

## **Kathy Fosmark's Remarks for MBNMS MPA item**

Chairman Ortmann and Council Members, my name is Kathy Fosmark. On behalf of the Alliance of Communities for Sustainable Fisheries, we have submitted a letter, which you have in your packet, outlining the four recommendations that we hope that the Council will adopt and make to the Monterey Bay National Marine Sanctuary. The letter provides our reasons for making these recommendations in some detail. First let me tell you that we are hopeful that the new Sanctuary effort to place their Marine Protected Area process into the context of a larger process such as the Integrated Ecosystem Assessment, is a positive step. It is our perception that the Sanctuary has struggled with this issue and needs to get it back on a proper footing if it is to have any fishermen's support, and general public support.

Particularly problematic for fishermen is the fact that the Sanctuary has made its assertion that it has an unmet need for additional MPAs without any scientific analysis of that question. The ACSF has gone as far as to submit a Freedom of Information Act Request to the Sanctuary for information regarding the scientific analysis of justification that it has.

Although we have received some very raw data, such as a listing of habitat characteristics, no analysis has been provided. In our opinion, the Sanctuary would be wise to reconstruct this process to be one that is driven by data and analysis to help shape management options, and not vice-versa. I ask that the Council make this recommendation to the Monterey Sanctuary.

I also ask that the Council provide advice to the Sanctuary that any staff-level meetings held as part of an Integrated Ecosystem Assessment be open to at least public observation. This will be to assure the transparency of decision-making.

And, I ask the Council to refer the ACSF sponsored National and Monterey Bay regional public opinion polls to the SSC for a review of their methodology, and an assessment of their relevance to this Sanctuary MPA issue.

To conclude, I also want to make the Council aware that there is a strong level of community support for upholding the integrity of the agreement made between NOAA and the fishermen when the Sanctuary was created in 1992. That is, in exchange for our support for the designation of the

Monterey Bay Area as a National Marine Sanctuary, the Sanctuary would not seek to regulate us. The City of Monterey, the Association of Monterey Bay Area Governments, comprised of all elected officials representing seven hundred and fifty thousand people of the region, and the large Monterey Peninsula Chamber of Commerce, all have adopted motions that ask the Sanctuary not to change its designation document to give it the power to create a fishing regulation, and that it must obtain the support of the fishing community for any zones or regulation proposals that it brings forward to you. Additionally, Congressman Sam Farr has stated in a recent letter of his expectation that the Sanctuary should work hard on this MPA issue, but that the Sanctuary should not impose MPAs upon fishermen.

I want the Pacific Fisheries Management Council to know that we do not feel that this level of community support gives us license to act irresponsibly. Our members have engaged constructively in every step of this MPA process. The polling results, and the science work brought forward by Doctors Ray Hilborn, Carl Walters, Richard Parish, and others, at last year's meeting, shows that the ACSF has sought to constructively inform this process.

Thank you for your consideration of the ACSF requests.