

February 12, 2009

The Honorable Arnold Schwarzenegger  
State Capitol Building  
Sacramento, CA 95814

**RE: December 23, 2008 Letter from Governor to Secretary of Commerce regarding the proposed prohibition of introduced species in California national marine sanctuaries**

Dear Governor Schwarzenegger:

Please accept the following comments from the Gulf of the Farallones and Monterey Bay National Marine Sanctuary Advisory Councils regarding your letter to the Secretary of Commerce (dated December 23, 2008) objecting to the National Marine Sanctuary System's proposed prohibition on introducing non-native species (other than striped bass and species cultivated by existing lawful mariculture activities in Tomales Bay) within the Gulf of the Farallones and Monterey Bay National Marine Sanctuaries. The Gulf of the Farallones and Monterey Bay National Marine Sanctuary Advisory Councils strongly support the proposed sanctuary regulations as an important step in safeguarding both sanctuary and state natural resources. We urge you to reconsider your objection and direct the Department of Fish and Game to work cooperatively with the Office of National Marine Sanctuaries to develop a mutually acceptable outcome that ensures the long-term protection of marine resources.

Over the past seven years, our Sanctuary Advisory Councils and each of California's four national marine sanctuaries have been engaged in an extensive public process to update their management plans. The sanctuaries hosted dozens of public hearings and received thousands of public comments during this review process. Prevention of introduced species was identified as a conservation priority for both the Gulf of the Farallones and Monterey Bay National Marine Sanctuaries. The sanctuaries' proposed prohibition on introductions of non-native species had the strong support of the public, the conservation community, elected officials, and state agencies such as the California Coastal Commission. We note that the California Coastal Commission specifically conditioned their consistency determination for the sanctuary management plans on inclusion of language to addresses the release of introduced species.

The adverse environmental and economic impacts associated with introduced species are well known and well documented. Introduced species have been identified as the second largest threat to biodiversity after habitat loss. Because attempts to eradicate species after they are established are costly and generally unsuccessful, it is widely recognized that prevention is the key to avoiding the impacts of harmful introductions. Given the incomparable ecological importance of the California sanctuaries and the threats posed by introduced species, we conclude that the sanctuaries' proposed prohibition on introductions of non-native species reflects a prudent and necessary step to safeguard sanctuary living resources.

A fundamental purpose of the National Marine Sanctuary System is to maintain natural biological communities and to protect, and where appropriate, restore and enhance natural habitats, populations,

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and ecological processes. Aquaculture and mariculture operations – particularly those based on non-native species – pose potential conflicts with the sanctuaries’ mandates to protect and preserve natural habitats and communities. Nonetheless, as proposed, the sanctuaries’ regulations provide an exception for existing mariculture activities in Tomales Bay conducted “pursuant to valid lease, permit, license or other authorization issued by the State of California and in effect on the effective date of the final regulation”. The Gulf of the Farallones and Monterey Bay National Marine Sanctuary Advisory Councils believe that this language provides a reasonable accommodation to grandfather in existing mariculture operations while limiting expansion of these types of facilities in sanctuary waters.

The Gulf of the Farallones and Monterey Bay National Marine Sanctuary Advisory Councils are disappointed to learn that the State of California has objected to the proposed sanctuary regulations prohibiting introduced species. We are particularly troubled by the state’s position with regard to creating a specific exemption from sanctuary regulation for research activities involving introduced species. The Office of National Marine Sanctuaries has broad authority to regulate research activities within sanctuary boundaries. We see no basis for carving out a special exception for an activity as potentially risky to the marine environment as the introduction of non-native species. We specifically urge reconsideration of this aspect of your letter.

In conclusion, particularly in these times of limited budgets and competing priorities, the most effective way to accomplish the shared goals of the federal and state government with respect to marine conservation and resource protection is to work collaboratively through a formal consultation process by putting substantive outcomes before jurisdictional concerns. We urge you to reconsider your position and direct the Department of Fish and Game to work with the Office of National Marine Sanctuaries to seek a reasoned solution that places a priority on the conservation of our marine resources.

Thank you for your consideration of these comments.

Sincerely,



Richard Charter  
Chairperson  
Gulf of the Farallones National  
Marine Sanctuary Advisory Council



Chris Harrold  
Chairperson  
Monterey Bay National Marine  
Sanctuary Advisory Council

cc: Mr. Daniel Basta, Director, Office of National Marine Sanctuaries  
Mr. William Douros, West Coast Regional Director, Office of National Marine Sanctuaries  
Ms. Maria Brown, Superintendent, Gulf of the Farallones National Marine Sanctuary  
Mr. Paul Michel, Superintendent, Monterey Bay National Marine Sanctuary  
Gulf of the Farallones National Marine Sanctuary Advisory Council members  
Monterey Bay National Marine Sanctuary Advisory Council members