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September 3, 2009

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Hermosa Beach Manhattan Beach Redondo Beach Hometown News

The Rocky Point area, home to a kelp forest and the South Bay's richest fish habitat, is being considered as part of a network of marine reserves under California's Marine Life Protection Act.

PHOTO BY MARK MCDERMOTT/AERIAL SUPPORT FROM LIGHTHAWK



The battle for Rocky Point

by Mark McDermott
and Andrea Ruse

A map is being drawn on the ocean in California.

The lines of this map will demarcate a network of marine protected areas – underwater parks, essentially, where fishing will be either restricted or outright banned – up and down the coast of the state. It is being drawn under the dictates of a state law called the Marine Life Protection Act (MLPA) that was enacted a decade ago but is only now being implemented.

Those drawing the map are looking long and hard at the northernmost coast of the Palos Verdes Peninsula, where an area known as Rocky Point has become one of the hardest-fought battlegrounds in the MLPA process.

The stakes are high.

According to local fishermen and marina

Fishermen, environmentalists, scientists, and politicians fight over the future of the South Bay's best fishing grounds

operators, the loss of Rocky Point as a fishery would economically decimate Redondo Beach's King Harbor, which is one of the few remaining "small-boat" harbors. The harbor's four marinas are home to hundreds of recreational anglers, roughly 15 commercial fishing vessels, seven "cattle boats" that take anglers out for day trips, and a waterfront economy of restaurants and shops that depends upon all this water-going activity.

Arguably, no single community has more to lose economically in the MLPA process than Redondo Beach. Rocky Point is far and

away the single most popular destination for anyone who fishes out of King Harbor. It's the richest habitat within reach by a small boat. For several generations of local fishermen, Rocky Point is the place where they fell in love with the ocean and then fished for the rest of their lives.

Leslie Page, property manager of the Redondo Beach Marina, says this fight is about the very identity of the city.

"This is the most vital thing that has ever hit

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[FUTURE OF FISHERIES]

Fishermen fight to keep their richest grounds

by Mark McDermott and Andrea Ruse

Cover

Redondo," Page said. "I feel like I am just hitting my head against the wall. People just don't seem to get it - this is going to economically impact Redondo Beach. It is going to be just devastating."

According to environmentalists and scientists, however, any network of marine reserves that does not include the rich underwater habitat of Rocky Point would be woefully incomplete. The science behind marine reserves is somewhat counterintuitive - it isn't about saving places that are most depleted, but rather selecting the most biologically productive areas as a means to preserve biodiversity and to repopulate other areas.

Tom Ford, executive director of Santa Monica Baykeeper, compares Rocky Point to Yosemite.

"It's of that caliber, absolutely," Ford said. "And for folks that recreate or hunt underwater, they have seen the splendor that exists under the surface in that location. It is dramatic. It is striking, and equivalent to the experience a hiker has walking around inside Yosemite Valley."

This is why Ford's organization has



proposed closing 18 square miles of the ocean under Rocky Point. Ford, who is himself a former fisherman, argues that fishermen are "shooting themselves in the foot" by opposing the marine reserve. He points at studies that show that protection from fishing results, on average, in a 446 percent increase in biomass within reserves - so much life proliferates, in fact, that a "spillover" occurs in surrounding waters and benefits fisheries.

Fishing groups involved in the MLPA process have proposed leaving Rocky Point open and instead creating smaller reserves in less productive waters on the south side of the peninsula. Ford argues that the approach would be disastrous in the long run because it would not help create sustainable fisheries.

"They are losing an opportunity to set aside some areas that are robust and that will, if protected, continue to provide them with the species they are har-

vesting," he said. "And by taking the Portuguese Bend area, by taking these chunks of sand where, from the data we are collecting, nobody is fishing...Well, they are not accomplishing anything."

"I think guys need to get their head around this and realize that there are going to be benefits to these reserves," Ford said. "That these are going to be engines for what they want, which is more fish. That's it: more fish."

The Point

John Devore doesn't buy it.

He is the owner of Redondo Sportfishing, operating the passenger fishing and whale-watching vessels that depart from the small pier that juts out behind the Redondo Beach Marina. He estimates that his vessels - particularly the popular half-day boats, which cannot realistically range further - spend about 90 percent of their time at Rocky Point.

Nobody stands to lose more than Devore if Rocky Point were to close. But this is about more than money to him. It's about a way of life. He has been going to Rocky Point since 1955, when he was 8 and his father taught him how to fish there. According to Devore, the

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[REGULATORY QUANDARY]

City seeks time and leniency for its lagoon

by Mark McDermott

The seaside lagoon appears to be approaching a critical juncture that may require the city to drain the facility of water.

Recreation and Community Services Director Mike Witzansky gave a report to the City Council Tuesday night in which he outlined the beloved but troubled facility's current predicament: the city must obtain leniency from the Regional Water Quality Control Board - a regulatory agency that has already fined it \$192,000 - or seriously reconsider whether the seaside lagoon will open next summer.

"We are at a turning point," Witzansky said. "If we are unsuccessful with the board, we are going to have a real critical decision to make with regards to the future and function of the lagoon."

Councilman Steve Aspel already knows what his decision will be should the board refuse to loosen its regulatory grip. He said the council seems to face critical decisions regarding the nearly half-century old facility every six months.

"I am sick and tired of it..." Aspel said. "We will be sitting here when you come back in March, I am going to

make a motion to close this stupid thing and fill it with sand and show the county and people that we can't just keep getting fined and going through these hoops every year."

The RWQCB has taken issue with the quality of the water that is pumped into the ocean from the man-made lagoon, particularly the 2.3 million gallons pumped daily during its use as a swimming facility 120 days each year. At issue is the number of total suspended solids in the water. The lagoon uses salt water that is originally drawn in from the ocean by the AES power plant; the water is chlorinated before use in the lagoon, then treated again before it is released back into the harbor.

A \$150,000 study the city was required to undertake in 2007 showed the water that leaves the effluent pipe from the lagoon contains, on average, fewer total suspended solids than the harbor water from which some of the water is originally drawn. But the city has still been fined for a number of "exceedences" in suspended solids. The water board agreed to temporarily relax those standards - with a "Time Schedule Order" (TSO) that expires in February - while the city took actions

to address the issue. City staff determined that the only way around the problem was the construction of a new, hard-bottomed facility that does not pump water back into the ocean.

The council approved a \$12 million new facility in March, but given the current economic straits the city finds itself in, that allocation will not be feasible any time soon. Witzansky told the council he has applied for a new permit from the water quality board that uses the more relaxed standards in the time order. But given the stance taken by the RWQCB executive officer Tracy Egoscue in a visit to the council two years ago, this seems less than likely.

"It doesn't seem really fair that your effluent is actually lower than what appears to be in the harbor," Egoscue told the council. "But the reality is your harbor is impaired...Although we are working with you, we need to make sure we get to the end point, which is clean water."

Councilman Bill Brand said the city needs to take every step possible before closing the facility, including appeals to state legislators to carve out an exemption for the facility.

"I don't think the game is over yet,"

Brand said. "Obviously, we can't afford to remodel it. But most of the citizens I talk to...most of them want to find a way to keep this open."

Councilman Steve Diels suggested a multi-tracked approach - applying for a new, relaxed permit while at the same time appealing to the state water quality board as well as state legislators for an exemption.

"This needs to be exempt from those rules," Diels said. "And I do agree with Councilman Aspel that if we have to go back to the position where we are paying fines, then we do fill it with sand."

Diels described the state regulations, which were not enacted until 1999, as "arbitrary" and intended more for storm-water runoff rather than the lagoon's unique use of ocean water.

"When they changed the rules, we were suddenly in violation," Diels said, adding that should the city close the facility the RWQCB would be to blame. "They are taking away an amenity from the citizens of Redondo Beach that has been here year after year, because it is a poorly applied, well-intentioned state regulation." **ER**

MAKING HIS POINT



PHOTO BY ABIGAIL MILLER

John Devore, owner of Redondo Sportfishing, foretells the possible loss of Rocky Point.

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Cover

fishing is just as good now as it ever was.

"You could go out and catch 10 then," he said. "You can go out and catch 10 now."

The way he sees it, his business continues a tradition. Inside his shop are hundreds of photographs, many of children with their first catch. He can tell a story for each picture. Fishing, he said, gives children both a closer connection to nature and a sense of self-reliance. Redondo Sportfishing regularly operates charters for disadvantaged and disabled children.

There are other places to fish, of course, but there is no place locally so dependably productive. Devore worries that if it closes, people will soon forget Rocky Point.

"It'll take one generation for them to lose it," he said, "and they won't even know what they lost."

Devore has been too busy working to attend any of the myriad MLPA two-day meetings that began last January in a process that can best be described as mapmaking by committee. Different

proposals for a network of marine reserves are devised by Regional Stakeholder Groups (RSG), who take direction from a Blue Ribbon Task Force (BRTF) and guidance from a Scientific Advisory Team (SAT). Eventually, a recommendation will emerge from the process and move forward to the state Department of Fish and Game Commission, a five-person governor-appointed panel who will vote to select a single plan in early 2010.

Devore doesn't much know or care about the acronyms or committees. But like most fishermen, there is one thing he does know about the MLPA process, and it is something that makes him believe it is rigged against him. The MLPA law passed in 1999 but did not proceed into implementation because the state lacked the funds. Finally, in 2004, the process was jumpstarted when the state received an infusion of funds - \$18 million - from the Resource Legacy Foundation, a Sacramento-based nonprofit environmental group funded by David and Lucile Packard.

This unusual public-private arrangement has made fishermen suspicious

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of the MLPA from the beginning. "Gimme a break," Devore said. "We should have a say. It shouldn't be just the chosen few with money."

Or, as Redondo Special Captain Eric Hobday put it, "They are funded by tree huggers."

At the helm of his boat one recent morning, Hobday considered the future of his job as he took a group of about 20 anglers out for a morning of fishing at Rocky Point. Like Devore, he's been following the MLPA process from afar, and he has a bad feeling about it.

"It will kill us," he said. "There is no doubt in my mind."

Nor does he buy the notion that he can live on the spillover from a reserve. While some of the species he catches, such as giant sea bass, are pelagic - meaning they range widely - many live in this specific habitat. Particularly his "number one" target, Calico bass.

"Fish aren't going to leave Rocky Point," Hobday said. "They are not migratory. Calico bass - they aren't going to leave kelp...They are not going to leave. You are not going to see fish magically appear down a pipe somewhere where we can fish."

It's hard for him to understand how things have gotten to this point. Hobday, 46, has fished Rocky Point since he was 9. It's where his father taught him to fish. He and his crew - which includes deckhands Taras Ponzik and Martin McMullen - spend more time at Rocky Point than anybody. They fish there at least five days a week, and know its every nook and cranny, its various moods and vicissitudes.

"Everything goes in cycles," Hobday said. "But the fishing has been good. Calico bass, the best it's been in years....Best white sea bass I've seen in years around here. Everything has been picking up, actually, if you ask me. I don't know why they would close it."

Hobday points to the outflow pipes that dot the coast, carrying waste far out into the ocean, as a real culprit, damaging water quality and wildlife.

He also notes that kelp harvesters and commercial fishermen had their way with Rocky Point in decades past, although both are now gone.

"The truth is gillnetters, long-liners, and not as much, the seiners...they raped this place in the '70s and '80s," Hobday said. "They f***ing raped it. And now you are telling us to leave this area? After they kicked the gillnetters out, we had the best sea bass fishing we've had in years."

Hobday is proud of the fact that he and his crew practice conservation on a daily basis - encouraging anglers to throw back any calico bass over three or four pounds, for example, since those are the most productive breeding fish.

"We are trying to keep the spawn going," he said. "It's just the way I was brought up, and I like it. It's just the way to do it. Why would you want to kill a 40-year-old bass?"

Deckhands Ponzik and McMullen grew up together fishing Rocky Point. McMullen remembers working his way up the ladder, from a teenage "pinhead" (volunteer) on the Redondo Sportfishing boats to a full-fledged deckhand. He then worked for years as a commercial fisherman, ranging all the way up to Alaska for 10 years before returning to the place where it all began, Rocky Point.

Ponzik never left. He is a redheaded, robust man who looks like a character from *Moby Dick*, with tattoos of anchors and fishhooks drawn up and down his arms and neck. As a troubled teenager, he found at Rocky Point a way of life that just seemed to fit. He obtained his captain's license this year, and wants nothing more than to spend the rest of his life fishing here.

"Fishing has saved my life," he said. "Being able to participate in the ocean like that has been my salvation. I had a really rough childhood and fishing helped me keep it together. It totally turned my life around. I've watched this happen with a lot of people who weren't going to make it. But they came out here and they found their niche."

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"This is absolutely my way of life. I try to imagine what it would be like without it but I get depressed thinking about that...My forte is in this area. I know everything that does and doesn't work here. What to do and what not to do. My life is based on this. What am I supposed to go do after this? My whole life's work is here."

The science

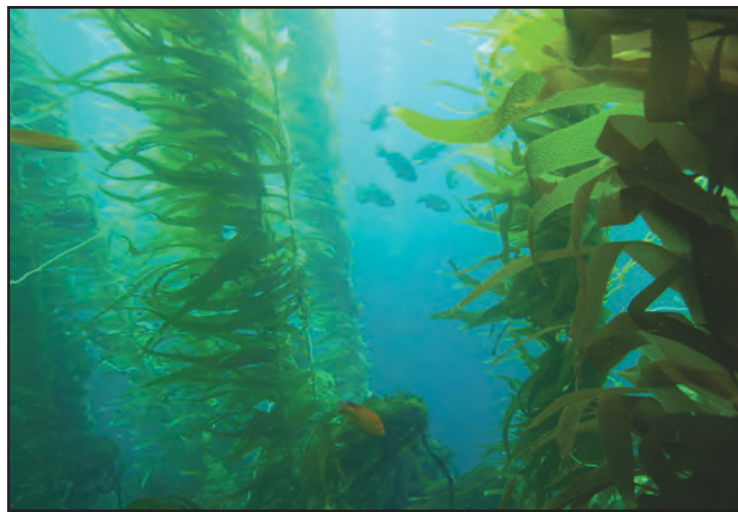
Fishing isn't what it used to be in most places on the planet.

According to an influential paper published in the journal *Nature* in 2003, 90 percent of the world's large fish - including tuna, swordfish, marlin, halibut, and cod - have been depleted since the onset of industrialized fishing. The same paper predicted that if such practices continue unabated all major fish stocks will collapse by 2048.

While the particulars of such predictions are subject to argument - scientist Ray Hilborn, a member of the MLPA Science Advisory Team, attacked the methodology of such assessments as "faith-based science" - the larger point rarely is: world fish populations are at risk due to a variety of factors, including industrialized fishing, pollution, and climate change.

Marine reserves have emerged as one of the most effective ways to stave off such risk, or at the very least preserve pockets of biodiversity in our oceans.

The reserve movement began in 1977



The kelp forest off Rocky Point on the north Palos Verdes coast.

when two square miles in Goat Island Bay in New Zealand were made off-limits to all fishing. The creation of the Goat Island reserve had been a bitter 12-year battle, as fishermen fought it tooth and nail and locals predicted financial gloom. But after the reserve was put in place, a funny thing happened - marine wildlife exploded beyond all expectations, and soon more than 100,000 visitors per year were flocking to Goat Island to see the reserve. Moreover, spillover actually improved the local fisheries, a consequence that nobody had predicted at that time.

Many of those Goat Island visitors were marine biologists, and in subsequent decades marine preserves have proliferated throughout the globe. Although only about .01 of the ocean worldwide is in marine reserves, a recent study of 124 of those reserves

revealed some startling numbers. The study, conducted by the Partnership for Interdisciplinary Studies of Coastal Oceans (PISCO), showed that, on average, biomass within the reserves increased 446 percent, the total number of plants and animals increased by 166 percent, body size increased 28 percent, and species diversity increased 21 percent.

"It's not rocket science," said marine biologist Dan Pondella, a member of the MLPA Science Advisory Team. "When you have reserves where there is no fishing, you have more fish and lobsters, and they are bigger. There is no magic. But that's not really the whole story, obviously, because you can't shut down the whole coast."

Locally, the best example of an analogous reserve is the Channel Islands Marine Protected Areas. Like the Palos

Verdes coast, the Channel Islands provide a rocky, intertidal marine habitat that is characterized by kelp forests rich in species diversity and abundance. Another PISCO study - assisted by the California Department of Fish and Game - showed the five year impacts of reserves established in 2003. According to the study, there were 1.7 times more targeted species (such as sheephead, kelp bass, and lingcod) inside the reserves than in similar areas outside the reserves. Perhaps most surprising, the study showed that four channel island commercial fisheries (rock crab, spiny lobster, market squid and sea urchin) actually increased in value after the establishment of MPAs. Two fisheries - sheephead and rockfish - declined in value, while another, sea cucumbers, declined in value, but less so than elsewhere in California.

But Rocky Point is not the Channel Islands. Commercial fisherman range further than the recreational fishermen who fish at Rocky Point (where commercial fishing is already banned), and at any rate, all fishermen have more readily available options in the Channel Islands.

Joe Farlo, a Torrance doctor and spear fisherman, argues that the closure of Rocky Point would have the unintended consequence of creating a public health hazard. He says more fisherman would be forced to range to the southern part of the peninsula, near White Point, where a chemical spill in the 1970s has left residual DDT in the tissue of fish caught in the area.

"You are basically taking people away from the ability to fish in a



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healthy area, and you are placing them in other areas that are unhealthy to fish in," Farlo said. "It's a really complicated issue here."

Craig Stanton, the operations manager at the Redondo Beach Marina, says that the closure of Rocky Point would have another unintended consequence that would endanger fisherman - a small boat going around the peninsula to get to its southern side would suddenly be exposed to the prevailing northwesterly winds. Fishermen now are largely protected from the winds inside the bay, Stanton said, and he believes it is likely that some weekend fisherman will lose his life going into such unaccustomed waters.

"This is a real danger, and nobody is taking this into consideration, at all," Stanton said.

According to the scientific guidelines in the MLPA process, however, the north Palos Verdes coast is an almost ideal spot for a reserve. The spacing guidelines for an effective network call for reserves no more than 62 miles apart. By removing the Rocky Point area from the equation, spacing would increase to over 200 miles between reserves. Moreover, the area has a unique set of characteristics that make it almost essential, from a scientific perspective, for the creation of a functional network. The reef's proximity to an underwater canyon - the Redondo Canyon - is part of what makes it such a biologically rich environment, as a phenomenon called upwelling brings nutrient rich water to what is usually nutrient-depleted surface water. The upwelling, aided by the Santa Ana winds, also creates larval dispersal - that is, the life created in the habitat spreads.

"Rocky point is a fantastic place that has a very diverse geology and biology, and ecology as a result," said Tom Ford of Santa Monica Baykeeper. "That is why when a scientist sits down there...he goes, 'You know I can put [reserve] on top of this and I get deep rock, deep sand, kelp forest, surfgrass beds - almost the entire menu of everything that you would want to set aside as a habitat type in the south coast is there.'"

Ford also argues that choosing reserve areas wisely will decrease the overall size of what is needed to be set aside. "So let's be smart about it," he said. "Let's pick the prime, choice areas - get these things maneuvered with

some concern about short-term impacts, but realize in the long-term, you can reduce the size of this thing and make the most out of it by finding those choice spots, preferring those, and setting them aside. And that's Rocky Point. It is the Disneyland of the ocean. I mean, it's got it all: canyons, sea grass beds, kelp beds, marine mammals flying around all over the place, big fish, and big sharks."

But as the maps were drawn in the first two rounds of the MLPA process, most fishermen involved saw one really big shark. And that was Tom Ford himself.

The process

At the end of Round Two of the MLPA process, it looked like the battle of Rocky Point had been won by the fishermen. Six proposals advanced, and none included Rocky Point.

Ford's proposals had, from the beginning, been the most drastic. Baykeeper's original draft proposal had closed fishing from the tip of the peninsula at Point Vicente all the way to the Redondo Beach Pier. It was as if the proposal was almost purposefully drawn to maximize both the reserve area and anger among Redondo fishermen. That map, with its large red swath closed to fishing, is still on the wall outside Redondo Sportfishing - even though technically it's been off the table since March. In round two, Baykeeper's proposal cut the reserve area in half and ended north of the peninsula.

It didn't make it out of Round Two. The proposals drawn by the three stakeholder groups - 64 people, including environmentalists, fishermen, divers, marina operators, and other representatives of those with an interest in how the map is drawn - did not close Rocky Point to fishing.

"These folks sat there and diced these things apart and tried to make them as small and innocuous as possible," Ford said at the time.

But at a meeting in late July, the Blue Ribbon Task Force essentially told the stakeholders that none of their plans worked. None met the scientific guidelines. The Task Force proceeded to shuffle up the three groups so one would be more predominantly environmental, another would be mostly fishing-oriented, and a third would be middle-of-the-road.

A moment of truth will arrive when the

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stakeholders meet next Wednesday and Thursday and arrive at three new plans. Those three plans will then be turned over to the Blue Ribbon Task Force. Most observers expect that at least one of the proposals will include Rocky Point.

The six member task force, made up of "distinguished, knowledgeable, and highly credible public leaders," oversees and offers guidance to the stakeholders. Ultimately, it is the BRTF that will recommend proposals to the Fish and Game Commission, which will make a final decision in December.

Leslie Page of the Redondo Beach Marina worries that the fix has been in since the beginning. She believes that the financial interests of scientists and environmentalists have been behind the process from the start.

"The next round is coming up, and as far as I am concerned, we are looking at doom and gloom. I am not giving up without a fight...but the cards are really kind of stacked against us. They just don't get it," Page said.

"I'm telling you: they want that piece so bloody bad. And they have more money than God," Page added.

Stakeholder Kevin Ketchum is more hopeful a compromise can be worked out. Ketchum is the chief operating officer of California Yacht Marina (which owns the Port Royal Marina in Redondo), and is part of the stakeholder's group made up mostly of fishing interests. He has proven himself as



Redondo Special deck hand Taras Poznik cleans fish with Rocky Point as a backdrop.

PHOTO BY ANDREA RUSE

something of a mediator in the process, and believes that a strong case can be made that the closure of Rocky Point is too damaging socioeconomically.

"There are people that feel the outcome has been predetermined and this is all just show and tell," Ketchum said. "That sentiment has been expressed. But that kind of gets back to the Blue Ribbon Task Force. They have said that is not the case. They have said consideration will be taken not only of habitat but also of economic impact. I chose to take the high road and believe them. I am hopeful I will be part of that group that gives them that proposal that does just that. I am taking them at their word."

Stakeholder Lia Protopadakis, a marine policy specialist with the Santa Monica Bay Restoration Commission, likewise feels that a compromise is possible. She said a smaller reserve, meet-

ing the minimum size requirement of nine square miles, is one possible compromise at or near Rocky Point.

"I would say an 18-mile reserve on PV is unlikely," she said. "With nine miles or 12 miles, or somewhere between nine and 18, it's still possible to include all the habitat with an appropriate sized reserve. And that is one of those middle grounds we are being asked to come up with."

Ultimately, the law itself does not require that economic considerations be taken into account. Ken Wiseman, the executive director of the MLPA initiative, said that the spirit of the process is still to try to consider as many interests as possible.

"We try to consider the socioeconomic aspect to minimize that impact even though the law doesn't require it," Wiseman said. "...We try to make sure everyone is heard and come up

with recommendations that take all parties' interests into consideration."

The law does require, however, that scientific considerations remain paramount. And for that reason, it seems overwhelmingly likely that some part of the north Palos Verdes Coast will be closed to fishing.

Shelley Luce, a marine biologist who is also the executive director of the Santa Monica Bay Restoration Commission, said that creating a reserve network without such a key node would almost be beside the point.

"I think it is absolutely necessary to set up protected areas that meet the science guidelines, and we can't do it without protecting some of the area of north Palos Verdes," Luce said. "I do believe there will be socioeconomic impacts to Redondo Beach. I don't know to what extent they will be, but I think they will be less than the alternative - which is to not set up protected areas and watch the fish population decline.

"To me, it is, in the long run, unsustainable. It's about maintaining fish populations so we can continue to fish into the future. It is about maintaining robust marine ecosystems that are resilient in the face of unknowns, like El Nino events and climate change and things that have huge impacts on the marine environment that we can't control at this point. So we need a robust marine system that can recover and provide a seed population.

"Actually, in one word, it's sustainability."

This is the first in an occasional series that will follow the MLPA process to its conclusion. ER

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