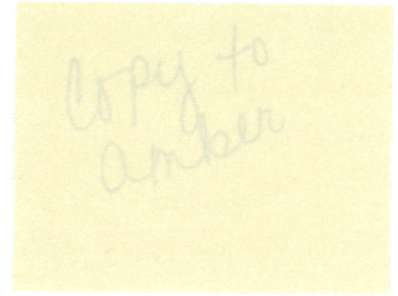


# Southern California Trawlers Association



The Hon. John Laird, Secretary for Natural Resources  
Chair, California Ocean Protection Council  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814

RE: COMMENTS ON THE OCEAN PROTECTION COUNCIL 2012-2017 DRAFT  
STRATEGIC ACTION PLAN

Dear Mr. Laird:

Thank you for providing stakeholders the opportunity to comment on the new strategic plan. Some of the membership of SCTA have taken the opportunity to review the plan, and would like to take you up on the opportunity to comment on those elements that relate to our livelihood, namely, sustainable commercial fishing.

As you know, our Association is composed of small-boat artisanal trawlers with membership from San Pedro to Half Moon Bay. We have worked hard over the last two decades to improve the sustainability of our fisheries, and to move in the direction that the new ocean progressivism appears to embrace: "low- volume, high-value" fisheries (although we note with interest a new interchangeability of concepts of "high-value" and "high-profit" in the Plan document). Our Association members have developed at least three of these in the Santa Barbara Channel, as noted below.

Our comments are directed principally at Plan Issue 3: Sustainable Fisheries. At the outset, the Plan notes: "Maintaining access to local seafood is important to Californians." (p. 22, underline added). We couldn't agree more, but we have a different perspective than the ensuing text would have Californians believe. Nowhere is this principle more important than for commercial fishermen, who feel that for the last 15-20 years, access to traditional fishing grounds has been steadily and increasingly denied, cumulatively accounting for losses summing to thousands of square miles of our traditional fishing grounds. And this is while all the fisheries have been also continually sideboarded and downsized by ever more restrictive traditional management measures such as more restrictive size limits, tighter seasonal restrictions, gear restrictions/prohibitions, and similar "traditional management" tools.

Cumulative loss of access to local seafood harvested in our traditional fishing grounds just simply has not been acknowledged by government, by non-government ocean protection organizations and the general public alike. Here are some examples of the accumulated loss of access to traditional fishing grounds that have been imposed on our fisheries over the last two decades or so:

- Military closures (postwar)
- Proposition 132 "research" areas (4)



- Construction of state- and federally-permitted offshore oil platforms and pipelines; consequent oilfield debris in traditional fishing grounds (dozens in Southern California, since the 1950's)
- Santa Monica Bay (since the mid 1920's)
- Channel Islands no-fishing zones (11 marine reserves that took some of the best fishing grounds away)

One of these closures, the "Footprint," between Anacapa and Santa Cruz Islands, resulted in the closure of even harpooning for swordfish and prohibition on take of highly migratory and/or coastal pelagic species (such as yellowtail, mackerel, sardine, squid, anchovy, and white seabass that are taken high in the water column with no relation to benthic habitat), all to protect rock-associated groundfish species a hundred fathoms (600 feet) down below. It made no sense to us whatsoever, and when we asked for common sense to be applied, the MRWG Science Advisory Panel apparently decided common sense wasn't a criterion for design in these Sanctuary MPAs.

- Federal groundfish management plan amendments that include
  - Cowcod Conservation closed area (very large)
  - Groundfish shelf closure (huge)
  - Groundfish Essential Fish Habitat closures (thousands of square miles),
- SB 1459 (Halibut Trawl Bill)
  - Pt Arguello, Pt. Conception, Mugu Canyon, Hueneme Canyon
  - Pt. Conception to Gaviota regional closure
  - Monterey Bay (by hidden agenda in "good-faith" negotiations)
  - Pink shrimp trawl grounds
  - Pt. Sur to Carmel, a traditional groundfish area
- Marine Life Protection Act (approximately 129 areas of at least 9 square miles each, depending on how the North Coast process eventually comes in)

The result of these cumulative closures has been the loss of fishing community coastal infrastructure up and down the coast. Morro Bay, Santa Monica, San Pedro, San Diego, Crescent City, Monterey; these ports and more like them all along the coast have lost ice houses, fuel docks, moorage and other infrastructure necessary to maintain our fisheries. So now we see white-knight NGOs "coming to the rescue" by acting like they're helping rebuild these fishery infrastructure/businesses that were driven out of business due to this NGO-driven cumulative loss of access to traditional fishing grounds in the first place.

This is what we see as fishermen and small businesses along the coastline. Also not addressed in the OPC Strategic Plan is the issue of privatizing California's public trust fish resources. The continued erosion of small fishing businesses will have no other trajectory but out-of-business as the federal government and NGOs push their highly inequitable Wall Street privatization of public resources under the guise of improved sustainable fisheries management. That is, the so-called "catch shares" initiative being pushed by certain NGOs and NOAA Fisheries, which, by themselves and without a biologically meaningful "total allowable catch" or TAC, do absolutely nothing to set fisheries on a sustainable footing. A recent letter to Congress signed by over 25 fisheries and common-sense conservation organizations put it this way

Catch shares cause economic devastation, fail to sustain the health of our fisheries, and violate the legal standards set out in the Magnuson-Stevens Conservation and Fishery Management Act. Catch shares harm fishing communities because they force smaller-scale fishermen out of the fishery and bar new fishermen from entering it

due to the excessive costs of purchasing quota. Further, quota accumulates in the hands of those who can afford it, resulting in industry consolidation, widespread job losses and reduced wages for fishermen and crew - with ripple effects on support industries and coastal communities.

Despite proponents' claims, catch shares are not aimed at environmental benefits. Overfishing is controlled separately by setting limits on the total number of fish that can be caught. In fact, catch shares can contain incentives to discard unwanted fish and undermine ecosystem-based fishing strategies.

Finally, catch shares violate the Magnuson-Stevens Conservation and Fishery Management Act, including the requirement that fishery management measures support the long-term economic health of fishing communities. Indeed, they have had the opposite effect. Further, an international court found that catch shares violated human rights by creating a privileged class of fishermen in a privatized industry.

Returning to the issue of the 2006 closure of Monterey Bay, we could solve this "inadvertent" closure of Monterey Bay to sustainable halibut trawling with light-touch paranzella nets quite easily, but NGOs have stonewalled talks consistently, requiring ever more "scientific evidence" and proofs that have already been vetted by the California Fish and Game Commission. The panel found, in the words of one Commissioner, that our halibut trawl fishery had been held to the most stringent criteria ever applied to a fishery in California. After years of direct testimony and Commission-requested collaborative studies (including subsea video of our nets and doors in action) by the Department, Sea Grant and our fishermen, the Commission found, specifically, that our fishery 1) minimizes bycatch, 2) is not harming the seafloor, 3) is not adversely affecting ecosystem health, and 4) is not adversely affecting restoration efforts for kelp, coral and other biogenic habitat. What else can one reasonably ask of a fishery?

(Action 3.1.3 Community Fishing Associations) These sound great, but, without access to the fish, very little fish will be coming in to these. These new CFAs and CSFs are going to be hard-pressed to be successful without improved access to fish. Will they then depend on imported fish to be successful? See below.

(Issue 3, Introduction, and Action 3.1.1 High [value/profit] low-volume fisheries) These are enterprises that are supposed to be sustainable, renewable fisheries: We have worked hard to develop several of these along the California coastline. Examples in our regional fisheries are

- The California halibut live market. Halibut fishing has been continuous since they were first harvested using paranzella nets in the Monterey Bay area (Santa Cruz) in the late 1800's. This alone is evidence of sustainability. The added-value live-marketing of California halibut started in about 2000, and has measurably improved both sustainability and profitability in our halibut fishery.
- The Ridgeback Prawn trawl fishery in muddy bottom of the Santa Barbara Channel, and the similar live market developed in the last ten years. Ridgebacks have been trawled in the Santa Barbara Channel for over 30 years without harming either the seafloor or the ridgeback stocks, which are cyclically available to trawl in varying ocean regimes in the first place.
- The Sea Cucumber trawl fishery in similar soft-bottom habitat of the Santa Barbara Channel has been sustained for over 30 years. A small number of artisanal trawl boats harvest these fish, mainly for export

since California palates have generally spurned them, and this fishery is both sustainable, low volume and high value, particularly in recent years.

If the NGO vision is for each commercial fishing boat to go out and catch 5 fish a day and sell them for \$100 each, instead of catching 500 fish a day and selling them for \$1 each, we're already there in these fisheries. And yet it's been taken away from us in Monterey Bay and parts of the Santa Barbara Channel by sheer ignorance of the facts. And we can't seem to get it back due to the NGO stonewalling we perceive in the process, which, by the way, recently lost its designated facilitator, possibly because he saw what was really going on.

Our fisheries have been managed by the state in a limited entry system (i.e., a restricted access program) for a long time. There are only a certain number of vessel permits in these fisheries, and you may easily verify with the Department of Fish and Game that the number of permits, especially active permits, has been steadily declining every year in this new millennium, and for a decade prior. While a certain portion of the decline can be attributed to aging captains, a large proportion of the decline, in our view, is due to the continued and escalating loss of access to our traditional fishing grounds, and the perception in the next generation of potential fishermen that there is very limited opportunity in the future for harvesting fish for California's public. Further, it seems that the public, in general, does not look favorably on this honorable profession any longer due to the hue and cry of certain alarmist organizations. A recent collaboration of scientists recanted the "oceans will be empty of fish by 2048" alarm, but it hasn't made it to the headlines like the original article did. In fact, the more recent article noted that several areas of the 10 large ecosystems studied were among the most sustainable, and, significantly, California was in that well-managed group.

So we've been improving our fisheries' sustainability for a long time, and our reward has been to see ever more traditional fishing grounds shut down. One inevitable result of this trend is that imported fish have taken over the vast majority, perhaps 80-90%, of the California seafood market: China, Korea, Indonesia, Mexico, Chile, Norway, Canada, from everywhere but local California waters, and it's mostly cheap farmed or unsustainably fished product with huge environmental consequences that we have already all accounted for in our fisheries here locally. For us, the result is that our markets are lost as a venue for selling fresh, local seafood, because the niche has been filled (overfilled) with cheap imports.

(Action 4.1.2. Real-Time reporting of commercial and sport landings.) This is both an unreasonable and unnecessary goal or metric for most fisheries, whose populations do not change on a daily basis. If you force commercial fishermen to pay for this pie-in-the-sky idea, these fisheries will continue to go out of business with the additional costs. Perhaps that is the actual goal. Remember, competition in the marketplace is with cheap imports, and seafood prices do not rise or fall with the expectations of NGOs; they move to the tune of global market processes, eco-labeling notwithstanding.

Also, existing observer programs are preventing some fishing trips already, due to unduly burdensome observer costs (\$300-500/day for a fishery that might make less than that daily!). We fill out a trawl logbook with very detailed information (lat/long, time of net-in-water, net-out-of-water, estimated landings by species or species group by each tow) and provide these data to the Department monthly. Why isn't this quick enough? Which fisheries require daily management? Who's going to act on it on a daily basis, and how would they do so? Maybe in a quota-driven fishery like groundfish it might make a

certain amount of sense, but across the board it's not a very good idea. Further, small boats can't carry all the electronic stuff required to do all this in addition to the U.S. Coast Guard mandated fishing vessel safety gear already required onboard. For example, the dorymen in Newport can't take all this electronic big-brother equipment onboard; there's simply no room on the boat.

It's difficult for us to read about how all the NGOs have come in to save our fisheries when the original problem (from our perspective) was the NGOs pushing hard to close all these areas in the first place. Proposition 132 and SB 1459, the halibut trawl bill, were done without adequate supporting scientific evidence, and in large part were allocation battles over halibut and other sport-interest fish. Small-boat fishing businesses closed as a result; fishermen stressed to the point of having heart attacks. Nobody talks about the cumulative effects of all this on fishermen and their communities; it's the "dirty little secret" of ocean preservationists' agenda. And then the boats from these out-of-business family operations, now surplus due to lack of access, get sold to Mexico, whose fishermen fish without the stringent rules we have, and sell the unsustainably-caught fish in markets that used to be supplied by California fishermen. What is wrong with this picture? The same thing is now happening with the NGO push to privatize and Wall-Street-commoditize our public trust fisheries resources. Small family-run business providing fresh local seafood to community markets are getting squeezed out by capital-rich corporations (see above).

(Action 5.2.1 Metric "...integrate fisheries and MPA management...") Our representatives at the table during the Channel Islands National Marine Sanctuary's Marine Reserves Working Group (MRWG), over a decade ago, repeatedly insisted that without considering how the proposed Channel Islands MPAs would integrate with existing and traditional fisheries management that problems would be created for both fisheries and managers. The Science Advisory Panel turned a deaf ear to the issue at the time to assume unrealistic "scorched earth" conditions outside the marine reserves. That was in 1998 and 1999. Over a decade later, a State Strategic Plan (advised by some of the same scientists involved with MRWG's SAP) notes this as a worthwhile action. It seems that we are all slow learners.

Not addressed in the Plan is the subject of seal predation on our catches, the problem of increasing marine mammal populations generally. It got to the point where Congress came and held a hearing in San Diego about the problem: docks damaged, boats sunk, nets destroyed, fish eaten right out of fishermen's gear by seals and sea lions, many times up to 100 % of the catch every day is spoiled by this burgeoning seal/sea lion activity. We need marine mammal management, not further protection for overpopulated pinniped stocks.

We applaud the Council for looking forward strategically to the next five years of managing our coastal oceans for sustainability. We fear, however, that it does so with a lack of information from those who spend 200-250 days a year at sea, and, as a result, have firsthand knowledge of habitats and fish stocks not gained any other way but direct observation over long time frames. Ask any scientist about the value of long-term studies: they will tell you that certain kinds of perspectives are gained in this way that can be gained in no other way. And this long-term knowledge of the ocean has not been adequately captured by scientists and managers alike. Perhaps this can be remedied by the Council, we don't know. The collaborative fisheries research initiative is yet in its infancy. But we are certainly willing to work with the Council to get where we all want to go: healthy, sustainable fisheries supporting fresh, local markets for healthy and nutritious California seafood.

Thank you for the opportunity to provide some brief perspectives on the draft Strategic Plan. We hope our comments have enlightened the Council on our views of recent ocean management trends, and as a result the Council has an improved understanding of where we are coming from. If you have any questions regarding any of our comments, above, please do not hesitate to contact our Association President, Capt. Mike McCorkle. He can be reached via standard mail at the letterhead address, via email at [mccorkle@cox.net](mailto:mccorkle@cox.net), or via telephone at (805) 886-4239.

Sincerely,

A handwritten signature in black ink that reads "Mike McCorkle". The signature is fluid and cursive, with the first name "Mike" and the last name "McCorkle" clearly legible.

Mike M<sup>c</sup>Corkle,  
President

c: Hon. Brian Baird, Assistant Secretary for Ocean & Coastal Policy, Resources Agency  
Mr. John M<sup>c</sup>Cammon, Director, Department of Fish and Game  
Ms. Maria Vojkovich, Manager, Marine Region, California Department of Fish and Game  
Mr. Zeke Grader, Pacific Coast Federation of Fishermen's Associations