

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

January 29, 2004

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Dear Governor Schwarzenegger,

Our organization, the Alliance of Communities for Sustainable Fisheries (ACSF), has been organized to represent the economic, social, and cultural interests of the recreational and commercial fishing industries in the geographic region from Port San Luis (Avila Beach) to Pillar Point Harbor in San Mateo County. As the name implies, 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.

We are writing to you today to express our deep concern over California's Marine Life Protection Act (AB _____ 1999). This law, which has yet to be fully implemented, is already causing significant damage to California's fishing industry and economy, and although it is touted as an environmental law, it in fact has serious negative environmental consequences.

Among the issues which we have with this law are:

- Uncertainty over the prospect of creating massive "no-fishing" zones has nearly stopped infrastructure investment by the fishing community, which in turn has hurt California's economy.
- The findings of this law are not accurate. Indeed, the involving science around marine protected areas (MPAs), and marine reserves specifically, does not lend itself to a static solution, such as suggested by the Marine Life Protection Act.
- Considering that MPAs and marine reserves simply displace fishing effort, we suggest that they are not environmentally sound. We ask, "What good does it do protect certain areas when neighboring areas are at high risk of overfishing?"
- The law, as written, is overly broad, vague, subject to huge swings of interpretation, and lacks critical definitions. In short, it is a lousy law.
- The MLPA was passed in 1999 without any significant outreach to the recreational or commercial fishing community, who had no idea as to its implications. This has created a feeling of exclusion and hostility on the part of the fishing community towards what we are sure is a well-intended law.
- There is no money for even the continuation of the process identified in the MLPA to identify a system of MPAs, let alone for enforcement or monitoring of any future sites. We certainly hope that the State will never consider funding this process ????? that the study process through grants from special interest groups, which has further undermined public acceptance of this law.
- In short, and to conclude, the MLPA is doomed to fail, in our opinion, and doomed to embroil the State in ongoing lawsuits coming from the lack of a fair process, vagueness of the law, and the inaccuracy of its very findings. We hope, therefore, that you will use the authority of your office to look again at the MLPA and, at minimum, support legislation which might come forward offering significant constructive amendments to this law.

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