

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

July 23, 2004

Ralph Rubio, President
AMBAG
P O Box 809
Marina, CA 93933-0809

Dear President Rubio:

Please accept these additional comments from our organization, the Alliance of Communities for Sustainable Fisheries regarding the Sanctuary's Advisory Council. A previous letter to you dated May 11, 2004 outlines our proposal for a fairer selection process for Sanctuary Advisory Council fishing seat. We continue to stand by the principles outlined in that letter.

We would also like to add that a conflict of interest statement should be developed that would be published on the Sanctuary's website for the Sanctuary Advisory Council, so that any public member could go to the website and learn about affiliations and associations, etc. that may pertain to an individual SAC member's voting record. The heart of the conflict of interest statement should be that both economic and what we will call "loyalty affiliations" be documented well enough so the public knows the basis by which an individual SAC member is voting. This is particularly important if the SAC is comprised of members who are appointed by the Sanctuary Superintendent, and not by identifiable constituencies.

We would also like to comment on the statement repeated by some public members and Sanctuary officials at several AMBAG Board meetings about conflict of interest, which is that somehow to have an identifiable relationship and economic interest in something like fishing would therefore disqualify the fishing seat from voting on fishing issues. This statement is fundamentally ridiculous. If the SAC is designed to represent constituencies, of course they would vote for the interest of their constituencies. We hope that you will dismiss those concerns.

Lastly, we wish to bring to your attention the fact that the Sanctuary Advisory Council as presently constituted is now being asked by the Sanctuary to offer important advice on the prioritization of numerous Management Plan Review recommendations. The AMBAG Board heard so clearly from a variety of sources there has already been a deep concern about the composition of the SAC during this plan review process. If the SAC is comprised of individuals appointed largely by the Sanctuary Superintendent and often without a clear constituency behind those representatives, and if the Sanctuary follows the advice of the SAC, then this has had the tendency to undermine the legitimacy of the Management Plan Review process. We are aware that the Sanctuary was given advice very early on during the plan review process that they should fix the problems with the SAC first if they were to have credibility for the final plan recommendations; however, this advice was not followed. Now, it appears that the Sanctuary is continuing to look to the existing SAC to identify priority issues and actions. We would hope, given the deliberations of the AMBAG Board, that the Sanctuary Program would pause their Plan Review process until AMBAG can conclude its recommendations and the Sanctuary Program has an opportunity to act on these recommendations. It is not inconceivable that the SAC might be constituted differently if the membership is directly linked to a real and identifiable constituency in each case. We ask that the AMBAG Board consider writing to the Sanctuary Program, and instructing your representative, to ask for such a pause until the AMBAG recommendations can be fully evaluated and acted upon. We are reminded that Dan Basta, the Director of the National Marine Sanctuary Program, upon visiting the Monterey area at the beginning of the Management Plan Review process, clearly told the SAC and the public that he was personally committed that the Plan Review would "take as long as it needed to take to be a fair, open, and transparent process".

Thank you for considering these thoughts. We deeply appreciate the time that the AMBAG Board, as our elected representatives, has put into understanding this issue. We hope that our comments will be seen as being ultimately

supportive of a Sanctuary Program that it operates within democratic principles and has wide spread support from our communities.

Sincerely,

Mike Ricketts, Co-Chair, ACSF

Kathy Fosmark, Co-Chair, ACSF

C: Holly Price, MBNMS

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