

Ocean Commission Testimony

My name is Chris Miller I have fished commercially for Lobster at the Channel Islands out of the port of Santa Barbara for 25 years. I was a representative for the commercial fishermen in the recent forum on Marine Reserves that was conducted by the Channel Islands Marine Sanctuary and our State Fish and Game department for our island fishing grounds. I really did not know what I was getting into when I took on this job. I ended up representing all the different fisheries except squid for five ports in between fishing trips. This was a big education for me and also it was a very big challenge. I believe that my experience as an independent commercial fisherman who has worked on designing marine reserves for my region can benefit the Ocean Commission.

My testimony before the commission was off the cuff. I focused on general observations of mine about working with the fishermen on the reserve issue. I have given quite a bit of thought to my experience and how it relates to specific recommendations about policy since the hearing. In reality our process to design marine reserves at the Channel Islands was deeply effected by the Executive Order of president Clinton. I believe that what has transpired as a result of the Executive Order poses some very serious problems for all of the commercial fishing fleets on the West Coast.

Our CINMS staff in charge of policy informed me soon after the Executive Order was announced, that this made the Sanctuary Program Stakeholders. To understand the impact of this statement completely it needs to be put in the context of the events that occurred at the same time. The manager who had developed our forum with CINMS as a neutral facilitator, working to develop community input for our State Fish and Game Commission was replaced. The new manager assumed a voting seat in our forum by fiat. At the same time the science advisory panel assumed a stakeholder role in our process by issuing an independent recommendation for a minimum percentage of area to the press. The 30-50% closure of the CINMS was a complete violation of the process for balancing marine reserves that the community developed by consensus in its goals and objectives. The Sanctuary Program unilaterally weighted the goals in its interest as a stakeholder using its control of the process and the agenda. At this point I have to admit I am acting as a whistle blower, I realize that as a small business man who fishes commercially I run the risk of having my motives suspect as a man with an ax to grind. However the negative impact of this on our small fishing port and local community has much broader implications. The Sanctuary Program's promotion of a recommendation to carry out a massive experiment in fisheries management using a science panel without any depth in Fisheries Science presents the Ocean Commission with some significant policy issues to resolve. It is perceived by the commercial fisherman on the West Coast as an intrusion into fishery management and a reinterpretation of the Sanctuaries Act without due process. Given the massive amount of area that is currently under Marine Sanctuary Status on the West Coast the Sanctuary Program's new role as stakeholder advocating a Policy of Percentages needs to be addressed. In reality this position makes the West Coast Sanctuary program a super-stakeholder who is allied with the agenda for preservation being weighted over fishery management. My specific recommendations are

for creating community support for the executive order. At this time there is no legitimate support from the broad base of our coastal fishing communities.

My Recommendations,

1. Resolve the science on reserves either we are taking a community based approach to the executive order or we are under a policy of minimum percents. The Science and Statistics Committee of the Ad-Hoc Marine Sub-Committee of the National Marine Fisheries Service reviewed the CINMS science supporting a percentage approach. Their findings were that the percentage approach is a policy not a scientific recommendation. There is a very substantial body of work on community- based management that suggests that a regional approach to specific habitats is more successful. The ocean commission needs to assist resolving this issue. It is impacting our states management process in a very negative way to have NOS and NMFS in a turf war over this issue.
2. Develop a clear process for looking at an over all design for reserves along the West Coast. We are seeing the same ad-hoc planning approach to reserves that has failed in other federal management. Where funding cycle constraints and timelines overtake common sense. There will be an impact of reserves in our West Coast Sanctuaries. They will transfer fishing effort and markets. This takes serious social and economic planning in light of the population dynamics of our fisheries sharing essential fishery habitat with Mexico. We run a very serious risk of transferring fishing effort to Baja California, which is the source of recruitment to many of our fisheries. This could actually have a very negative impact over time to the fisheries. It could also accelerate development in Baja's wetlands, which are relatively undeveloped now. They are a major component of the ecosystem integrity of the California Bight.
3. Create a comprehensive mitigation strategy for reserves initial loss to fishery yield. Develop a threshold of economic impact for short- term loss to independent fishing business that is realistic, with a range of alternatives and flexibility for integrating reserves with existing fishery management. When reserve advocates promote a short- term loss to fishing interests from reserves they need to realize what that means. To the majority of fishermen today that is the rest of their career.
4. Create regional data management councils where the community has independent technical support and oversight. The regional approach to management must have some check and balance. Legitimate community involvement can not be developed with the National agencies trying to set policy precedent through community forums. I would like the you all to think through the issue of a National Federal agency identifying itself as a stakeholder. I suggest a policy for the Sanctuary Program where the staff of the Sanctuaries reflect the diversity of the local communities. Our local staff at CINMS is a classic example, there is no ethnic diversity there. There are no fisheries based values reflected. There are not

any people who are home grown and have roots in our community. In reality it reflects the values of preservation ideology as it is taught in the university community. When you have the education programs of your local Sanctuary Program working from this advocacy perspective it serves to alienate a whole segment of children. Our children should not have to sit in shame of their parents fishing culture as a result of the political campaign for reserves.