

POLICY Watch

Government Affairs Update

These items cover Government Affairs activities for December 2008 and January 2009. For more information on ASA Government Affairs activities, contact [Gordon Robertson](#), vice president and Government Affairs lead, x237, [Patty Doerr](#), director, Ocean Resource Policy, x244, or [Mike Leonard](#), Policy fellow, x230. Please visit ASA's Web site, www.asafishing.org, for more information.

ASA Welcomes New Policy Fellow

Mike Leonard has joined the American Sportfishing Association (ASA) Government Affairs team as the new ASA Policy Fellow for the next two years. Mike recently completed his M.S. in Aquatic Ecology at Auburn University. He also has a B.S. in Fisheries Science from Virginia Tech. As Policy Fellow, he will work closely with ASA's Government Affairs staff on advocacy issues. Mike's contact information is mleonard@asafishing.org, x230.

ASA also thanks Mary Beth Charles for her work as Policy Fellow for the past two years. Her good work added greatly to ASA's efforts in government affairs. Thank you, Mary Beth, and good luck with all your future endeavors.

Former President Bush Designates Pacific Ocean MPAs

Despite ASA's series of meetings with White House staff, on Jan. 6, 2009, then President George W. Bush declared [Rose Atoll, the Mariana Trench and the Pacific Remote Island Area as U.S. Marine National Monuments](#) creating the largest chain of marine protected areas (MPAs) on the planet, covering 195,000 square miles of the Pacific Ocean. Though the sportfishing community made it clear that any designations should follow the September 2008 [Executive Order 13474](#) mandating that sustainably managed recreational fishing must be maintained in future MPA designations,

recreational fishing was banned in more than 113,000 square miles of the monuments. The sportfishing ban will remain in effect for an undetermined period of time until federal agencies can complete management plans for each of the monuments. The president used executive authority provided under the 1906 Antiquities Act to designate the monuments, bypassing the long-standing environmental review and public comment processes. ASA's position is that the decision to establish MPAs that are closed to fishing only should be made when the need is compelling and is the result of a transparent, science-based process that allows for an open, public review and comment process.

California Marine Life Protection Act Update

Phase III (Southern California) of the [Marine Life Protection Act](#) (MLPA) implementation remains in full force. The Partnership for Sustainable Oceans (PSO), of which ASA is a member, either participates in or attends the South Coast Regional Stakeholder Group, the Science Advisory Team and the Blue Ribbon Task Force (BRTF) meetings. In regards to completion of Phase II in the North Central Coast, the PSO's Proposal 2-XA remains one of four North Central Coast MPA alternatives in California that the Blue Ribbon Task Force (BRTF) submitted to the Fish and Game Commission (FGC) in June 2008. The BRTF's Integrated Preferred Alternative is based on Proposal 2-XA. The FGC continues to hold public meetings to

hear testimony on the four proposals with a vote scheduled on the final alternative in May. In the meantime, 2-XA supporters are sending letters to the FGC requesting that it be implemented as the preferred alternative. [Send your e-mail*](#) to the FGC urging its support of proposal 2-XA.

**This is a call to action for all members, not just those from California. Please show your support for the California community.*

PSO Expresses Concerns to California Governor Regarding Budget Shortfalls

ASA and its fellow PSO members sent a letter to Gov. Arnold Schwarzenegger expressing concerns regarding the impact of the state's budget crisis on the implementation of the MLPA. While private money remains in place for the planning stages of the MPAs designation process, more than \$6 million in state funded MLPA implementation projects has been frozen. In its letter the PSO expressed that there are essential elements required for successful implementation of the MLPA, specifically scientific monitoring and enforcement. With a loss of funding, critical scientific and enforcement safeguards in newly created MPAs may unnecessarily restrict recreational angling or prohibit it entirely. The Department of Fish and Game has estimated that implementation of the MPA network will cost approximately \$30 million annually.

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National Fish Habitat Conservation Act Update

ASA will reintroduce the National Fish Habitat Conservation Act (NFHCA) during the 111th Congress, which convened this month. The NFHCA legislative team, of which ASA is a member, met with Senators Joseph Lieberman (I-CT), Kit Bond (R-MO) and Robert Casey's (D-PA) staffs to discuss strategies for reintroduction in the 111th Congress. The foundation for the NFHCA is the [National Fish Habitat Action Plan](#) (NFHAP). ASA Vice President Gordon Robertson sits on the NFHAP Board.

United States and Canadian Pacific Salmon Treaty Amended and Ratified

In January, the United States and Canadian Pacific Salmon Treaty was amended and ratified. One provision of the treaty is that the U.S. government will provide \$30 million in compensatory funds to the British Columbia fishing industry because of declines in the Pacific salmon fishery. The compensation aims to guarantee the sustainability of the Pacific salmon stock. Most of the compensation will be for the loss in the Chinook salmon catch off the west coast of Vancouver Island. The Canadian and U.S. governments also will contribute \$7.5 million each for other programs aimed at helping the recovery of salmon stocks along the Pacific Coast.

ASA Supports Net Operating Loss 'Carryback'

ASA sent a letter to Congress requesting the inclusion of a provision in the stimulus bill to extend the net operating loss (NOL) carryback period from two to five years for losses incurred in 2008 and 2009 and to suspend temporarily the 90 percent limitation on alternative minimum tax NOLs for the same time period. Extending the carryback period to five years would allow companies to carry back losses to earlier profitable years, as the current two-year allowance is insufficient in the current economic climate. This provision is included

in the House-passed bill. The bill is still under Senate consideration.

Petition for Sea Lamprey Control in Lake Champlain

The Lake Champlain fisheries located on the New York-Vermont border contribute approximately \$205 million annually to the regional economy. A major increase in parasitic sea lamprey numbers in Lake Champlain, however, poses a threat to the lake's fisheries resources. Vermont and New York's natural resource agencies are using chemical sea lamprey controls where the science deems it necessary to control the parasites. Vermont also is considering lampricide application permits for the Lamoille River, a Champlain tributary. Please [sign the petition](#)* directed to the governor; natural resources secretary; and Departments of Environmental Conservation, Health, and Fish and Wildlife in support of this lampricide treatment.

**This is a call to action for all members, not just those from the Champlain area. Please show your support for the Lake Champlain community.*

Consumer Safety Protection Act Confounds Many Industries

Late last year Congress passed legislation intended to protect children from toys that could be covered with lead-based paint, primarily those manufactured in China. Specifically for lead, the measure requires the Consumer Products Safety Commission to lower the permissible lead level in children's products to the lowest level that is technically feasible and directs manufacturers on how to comply with the limit. This certification must be performed by a third party. A number of ASA members have inquired about the impacts of this legislation. At the heart of the matter is a requirement to certify the lead level in any product marketed to children 12 years of age or under. ASA, like many other groups, has found

that reliable information about the law's implementation is difficult to obtain. ASA will continue to seek clarification of the law and how it impacts the sportfishing industry. ASA members are encouraged to visit www.cpsc.gov/about/cpsia/cpsia.html and review the information to see how it may apply to their products.

Wallop-Breaux Reauthorization Discussions

ASA and 12 other fishing and boating organizations have formed a working group to reach consensus on issues related to the reauthorization of the [Sport Fish Restoration and Boating Trust Fund](#) (Wallop-Breaux) scheduled for the 111th Congress. During recent meetings, members discussed strategies for promoting the reauthorization of the fund.

TRCP Climate Change Working Group Meeting

The [Theodore Roosevelt Conservation Partnership's](#) (TRCP) first Climate Change Working Group was held in December 2008. The discussion centered around TRCP's role in climate change based partially on current and potential grants with deliverables; other organization's past and current actions on climate change; the working group's role in current and future legislative proposals such as the Boucher-Dingell Climate Bill; and preparation of a concept paper for evaluating climate change legislation.

California DFG Stocking Program Threatened

The [Pacific Rivers Council](#) and the [Center for Biological Diversity](#) recently sued the [California Department of Fish and Game](#) (DFG) over non-native fish stocking. These stocking programs have been used as a management tool for more than 100 years. The groups filed the lawsuit over concerns regarding depredation of the native frog population and that no environmental impact report (EIR) had been completed

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for the programs. The result was a court order barring the DFG from non-native stocking until it completed an EIR in January 2010.

After weeks of negotiation between the DFG and the plaintiffs, a new order was signed in late November allowing the DFG to stock more waters than would have been allowed under the first ruling. This modification is an important one for areas where communities depend on fishing. ASA's position is that it is unnecessary to label trout and other stocked species as "non-native" due to the longevity of the stocking program. The stocked species have a high recreational value and contribute significantly to local economies. ■