

Alliance of Communities for Sustainable Fisheries
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February 2, 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 (AB993-1999). This law, which has yet to be fully implemented, is already causing significant damage to California's fishing industry and therefore the State's economy. Although it is touted as an environmental law, it in fact can have serious negative environmental consequences. We have learned that you intend on putting the MLPA "on hold" due to budget constraints. That is wise, but we think you should know that this law has several other serious problems.

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. Depending on the scope of the system of Marine Reserves, these laws will quite likely lead to reduced fish supply from otherwise sustainable stocks. Recreational and commercial fishing is recognized to be an approximately four billion dollar per year industry in California.
- The findings of this law are not accurate. Indeed, the evolving 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. Marine Reserves are an experiment!
- 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 to protect some areas when neighboring areas are likely to then be overfished?"
- The law, as written, is overly broad, vague, subject to huge swings of interpretation, and lacks critical definitions. In short, it is a legally inarticulate 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.
- Fishermen feel that this law has a class-bias, as socio-economic considerations are given almost no importance.
- 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, which will cost several million dollars a year, forever. Indeed, the \$2.8 million dollar figure quoted in the news could not represent the cost of developing the plan—just a thorough socio-economic study of California's fisheries will cost at least 3 million dollars.
- No one on the Fish & Game Commission has represented saltwater fishing generally, nor commercial fishing specifically.
- We certainly hope that the State will never consider funding this process through grants from special interest groups, which will only further undermine public acceptance of this law.
- The science that has been done on MPA's is nearly universal in concluding that there must be respect and buy-in from the fishing community for MPA's to work. Clearly, this is not happening.

In short, and to conclude, the MLPA is doomed to fail. It will embroil the State in ongoing lawsuits coming from its lack of a fair process, the 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 that might come forward offering significant constructive amendments to this law. We would be happy to help in offering specific amendments.

Sincerely,

Mike Ricketts, Co-Chair, ACSF

Kathy Fosmark, Co-Chair, ACSF

Supporting Associations & Organizations
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: Michael Chrisman, CA Resources Secretary
Zeke Grader, Executive Director, PCFFA