

# MPA NEWS



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## Perspective: Improving MPA protection through crowdsourcing and compliance assistance: The EPIC 805 Project

**Editor's note:** Gordon Hensley is executive director of Environment in the Public Interest, an NGO dedicated to enforcement of water quality, watershed, and marine protection regulations along the central coast of California, including the county of San Luis Obispo. Gale Filter is a MPA consultant and retired California prosecutor.

By Gordon Hensley and Gale Filter

Morro Bay is a 9.3-km<sup>2</sup> estuary along the central coast of the US state of California. It is protected by overlapping layers of local, state, and federal governance. Most of the bay is a State Marine Recreational Management Area under California law: all commercial fishing activities are prohibited, with the exception of shellfish farming in designated areas. A smaller portion of the bay is completely no-take, the Morro Bay State Marine Reserve. And the entire bay and its feeder creeks are overseen by a local/federal partnership under the National Estuary Program, which provides federal financial and technical assistance to address local conservation issues.

Morro Bay's mud flats, eelgrass beds, tidal wetlands, and open water are home to more than a dozen threatened or endangered species, including the peregrine falcon, brown pelican, sea otter, and steelhead trout. Keeping this ecosystem healthy requires balancing its needs with those of the adjacent coastal communities. More than 30,000 people live in the coastal town of Morro Bay and communities of Los Osos-Baywood Park, and the bay draws thousands of tourists each year. The city sustains a working harbor that supports recreational boating, commercial oyster-harvesting operations, and multiple bayside restaurants and shops.

Despite the bay's MPA status, pollution in various forms threatens its ecosystem. Morro Bay is subject to storm water runoff, invasive species, oil spills, sedimentation, fecal coliform bacteria, algae blooms, loss or degradation of habitat, litter, debris from boat maintenance, heavy metals, and other challenges. Although an abundance of anti-pollution laws and regulations are in effect, compliance has not always been high. As a result, the Morro Bay estuary is listed as an "impaired waterbody" by the federal government, meaning its water quality does not meet regulated standards for safety.

### Helping the community to comply with regulations

In 2013, Environment in the Public Interest (EPI) and its San Luis Obispo Coastkeeper program created a voluntary compliance assistance project called EPIC 805. (*EPIC* stands for Environment in the Public Interest Crowdsourcing and 805 is San Luis Obispo County's telephone area code.) EPIC 805 addresses pollution violations in Morro Bay. Its beauty is in its simplicity: the program uses crowdsourcing and low-cost technologies to locate, document, monitor, and report pollution violations in Morro Bay's two MPAs.

The project trains students from California Polytechnic State University at San Luis Obispo (Cal Poly) and community volunteers to patrol the bay via dockwalking or kayak, and to use smartphones to visually record pollution violations. The photos and videos - as well as the location of each violation and a written description - are then uploaded directly to San Luis Obispo County government agencies via the EPIC 805 website (<http://epic805.org/reports>). The system is closed: no MPA violation reports appear publicly on the program website prior to resolution.

EPIC 805 was developed with input from the San Luis Obispo District Attorney, California Department of Fish and Wildlife, the California Coastal Commission's Boating Clean and Green Program, Resources Legacy Fund, and local environmental agencies. The idea is to educate community members and motivate them to comply, all in a cost-effective manner. For first-time minor offenses, for example, violators are contacted by appropriate authorities and informed about the relevant regulations and best management practices. The violators are then allowed to improve their compliance. For repeat offenders, traditional enforcement remains an option.

The program provides a viable alternative to formal enforcement, fines, penalties, legal costs, and possible criminal prosecution. It is a win-win situation for the violator, government, and environment.

### Results

Morro Bay has no dry-dock facilities for boat maintenance. Partly as a result, in-slip boat maintenance - with debris and chemicals from sanding and painting entering the water - is often observed in Morro Bay harbor and has been reported by EPIC 805. The *California Clean Marina Best Management Practices Program Manual* advises marinas and boat owners on how to protect water quality during in-slip boat maintenance. This includes minimizing the use of solvents, varnishes, and paints that can release heavy metals, and advises that sawdust from sanding be disposed on land.

Nearly all of the boat sanding and painting violations reported by EPIC 805 have resulted in voluntary compliance. Furthermore, boat dismantling is now conducted on land, and trucks are no longer washed on the docks. A restaurant no longer discharges grease into the storm drain that empties into the Morro Bay. The project also contributed to decisions that led to acquiring two environmentally friendly boat sanders that are available for use free of charge.

A single minor pollution violation might not seem like much. But we think of it as a broken window: if the window is not fixed, more broken windows tend to occur. When an environmental management system fails to respond to every violation, cumulative offenses can become an epidemic. There was a time when one of Morro Bay's docks was a floating, polluting boyard. Thanks in large part to EPIC 805, that situation no longer exists.

**For more information:**

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