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TRANSPORTATION
UTILITIES AND COMMERCE

February 15, 1993

Mr. Peter Douglas
Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Peter,

I have received and reviewed your staff's recommendation "PROPOSED NEW CONDITION FOR A MARINE FISH HATCHERY, SAN ONOFRE NUCLEAR GENERATING STATION UNITS 2 AND 3, PERMIT 183-73" dated January 29, 1993. As the author of Assembly Bill 960, which defines funding and operation of the Ocean Resources Enhancement and Hatchery Program (OREHP), I wish to share my concerns and also provide some suggestions.

As you may know, the 78th Assembly District includes the Hubbs-Sea World Research Institute/San Diego State University laboratory which conducts the majority of research that has brought the OREHP to its present point. For the past 2 years I have worked with the Department of Fish and Game (F&G), the recreational and commercial fishing communities, and the program's management to support the expansion of OREHP. I am delighted to report that AB 960 passed the legislature with only minor grammatical changes; and that the OREHP expansion enjoys overwhelming support among all interested parties.

AB 960 defines the composition and responsibilities of OREHP's Advisory Panel, and established a smooth transfer of dollars through the Department of F&G to support the program's expansion. I am tremendously concerned that the Commission staff's proposed recommendation supersedes the authority of the legislatively mandated Advisory Panel, and gives control of funding to a new three-member Joint Panel.

It is also important to note that since its inception, OREHP has generated an estimated $4 million dollars for research. Under AB 960, an additional $5 million will be generated for the enhancement of ecologically important and economically vital marine fish populations. The fishing communities through OREHP not only provide the research funds but will also provide an estimated $1.3 million in labor, supplies, and grow-out facilities.

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Further, Hubbs-Sea World Research Institute and San Diego State University, the proposed builders and operators of the new hatchery, have committed to raising an additional $300,000 to complete the hatchery construction. San Diego Gas and Electric will contribute the use of the needed land, an estimated $2 million value.

It is obvious that the $1.2 million provided by SONGS is a disproportionately small segment of the total program relative to the control the Coastal Commission would assert on the use of funds generated for OREHP.

Your staff's recommendation also mandates fixed levels of funding to various aspect of the research program. It is my understanding that any long-term research program needs to have a dynamic review process that allows the available resources to be disbursed as warranted by the most recent evaluation of the available data. The OREHP Advisory Panel has operated in this manner for the past eight years, and AB 960 stipulates that this management practice shall be maintained until the year 2003.

Therefore, I would encourage the modification of staff's recommendation in the following ways:

1) the Joint Panel described in 3.0(d) be comprised of the entire legislatively mandated OREHP Advisory Panel plus the proposed Coastal Commission and Southern California Edison representative. Thus, the management of the expanded program would be kept within the Department of F & G and its Advisory Panel while accounting for both the concerns of our joint constituency and the scientific community.

2) the Memorandum of Agreement (MOA) described in 3.0 should be developed under the authority of the modified OREHP Advisory Panel. The existing OREHP Panel already has control over distribution of program funds and should therefore be directly included in any decisions involving the programs managed by the MOA. Efficiency in communication, increased overall review of the entire program and maximum economic benefit will thus be derived from the available research funding.

3) the criteria for assessing both the benefit of the program and impact, if any, to the wild stock's genetic composition should be developed through the OREHP Advisory Panel's deliberations. A strict interpretation of the existing criteria (eg. 3.0[h] Environmental Degradation) would be impossible for any environmental mitigation program to meet, including the wetland and artificial reef projects proposed under the same mitigation plan. With overall authority, the Panel can address the stated concerns through a dynamic review process.

I would also like to encourage expediting this process. Since July, 1991, when the hatchery was first proposed to the Commission, OREHP has:

* been re-authorized for ten additional years to support the expanded program;

* organized the volunteer resource of the fishing community to augment the existing successful experimental program;

* received a pledge for land on which to locate the hatchery;

* established a design/development and contracting team;

* initiated the permitting process with appropriate local, state, and federal agencies for construction of the hatchery;

* initiated a fund-raising campaign that has procured a significant portion of the funds required to augment the $1.2 million needed for construction.

The existing program and its various scientific, management and community components have responded to the opportunity for expansion in a timely and enthusiastic manner. We should not delay further the implementation of the program.

I would also like to recommend that the modified OREHP Advisory Panel be enjoined in March of this year, and that the MOA be completed and signed by the end of April. This will allow funds to be transferred by the end of May, thereby permitting the hatchery to be completed and operational by 1994. Any additional delays to this schedule will only inhibit the program from taking full advantage of the funds provided by the extended legislation.

Thank you for your thoughtful consideration of my concerns and recommendations. Please feel free to contact Mary Ann McCarthy at my District Office (619) 457-5775 if you have questions regarding this matter.

Sincerely,

Dede

Assemblywoman Dede Alpert
78 District

DA:mam