate Beach?**

## **High Visitation?**

**What is causing this perceived ecological problem at Agate Beach?**

- EAC: High visitation and “ongoing take and poaching activity”

**How high is the visitation at Agate Beach?**

- EAC: “dramatically increased visitation” during the Pandemic which has come down somewhat but still on the rise

**According to your data, it appears that the visitation is stable and decreasing...**

**Why do you compare the visitation at the Agate Beach tidepools with fundamentally different MPAs that do not have tidepools? Why didn’t you compare the Duxbury Reef SMCA visitation with similar MPAs that have tidepools?**

**How can we find the right solution if the skewed comparisons hide the truth?**

**When compared to other similar MPAs with tidepools, the visitation at Agate Beach specifically is actually very low to moderate. Does the EAC think that even low visitation is a problem at Agate Beach?**

**Who makes up the bulk of the visitation at Agate Beach?**

- EAC: The bulk of the visitation at Agate Beach is mainly school children on educational field trips

## **Poaching?**

**Poaching activity is alarming. What organisms are being poached?**

**What records are there of species and quantities of illegal take?**

**When did this activity start to increase?**

**How many reports to Cal Tips have been made?**

**How many poaching citations have been issued?**

**Who is responsible for the “ongoing take and poaching activity” occurring at Agate Beach?**

- EAC: Mainly school children on educational field trips who are temporarily handling marine resources for observation and then returning it to the beach when done
- 

**Why does the EAC call this poaching?**

- EAC: Because the regulations say that you cannot “possess” marine resources and *any handling* is technically “possession”

**Don’t you think that’s extreme?**

**Does the EAC think that the sand on the bottom of your shoes when leaving the beach is “poaching”? Based on the same legalistic definition of “possess”, this would indeed be poaching. If school children cannot temporarily handle marine resources, then marine resources certainly cannot be removed entirely from the beach, i.e. the removal of sand. This would be an unfair application of the definition. It certainly could be argued that by merely touching a marine resource, a person is for that moment also in “possession”. This is an extreme interpretation of the regulations and VERY confusing.**

**Are visitors confused by the regulations or are visitors confused by your interpretation of the regulations?**

**Why isn’t the EAC interpretation of (no handling whatsoever) posted on site? This interpretation is vastly different from the common understanding. If this was in fact the actual rules, it should be posted clearly on site.**

**Does CDFW consider temporary handling poaching? No**

**Has CDFW Enforcement issued citations to school children for poaching? No**

**Does the EAC really think school children are poaching when they temporarily handle marine resources?**

**If yes, why aren’t they pursuing the prosecution of children?  
If not, why don’t they drop these serious accusations?**

## **Justification for Redesignation to a Reserve?**

**If it is in fact illegal for school children to handle things at the current SMCA, then isn’t enforcement the issue? If the rules aren’t being followed, you don’t make new rules.**

**Why is a regulation change necessary if the intertidal organisms are already protected?**

## Why Eliminate Fishing, if School Children are the “Problem”?

**Why are fishermen being blamed for the ecological damage that is hypothetically being caused by school children poaching?**

- EAC: Fishermen cause “visitor confusion” at the tidepools which leads to school children “poaching” because visitors follow behavior not signs

**So, why aren't there more people fishing? If the fishermen are so influential? And, how come the school children are still “poaching” when they don't see any people fishing?**

**Where's the verified scientific data that supports this hypothetical claim?**

- EAC: there's data that shows partial take MPA have less compliance than no take MPAs

**Is there data that demonstrates an increase in compliance when a partial take SMCA is converted to a no-take SMCA without any other regulatory change variables such as restrictions to other uses?**

**Does the EAC really believe that school children will no longer pick up marine resources at the beach simply if all fishing is eliminated and no new signs are posted?**

**It's safe to assume that kids are handling stuff at the beach because they are curious, not confused - especially since this is not specifically mentioned anywhere on site. In fact, most visitors we've interviewed have reported that their understanding of the regulations was that you *could not take things home*. Most people did not know that you could not gently and temporarily handle marine resources at the beach. CDFW confirms that “take” means to remove from the beach.**

**If (no handling whatsoever) were in fact the actual rules at SMCA, why doesn't the EAC think better signs could solve this problem? That would be a very straightforward solution that would not require the elimination of entire user groups from the beach.**

- EAC: Study from Australia says that signs don't work

**What's your solution?**

- EAC: Eliminate all fishing on the reef from shore and from boat, all abalone harvest, etc.

**Isn't this discriminatory and exclusionary? And unrelated?**

**How is the elimination of this historic user group not a violation of the California Coastal Act and the Public Trust Doctrine?**

**How is the elimination of commercial and recreational fishing access not a violation of the Fish and Game Coastal Communities Policy?**

## **What's the Compliance Plan?**

**What is the compliance plan if the SMCA were to become a Reserve? How would the new rules be communicated to the public if signs don't work?**

**What if school children kept temporarily handling marine resources for observation?  
What then?**

**What is the plan for increased visitation due to the attraction of Reserve status?**

## **Other Restrictive Use?**

**Will there be restrictions to general beach users?**

- EAC: No, we are not requesting that at this time

**Could there be restrictions to general beach use in the future?**

**Isn't the main purpose of a Reserve to preserve the environment and humans are only allowed if they don't interfere?**

**Sounds like the low to moderate visitation by school children on field trips is currently harming the ecology at Agate?**

**If the biomass of intertidal organisms doesn't improve at Agate as a Reserve, there would be grounds to eliminate school children from Agate altogether.**

**This would have set a dangerous precedent for environmental exclusion elsewhere, where special interest groups can use the same playbook: gain regulatory change by gathering their own data based on an extreme interpretation of the rules without any verified scientific evidence.**

**Anything can be closed down at any time.**

**Please explain how this is not a reckless approach to regulation change?**

**How is this not capricious and arbitrary?**

**How is this scientific?**

## Consumptive vs Non-Consumptive Users

What is the definition of consumptive vs non consumptive users?

If someone takes a rock home, is that consumptive use?

If school children temporarily handling marine resources is considered “take”, “collecting”, and “poaching” is this not also “consumptive use”?

So school children handling materials are “consumptive users”, correct? Yes

Are dogs consumptive users? No.

The elimination of dogs from the beach would then be a restriction of non consumptive users, correct?

What does the EAC claim there will not be a change to non consumptive use if dogs will no longer be allowed on the 8-10 miles of Bolinas coastline?

## Dogs?

Will dogs be allowed on the beach?

- EAC: “*this proposal would not eliminate dog walking on the coastline as that is a local jurisdictional issue and not affected by MPA regulations.*”

Doesn’t the MPA boundary go up to the mean high tide which is against the cliff at Duxbury Reef so the sandy beach is a part of the MPA?

If dogs were not an MPA concern, why does the EAC’s data show more than 800 potential violations of “dogs off leash” recorded by their MPA Watch program? This evidence suggests this is indeed an MPA-relevant issue. It’s also a widely established rule that dogs are not allowed on the beaches within California MPA Reserves with tidepools. (Some are permitted on adjacent bluff trails as at the Fitzgerald Reserve.)

How is the elimination of this historic user group not a violation of the California Coastal Act and the Public Trust Doctrine?

## No Touch Tidepools?

Will visitors be allowed to touch organisms at the tidepools?

- EAC: “*nowhere in our petition is there a request to limit children’s educational access or anyone’s access to only no touch dry rock tidal exploration.*”

**Has the EAC specified anywhere in their petition what exactly visitors WILL be able to do? No.**

**Are visitors allowed to touch at your partner program at Fitzgerald Reserve? No**

**Are visitors allowed to walk on anything but dry barred rock at your partner program at Fitzgerald Reserve? No**

**Are school children younger than 3rd grade allowed on field trips at your partner program at Fitzgerald Reserve? No**

**Has the program at Fitzgerald Reserve been used as a model for your docent program? Yes.**

**Have observers noticed an improvement in the ecological health sense these measures have been implemented at Fitzgerald Reserve? Yes. But isn't there measurably more biomass of intertidal organisms around the corner from Fitzgerald Reserve at Mavericks Reef that is not in an MPA? Yes.**

**So the Reserve status didn't guarantee ecological improvements? Yes, because there are more factors that contribute to ecological health than just visitation.**

(Note: the EAC contends that the *current* SMCA regulations at Duxbury Reef strictly prohibit *any* handling of plants, animals, rocks, and shells, therefore, moving to a *more restrictive* MPA classification would logically mean that nothing at all could be touched.)

**If nothing is going to change for the school children, then why do you have nearly 800 "potential violations" recorded since 2014 of school children *temporarily* handling biota at the tidepools for observation which you claim has caused the anecdotally reported ecological damage at Agate?**

**So are you planning to keep everything the same except for the elimination of finfishing and abalone? Meaning, no changes to non-consumptive use?**

**How does this solve the problems you have reported?**

**Doesn't this deviate from statewide MPA Reserve regulatory norms? These human activity restrictions are all consistent with MPA Reserve tidepools throughout the state, and within the legal bounds of the managing agency to implement if deemed necessary.**

**Why didn't you include the Bolinas community stakeholders in this conversation before submitting the petition? Why didn't you hold any public meetings in Bolinas?**

## Goals?

**What are you actually trying to accomplish?**

**How will eliminating user groups and excluding the community help the reef?**

**When did you start planning this petition?**

**Why has the EAC kept the Bolinas Community in the Dark?**

**How will harming a sustainable fishery help the reef?**

**How is this not a violation of the Fish and Game JEDI Policy that strives to involve marginalized people in decision making that directly impacts their way of life?**

**How can real change happen if all voices are not brought to the table?**

**Cost benefit analysis: for the presumably minor and absolutely correctable damage done by school children is it really worth it to eliminate the celebrated low impact no bycatch hook and line fishery and equitable access to clean water fishing to lower economic shorefishermen?**

**Is the harm to our community worth it?**

**Will eliminating fishing really keep children from being curious at the beach and wanting to engage with their environment? Is this the goal?**

**Will this really benefit the reef?**

**Why is this necessary?**

## Our solution: Education works!

**1.) Get clarity from CDFW about Regulation Tidepool Best Practices**

**2.) Post better signs**

## Key Points from the 11/6 Marine Resources Committee Meeting (MRC)

[Video Link 4:14](#)

### 1. EAC undermines their justification for MPA expansion:

- The UC Santa Cruz long-term study is the most current and comprehensive peer reviewed data available for the Duxbury Reef SMCA. This data demonstrates that the SMCA ecosystem is doing well. The EAC did not include this important study in their petition.
- EAC disregards the UCSC study because they say it was conducted too far away in an inaccessible location, even though it is directly in the middle of the current SMCA. The EAC claims that this study does not capture the ecological problems occurring specifically at the Agate Beach tidepools due to “high visitation” and “poaching” by school children.
- EAC has identified “high visitation” and “poaching” as the main problems that are causing anecdotally reported harm to the reef at Agate Beach. The EAC doesn’t provide any verified scientific data to support this claim.
- The areas north and south of Agate Beach do not have “high visitation” and “poaching”, thereby these areas are not in need of further protection, i.e. the EAC has no justification for their proposed MPA boundary expansion.

### 2. EAC undermines their justification for MPA designation change:

- Agate Beach does not in fact have “high visitation” as the EAC claims. Based on their own data, the visitation at Agate is low to moderate when compared to similar MPAs with tidepools. However, if the CDFW determined visitation levels to be a problem, Marin County Parks and Open Spaces could mitigate this by issuing fewer group permits.
- The “poaching” that the EAC has reported from Agate is primarily school children temporarily handling marine resources for observation while on educational field trips.
- The EAC considers this “poaching” because they use a legalistic definition of the term “possess” from the regulations to mean any handling of marine resources albeit gentle or temporary is against the current regulations, and thereby “poaching”. By this logic, the sand left at the bottom of your shoes when leaving the beach would also technically be considered “poaching”. This interpretation is not posted anywhere on site because it is extreme and differs dramatically from MCPOS, the MPA Watch, and Fish and Wildlife. Fortunately, CDFW Enforcement is reasonable and also does not consider this poaching. No citations have been issued to school children by CDFW at Agate Beach for these “potential violations”.

If tidepool best practices need to be improved at Agate Beach, this can be accomplished through more educational initiatives and better signage, instead of eliminating user groups from the beach.

- The EAC has not presented any verified scientific evidence to support their speculative claim that school children are temporarily handling marine resources i.e. “poaching” because they are

confused by the presence of fishermen. Common sense dictates that school children will continue to temporarily handle marine resources regardless of the presence of fishermen because they do this out of *curiosity*, not confusion. Curiosity and respectful engagement with our ecosystems should be encouraged.

- Because the EAC's claims about high visitation and poaching are demonstrably false, they have failed to provide a credible justification for a designation change.

### 3. EAC does not clarify the problem they are trying to solve:

- The EAC has not presented any verified scientific evidence that there is an ecological problem at Agate Beach caused by the moderate to low visitation and “poaching” by school children. It could be easily argued that ocean storms ripping invertebrates from the reef cause far more “damage” than school children. Of course, this provides food for the fish, birds, and mammals which is a natural part of the ecosystem lifecycle. We should focus instead on the climate change impacts affecting intertidal ecosystems throughout the state such as sea level rise, warming waters, ocean acidification, changes to upwelling, invasive species, increased disease, food web disruption, as well as pollution, and habitat destruction. Why is the EAC wasting time dividing user groups when we should be united against these existential threats?
- The EAC has presented lots of support from the scientific community for their petition but none of these letters provide any verified scientific data to support the claim that ecological damage at Duxbury is caused by visitation and “poaching”. None of these letters specify how eliminating user groups from the Bolinas coastline will tackle bigger threats. Many letters do not acknowledge the impacted groups at all.
- Additionally, these letters do not acknowledge the devastating economic and cultural impacts this petition would have on the small rural coastal community of Bolinas, and how these changes would violate the Fish and Game’s Coastal Communities Policy and the Fish and Games JEDI policy. There is no consideration of the significant harm this would inflict on the historic hook and line fishery in Bolinas that is an exemplary model of sustainability, providing fresh fish to the surrounding communities in West Marin, with **no bycatch**.
- The EAC’s letters of support all provide further evidence of the significant information gaps that were used by the EAC to mislead the community members, elected officials, and public agencies to secure their support for regulatory change.

### 4. EAC downplays and ignores community impacts:

- The EAC consistently portrays the elimination of commercial and recreational fishing on Duxbury Reef as a trivial matter. This demonstrates their profound indifference to the unique cultural heritage and economic needs of our maritime community, and ignores our generational dedication to conservation.
- Nonconsumptive use restrictions of “no dogs” and “no touch tidepools” are consistent with MPA Reserve tidepools throughout the state, and EAC’s partner program at Fitzgerald Reserve. The

argument for these restrictions is supported by the EAC's substantial reporting of dogs and school children that constitutes the majority of their MPA Watch data of over 1,600 reported "potential violations" from 2014 - 2024.

- Banning historically active user groups from a wide coastal zone is likely a breach of the California Coastal Act and the Public Trust Doctrine which were designed to ensure and maximize public access.

## 5. EAC does not provide a compliance plan:

- The EAC has not presented a compliance plan showing how the new regulations would be put into practice to create real environmental gains. The EAC claims that signage does not work and acknowledges limitations to their docent programs, as well as a decline in volunteers. How would the severely restrictive changes be communicated to visitors?
- Instead of implementing drastic changes that run contrary to decades of historic usage, improved signage and education could be implemented to ensure greater compliance with the current regulations. Bolinas believes good signs work! This solution is widely supported by the Bolinas Community and our visitors.

## Transcript from 11/6 Marine Resources Committee Meeting

Video Link 4:14 w/notations in red from Save Duxbury Access

**EAC:** *Hi, good afternoon, Vice President Murray and Commission Sklar. This is Isabelle Dawson with the Environmental Action Committee of West Marin. Again, um I'd like to respond to some of the claims and misinformation submitted by Save Duxbury Access about the Duxbury Reef Petition. Um though we've clarified misinformation multiple times directly via email, through public meetings, and through local press, it's clear some misconceptions still exist. Um, so really for the public record and for those listening in, I'm readressing it today. Uh, first save Duxbury Access claims there is no ecological problem to solve at Duxbury Reef SMCA.*

Yes, the EAC has NOT presented any verified scientific evidence of an ecological problem to solve at Duxbury Reef. There are many ecological problems affecting the entire Californian coast:

1. Climate change impacts: sea level rise, warming waters, ocean acidification, changes to upwelling,
2. Biological impacts: invasive species, increased disease, food web disruption, as well as
3. Human activities: pollution, habitat destruction as well as trampling and poaching.

However, the EAC has not presented any verified scientific DATA to demonstrate these problems at Duxbury Reef. They have also failed to present any verified scientific evidence that their anecdotally observed problems are linked to the human activities of "trampling" and "poaching" at Agate Beach. The EAC's misguided solution to these perceived problems is to eliminate **all** law-abiding near shore boat fishing and shore based reef fishing in Bolinas. This is based on the hypothetical theory that fishermen are causing "visitor confusion", leading school children to temporarily handle biota for observation, which the EAC interprets as "poaching". The EAC provides no verified scientific data to support its claims, which makes it impossible to fully grasp the underlying problem. Regulatory changes cannot be effectively implemented without first developing a precise diagnosis of the underlying problem.

**Ignoring a substantial body of verified scientific evidence in favor of unverified reports is a reckless approach to regulation.**

**EAC:** *Yet on the record, there is support and recognition from the scientific community of the need for further protections, including letters from the Greater Farallons and Cordell Bank National Marine Sanctuaries, the National Park Service, biologists, and multiple educators, a retired senior science adviser who also served on the MPA scientific advisory team, and community scientists. This support should not be dismissed.*

The EAC has ample letters of support for their petition from elected officials, public agencies, and scientists but ALL of these letters have the same glaring information gaps, one of which is NO DATA to support their anecdotal claims of an ecological problem to solve at Duxbury Reef, and therefore a need for change in the MPA. We agree, this support should not be dismissed, instead it should be reexamined

as evidence of how the EAC intentionally misled people to gain endorsements for regulatory capture. Additionally, the EAC mischaracterized the lack of opposition from the Bolinas community as “broad community support”. Initially, there was no community opposition to the EAC’s petition because most of the community was **completely** unaware of their proposal. Afterall, the EAC held no public meetings in Bolinas to gather input and valuable perspectives from stakeholders who would be most impacted by these proposed changes. Instead, the EAC secured official endorsements behind the scenes while effectively excluding the community from the conversation.

**EAC:** *I also want to address the UC Santa Cruz study referenced in written comment. The commenter says, "Duxbury reefs ecosystem is doing well, citing long-term intertidal monitoring site data taken at Bolina's point." "We do hold science in high regard, and while we do not dismiss this study, there are multiple reasons why drawing the conclusion that the reef is fine from this data set is incorrect. First, the site where the study takes place is very inaccessible and about a mile away from the most impacted area at Duxbury Reef, which is Agate Beach. The data's website specifically states that this site receives low visitation by tide poolers. This study was not designed to capture micro impacts to the reef. These are impacts of unpermitted take, high visitation, and other concerns that triggered the petition in the first place.*

**The EAC disregards the relevance of the comprehensive 20-year UC Santa Cruz study conducted in the middle of the Duxbury Reef SMCA at Bolinas Point.** This study demonstrates that Duxbury Reef is not in decline. The EAC omitted this study from their MPA petition because they claim it's too far away and too difficult to access.

This statement clarifies the EAC’s justification for their MPA petition. The EAC has identified “unpermitted take” and “high visitation” as the core problems to solve at the most accessible site in the Duxbury Reef SMCA which is the Agate Beach tidepools at the base of the trail from the Marin County Parks and Open Spaces parking lot. The EAC claims that these activities have harmed the intertidal ecosystem at Agate Beach. By this logic, the “*very inaccessible*” areas to the north and south of Agate Beach are not in need of further regulatory protection because they do not have “high visitation” and “poaching”. The EAC has not put forth any evidence-based rationale for these proposed expansion areas, which are already subject to rigorous natural protection. In fact, the further north you go from Agate Beach, this natural protection grows exponentially because of the narrow beaches, steep cliffsides, exposed open ocean, and closed NPS park trails. Much of this northern section is reachable only by scaling dangerous cliffs, bush whacking, or swimming to shore from a boat through rough surgy water. For these reasons, an MPA expansion at Duxbury Reef SMCA is completely unnecessary.

An MPA reclassification of Duxbury Reef to a Reserve is also unnecessary because the EAC’s claims of “high visitation and poaching of reef organisms” at Agate Beach are false. The visitation levels at this beach are actually low to average when compared to other similar MPA tidepools throughout the state, mostly from Bay Area school children on educational field trips. Visitation is not a problem, but if it were Marin County Parks and Open spaces could place a limit on how many group permits are issued per year. The EAC’s reports of “poaching” are actually just school children *temporarily* handling marine resources for observation as part of their reef educational programs. If this was in fact against the current regulations (Fish and Wildlife says it is not), then signs could be posted on site to mitigate this behaviour. This would be an education issue. If the school children were in fact poaching, this is already illegal and punishable by law. No need for a regulation change, this would be an enforcement issue. Eliminating all reef fishing in Bolinas will not stop children from being curious, and will not stop people from visiting the beach, and that should *not* be the goal. We should be working together to *improve and increase* coastal

access so the public can develop a better understanding of these incredible ecosystems that need our protection. The EAC's petition appears to me a misguided solution in search of a problem.

**EAC:** *Regarding non-consumptive impacts, we've reiterated that nowhere in our petition is there a request to limit children's educational access or anyone's access to only no touch dry rock tidal exploration.*

This is inconsistent with the EAC's partner program at Fitzgerald Reserve that does not allow any touching of marine organisms nor walking on anything but dry barred rock, nor school field trips children younger than 3rd grade. It's also important to remember that the EAC contends that the *current* SMCA regulations at Duxbury Reef strictly prohibit *any* handling of plants, animals, rocks, and shells, because their temporary handling constitutes "possession", and thereby "poaching". This extreme interpretation of the regulations deviates sharply from the CDFW definition as well as the public's understanding, and is notably NOT posted anywhere on site. (By this same legalistic definition, the sand that's left on the bottom of your shoes when leaving the beach is also technically "poaching".) Therefore, moving to a *more restrictive* MPA classification would logically mean that nothing at all could be touched.

Half of the 1,606 total "potential violations" recorded by the EAC since 2014 were "dogs off leash". The other half were school children *temporarily* handling biota at the tidepools for observation, which the EAC has widely reported as "poaching". Thankfully CDFW is reasonable and did not issue any citations to school children for poaching. Regardless, the EAC claims that this "poaching" and "trampling" by school children has caused the anecdotally reported ecological problems at Agate Beach which is the primary justification for their drastic MPA petition.

Remember that by definition, any human activity at Reserves is only allowed by the managing agency if it does not interfere with the ecological goals of the Reserve. Moderate to low visitation and "poaching" by school children have already been identified by the EAC as the root cause of ecological damage at Agate Beach. This provides justification for implementing stricter nonconsumptive usage regulations. At Reserves:

*"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" - 2016 Master Plan for Marine Protected Areas (page 17)*

This begs the question, that if the EAC were in fact planning to deviate from statewide MPA Reserve regulatory norms to keep everything the same at Duxbury Reef (except for the elimination of all reef fishing) how is the EAC's petition going to solve the visitation and "poaching" problems that they have identified? What is their compliance plan? If eliminating all reef fishing does not stop the school children from touching and temporarily handling marine resources what is their next step? Regardless, these human activity restrictions are all consistent with MPA Reserve tidepools throughout the state, and within the legal bounds of the managing agency to implement if deemed necessary.

**EAC:** *Save Duxbury Access says, "Our interpretation of Duxbury's current regulations, which clearly state that it is unlawful to injure, damage, take, or possess any living geological or cultural marine resource except recreational take of abalone finfish from shore only is quote out of touch with the public's understanding of the rule," unquote. This actually supports our argument that the public is confused about*

current regulations at Duxbury Reef, which is why we're advocating for regulatory clarity due to our interpretation of this regulation for the purposes of recording human use data for MPA Watch.

The EAC wildly missed the point. We are all confused by the EAC's legalistic definition of the word "possess" as well as "collect" and "take" which most people understand to mean removal from the beach entirely. Nowhere on site is it posted that visitors *cannot temporarily handle marine resources*.

**EAC:** *Save Duxbury Access implies that we are quote planning on bringing in school children to be fined and jailed unquote.* Misquote comes from our data analysis:

*"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."*

**The question remains, is the EAC planning on bringing in school children to be fined and jailed?** Poaching is serious, and it is a crime punishable by fines, jail time, and the confiscation of equipment. If the EAC doesn't think the children were actually poaching they should drop this claim.

**EAC:** *This is an extremely troubling statement as we're a community organization that takes school children on field trips to the reef while teaching safe tide pooling practices. Yes, we agree. The EAC's accusation of children poaching is indeed troubling. Additionally, this proposal would not eliminate dog walking on the coastline as that is a local jurisdictional issue and not affected by MPA regulations.*

**The EAC says that their proposal would not eliminate dog walking on the coastline in Bolinas as is consistent with most MPA Reserves throughout the state.** They're not saying dogs WILL be allowed but say that this is a "local jurisdictional issue and not affected by MPA regulations". This is false. The MPA boundaries go up to the mean high tide which is against the cliff at Duxbury Reef so the sandy beach is a part of the MPA. If dogs were not an MPA concern, why does the EAC's data show more than 800 potential violations of "dogs off leash" recorded by their MPA Watch program? This evidence suggests this is indeed an MPA-relevant issue. It's a widely established rule that dogs are not allowed on the beaches within California MPA Reserves with tidepools. (Some are permitted on adjacent bluff trails as at the Fitzgerald Reserve.)

**EAC:** *Save Duxbury Access says that a more practical and direct solution exists to protecting the reef. Quote, clarifying tidepool best practices, improving on-site signage, and expanding educational outreach. We do partly agree with this statement as EAC with the help of volunteers has been advocating and educating for years on all of these issues. Yet despite our efforts, we still feel a regulation change is necessary. Finally, I'm concerned that Save Access says they speak on behalf of the community of Bolinas when on the record and in conversation we know there are community members who do support the petition. Thank you.*

# Duxbury Reef MPA Petition no. 2023-32

**Economic Impacts:** These MPA petition changes would have a devastating economic impact because it would debilitate our small sustainable hook and line commercial fishery in Bolinas that feeds West Marin:

- **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.
- **Damage to restaurant supply chains for West Marin 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.
- **Associated 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.

## Cultural Impacts:

- **End equitable hook and line reef 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.*
- **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 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).

- **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.*

**Environmental Justice and Equity Impacts:** Marin County's high percentage of protected lands of nearly 85% contributes to higher cost of living and 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. According to the California Poverty Measure (CPM), approximately 37,000 people live in poverty in Marin County, and approximately 1 in 5 residents are considered food insecure. Nearly 40% of students attending the Bolinas-Stinson School are eligible for the federal free and reduced-price meal program.

Marin County also has more restrictive fishing regulations:

- 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.
- Ocean salmon recreational fishery is currently closed.
- 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.

**Alternative Remedies:** Community participation in the Golden Gate MPA Collaborative through representation from the Bolinas-Stinson Unified School District, the Bolinas Rod and Boat Club, and Save Duxbury Access, expand Duxbury Docent educational outreach by establishing a partnership with EAC, the Bolinas-Stinson Unified School District, the Bolinas Rod and Boat Club, and Save Duxbury Access, improve on-site signage on regulations & tidepool best practices, support continuation of College of Marin Marine Biology Field Station data collection and the [UC Santa Cruz Long-Term Intertidal Monitoring Site Data](#).

# Wealth Disparity and Food Insecurity in Marin County

## Concentration of Wealth in Marin County

Marin County, California exhibits a significant concentration of wealth, evidenced by high median incomes and property values, according to Marin County Visitor, [Data USA](#), [USA Facts](#). However, this wealth is not evenly distributed across the population, leading to significant wealth disparities.

- **High Median Household Income:** Marin County consistently ranks among the wealthiest counties in California and the nation based on median household income.
- **Valuable Real Estate:** Median home values in Marin County are substantially higher than national averages, indicating a strong housing market and a concentration of wealth in property ownership.
- **High Per Capita Income:** The per capita income in Marin County is more than double the state and national average, reflecting the high-income earning potential of its residents.
- **Significant Wealth Gap:** There's a stark contrast between high-income and low-income households. While the county boasts a high median income, a notable percentage of its population is considered low-income, [according to Rooted in Marin](#).
- **Disproportionate Impact on Certain Groups:** Black and Latinx households in Marin County are disproportionately represented in the low-income bracket, highlighting racial and ethnic disparities in wealth distribution.
- **Housing Affordability Challenges:** The high cost of living, especially housing, puts a significant strain on many residents. A substantial portion of the county's workforce commutes from outside the county due to unaffordable housing costs.
- **Economic Inequality and Displacement:** The growing wealth gap and housing affordability issues contribute to the displacement of lower-income households, while wealthier individuals continue to move into and remain in the county.

In conclusion, while Marin County is recognized for its overall wealth and high median income, there is a notable concentration of wealth among certain segments of the population. This has created disparities in income, housing affordability, and economic opportunity, disproportionately impacting specific racial and ethnic groups and leading to a significant wealth gap within the county.

**How does Marin County rank for the most affluent counties?**

- Median Household Income: Marin County holds the 3rd spot in California and the 10th nationally, based on data from 2023, according to U.S. News & World Report and 24/7 Wall St.
- Per Capita Income: Marin County ranks 2nd in the nation, based on a different 2021 Census estimate found on Wikipedia
- Income Concentration: The top 20% of taxpayers in Marin County take home 71% of all income, while the bottom 20% earn only 1.3%.
  - The median household income for White families is twice as high as that of Black/African American and Latinx families.
  - 25% of Latinx children in Marin County live below the federal poverty level.
  - The earnings gap between White and Latino individuals in Marin is nearly \$28,000, which is about \$9,000 larger than the state level.
  - In 2022, Marin was found to be the third most racially disparate county in California.
  - The majority of Black and Latinx households in Marin are low-income, further highlighting significant racial disparities.

## **How many people live below the poverty line in Marin County?**

- According to the US Census Bureau, the poverty rate in Marin County is approximately 8.7%. The Marin County population estimate for July 1, 2024 is 256,400. Using this estimate, roughly 22,300 people in Marin County live below the federal poverty line.
- However, the California Poverty Measure (CPM), which takes into account factors like housing costs and safety net benefits (which are particularly high in the Bay Area), indicates a higher poverty rate of 14.7% for Marin County. This equates to approximately 37,000 people living in poverty in Marin County according to the CPM. The CPM considers a family of four earning about \$36,900 yearly to be below the poverty line.

## **How many people live below the poverty line in West Marin?**

- In Bolinas, approximately 12.8% (or about 150 people) in Bolinas live below the poverty level, according to recent Census data
- In Point Reyes Station, 11.2% of the population (52 out of 463 people) live below the poverty line.

- In Stinson Beach, 10.4% of the population (38 out of 366 people) live below the poverty line.

## **What percentage of Marin County public school students qualify for free and reduced lunch?**

Based on the available information, the percentage of Marin County public school students who qualify for free and reduced-price lunch ranges between approximately 28.7% and 34.2%,

## **What percentage of West Marin public school students qualify for free and reduced lunch?**

- West Marin Elementary School (part of the Shoreline Unified School District) has 65.5% of its students classified as socioeconomically disadvantaged, and 51% qualify for free or reduced-price lunch.
- The Shoreline Unified School District as a whole has 63% of its students listed as socioeconomically disadvantaged. Another source states that 39.6% of students in the district are eligible for free and reduced-price meals.

## **What percentage of Bolinas public school students qualify for free and reduced lunch?**

As of the 2023-2024 school year, 43.6% of students attending schools within the Bolinas-Stinson Union School District (which includes Bolinas public school) were eligible for the federal free and reduced-price meal program.

- Approximately 1 in 5 residents in Marin County are considered food insecure.
- Marin City, the Canal area of San Rafael, areas of Novato, and parts of West Marin are particularly affected by hunger.
- Transportation Challenges: Limited public transportation in some areas, particularly in West Marin, makes it difficult for low-income residents to access grocery stores and food assistance programs.
- Limited Knowledge and Stigma: Some individuals may not be aware of available food assistance resources or may feel stigmatized by using them, further impacting their access to food.

- Systemic Barriers: Historical and ongoing discrimination and unfair systems contribute to disparities in food security, particularly impacting communities of color.

## Food insecurity for families in Bolinas, California

Poverty and food insecurity exist in Bolinas, California, even though it's located in the relatively affluent Marin County. Bolinas' poverty rate of 12.8% in 2023 was higher than the state average of 12%, [according to www.city-data.com](http://www.city-data.com). An estimated 12.76% of residents live below the poverty line, notes World Population Review.

- Poverty and low income: A significant portion of the population lives below the poverty line, making it challenging for families to afford nutritious food. The median household income in Bolinas is \$95,192, with many families falling below this mark.
- Limited access to healthy options: People in rural areas often have limited access to supermarkets with fresh, affordable foods and rely on more expensive options, according to the Rural Health Information Hub.
- Transportation challenges: Bolinas is a relatively isolated town, and families without access to cars or public transportation may face difficulties reaching grocery stores or food pantries located farther away.

## How many Marin County residents catch fish to eat?

- Recreational fishing is a popular activity in Marin County, with locations like Walker Creek and Marin Islands National Wildlife Refuge offering fishing opportunities.
- Data from a San Francisco Bay seafood consumption study indicates that some anglers in the broader Bay Area region consume self-caught fish, with consumption patterns varying by ethnicity and income level.
- Subsistence fishing is described as a fact of life for many Bay Area residents, particularly among disadvantaged communities.
- One source mentions anecdotal observations suggesting an increase in subsistence fishing during the pandemic, but no hard data.
- Participation in recreational fishing is significant: The California Recreational Fisheries Survey (CRFS) estimates that millions of recreational fishing trips occur in California's marine waters annually, with millions of fish caught in total. While not specific to Marin County, this suggests a considerable number of people engage in recreational fishing and may be catching fish for food.

- Survey data indicates consumption: A study conducted for the San Francisco Bay found that 87% of anglers interviewed ate fish caught from the Bay. Although focused on the San Francisco Bay, this provides some indication of the proportion of anglers who consume their catch, which may apply to Marin County residents fishing in those waters.
- Food insecurity in Marin County: Over 48,000 Marin County residents face food insecurity, meaning they worry about where their next meal will come from. While fishing may not be the primary source of food for many, it could be a contributing factor for some residents in securing food.

While the exact number of Marin County residents who rely on self-caught fish for food is not specified, it's clear that recreational and subsistence fishing is a practice within the community, especially in disadvantaged groups, and that concerns exist regarding the safety of consuming certain fish from local waters due to contamination.

## **Percentage of restricted lands in Marin County**

- Approximately 56-64% of Marin County's land is protected, including parks, wildlife refuges, and open space preserves.

## **Restricted lands in Marin County compared to rest of California**

- High Percentage of Protected Land: Nearly 56% of Marin County's land is 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.
- Extensive Public Lands: 46% of Marin County's land is managed by various public agencies (federal, state, county, cities, towns, and special districts). This includes agencies like Marin County Parks and the Marin County Open Space District which manage thousands of acres.
- Percentage of Protected Land: Marin County has a significantly higher percentage of protected land compared to the rest of California. While statewide data on protected land isn't explicitly provided, the figures for Marin (56% or even 85%) are exceptionally high.

## **Restricted lands in Marin County compared to rest the country**

- Rest of the Country: The global coverage of protected areas is 16.43%, while terrestrial and inland waters protected area & OECM coverage are 17.53%.

The high percentage of restricted lands in Marin County has a significant impact on development and housing:

- Limited Developable Land: This leads to a scarcity of land available for construction, especially for housing.
- Higher Housing Costs: The limited supply of housing contributes to Marin County's high housing costs and lack of affordable housing.

## **What percentage of Marin County's coast is protected by MPAs?**

While a definitive percentage of Marin's coastline in MPAs isn't stated, the information highlights a significant presence of MPAs and a strong commitment to coastal protection in the area, particularly within the Point Reyes National Seashore.

## **How many acres of Marin County's coast is protected by MPAs?**

However, the [California Department of Fish and Wildlife \(.gov\)](https://www.wildlife.ca.gov/Programs/MPA/California-MPA-Map) notes that the North Central California region, which includes Marin County, has 25 MPAs and 6 special closure areas that cover approximately 153 square miles (97,920 acres) of state waters. This represents about 20.1% of state waters in that region.

## **What percentage of Marin County's waters are closed to fishing?**

- Many freshwater streams: On Marin Municipal Water District lands, all streams (except Lagunitas Creek between Alpine and Kent Lake during its season) are closed to all fishing, all year. Other streams in the county are also generally closed to the public.
- Marine protected areas: Point Reyes State Marine Reserve, for example, prohibits the take of all living marine resources within its boundaries. Other MPAs have varying restrictions.
- Specific bodies of water: Examples include Easkoot Creek, Muir Woods National Monument, and Rodeo Lagoon.

- Dungeness crab: Dungeness crab fishing is prohibited in San Francisco and San Pablo bays.
- Salmon: The ocean salmon recreational fishery is currently closed but is scheduled to open for a short period in September, with a harvest guideline.
- Green sturgeon: Green sturgeon are protected and may not be removed from the water.

### **How many creeks and streams are open to fishing in Marin County?**

Only a limited number of creeks and streams in Marin County are open to fishing, and those that do have specific regulations and restrictions.

# Do You Think this is **POACHING?**



The EAC claims that ANY temporary handling of marine resources (shells, rocks, plants, organisms, etc.) in Marine Protected Areas (MPAs) constitutes “possession” and therefore **POACHING**.

The EAC believes that visitors at Agate Beach who are primarily school children on field trips are causing harm to the reef. (Note: the EAC does not present peer reviewed scientific data to substantiate this claim.)

When visitors handle any marine resource, the EAC reports this as “**high levels of illegal take of reef organisms**” at Duxbury Reef. Note: none of the EAC poaching claims are validated by CDFW, yet they are being used by the EAC as their primary justification to **ELIMINATE ALL REEF FISHERS** in Bolinas.

**The EAC wants Duxbury Reef in Bolinas to be  
No Fishing Acess**

# What do the SIGNS say at AGATE BEACH?

Agate Beach signs say: “**Taking** of all living marine resources is prohibited except the recreational take of finfish from shore and abalone.”



Does the EAC consider the **temporary** handling of marine resources for observation “taking” and “poaching”? **YES**

The EAC reporting of “**high levels of illegal take of reef organisms**” at Duxbury Reef is mainly just school children on educational field trips exploring the reef. Does the EAC have peer reviewed science that shows visitors are causing ecological harm at Duxbury Reef? **NO**. Why is the EAC trying to **ELIMINATE ALL REEF FISHERS** in Bolinas if they think school children are a problem? The EAC thinks school children are touching things at the beach because they are confused by the presence of fishers. We think children touch things because they are **CURIOS** not confused. Children learn by touching. Are children a problem? Is fishing a problem? What is the problem?

**The EAC Duxbury Petition Makes NO SENSE!**

# Why does the EAC Advertise Touching Reef Organisms

online but claims that ANY handling of marine resources (shells, rocks, plants, organisms, etc.) in Marine Protected Areas (MPAs) constitutes “possession” and therefore

**POACHING???**



@eacwestmarin



@eacwestmarin

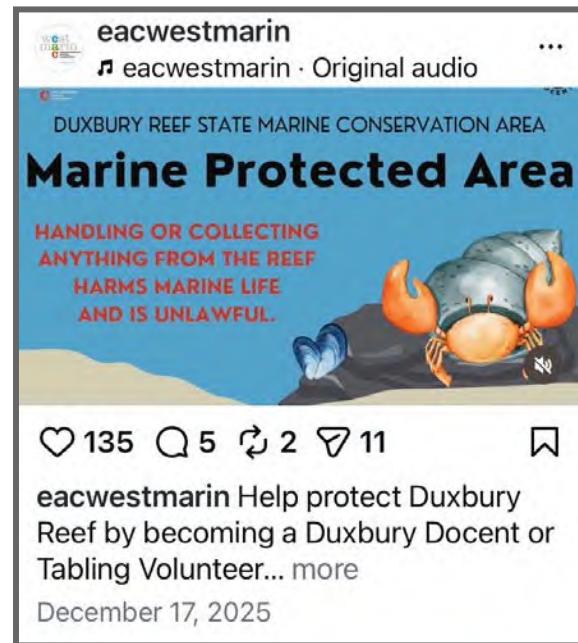
Why is the EAC using these “poaching” claims to justify  
**Closing ALL Reef Fishing in Bolinas?**  
How does this help protect the Reef?

*EAC on Duxbury: “most collecting was for observation and not for consumption” and “most replaced species after removing.” Also EAC on Duxbury: “recurring issues with the illegal take” (mainly by school children)*

## EAC Online MIXED MESSAGES adds to Tidepool Confusion

@eacwestmarin Instagram 12/17/25

**"HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS MARINE LIFE AND IS UNLAWFUL"**



@eacwestmarin Instagram 6/16/25



@eacwestmarin Instagram 6/16/25



@eacwestmarin Instagram 12/17/25

**“HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS  
MARINE LIFE AND IS UNLAWFUL”**

@eacwestmarin Instagram 6/16/25



@eacwestmarin Instagram 12/17/25

"HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS MARINE LIFE AND IS UNLAWFUL"

**EAC Duxbury Docent led field trip at Agate Beach with Archie Williams High School 5/3/25 @seadisc.awhs**



**@eacwestmarin Instagram 12/17/25**

**“HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS MARINE LIFE AND IS UNLAWFUL”**

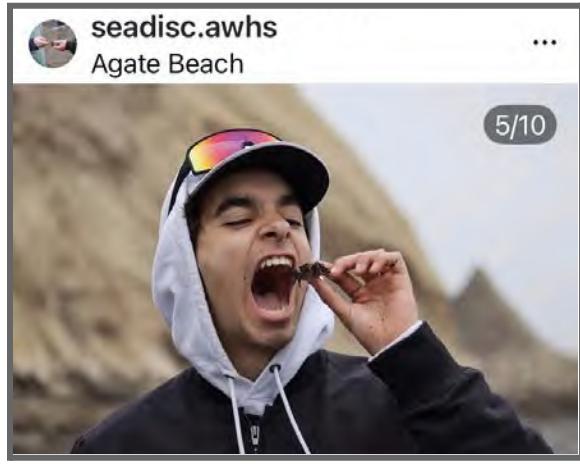
## Agate Beach field trip: Marin Catholic High School 5/7/25 @marincatholic



@eacwestmarin Instagram 12/17/25

**“HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS  
MARINE LIFE AND IS UNLAWFUL”**

**EAC Duxbury Docent led field trip at Agate Beach with Archie Williams High School 5/24/23 @seadisc.awhs**



**@eacwestmarin Instagram  
11/23/2021**



**@eacwestmarin Instagram 9/22/20**



**@eacwestmarin Instagram 12/17/25**

**“HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS MARINE LIFE AND IS UNLAWFUL”**

@eacwestmarin Instagram 9/22/2020



Agate Beach field trip with Marin Catholic 5/19/19 @marincatholic

Agate Beach field trip with Marin Catholic 3/19/19 @marincatholic



@eacwestmarin Instagram 12/17/25

**"HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS MARINE LIFE AND IS UNLAWFUL"**

@eacwestmarin Instagram 6/28/17

eacwestmarin  
Bolinas, California



18 Q ⏪ ⏴

eacwestmarin One of the many marine creatures found at the Agate Beach bioblitz earlier this week. If you... more

June 28, 2017

@eacwestmarin Instagram 12/17/25

**“HANDLING OR COLLECTING ANYTHING FROM THE REEF HARMS MARINE LIFE AND IS UNLAWFUL”**

## **Bolinas Community Testimonials:** Docents Interactions at Duxbury Reef

The anonymous testimonials below highlight the tensions that may surface between docents and shore-based anglers/subsistence harvesters in the absence of inclusive educational programming. While we respect the commitment of the docent program to reef protection, we observe opportunities for growth, particularly in fostering greater inclusivity. Current educational initiatives could better represent the diverse user groups, to help mitigate the potential friction and misunderstandings that sometimes arise between these communities and the docents. Integrating the docent program with the Bolinas community would allow the incorporation of local traditional knowledge, better reflecting our cultural ties to the vital intertidal ecosystem. With respect to the privacy of these individuals, we have kept their identity confidential.

*"I have been a lover of the tide pools since my childhood, and now as a mother the experience of sharing a love for interacting with and observing our natural ecology with my son is one of my biggest joys. The opportunity to teach about the magic of the reef, its delicate nature, and our opportunity to protect and respect it is so important. It's been incredible to see more docents present to answer questions and guide our discoveries. Especially for the many groups of school age children from all over the Bay Area. Unfortunately there have been several interactions with docents who I've witnessed and experienced talk down, shame and intimidate visitors to the tide pools. Though their actions may be in the interest of protecting the reef the best they can, their approach only creates defensiveness, and a feeling that one is not welcome there. This dynamic can appear prejudice and entitled, creating a bad experience in our community as a whole! I believe the docent program at Duxbury has room to grow to cultivate an environment that is more inclusive, engaging and supportive to people's natural interest in learning." - Anonymous*

*"My girlfriend and I, both with legal fishing licenses, were poke poling at the North part of Agate Beach, and we had caught a couple of small monkey face eels. A person came up saying they were a Duxbury Docent and told us we couldn't fish there and it was illegal. We decided it was best to throw back our eels so that we didn't get cited. We believed we were legally fishing, and it turns out we were. Later we were told that the reason the docent came after us was that they thought monkey face eels were invertebrates. This was a distressing event." - Anonymous*

*“On January 27 at about 5:00 PM, my friend and I were fishing on Duxbury Reef. We were both holding valid recreational fishing licenses and aware of the fishing regulations on the reef. As we walked from the agate beach access south down the reef, we noticed a woman following us from a distance. We began to fish using a poke pole method. The woman then approached us and immediately accused us of killing an octopus. There were no octopus present. I assume her confusion was due to her inability to distinguish between the squid bait we were using and what she thought was an octopus. She then identified herself as a docent of the reef and told us that we were illegally fishing and we needed to leave the reef. I remained confident in my knowledge of the fishing regulations and told her we were within our legal rights and further explained the law. Once it was clear to her that I was aware of the local regulations she quickly changed her demeanor and agreed with me that we were fishing legally. It appeared to me that she was aware of the true regulations the entire time and was attempting to intimidate us.” - Anonymous*

*“Five years ago when I was eleven years old, my family and I were fishing at Agate Beach when a docent approached us and started yelling. He said something like, ‘look down at where you just stepped. You just killed thousands of organisms. You killed them and they will never come back to life. You’re a murderer!’ It was a long time ago. I don’t remember all the details but it really made me mad. The guy was acting like a jerk.” - Anonymous*

*“A few years ago, at the Duxbury MPA, I was legally poke-poling for finfish after thoroughly reviewing the CDFW regulations, when I was approached quickly from a long distance and wrongly accused of illegal fishing by a EAC docent. Earlier that morning I had double-checked the CDFW site to make sure I still had most up to date Duxbury MPA regulation info and reassured a friend who joined me, the docent confidently claimed the law had changed and insisted I was in violation, which was both incorrect and upsetting. His explanations for the law change showed that he misunderstood poke-poling entirely, suggesting it caused excessive bycatch like octopuses and likening it to blindly jabbing into reef holes—an insulting and inaccurate depiction. He then escorted me off the reef, micromanaging my steps to avoid harming marine life, despite having fabricated rules and clearly not knowing the current regulations. While I don’t believe he intended to harass me, the interaction was misinformed, frustrating, and felt unnecessarily hostile.” - Anonymous*

*“In the fall of 2020 I took my two children and one of their friends to go fishing at Agate Beach. This was during the pandemic and my husband was away fighting fire. He’d been gone for over 23 days, so as you can imagine it was a very stressful time for our whole family. It felt good to get outside, until we were approached by a docent who started yelling at us and calling my kids ‘murderers’. This was really upsetting especially for my daughter who at the time was only eight years old and was (and still is) very environmentally conscious. Later my daughter shared with me that this man had been watching her through binoculars before he approached us. This made her feel very uncomfortable. I don’t think this kind of hostility is very productive. I’m not sure what the man was trying to accomplish. I reported this incident to Marin County Parks but they did not know who he was.” - Anonymous*

*“Several years ago, while poke-poling on the reef, I was approached by a Duxbury Reef docent and told that poke poling with a hook and line was illegal. I asked for clarification as I had grown up poke-poling in the same fashion since I was a child with many local elders. The docent stated that “the laws” had changed and I was now in “violation”. Trusting the docent, I seized my actions and returned home where I was able to look up the current regulations again. I could not find any regulations that stated what I had been doing was illegal. I felt as if I was misguided by somebody that should know the regulations and be educating- not spreading misinformation. I have heard of many other encounters with docents in the community. Thank you for your consideration in this matter.” – Anonymous*

*“My friend and I got harassed by some lady for poke poling . She came up to us and tried to accuse us of killing an octopus and then said that we weren’t allowed to fish there which isn’t true and she had no idea what she was talking about she said she was a volunteer or something like that.” - Anonymous*

*“Several years ago, I was poke poling for eels at Duxbury Reef, as I had been doing for some 50 years, when I was approached by a docent, who told me that it was illegal to be fishing on the reef. This was very strange, since he was a friend with whom I had had kayaking and cycling adventures. No, you’re wrong, I said. Fishing and abalone diving (at that time) are legal. No, he said, they’re not. We argued about it, and he didn’t back down. He lived up above the reef and since then I’ve learned that he continually scans the reef with binoculars. I went home with my eels and figured he would call and apologize, but he never did.” - Anonymous*

# POINT REYES LIGHT

## NEWS

### EAC loses key support for fishing ban

by Sophia Grace Carter

January 21, 2026



A popular tidepooling spot in Bolinas is the subject of a proposed fishing ban that lost the backing of elected officials this week. A conservation group hopes to stem the take of fragile marine organisms, but locals say prohibiting fishing isn't the answer. (David Briggs / Point Reyes Light)

County supervisor Dennis Rodoni has withdrawn his support for a controversial petition that would ban fishing at Duxbury Reef, the largest shale reef in North America, which lies along the western shore of Bolinas.

In a letter sent last Thursday to the California Fish and Game Commission, Mr. Rodoni urged commissioners to set aside the petition submitted by the Environmental Action Committee of West Marin.

“Today, the Bolinas community is largely united in its opposition to the petition and their concern about being left out of any public conversation prior to its submission,” he wrote. “I hear my constituents clearly.”

Rep. Jared Huffman, who had also sent a letter of support for the proposal, retreated from that position in an email to the *Light* this week.

“Amid the strife, I see community consensus to protect the magnificent Duxbury Reef,” he wrote. “It makes sense to take the time to ensure everyone is on the same page on the best way to do that.”

The reversals follow months of mounting opposition after Bolinas residents discovered that, two years earlier and largely unbeknownst to them, the E.A.C. had asked the state commission to reclassify Duxbury Reef from a state marine conservation area to a more restrictive state marine reserve. Though conservation areas allow hook-and-line and poke-pole fishing for finfish while prohibiting the take of other marine life, marine reserves ban all fishing outright.

A series of fiery meetings have taken place in Bolinas in recent weeks, including one that drew well over 100 residents and another that erupted in acrimony between locals and E.A.C. staff.

As part of the state’s 10-year review of marine protected areas, the E.A.C. has sought to outlaw fishing along roughly eight miles of coastline and extend protections 1,000 feet offshore, from Double Point in the north to a stretch of intertidal zone in the south. After residents outlined grave impacts on commercial fishermen, the E.A.C.

sought to amend the petition to scale back the northern expansion. But despite calls for the group to withdraw the petition entirely, it has not backed down.

The Department of Fish and Wildlife will release a draft evaluation of the petition by the end of February, after which it goes to the Fish and Game Commission. Neither agency responded to requests for comment on whether the reversals of support would alter the process.

Duxbury Reef, which received protected status in 2012 after a lengthy public process, is home to more than 200 species that thrive in its tidepools. Agate Beach, its most accessible entry point, is reached by a short trail from a parking lot and is popular among tourists and school groups. A single sign near the trailhead outlines the rules, and enforcement is limited.

A central point of contention is whether sufficient scientific evidence exists to justify tighter restrictions. In its petition, the E.A.C. argues that its team of 14 volunteer docents have observed high levels of poaching at Agate Beach and that rules allowing fishing but banning other take are confusing. Of the 132 potential violations that volunteers recorded at the beach last year, none involved fishing. Sixty-five involved the handling of marine life, and most of the remaining incidents involved dogs off leash.

Critics say that banning fishing would hardly be a panacea. Confusion among visitors should be addressed through clearer signage, education and enforcement, they argue. “They have very little justification, and their justification is pretty questionable,” said Chris Martinelli, a sport angler and deputy chief of the Marin County Fire Department who lives in town.

Save Duxbury Access, a group formed in opposition to the proposal, points to a long-running study conducted by citizen scientists since 2002 that tracks changes in intertidal plots along the reef. The study documents the abundance of species such as mussels, ochre sea stars, snails and various algae. The data show no clear long-term declines other than for the ochre sea star, whose population was devastated by a wasting disease that caused regional mass die-offs.

At the College of Marin's Bolinas Field Station, biologist Dr. Joe Mueller is leading a team repeating an invertebrate population survey first conducted in the late 1960s by Gordon Chan. The 1969 study documented the abundance and diversity of organisms on the reef and advocated for its protection, while also noting that fishing access should be preserved if a marine reserve were established. The study provides a baseline for comparing present-day conditions more than 50 years later, Dr. Mueller said. His team has been collecting data since 2019, but their findings are not yet public.

Mr. Rodoni said his letter of support, submitted in 2023, was based on the belief that the petition reflected broad community backing. In fact, townspeople say they felt excluded from a discussion about an area that makes up their backyard, and in recent months public sentiment has turned sharply against the E.A.C.

“You’ve got this community riled up,” John Norton said at a meeting last Wednesday. “We talk to your donors. We got billionaires in town, we got millionaires in town, we got working people in town, and we all talk to each other. Your reputation is through the drain.”

The fight has reopened old wounds from the establishment of marine protected areas under the 1999 California Marine Life Protection Act, which outlined a chain of underwater sanctuaries. What followed were years of contentious negotiations between conservation groups pushing for strict curbs on fishing and anglers wary of losing territory. Local fishermen lost long-used grounds off the Farallon Islands and Point Reyes.

“Commercial and recreational fishermen have sacrificed a lot already, and to sacrifice any more is pretty much unnegotiable,” said Jeremy Dierks, one of a few remaining commercial fishermen in Bolinas. “We’ve given up whole fisheries to this process. Other fisheries have been regulated so much that you can’t fish them out of Bolinas. We’re basically reduced to one fishery—halibut—and this proposed area is a major part of that.”

The day before Mr. Rodoni sent his withdrawal letter, representatives from the E.A.C., the Bolinas Rod and Boat Club and Save Duxbury Access met with Fish and

Game Commissioner Samantha Murray to discuss the proposal. It was a bright clear day, and they were virtually alone out on the reef. Anglers brought maps showing the extent of existing protections, and later that evening, both sides spoke at a meeting at the firehouse.

“I think the intended purpose of the [Fish and Game] meeting was to get closer to some sort of agreement or compromise,” said Rudi Ferris, vice president of the Rod and Boat Club. “But we’re not going to accept the elimination of fishing. It’s just not something this town can endure, particularly when fishing has never been characterized as destructive. I’ve lived in this town for 62 years, and it’s the cultural traditions that are passed on from generation to generation that make it so special.”

Mr. Ferris emphasized that opposing the petition does not mean opposing protections for the reef. Bolinas, which passed a 2003 ballot measure declaring itself “a socially acknowledged nature-loving town,” has bristled at suggestions that it has failed to protect its shoreline.

“This isn’t to say we can’t help the E.A.C. We share their values,” Mr. Ferris said. “This town has loved the reef since...I don’t know when...forever.”

Wednesday’s meeting ended without any consensus. Repeated calls for the E.A.C. to withdraw its petition were answered with silence, and no clarity emerged on what a compromise might look like.

“We understand that you’ve been working on this for years, but as you’ve heard, we’re just catching on,” Jon Cozzi said. “So it’s not a compromise to pause or withdraw—it’s just decency.”

The E.A.C. demurred. “We don’t feel like withdrawing the petition is a compromise,” said Leslie Alder-Ivanbook, the group’s program director. “We feel strongly that something needs to happen there that’s not just signage, education and enforcement.”

But in acting on behalf of invertebrates—nudibranch, chitons, turban snails, hermit crabs—the group overlooked the immediate impact on people, said Ilka Hartmann, a photographer who has lived in Bolinas for more than 50 years.

“We will always stand up for our fishermen,” she said.

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⚠ The BC Centre for Disease Control has issued a toxic drug advisory for the Province of British Columbia.

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## Drift logs destroying intertidal ecosystems: research

November 13, 2025 | By University of Victoria | [Research](#)

Drift logs and plovers at Clover Point in Victoria, BC. Credit: Tom Reimchen

Logs are a familiar sight on the beaches along the coast of Vancouver Island and Haida Gwaii and are often viewed positively, as they can stabilize the banks, be used for firewood or act as benches by beach-goers. However, new research from the University of Victoria (UVic) shows that these logs are not as innocuous as they seem.

According to a study published by UVic biologist Tom Reimchen and two of his students, free-floating logs that wash ashore, referred to as drift logs, are causing widespread destruction of rocky intertidal ecosystems communities along the coast of Western Canada.

"In this study, we looked at both the ecological impact of drift logs, and at log abundance and movement over time," says Reimchen. "Both aspects of the study had worrisome results."

While drift logs may seem rather stable to the casual observer, more than 90 per cent of logs are displaced annually, and log movement during storms is frequent and extensive. This movement disrupts the ecological environment in the intertidal zone—the stretch of beach between the highest high tide and the lowest low tide.

Reimchen found that populations of barnacles, a key intertidal species, are 20- to 80-per-cent lower on surfaces that are exposed to logs compared to protected crevices. The interstitial spaces between the barnacles, which support a variety of small invertebrates, are negatively impacted as well. While new barnacles settle every year, they are removed regularly with seasonal movement of the logs.

Many shorebird species, such as black oystercatchers, surfbirds, black turnstones and rock sandpipers, rely on the rocky intertidal zones for food. Researchers suspect the loss of barnacle beds and interstitial invertebrates due to log abrasion has likely contributed to the decline of shorebird populations. Since 1970, there has been a 50-per-cent drop in some of the shorebirds.

"Drift logs cause persistent and cyclical damage to the intertidal environment along the BC coast," says Reimchen. "And the problem has only gotten worse over the last century, as the number of drift logs along the BC coast has been steadily increasing."

Reimchen, alongside undergraduate students Esteban Pérez Andresen and Melanie Marchant, used satellite imagery and archival photographs to quantify log abundance from inside passages and exposed outer western shores as well as the west shores of Haida Gwaii. They found a 520-per-cent increase in drift logs since the late 19th century and also discovered that the most remote shores have log abundance comparable to more developed areas. The logging industry has played a major role in this increase, with more than 60 per cent of logs analyzed showing signs of human origin. Even those classified as "natural" logs may originate from human influence, such as logging-related landslides.

"We need to recognize drift logs as a significant ecological disturbance, comparable to ice-scouring or heatwaves," says Reimchen. "It's critical that we begin reducing the number of drift

logs added to the marine environment and begin introducing conservation measures to protect organisms in the intertidal zone."

This research, published in [Marine Ecology](#), supported by the Natural Sciences and Engineering Research Council and supports the United Nations Sustainable Development Goal (SDG) No. 11 (life below water). Learn more about [SDGs at UVic](#).

## Media resources & contacts

[Download the media kit](#)

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### In this story

Subjects:  
[biology](#), [sustainability](#)

People:  
[Tom Reimchen](#)

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### Filed under:

[Research](#), [Faculty of Science](#), [Science & technology](#)

## Latest media releases



# At what cost? Shifting away from wild-caught seafood puts global biodiversity 'at risk'



By **Amanda Lim**

21-Jan-2026 Last updated on 21-Jan-2026 at 03:02 GMT



A new paper claims that a shift away from ocean-caught protein may inevitably worsen biodiversity loss. (Getty Images/iStockphoto)

**A new paper challenges assumptions that agriculture is inherently more sustainable than marine fisheries, arguing that moving away from the latter will intensify biodiversity losses.**

## AgTechNavigator

However, a new paper by Duncan Leadbitter of the Australian National Centre for Ocean Resources and Security, University of Wollongong claims that a shift away from ocean-caught protein may inevitably worsen biodiversity loss.

According to the paper, the prevailing assumption is that agriculture is inherently more sustainable than marine fishing.

“The underlying assumption is that the comparative impacts of agriculture versus fisheries favour agriculture, but this may not be the case, especially when biodiversity is the basis for the comparison.”

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The paper called out documentaries such as *Seaspiracy* and *Oceans* for popularising claims that sustainable fishing is not possible, leading consumers to consider changing their diets thinking it is more sustainable.

## AgTechNavigator

"This peer-reviewed article underscores the essential role of responsibly managed fisheries in sustainable food systems and biodiversity protection. Despite their impacts, agricultural systems remain vital for feeding a growing population.

"However, more tools are needed to enable objective, localised comparisons between the biodiversity impacts of land-based animal protein production and marine fishing. With this in mind, IFFO has started a pilot project to transition current discussions to a biodiversity framework outlining indicators to measure impacts and guide decision-making," said Dr Brett Glencross, IFFO's Technical Director.

## Too much to replace sustainably

Today, around half of the Earth's arable land has already been converted from natural habitats to food production, driving major terrestrial biodiversity loss.

Approximately 83 per cent of the expansion of global agriculture in the 1980s and 1990s replaced tropical forests.

About 77 per cent supports livestock production and the remainder is dedicated to crops, some of which for animal feed.

Aquaculture also increasingly relies on fed systems, often using fishmeal derived from wild capture. However, the paper also noted that the use of plant-based replacements like soy are rising.

The paper claims that replacing animal protein from marine fisheries could require an additional 5 million km<sup>2</sup> of land – an area larger than the extent of intact rain forest in Brazil.

## AgTechNavigator

The paper highlighted the importance of integrated food systems.

Without holistic assessments of feed ingredients and food systems, environmental impacts risk being shifted from oceans to land, the paper warned.

"Well-managed fisheries do not rely on fundamental changes to ecosystems in the way that agriculture does and there is lots of progress in improving fisheries management underway," said the researchers.

The paper concluded: "There are choices to be made as to how more food will be produced in the coming decades and what unintended land use and biodiversity consequences will be produced from these decisions."

*Reviews in Fisheries Science & Aquaculture*, 1–13.

*Biodiversity Consequences of Replacing Animal Protein From Capture Fisheries With Animal Protein From Agriculture.*

*Leadbitter, D. et al*

<https://doi.org/10.1080/23308249.2025.2585414>

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A need for feed: Japan aims to boost feed efficiency and secure stable supply to drive aquaculture growth

## Opinion

## The Seattle Times

# The next wave of U.S. ocean conservation: Creating marine protected areas with community input

June 8, 2022 at 8:30 am



Sea stars of all colors cling to the rock formations at low tide as tide pools form at Point of the Arches at Shi Shi Beach on the Olympic Peninsula on July 18, 2015. (Bettina Hansen / The Seattle Times)

By [Jenna Sullivan-Stack](#)

*Special to The Times*

After growing up exploring the colorful tide pools along the Oregon coast, as an adult I've found my way home to the West Coast, with its stunning coastline and remarkable marine life. I came back to become a card-carrying marine scientist — during my Ph.D., it wasn't unusual for me to be at the edge of a Pacific Coast tide pool at 4 a.m., headlamp illuminating the shimmery algae and bright purple and orange sea stars clinging to rocks. I study the interactions of life beneath the waves, briefly exposed by the tide. My curiosity goes beyond why the sea star is purple or how climate change stresses their health. My work is centered on learning how ocean ecosystems, and the people who depend on them, can thrive in the future.

This week marks [Capitol Hill Ocean Week](#) in Washington, D.C. Scientists, managers and decision-makers are gathered to help ensure that ocean places across the U.S. are healthy and resilient, so they can support plant, animal, and human life years from now. We have a national target to conserve [at least 30% of its ocean by 2030](#), in recognition of the important role a healthy ocean plays in our lives. The country's marine protected areas (MPAs) — parts of our waters where destructive activities are limited — are key to achieving this target and a healthy ocean.

I worked with 30 scientists across the country [on a recently-released scientific paper](#) assessing the state of U.S. MPAs. Although we have made excellent progress, we still have work to do to improve our system of MPAs so they protect marine biodiversity across U.S. regions and bring the benefits of a healthy ocean to diverse communities. 98% of waters around the continental U.S. are not in any type of MPA. Protecting more of the U.S. ocean can help ensure long-term ocean health.

But the 30% target is not just about quantity — it's also about quality and diversity, and it's about equity. There are multitudes of marine ecosystems in U.S. waters, and that is matched with the diversity of human communities that rely on those ecosystems for everything from livelihoods to cultural survival. The best available science indicates that all of these places should include areas set aside from extractive and destructive activities and protected as an investment for the future.

Not all marine protected areas are created equal: Different levels of protection allow different impacts from human activities like fishing, mining, development and aquaculture. Because so few habitats off the coasts of the continental U.S. are protected in MPAs, they do not benefit from the outcomes provided by well protected MPAs — abundant wildlife, more resilient ecosystems, and associated cultural and economic

benefits. We don't just need more MPAs; we need more effective, representative and equitable MPAs.

This next wave of ocean conservation is an opportunity to create MPAs that are led by and reflect the goals of the surrounding communities while effectively conserving biodiversity. A good example of this idea in action is Papahānaumokuākea Marine National Monument, which has been designed and managed in partnership with Native Hawaiians who charted a path for the area to be both effective and equitable.

The ocean, like the rest of the world, is changing in response to human impacts; it's time our approach to marine protection changed with it. When I bring my own kids out to the Oregon coast — those same tide pools I grew up exploring — I am reminded of the magic the ocean brings to people. And I feel the weight of responsibility to do my part to ensure a healthy ocean for my kids and the next generation.

**Jenna Sullivan-Stack:** is an ecologist and conservation scientist, currently a research associate at Oregon State University working on The MPA Project team.

 View 4 Comments / 4 New



Kate Ryan

Bolinas CA

Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,



94244-2090

SAN FRANCISCO CA 940

7 JAN 2026 PM 2 L



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

TIDE POOLING AT SUNSET



♥ VIEW FROM DUXBURY ♥

SAN FRANCISCO CA 940

7 JAN 2026 PM 5 L

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Sincerely,

*Annie O'Connor*

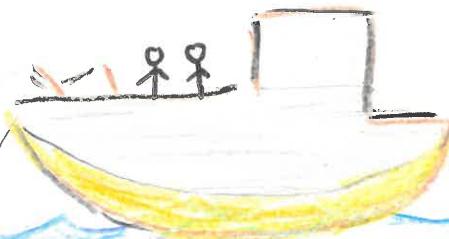
*Bolinas, CA*

30



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

LET US KEEP FISHING



SAVE DUXBURY ACCESS!

Lourdes Mora-Lopez

Bolinas, CA

SAN FRANCISCO CA 940

7 JAN 2026 PM 2 L



**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**.

California Fish and Game  
Commission

P.O. Box 944209 Sacramento,  
CA 94244-2090

Sincerely,

94244-2090



SAN FRANCISCO CA 940

7 JAN 2026 PM 2 L

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Sincerely, *Dana O'Connor*

*Bolinas, CA*



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



Mary Sangster

Bolinas

Re. Opposition to Petition No. (2023-32MPA)

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Sincerely,

Mary Sangster

842442090 B001



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

A black and white woodcut-style illustration of a large fish swimming in the ocean. The fish is the central focus, with its body oriented diagonally. Above the fish, the text "PLEASE SAVE ACCESS" is written in green, followed by "Belindas Rock Fish" in white. The background features stylized waves and a dark, circular object on the right.

A hand-drawn illustration of a large fish swimming in the ocean. The fish is dark green with white stripes and spots. Above the fish, the text "PLEASE SAVE ACCESS" is written in green, followed by "Belindas Rock Fish" in white. The background features stylized green waves and a dark green tree on the right.

Georal Krakauer

Bolinas CA

Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners.

SAN FRANCISCO CA 940

7 JAN 2026 PM 2 L



Happy  
Holidays

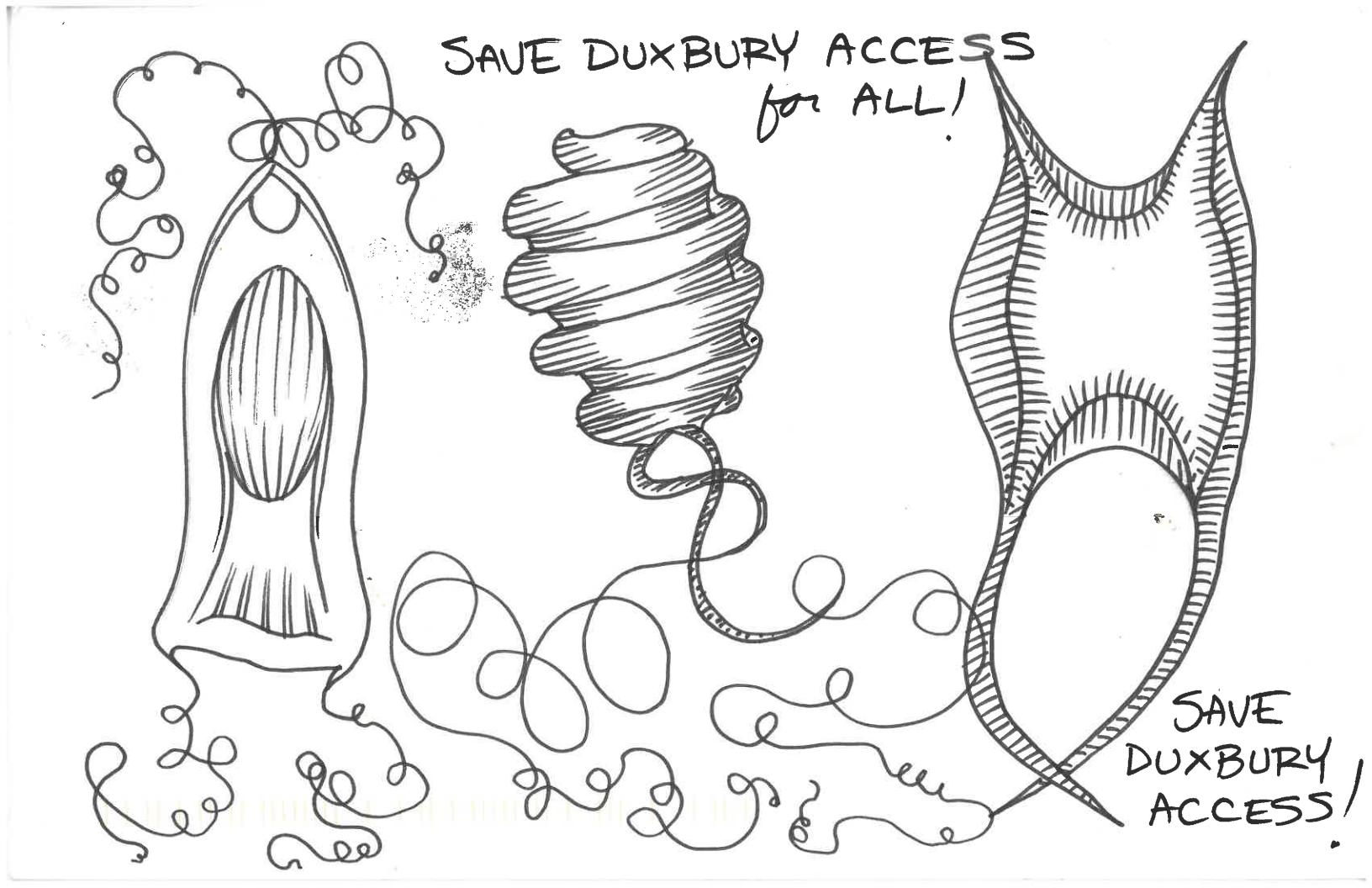


I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,

  
4244-2090

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



SAVE DUXBURY ACCESS  
for ALL!

SAVE  
DUXBURY  
ACCESS!

GAYLA ALDERS

SAN FRANCISCO CA 94103  
BOULDER CO 80302  
N 2026 PM 5 L



Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,

*Gayla Alders* 11/22/25  
S4244-2090

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



Evan Wilhelm

Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the **Magnuson-Stevens Fishery Conservation and Management Act of 1** 1976 consistent with the **CFGCC Coastal Fishing Communities Policy of 2024**

Sincerely,



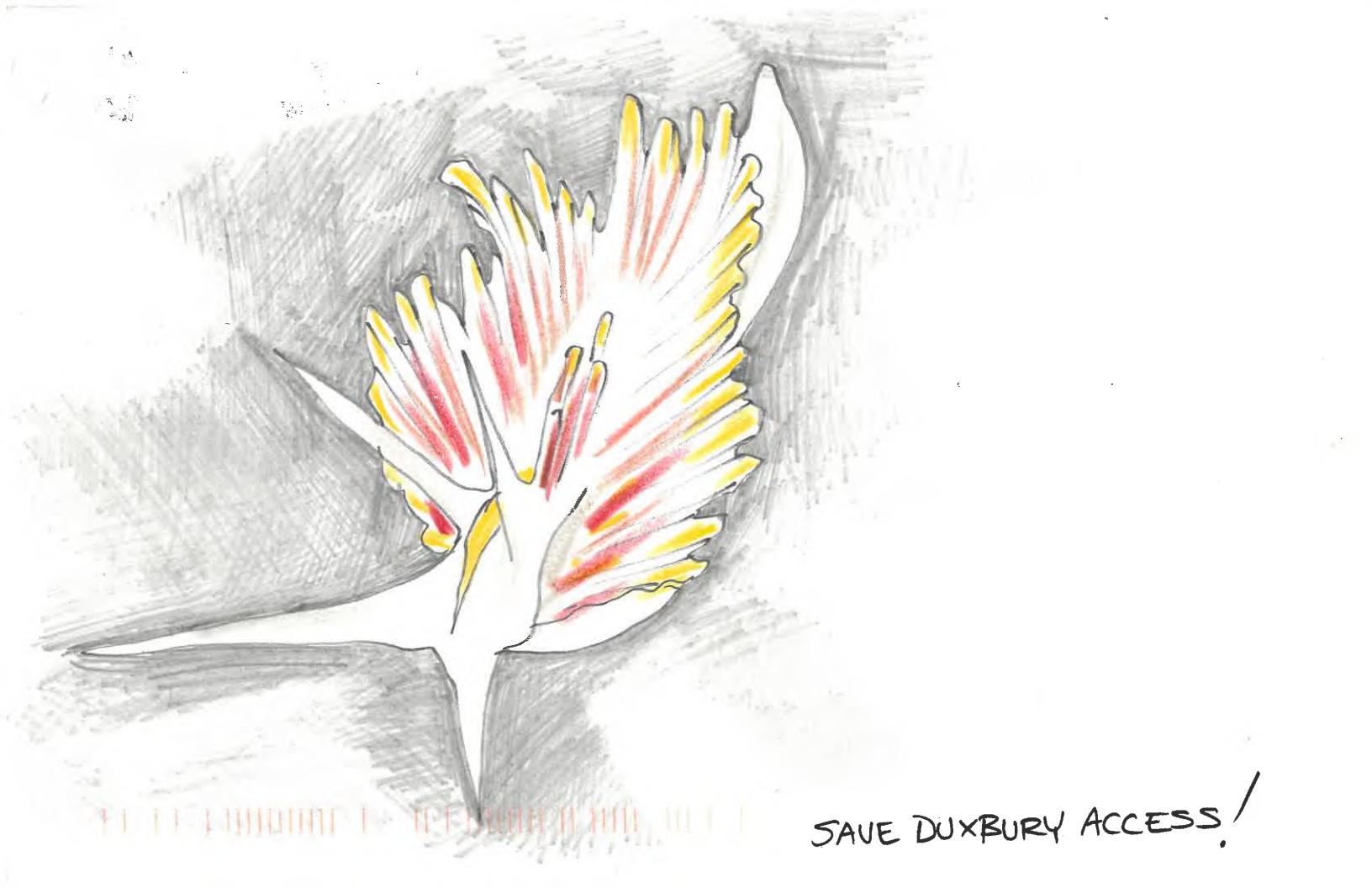
94244-2090

A 940  
Bolinas 2026 PM 5 L



FOREVER / USA

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



SAVE DUXBURY ACCESS!

SAVE DUXBURY ACCESS!

Jon Cozzi

SAN FRANCISCO CA 940

7 JAN 2026 PM 5 L



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,

94244-2090

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



SAN FRANCISCO CA 940

7 JAN 2026 PM 5 L



Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

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Sincerely, *Dana O'Connor*

*Bolinas, CA*

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

Black Rockfish

monkeyface sc1

Grass Rockfish

Tiger Rockfish

Vermilion Rockfish

A hand-drawn banner with the text "SAVE DUXBURY FISHING ACCESS FOR ALL" and "PLEASE" on the left, and "Blue Rock" on the right, set against a background of green and white wavy lines.

Blue Rockfish



THORNTON SMITH

Bolinas, CA

SAN FRANCISCO CA 940

Re. Opposition to Petition No. (2023-32MPA)

23 JAN 2026 PM 3 1

Dear Fish and Game Commissioners.

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,

 THORNTON SMITH  
111-1874294-3260

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



MARINA ALICKE

FAIRFAY, CA,

SAN FRANCISCO CA 940

23 JAN 2026 PM 2 L

Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,



2023-32MPA



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

SAVE OUR FISHING!  
AND  
REEF ACCESS



SAVE DUXBURY ACCESS for ALL! thank you!

Chris Martinelli

Bolinas, CA

Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,



2023-2090

SAN FRANCISCO CA 940

23 JAN 2026 PM 2 L



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



AURORA FERLINGHETTI  
BOLINAS, CA

SAN FRANCISCO CA 940

23 JAN 2026 PM 2 L



Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been NO EVIDENCE presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also NO EVIDENCE that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds NO MERIT, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,

Aurora Ferlinghetti

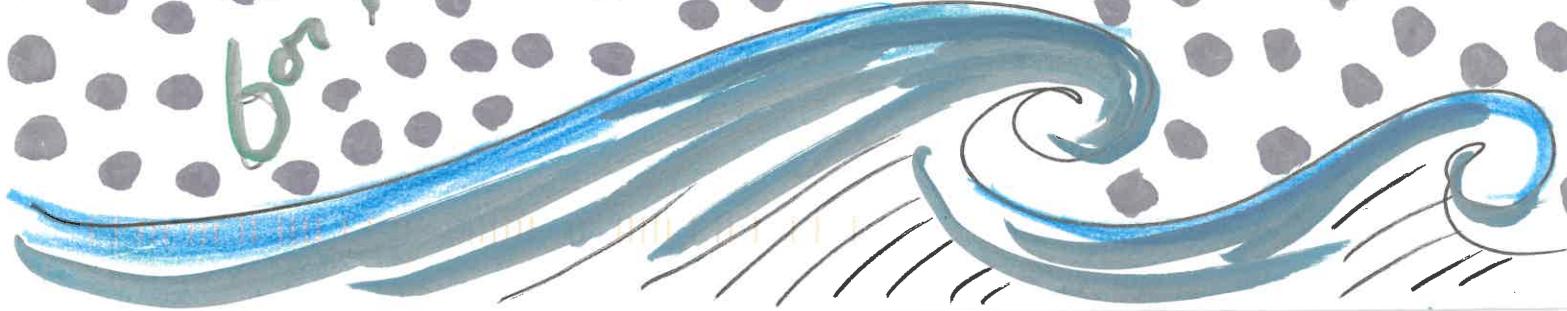
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|||||

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

PROTECT  
COASTAL  
ACCESS

bo<sup>ba</sup> AW



Amanda Ross

Bolinas, CA

SAN FRANCISCO CA 940

23 JAN 2026 PM 2 L

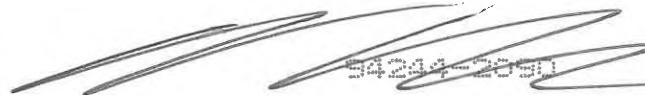


**Re. Opposition to Petition No. (2023-32MPA)**

Dear President Sklar and Commissioners,

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Sincerely,

A handwritten signature of Amanda Ross.

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



Alice Martinelli

SAN FRANCISCO CA 940

23 JAN 2026 PM 2 L

Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners.

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Sincerely,

John M.

92244-2090

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



SAVE DUXBURY ACCESS!

for ALL!

WE LOVE THE REEF!

4000 MILE

DAVE AVERNEE

BOLINAS

Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners,

SAN FRANCISCO CA 9410

23 JAN 2026 PM 3 L

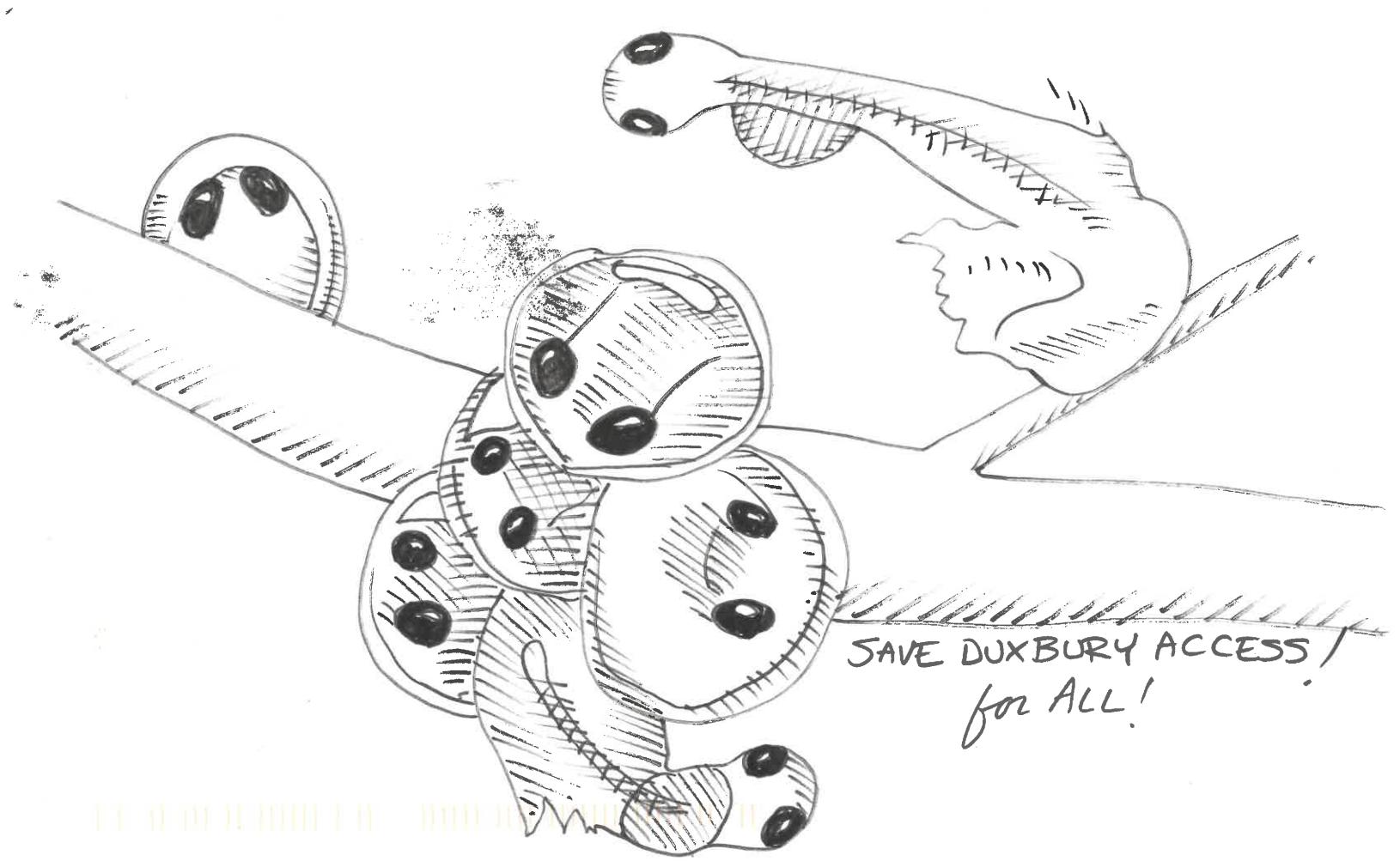


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Sincerely,

DAVE AVERNEE  
94244-2090

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



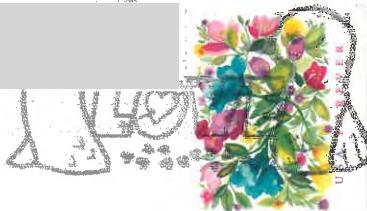
SAVE DUXBURY ACCESS  
for ALL!

Kestrel Cramer, Bolinas CA  
SAN FRANCISCO BAY AREA

Re. Opposition to Petition No. (2023-32MPA)

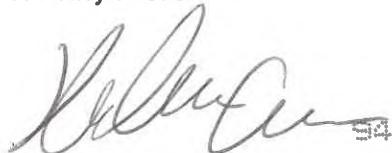
Dear Fish and Game Commissioners,

23 JAN 2026 PM 2 L



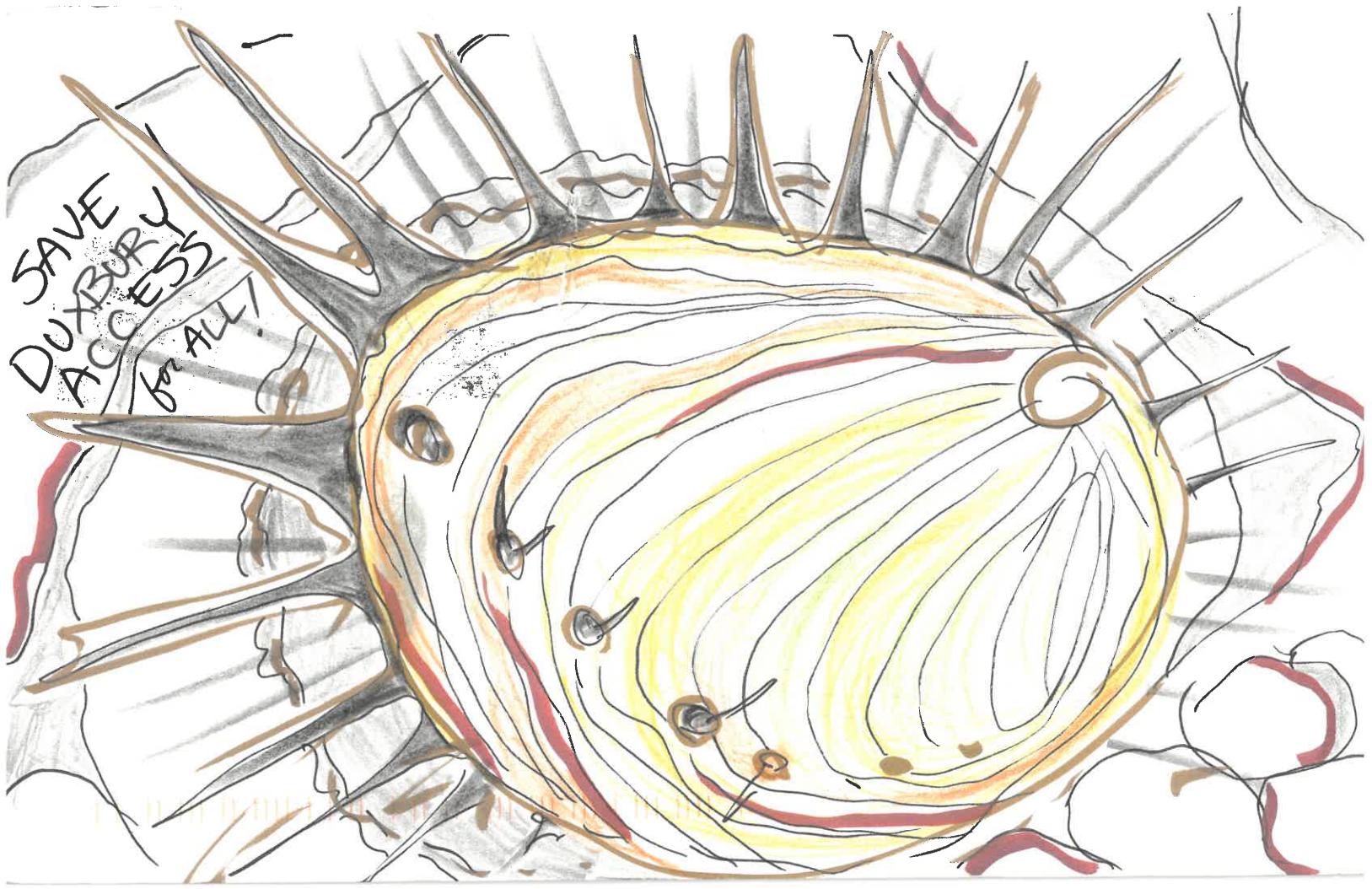
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Sincerely,



4244-2090

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



SAVE  
DUTTERSBURY  
ACCESS  
for ALL!

Verena von Pfeffer

, MILL VALLEY, CA

SAN FRANCISCO CA 940

23 JAN 2026 PM 2 L



Re. Opposition to Petition No. (2023-32MPA)

Dear Fish and Game Commissioners.

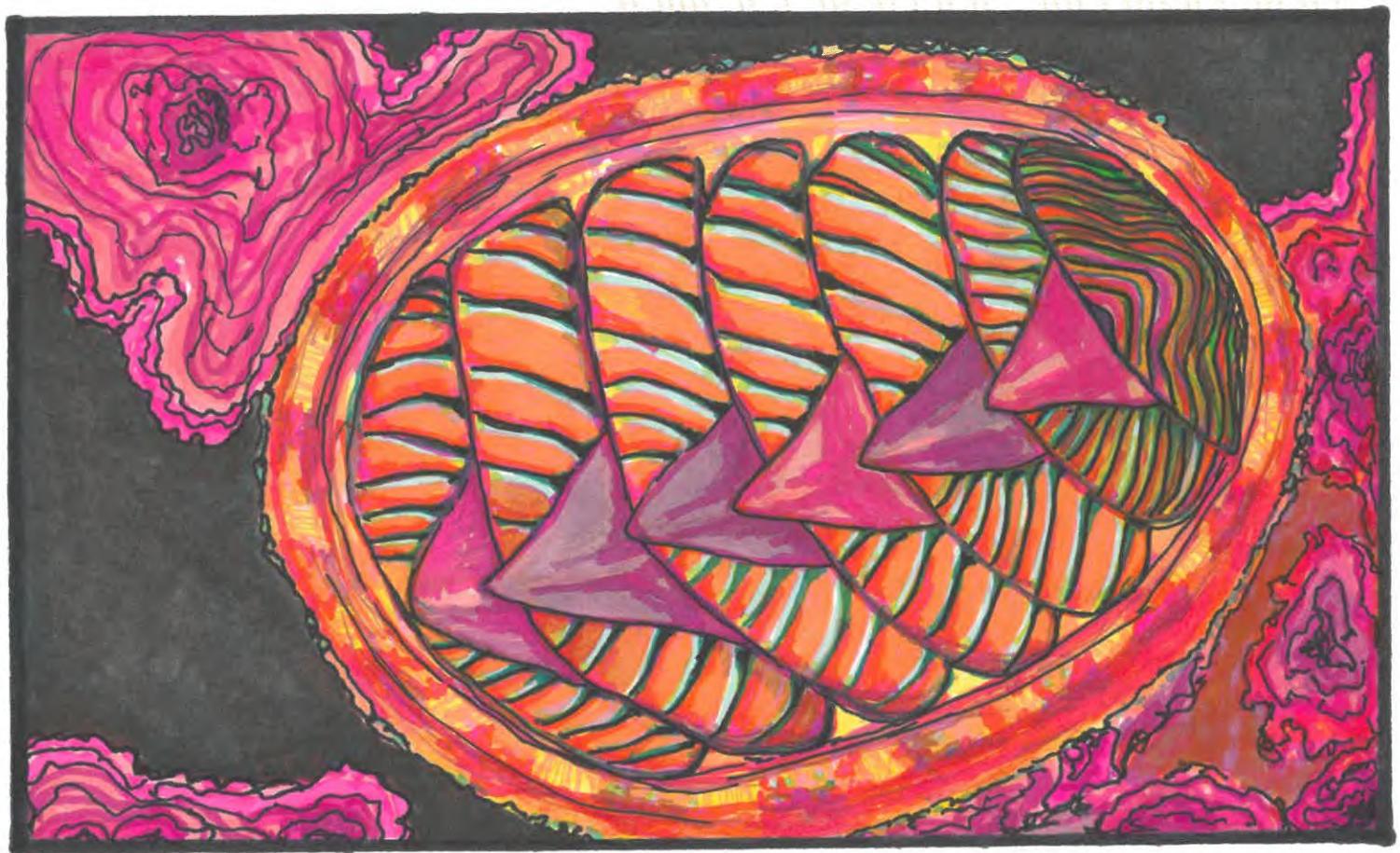
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Sincerely,

A handwritten signature in black ink that reads "Verena von Pfeffer".

94244-2090

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



Bronwen Murch

Bolinas CA

SAN FRANCISCO CA 940

23 JAN 2026 PM 2 L

**Re. Opposition to Petition No. (2023-32MPA)**

Dear Fish and Game Commissioners:

I am writing to oppose the 2023-32MPA petition by the EAC of West Marin to nearly triple the size of the Duxbury Reef Marine Protected Area (MPA) to cover the ENTIRE 8-10 mile expanse of accessible rocky reef intertidal zone in Bolinas, and to reclassify this MPA from a limited-take Conservation Area to a more restrictive no-take Reserve, which would only be open to the public for "managed enjoyment and study". There has been **NO EVIDENCE** presented that hook & line finifishing is harmful to the ecosystem on Duxbury Reef. There is also **NO EVIDENCE** that the elimination of finfishing would reduce any potential take violations of organisms that are already protected under the current regulations. The EAC rationale for reclassification holds **NO MERIT**, and if approved would cripple our small sustainable historic fishery in Bolinas, hurt our local West Marin 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 protecting our economic and cultural access to our coastline afforded to us by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 consistent with the CFGC Coastal Fishing Communities Policy of 2024

Sincerely,



94244-2090 8001



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

**From:** Margaret Quigley <[REDACTED]>

**Sent:** Friday, January 16, 2026 9:19 AM

**To:** FGC <FGC@fgc.ca.gov>; info@eacmarin.org; information@bolinascivicgroup.org

**Subject:** Formal Request: Withdraw the Save Duxbury Reef Petition and Reinitiate Stakeholder Process

Dear President Zavaleta and Commissioners,

My name is Margaret Quigley, and I have been a resident of Bolinas since March 2025. I am writing to express serious concern about the Environmental Action Committee's petition to redesignate Duxbury Reef from its current State Marine Conservation Area (SMCA) to a State Marine Reserve (SMR) and to expand its boundaries.

In the very short time I've lived here in comparison to other residents, I've been deeply moved by the resilience of this community and its long tradition of environmental and cultural stewardship. It is time that the Commission similarly recognize that resilience and honor it through a process rooted in trust, balance, and genuine local participation.

My specific concerns are:

1. **Disproportionate impact on local access and livelihoods:** Recreational and small-scale commercial fishers in Bolinas have long relied on access to Duxbury Reef. Removing those uses would place an outsized burden on local families and those who rely on locally caught seafood, without clear evidence that local fishing is the primary driver of ecological harm.
2. **Lack of data transparency:** At the Bolinas Civic Group meeting on Wednesday night, the EAC did not present the underlying data or analysis supporting this petition, focusing instead on emotional appeals. If local fishing is being cited as a primary driver of ecological decline, the Commission should require that evidence be shared publicly before moving forward.
3. **Under-utilized alternative tools:** Signage, education, community science, and targeted enforcement are proven tools for reducing destructive behavior at sensitive coastal sites across California. These approaches should be prioritized before pursuing far-reaching regulatory changes that eliminate traditional uses.

If we want children who grow up here to love and care for this place as their own, stewardship must include balanced access, local knowledge, and genuine community participation, not regulatory actions that feel imposed from outside.

Furthermore, I am concerned that the EAC's approach is being driven less by measurable stewardship outcomes and more by organizational incentives and public positioning. This dynamic became especially apparent at the Bolinas Civic Group meeting on Wednesday night, where community members were urged to "collaborate," but the tone and framing felt emotionally coercive rather than genuinely participatory or transparent.

Finally, I do not understand why the focus is on restricting local shore-based and small-craft use, rather than addressing the higher-volume weekend charter pressure coming from outside the community. If the goal is ecological protection, the Commission should prioritize the sources of the highest extraction and highest impact, not the easiest group to regulate.

I respectfully urge the Commission to:

1. Withdraw the current petition from active review;
2. Facilitate a thorough, locally rooted community process that explores alternatives such as improved signage, enforcement agreements, visitor education programs, and targeted habitat protection based on sound data;
3. Ensure all stakeholders, including Bolinas fishers, educators, scientists, and tribal representatives, are equitably included in crafting any future proposal.

Thank you for your thoughtful consideration.

Sincerely,  
Margaret Quigley  
Bolinas, CA

**Margaret Quigley**  
Strategy — Data & AI  
MQ, LLC  


This correspondence may include confidential business or strategic information shared in a professional advisory context. Please notify the sender if received in error.

**From:** Maxine Meckfessel <[\[REDACTED\]](#)>

**Sent:** Tuesday, December 23, 2025 11:02 AM

**To:** FGC <[FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov)>

**Subject:** Protect Duxbury Reef Access

12/23/2025

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 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). To date, no evidence-based rationale has been presented that justifies such a significant change. The “violations” cited throughout the petition may warrant improved education and enforcement, but they do not support imposing additional regulations that would negatively impact the Bolinas community. Reclassifying and expanding Duxbury Reef from a Conservation Area to a no-take Reserve would end the long tradition of sustainable hook-and-line finfishing.

I have fished in West Marin since childhood and continue to live here in Point Reyes Station. From my perspective, this proposal is not the right solution, and I strongly disagree with the EAC’s approach. Fishing—particularly maintaining access to fish from shore—is an essential part of this community’s identity. It has taught generations of residents more about stewardship and conservation than any regulation ever could.

I urge the Commission to maintain the current SMCA designation at Duxbury Reef and instead prioritize education, clear signage regarding take regulations, and targeted enforcement of illegal take by accredited California Fish and Wildlife personnel. Protecting responsible, low-impact recreational fishing is fully aligned with California’s Coastal Access principles and sustainable resource management values.

Thank you for considering this perspective.

Kindly,

Maxine Meckfessel



# Marine Conservation Institute

29 January 2026

Re: Comments from Marine Conservation Institute for consideration during the February 11-12, 2026 meeting on petitions to amend the state's MPA network.

(submitted via email to [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov))

Dear California Fish and Game Commission,

As California works to protect 30% of state waters by 2030 (30 x 30) to fight climate change, protect biodiversity, and expand access to nature for all Californians, the implementation of Marine Protected Areas (MPAs) that provide tangible benefits to marine biodiversity requires an understanding of effective conservation and knowledge of which MPAs meet that threshold.

Since 2012, Marine Conservation Institute's Marine Protection Atlas (MPAtlas) has brought a focused lens to the quality of marine protections in MPAs around the world. MPAtlas (mpatlas.org) is the largest global repository of MPA assessments using The MPA Guide<sup>1</sup>. The MPA Guide is a peer-reviewed scientific framework published in *Science* in 2021 that evaluates an MPA's stage of establishment and level of protection by looking at the management of mining, dredging & dumping, anchoring, infrastructure, aquaculture, fishing, and non-extractive recreational activities. Both management regulations and in situ activity data specific to each individual MPA are analyzed to determine the actual outcomes provided by a given MPA. Ecological evidence<sup>2</sup> from as recently as 2025 suggests that the best conservation outcomes are seen when MPAs are implemented or actively managed, and fully<sup>3</sup> or highly<sup>4</sup> protected from these seven activities.

Scientists from MPAtlas evaluated the 20 petitions proposing changes to California's MPA Network submitted to the California Fish and Game Commission by the public and Tribes in 2023 using The MPA Guide. Our preliminary analysis suggests that the following petitions would improve the level of protection for existing MPAs or designate new MPAs, expanding and strengthening the California State MPA Network's overall ability to achieve conservation benefits:

<u>Petition</u>	<u>Marine Protected Area</u>
2023-19MPA	Chitqawi SMCA
2023-20MPA	Point Buchon SMR
2023-23MPA-AM	Carmel Bay SMCA
	Pacific Grove Marine Gardens SMCA
	Tanker's Reef SMR
2023-24MPA-AM	Laguna Beach SMCA

2023-27MPA-AM	Anacapa Island SMCA
2023-28MPA-AM	Point Sal SMCA
2023-29MPA-AM	Mishopshno SMCA
2023-32MPA	Duxbury Reef SMR
2023-33MPA-AM	Cabrillo SMR
	Gull Island SMR
	Natural Bridges SMR
	Pleasure Point SMCA
	Point Conception SMR
	Point Dume SMCA
	South Point SMR
2023-34MPA	Farnsworth Offshore SMCA
	Farnsworth Onshore SMCA
	Point Buchon SMCA

With critical tipping points approaching ocean biodiversity, the opportunity to align California's MPA network with the best and most up-to-date understanding of MPA science is incumbent on the Commission. We urge the Commission to adopt the petitions that serve to advance conservation and keep the State of California moving forward with a world-leading example of marine conservation, creating an effective MPA network, and progressing towards the State's commitment to 30 x 30.

Sincerely,

Lance Morgan, PhD, President, Sonoma County  
 Nikki Harasta, Marine Conservation Scientist, Ventura County

1 Grorud-Colvert, K., et al. (2021). The MPA guide: A framework to achieve global goals for the ocean. *Science*. <https://doi.org/10.1126/science.abf0861>

2 Horta e Costa, B., et al. (2025). Marine protected areas' stage of establishment and level of protection are good predictors of their conservation outcomes. *Cell Reports Sustainability*. <https://doi.org/10.1016/j.crsus.2025.100345>

3 No impact from extractive or destructive activities is allowed and all abatable impacts are minimized. Non-extractive activities may include recreational, traditional, cultural, or spiritual activities. Examples include minimal impact snorkeling, swimming and SCUBA, tidepooling, cultural/ceremonial gatherings, education, knowledge transmission, and motorized or non-motorized vessels associated with the previously mentioned activities.

4 Only light extractive activities are allowed that have low impact, and all other abatable impacts are minimized. If any anchoring is allowed, it is small scale and for a short duration with a low impact. If any infrastructure is allowed, it is small scale with low impact. Any aquaculture must be low impact, small scale, low density, and unfed. If fishing occurs, it is infrequent and only five or fewer gear types are used that are highly selective and low-impact. Any non-extractive activities are regulated and restricted and of low impact, low density, and small scale.