

**Aliance of Communities for Sustainable Fisheries**  
**P O Box 1309, Carmel Valley, CA 93924 (831) 659-2838**

December 19, 2003

Bill Douros, Superintendent  
Monterey Bay National Marine Sanctuary  
299 Foam Street  
Monterey, CA 93940

Dear Bill:

Thank you for your letter of November 19, 2003. Several points of your letter deserve comment.

First, you state that “the Sanctuary Advisory Council...agreed with the Davidson Seamount Working Group that agencies such as the Pacific Fishery Management Council could not address all forms of extraction (such as oil and gas)...” In response, it is our understanding that the Davidson Seamount Working Group did not reach agreement on the question of adding the DSM to the MBNMS. Because there was no agreement, the issue was brought forward to the Sanctuary Advisory Council to consider. We continue to believe that the Pacific Fishery Management Council can substantially manage any concerns over biological extraction from the bottom. It is true that the PFMC cannot regulate oil exploration, but may we point out that if there is Congressional and Administration will to develop oil in this area, we don't think an effort to make this a Sanctuary will have any effect on stopping this.

It is our perception that the inclusion of the Davidson Seamount as a priority issue is largely staff-driven. We note that there were in fact very few comments during the scoping process regarding the Davidson Seamount, certainly far fewer than those from the fishing community who asked for clarification that the Sanctuary would not be involved in fishery issues. With regard to the role of the Sanctuary Advisory Council, with all due respect to individual SAC members, when the Sanctuary Program controls the types of seats and the selection process for the representatives, it is very hard for the public to have full confidence this group speaks accurately for Central Coast communities and industries.

The heart of our concern relates to our worry that Sanctuary status will eventually lead to surface fishing restrictions being advocated for by conservation groups, or perhaps by the Sanctuary itself. Please appreciate that the Sanctuary Program is now making a new promise that the Program will not regulate fishing. The Sanctuary Program needs to take care of honoring the promise made to us about the present Sanctuary, before we get off into new promises. If the Sanctuary Program wants to reassure and build trust with the fishing community, then the Program needs, over time, to demonstrate a spirit of constructive dialog and cooperation, without any threats of regulation. In short, the Sanctuary Program needs to tend to its own house before taking on a neighbor's.

Until this housekeeping occurs, it is not likely that the fishing community in Central California, nor for that matter anywhere in the United States, will warm to the idea of new or expanded Sanctuaries. Our Alliance is committed to continuing to work constructively with the MBNMS; it's just that we need to focus on matters at hand and not new territories. The looming test question that will define the Sanctuary Program's relationship with the fishing community for many years to come is: “Will the Sanctuary Program use its name and perhaps the authority it has in the National Marine Sanctuary Act, to impose a system of no-fishing zones upon fishermen that are not supported by the majority of that community?” There are other issues that we can work on together, but this one question will be the one by which fishermen gage the sincerity of the Sanctuary Program in working cooperatively with them and in keeping to the spirit of commitment which we feel was in place when the Sanctuary was designated.

Sincerely,

Mike Ricketts, Co-Chair, ACSF

Kathy Fosmark, Co-Chair, ACSF

Supporting Associations & Organizations

Pacific Coast Federation of Fishermen's Association

Port San Luis Commercial Fishermen's Association

Morro Bay Commercial Fishermen's Association

Monterey Commercial Fishermen's Association

Fishermen's Association of Moss Landing

Santa Cruz Commercial Fishermen's Marketing Association

Half Moon Bay Fishermen's Marketing Association

Fishermen's Alliance

Western Fishboat Owners Association

Ventura County Commercial Fishermen's Association

Federation of Independent Seafood Harvesters

Golden Gate Fishermen's Association

Port San Luis Harbor District

City of Morro Bay Harbor

City of Monterey Harbor

Moss Landing Harbor District

Santa Cruz Port District

Pillar Pt. Harbor, San Mateo County Harbor District

C: The Honorable Sam Farr

Admiral Conrad Lautenbacher, USN (ret.), Undersecretary for Oceans & Atmosphere

Dr. William Hogarth, Assistant Administrator, National Marine Fisheries Service

Dan Basta, Director, National Marine Sanctuary Program