

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

May 21, 2001

Paul Reilly
Department of Fish & Game
20 Lower Ragsdale Drive
Suite 100
Monterey, CA 93940

Dear Mr. Reilly:

The Alliance of Communities for Sustainable Fisheries (ACSF), which represents commercial and recreational fishing interests, port management, and marine businesses from Morro Bay to Pillar Point presents the following comments on the Marine Life Protection Act:

1. Existing MPAs

The ACSF hopes that the effectiveness of the State of California's existing system of MPAs has been scientifically studied on a species-specific basis. Do we know that they increase biodiversity? For which species can increases in size and quantity be documented? For which species can they not be documented? Have both potential benefits and problems with MPAs been evaluated? Have there been studies on California's existing MPA's that conclude that there is any significant spillover effect of increasing fish stocks outside the MPAs? Does the State recognize that there has been a defacto MPA within State waters against bottom trawling for many years? Has this defacto MPA been studied in a process as described above? Have multiyear regime shifts, such as changes in sea temperature, been also considered when evaluating MPAs? If the MPAs have not been evaluated in ways as described above, we would suggest that proposing and establishing any new large quantity of MPAs for California's coastal waters is premature.

2. Establishment of new MPAs

As indicated above, we believe that you should proceed with great caution. Any MPAs which are proposed should be sited for the protection of specific species. We understand that a very large unanswered question exists within the science community as to the effectiveness of MPAs (complete no-fishing zones) for pelagic fish (such as salmon, albacore, squid, and swordfish). Without such strong scientific evidence, we would caution against establishing new MPAs that affect these types of historic fisheries.

MPAs may well be one of many management tools, but it is hard to believe that they are a panacea for all fishing ills. Many relatively new regulations are in effect to protect groundfish; they should be given an opportunity to work.

Your letter also references "short-term impacts". We believe that any study of MPAs needs to recognize there may be significant long-term socio-economic impacts on the fishing community. The socio-economic impacts of MPAs should be fully addressed. Lastly, if new MPAs are to be considered, there should be some very well defined method of evaluating their success or failure, and a mechanism to modify or abandon them if they are not producing the desired results. For example, it could be that a fish stock declines even if no fishing is allowed, if a pollution source is also present. Rotating MPAs is another option that should be considered.

If MPAs are created that disallow fishing, it should apply equally to both recreational and commercial fishing. There should not be MPAs that just allow recreational, but not commercial fishing. As a point of fact, recreational fishing is on the rise, while commercial fishing is very much on the decline regarding the number of participants.

3. Regarding the process being used to develop the Marine Life Protection Act

We understand the desire for the science community to want to come up with some proposals early on to be able to present to the public as a basis for discussion. However, we very strongly feel that it was a mistake not to have involved some representatives of the fishing community in this first phase of the study effort. Having excluded the fishermen, the State has invited suspicions of the process. Do fishermen need to actually amend legislation to get the access we need to the decision making process?

4. Implementation of the Marine Life Protection Act

We believe that any implementation of modified or new MPAs in California must be done equally across the State, at the same time. Even if individual agencies, such as cities, counties, or one of the several National Marine Sanctuaries located in State waters, is able to assist in funding implementation, it will be a big mistake in our opinion to have an unequal application of such an important program throughout the State.

Widespread public acceptance of the fairness of this program, including from the fishing community, will be paramount.

5. The future

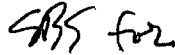
We understand that the Department of Fish & Game is tasked by the legislature to improve MPAs in California waters. This being said, we want to offer our opinion that the single best thing that the State of California can do for fisheries is to put even more resources into developing credible stock assessments and work very much in cooperation with the fishing community, utilizing the knowledge of that community, in developing these assessments. All other fishery management tools, whether they be

seasonal closures or MPAs, are reliant on this information and we think we have a very long way to go to in developing accurate information.

Sincerely,



Mike Ricketts
Co-Chair, ACFS



Kathy Fosmark
Co-Chair, ACFS

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 Association
Pillar Point Commercial Fishermen's Association
Fishermen's Alliance
Western Fish Boat Owners Association
Ventura County Commercial Fishermen's Association
Federation of Independent Seafood Harvesters
Port San Luis
Morro Bay Harbor
Monterey Harbor
Moss Landing Harbor
Santa Cruz Harbor
Pillar Pt. Harbor