

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

March 6, 2003

Holly Price, Ph.D.
Monterey Bay National Marine Sanctuary
299 Foam Street
Monterey, CA 93940

Dear Holly:

We the undersigned members of the MBNMS MPA Working Group want to communicate in the clearest terms to the Sanctuary Program that we do not support the position that MPA's, including Marine Reserves, are somehow REQUIRED or NECESSARY for the Sanctuary Program to fulfill its legal responsibilities.

When we pressed this point at our recent MPA workgroup meeting, the response from you and several other panel members was twofold. First, that some 7000 scoping process comments supporting that there be MPA's within the Sanctuary somehow made it required that the Sanctuary adopt this position. Secondly, you stated that the Sanctuary Advisory Council in voting to move the issue of Marine Reserves forward as an issue to be worked on during the Plan Review Process, had also mandated that MPA's and/or Marine Reserves would now be required to be created within the Sanctuary boundaries.

We believe that both of these rationales are seriously flawed. Regarding the 7000 responses, we all recall very well the numerous times Sanctuary Management was questioned as to whether they would value quality responses over quantity. We were told that the Program would value quality over quantity comments.

The very issue that caused this question to be raised was concern that the general public, who has no particular expertise in this issue, would be used to generate an electronic or form-type letters to "save the ocean through MPA's". We also know that quality comments were heard from multiple public agencies and by a petition by 1400 direct users of the Sanctuary Program, that the Sanctuary Program should not enter into new regulations or zones that had an effect on fishing unless the Program worked cooperatively and knew that it had the support of the fishing community. It should be noted that the comments did not say that the fishing community would not embrace certain types of MPA's to solve identified problems. Lastly, and most importantly, we do not see anywhere in the National Marine Sanctuary Act, nor in our Management Plan, any provision that allows the Sanctuary Program to make important decisions like this based on public opinion or for other than scientifically valid reasons.

The second rationale provided to attempt to justify the Sanctuary decision to require MPA's in the Sanctuary is based on a vote of the Sanctuary Advisory Council. This is also gravely flawed. Numerous times Sanctuary Management has been queried about the Plan Review issues, and when we would be notified as to the recommendations Sanctuary Management would make. Consistently during this process, we were told that the SAC and the Sanctuary were simply identifying issues and creating issue statements to move forward, and that the actual product of the working groups would be to develop actions to address the identified issue. We do not believe that the Sanctuary Advisory Council, as a whole, understood in any way that they were voting to mandate MPA's within the Sanctuary when they prioritized the SAC issues. Indeed, two of the members of the SAC are among the signers of this letter who did not have that understanding. We have attached the Issue Statement that the SAC voted to prioritize the marine reserves question and move it forward in the process. To quote: "The MBNMS will also develop a framework to address the need for, and if necessary, location, and type of marine reserves in the federal waters of the Sanctuary". Further, as you well know, some of us have great concerns over the composition of the SAC and the representation selection process, which might well affect such a vote. But even more importantly, we would submit that the topic of MPA's and their benefits, limitations, and unintended consequences, is

highly complex, and the SAC as it is presently constituted is simply not qualified to make this decision. It is our position that the question of creating MPA's, including full Marine Reserves, within the Sanctuary is certainly one which deserves consideration; however, what needs to occur are very clear condition statements that will then put into context what problem it is that we are trying to solve. Otherwise, the quote that has been batted around for several years regarding Marine Reserves remains true – "Marine Reserves are a solution looking for a problem." The problem is not one of public opinion. The problem needs to be what exact fishery or habitat issues exist, (i.e., real damage, real impacts, etc.) that have not and cannot be addressed by traditional fishery management measures. With a complete and unbiased assessment of the state of the resources in place, our process could then unfold as identifying MPA or other strategies that would solve these problems. Fishermen are more than willing to help the Sanctuary Program with that part of it; however, fishermen are not willing to have MPA's shoved down our throats based on vague concepts and public opinion. "Ecosystem Protection" is an example of a vague concept. Could not any action to exclude the public from the Sanctuary be justified as "ecosystem protection"? Again, we believe that the Sanctuary Program needs to identify specific problems and be open to a full discussion of ALL options as to how to solve them.

The Sanctuary has often referred to its expertise in "multiple-stakeholder consensus processes". Please don't start our process with a statement requiring MPA's when there is no stakeholder consensus for this. We want this letter to stand in the record of these proceedings, so that there is no illusion of what is supported or not supported during this process.

Sincerely,

Tom Canale, Mike Ricketts, David Crabbe

Howard Egan, Peter Grenell, Steve Scheiblaue

Don Dodson