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BY:

Alliance of Communities for Sustainable Fisheries
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October 22, 2003

San Luis Obispo County Board of Supervisors
Room 370 County Government Center
San Luis Obispo, CA 93408

RE: Recommendation to not support expansion of the Monterey Bay National Marine Sanctuary into San Luis Obispo County at this time

Dear Chairman Mike Ryan and Board Members:

The Alliance of Communities for Sustainable Fisheries (Alliance), has been following the question as to whether the Monterey Bay National Marine Sanctuary will expand its boundaries southward. Our organization represents primarily the men and women of recreational and commercial fishing who use the ocean waters from Port San Luis to San Francisco. We are unique in that we bridge the fishing community with the greater community that supports them, and particularly emphasize the culture, heritage, and economic contribution of fishing in our region. Further, as our name implies, we are committed to the sustainable use of ocean resources. To that end, we have worked very hard to improve the science used in resource management, utilizing the knowledge that fishermen have.

Since our organization has worked closely with the staff and Sanctuary Advisory Council for the MBNMS on a variety of issues, we feel that we have a valid perspective to share on the good works and problems we have seen in this organization.

There is no doubt that the Federal Government can bring additional resources to the study and management of offshore waters. The Sanctuary Program is at its best when it works cooperatively with agencies and industries to educate and coordinate towards mutual goals. Accomplishments such as the extension of the oil tanker traffic lanes farther offshore, the water quality protection program, and the four county agricultural plan are examples of this cooperative effort. Perhaps the biggest benefit in the public's mind lies in the regulation that prevents oil and gas development. We would, at this time, venture to say that the situation with potential oil development is not clear as to whether Sanctuary status will actually prevent future development in new areas, or that such development cannot be prevented through other local means. The other regulations of the MBNMS, we must point out, could be, or are, equally accomplished by local authorities. The fact is, California's offshore waters are among the most heavily managed and regulated of any in the world even without Sanctuary status.

With that being said, we believe that this Program has no business expanding until it can solve some basic governance issues and can better manage the resources in the 5300 square miles it already has. Indeed, we in the fishing community have strongly sought to work cooperatively with the Sanctuary Program to develop far better fish stock abundance assessments than are presently utilized by either the Department of Fish & Game or by NOAA Fisheries. We also point out that critical work areas named in the MBNMS Management Plan, such as developing real-life oil spill contingency plans which will utilize the resources of the fishing community, have not even begun after eleven years. Moreover, there are significant governance problems inherent in Sanctuary status:

- The National Marine Sanctuary Act is overly broad and vague on key concepts, and does not provide proper guidance to staff for administration. One conflict of National Policy is that the "protection" (an undefined term) of sanctuary resources, such as fish stocks, takes precedence over the sustainable management of an important food source for the nation. Congress needs to step in and provide guidance to sort this out.
- The role of the Sanctuary Advisory Council (SAC), which was intended originally to provide a strong, local voice to give local perspective to the federal agency on resource matters, is not working as intended. In fact, the Association of Monterey Bay Area Governments (AMBAG), representing Santa Cruz, San Benito, and Monterey Counties recently voted to formally study and make recommendations about the governance issues in the SAC after hearing continuing complaints about how the SAC is managed and limited by NOAA. AMBAG is represented by all elected officials. Their fact-finding report will be presented in a few months.
- Experience has shown that despite promises made to a variety of local communities about how things would be under Sanctuary Management, it appears the Sanctuary Program has little ability to keep its promises. There was clearly the promise made to the fishing community that the Sanctuary would not represent another bureaucracy that fishermen would have to deal with. This has not proven to be the case. Fishermen do have to worry about the Sanctuary bureaucracy and its assertions of regulatory power, even over the Department of Fish & Game and the Pacific Fishery Management Council. As mentioned above, community members believed that they would have a vehicle in the SAC for strong local representation. This, however, has not proven to be the case thus far. Lastly, our harbor members tell us that promises were made that the Sanctuary would not be in a regulatory role over dredging operations. However, the Sanctuary has asserted this authority, with the result being added time and cost delays in dredging permitting with no added value. Numerous federal, state and local agencies already weigh in on dredge material disposal.

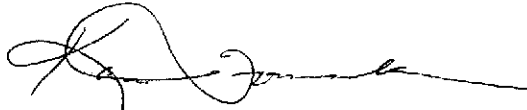
It is therefore our recommendation to the San Luis Obispo County Board of Supervisors that the MBNMS is not ready to expand. Many of our concerns apply to the National Marine Sanctuary Program as a whole. If citizens want to work toward a superior ocean

resources management agency, they would be best served by focusing on the problems in the Program as they exist today, and solving those problems. Or, alternatively, support the fledgling Marine Interests Group as a non-regulatory, coordinating body to improve resource management. We deeply hope that the Sanctuary Program will outgrow its difficulties and be the partner with the fishing community that we had originally envisioned. Until that time, our organization cannot support Sanctuary expansion and we urge the San Luis Obispo County Board of Supervisors to establish the same position.

Thank you for considering these thoughts.

Sincerely,


Mike Ricketts
Co-Chair, ACSF


Kathy Fosmark
Co-Chair, ACSF

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

C: The Honorable Sam Farr
The Honorable Anna Eshoo
The Honorable Lois Capps
The Honorable Elton Gallegly
The Honorable Richard Pombo
The Honorable Bruce McPherson
Admiral Conrad Lautenbacher, USN (ret.)
Dr. William Hogarth, National Marine Fisheries Service
Don Hanson, Chair, PFMC
Dan Basta, Director, Office of National Marine Sanctuaries
Bill Douros, Superintendent, Monterey Bay National Marine Sanctuary
SAC for Monterey Bay National Marine Sanctuary
SAC for Channel Islands National Marine Sanctuary
SAC for Gulf of the Farallones National Marine Sanctuary