

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

December 2, 2003

Bob Martin, President
Monterey County Farm Bureau
931 Blanco Circle
Salinas, CA 93901

Dear Mr. Martin,

Our organization, the Alliance for Communities for Sustainable Fisheries, has been organized to represent the economic, social, and cultural interests of the recreational and commercial fishing industry in the geographic region from Port San Luis (Avila Beach) to Pillar Point Harbor in San Mateo County. As the name applies, we are committed to the preservation of sustainable fisheries and link the fishing activity with the greater communities that support that industry. Resolutions supporting the efforts of the ACSF have been adopted by the City Councils of Monterey and Morro Bay, by the elected Commissions of the San Mateo County, Moss Landing and Port San Luis Harbor Districts, and the Santa Cruz Port District.

During the early 1990s, before the Monterey Bay National Marine Sanctuary was designated, the fishing and agriculture industries were lobbied to lend support to the designation of the Monterey Bay as a National Marine Sanctuary. The fishing community heard promises that the Sanctuary Program would actually create a list of benefits for our industry, including improved water quality, public education, and of course, a ban on development of oil and gas infrastructure. Without the support of fishing and agriculture, it is accurate to say that the Sanctuary would never have been created. With regard to fishing, however, the last few years have seen a steady effort on the part of the Sanctuary Program to involve itself directly in fishing issues, most notably in the form of the potential creation of no-fishing zones. The Sanctuary officials involved do not seem to feel that there is any contradiction in this as they claim that their mandates in the Sanctuary Act and in the Monterey Bay National Marine Sanctuary Management Plan both also speak to their role to preserve the health of the entire ecosystem, which appears in their minds to outweigh any promise made not to regulate fishing.

We believe that similar promises were made to the agriculture community, but through the creation of the voluntary and cooperative AG Plan, the Sanctuary has thus far not asserted actual regulatory control. That is very good and we hope this continues to work out for the agriculture industry. However, we do note from a recent opinion editorial piece in the Monterey Herald, that leaders of the environmental community are not apparently satisfied with this Plan, and are pressing the Sanctuary to create tighter controls over agriculture. Therefore, as a brother industry to agriculture, fishermen will warn you that the laws that govern the Sanctuary Program, which are vague and broad, may still be used to involve the Sanctuary Program in the affairs of agriculture in ways you never imagined and probably won't appreciate. We truly hope that this does not occur, and believe that the Sanctuary Program operates at its best when it is working cooperatively, not through regulation, with affected agencies and industries like yours.

One area of particular concern that affects all users of Sanctuary waters and local industries is the role and functioning of the Sanctuary Advisory Council (SAC). The SAC has been subject to much public controversy, as the rules for its operation were created by the Sanctuary Program. The Sanctuary Program picks most SAC members and does not allow the SAC to communicate with members of Congress, nor anyone else outside of the Sanctuary Program, without permission. Agendas are subject to approval of the Sanctuary Superintendent and there is no conflict of interest-type statement required to be filed of its members. The heart of the controversy regarding the SAC centers around the question, "Who does it serve?" In our opinion, it appears to be structured to serve the Sanctuary Program, meaning that it ultimately will provide the advice that the Sanctuary wants to hear, as opposed to advice that truly represents what the neighboring communities and industries want to express to this Federal Program.

This controversy over the SAC has come to a head with an issue now before the Association of Monterey Bay Area Governments (AMBAG). AMBAG has already voted to hear a presentation on the SAC at its January 14, 2004 meeting. It is very important that AMBAG study thoroughly and fairly these SAC issues. This is important to the agriculture industry as well as to us. Do you realize that the Sanctuary Program gets to appoint the SAC representative for your industry? Thus far, you have been very ably represented by Mr. Dick Nutter, but the fact remains that the Sanctuary can ultimately appoint whomever they wish. The same goes with fishing, business, tourism, diving, and about a total of twelve SAC seats. If the seats are appointed from the viewpoint of the Sanctuary Program wanting to be assured it will hear what it wants to hear from the SAC, then the appointments will be made accordingly. There is already a case history of several occasions where this has occurred. What all this means is that we perceive that the Sanctuary Program is currently using the SAC structure to validate its own ambitions.

We believe that the SAC needs to be formulated to freely represent the interests of the outlying communities and industries who have so much at stake in how the Sanctuary operates. The freedom to write Congress is crucial. There are no elected officials involved in the Sanctuary Program, even though it can create regulations. We believe that Congress needs to be well informed about what this Program is doing, either through our strong support, or our expression of grave concern.

Specifically, our organization requests the Farm Bureau members to contact your respective AMBAG board members to express to them your concern that this problem gets a fair and thorough review, and that the interests of the local communities and industries be paramount in their decision making. We have attached for your review a list of all the AMBAG members and their phone numbers. We've also attached a copy of our organization's summary of governance issues with the Monterey Bay National Marine Sanctuary Program. We particularly draw your attention to the section on the Sanctuary Advisory Council.

To conclude, this issue is no tempest in a teapot. It must get resolved in favor of a strong local voice, or this Sanctuary Advisory Council will be able to be used by the Sanctuary Program to justify whatever it is they wish to do in the future in the name of the community good. Thank you for your assistance in this matter. Please do not hesitate to call us directly if you wish further background information on this topic. We look forward to our organization continuing to have a constructive dialog and relationship with the members of the agricultural community.

Sincerely,

Mike Ricketts, Co-Chair, ACSF, 659-2838

Kathy Fosmark, Co-Chair, ACSF, 373-5238

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
Attachments