Duxbury Letter To Community

February 2, 2026

To: The Bolinas Community and All Interested Parties

Subject: Background and Context on BCPUD's Letter Regarding Petition No. 2023-32MPA (Duxbury Reef)

Dear Community,

At its January 21st Board meeting, the BCPUD Board considered an agendized item regarding the Environmental Action Committee of West Marin (EAC) and potential Board action on Petition No. 2023-32MPA. After much discussion, the Board voted — with all participating members in agreement — to direct two Board members to prepare and submit a letter to the California Fish and Game Commission ("The Commission") requesting that the Commission not approve the petition. That letter has now been sent and is available for viewing on our website (duxbury-letter-to-commission).

This letter, addressed to the community, is intended to provide background, detail, and context regarding the Duxbury Reef Marine Protected Area petition (No. 2023-32MPA) and to explain how the BCPUD Board arrived at the conclusions reflected in the letter submitted to the Commission. In developing these conclusions, Board members and staff considered input from community members through public meetings, direct outreach, and conversations with residents, and sought to ensure that local perspectives and concerns were incorporated into the process.

Background and Context

Although EAC's petition does not relate directly to water, sewer, or utility operations, many of you know that BCPUD has a long history of serving as Bolinas' primary civic forum. As an unincorporated community with no municipal government, Bolinas has long relied on the BCPUD as its central venue for public discussion, representation, and advocacy on matters affecting the town at the local, county, and state levels. In keeping with this historic role, the District prepared the comments and analysis that informed the letter submitted to the Commission.

We acknowledge that the petitioner and longstanding local advocates have dedicated significant efforts towards community outreach and stewardship over many years. At the same time, many residents have expressed that they were unaware of the petition prior to its submission or did not feel adequately included in its development. Regardless of the outreach undertaken, this perception has contributed to community strain around a proposal of substantial scope, highlighting the need for a well-organized and broadly

supported process that includes clear, formalized input from all affected stakeholders prior to submitting any petition of this kind.

Supervisor Dennis Rodoni reached a similar conclusion in his January 15, 2026 letter withdrawing his prior support, noting that many residents "were unaware of the petition until well after its submission" and that the community "want[s] an opportunity to be meaningfully engaged" before the matter advances at the Commission level.

BCPUD is not opposed to the concept of enhanced stewardship or protection at Duxbury Reef. However, the petition does not yet provide several analyses that are typically foundational to a regulatory change of this magnitude.

- **Lack of analysis on visitation trends, associated ecological impacts, and management needs**

The petition provides no evaluation of how redesignation to a State Marine Reserve (SMR) may influence public visitation or patterns at Duxbury Reef. Although the petition notes that visitation is "rare, but increasing," it does not assess whether an SMR designation—particularly at a highly biodiverse, easily accessed tidepool system—could draw additional attention and traffic. Experience at other MPAs suggests that new or heightened protections can increase public awareness and visitation. While available studies suggest that visitation at MPAs is influenced primarily by site accessibility, not designation alone, redesignation could nonetheless draw additional attention to an already well-known and easily accessed tidepool system, which may place added pressure on sensitive intertidal species and microhabitats already vulnerable to trampling, handling, and rock turning. These changes could also have indirect implications for Bolinas' legally established limited water supply—an issue that merits evaluation as part of any comprehensive review.

EAC and its advocates have argued that 'the ship has sailed', noting that visitation has already increased under current regulations and that concerns about further increases may therefore be moot. Even if visitation has risen, it remains essential to examine how redesignation might accelerate, stabilize, or otherwise alter visitor behavior and associated impacts. If visitation is already high, the additional attention associated with an SMR designation could inadvertently intensify impacts on the very species the petition seeks to protect. At a minimum, this possibility should be directly analyzed rather than dismissed.

This concern is particularly important because EAC acknowledges that current rules lack sufficient enforcement resources. However, the petition does not evaluate how an expanded SMR would be supported, whether additional staffing or funding would be required, or how compliance would be ensured across a larger and more complex protected area. Although the petition references enforcement challenges and visitor

confusion, it offers no data beyond volunteer collected MPA Watch reports and does not assess the scale or causes of noncompliant take. Without a management or enforcement plan, it is unclear how the new designation would meaningfully improve ecological outcomes.

Taken together, the absence of a visitation analysis, the lack of a management and enforcement framework, and the uncertainty surrounding how visitor use may change under a new designation create a significant gap in understanding whether redesignation would improve—or unintentionally worsen—ecological conditions at Duxbury Reef. A responsible evaluation must consider both how changes in designation could shape visitor behavior and how those changes would be managed to protect the reef's sensitive biological communities.

- **Major unexamined shift in fishing access and impacts to the fishing community**

One of the most significant changes proposed in Petition 202332MPA is the complete elimination of all fishing within the expanded SMR. Under the SMR, all take is prohibited, and the petition would ban all fishing at the reef and within 1,000 feet of the low tide line along the proposed boundaries. This would remove not only the longstanding shore based hook-and-line finfish fishing currently allowed within the State Marine Conservation Area (SMCA), but could also restrict the limited kayak-based and nearshore boat-based fishing that occurs around the reef—representing a substantial shift from the current regulatory framework and one of the primary concerns voiced by BCPUD and many community members.

BCPUD recognizes that individual advocates—particularly those deeply involved in Duxbury Reef stewardship—have made sincere and substantial efforts to reach out to local fishers. These efforts reflect a genuine commitment to dialogue and community engagement. However, it remains unclear to what extent these conversations were effective, how broadly they reached the fishing community, or whether they occurred prior to submission of the petition. More importantly, these outreach efforts do not appear to be documented, summarized, or incorporated into the petition itself in a way that would allow the Commission or the public to understand the perspectives of affected stakeholders.

At the same time, the petition acknowledges that "direct harm from fin-fishing… has never been the focus," and the record contains no data showing that existing hook-and-line fishing is causing ecological decline. Yet the petition still proposes the complete removal of this limited, legal fishing practice. If fishing is not the primary concern of the petition, the rationale for eliminating it, and for doing so without accompanying analysis, remains unclear.

Furthermore, the petition does not evaluate how removing all fishing access may affect community members who rely on these practices for cultural, recreational, or subsistence purposes. Independent reporting confirms that fishing at Duxbury Reef has been practiced for generations and remains an important part of Bolinas' coastal identity and food traditions. Without an assessment of these socioeconomic and cultural dimensions, the Commission is left without a clear understanding of how such a sweeping change would affect the community.

A responsible evaluation would therefore need to address both (1) whether current fishing practices are causing measurable ecological harm, and (2) how eliminating all fishing access would affect residents who depend on this practice. Without that evaluation, and without a corresponding enforcement or management plan to ensure that new restrictions would produce meaningful ecological benefits, the proposed elimination of fishing access remains unsupported and risks disproportionately impacting the community while offering uncertain conservation outcomes.

- **Lack of ecological data substantiating the need for redesignation**

BCPUD acknowledges reports from educators and field instructors who have observed changes in the abundance of species at Duxbury Reef during student visits in recent years. These observations are meaningful and may indeed indicate emerging ecological concerns. Reef protection advocates have also emphasized that collecting rigorous ecological data—particularly for small, cryptic, or highly mobile intertidal species—is technically challenging, resource-intensive, and expensive. BCPUD recognizes these realities and does not wish to place an unreasonable burden on scientists or advocates to conclusively "prove" a decline when the resources to support such studies may be limited.

However, when proposing a regulatory redesignation of this magnitude—one that expands protected boundaries, eliminates all fishing, and substantially alters existing access rules—it is reasonable to expect that the petition include some level of substantiation beyond observational testimonials. While lived experience and educator observations provide valuable context, they are not a substitute for site-specific monitoring data or analysis demonstrating an acute ecological decline, nor do they explain how an SMR designation would effectively address the concerns identified.

On the other hand, some community members have cited the long-term MARINe dataset as evidence that the reef is in good health. This dataset, however, is similarly inadequate for evaluating current conditions. Some of the referenced data end in 2014*, and the monitoring location is situated in a relatively remote area of the reef not designed to assess the microhabitats or species of primary concern raised in the petition. As a result, this

dataset cannot reliably confirm or contradict present-day conditions at the heavily visited portion of Duxbury Reef.

Taken together, these limitations highlight the need for updated, rigorous ecological assessment. BCPUD does not assert that an ecological decline does not exist; rather, we note that the petition does not provide the Commission with the ecological evidence necessary to determine whether an urgent crisis is occurring, nor does it explain how redesignation, particularly without an accompanying management or enforcement plan, would materially reduce any such harm. In the absence of this information, the petition does not substantiate the need for immediate regulatory action.

Considering these gaps and the absence of demonstrated urgent ecological harm, BCPUD believes advancing Petition No. 2023-32MPA at this time would be premature and risk deepening community division rather than fostering shared stewardship. A more collaborative, data-supported evaluation would allow time to:

- Clarify the specific ecological concerns at Duxbury Reef using updated, site-specific information;
- Identify ways to strengthen compliance and management under existing SMCA regulations;
- Assess whether redesignation to an SMR would provide any additional ecological benefit in the absence of new enforcement or management resources; and
- Engage all affected stakeholders — including the fishing community, educators, conservation-minded residents, and local families through a well-organized and inclusive community process before pursuing major regulatory changes.

For these reasons, in our letter to the Commission we respectfully requested that they:

1. **Decline to approve Petition No. 202332MPA; and-32**
2. **Encourage the petitioner to reengage the Bolinas community in a well-organized, collaborative, science-supported process before submitting any future proposal.**

   or, <u>if</u> the Commission chooses not to reject the petition in full,

3. **Preserve the limited finfish fishing currently allowed under the existing SMCA rather than adopting the proposed full prohibition.**
   In this scenario, BCPUD respectfully asked the Commission to maintain the current SMCA framework so that longstanding, culturally significant, and legally permitted

fin-fish fishing may continue. Doing so would mitigate the most substantial socioeconomic and cultural impacts while still allowing the Commission to consider additional ecological protections in other aspects of the proposal.

The BCPUD Board stands ready to participate constructively in any future process that seeks to protect the reef while honoring the needs, values, and traditions of the Bolinas community.

Sincerely,

The BCPUD Board of Directors

* sentence changed on 2/9/26 from “The publicly available data end in 2014” to “Some of the referenced data end in 2014”