

Fishing gear ban:

Put the brakes on a runaway train

Anglers have only a very short time to act

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If you've wondered just how the State of California has managed to create the kind of political swamp that can swallow an entire high-speed rail system, well here's another chance to see how it all works. They've popped up once again, with a railroad job that's moving far faster than the bullet train, and smells just as bad.

On Sept. 12, the state announced that it had a regulatory plan which would lead to a ban on common fishing gear that contains lead, copper and zinc, all in the name of the health, safety and welfare of anglers, birds and generations of each yet unborn.

The California Dept. of Toxic Substance Control (DTSC) would place fishing gear on its Product Work Plan, a list of chemicals and substances presenting a clear and present danger to you and I and civilization as we know it.

There were then a couple of "workshops" in which the public was permitted some comment and a few questions, and with the final one on Mon., Sept. 29, in Cypress, there will now be no more. Now, the public will have only until October

13 to submit comments and suggestions on this matter.

Yes, you heard it right. On a matter affecting all the fishing folk in California's ponds, lakes, creeks, rivers and the vast Pacific Ocean, and the vast array of related businesses and industries that pump over \$4.9 billion annually into California's economy, making them a major driver of outdoor tourism and jobs ... that's it ... a month.

Hell, it takes years to get the state to install a traffic light at an intersection where people are actually being slaughtered on a regular basis, but they can do this in weeks? How could it happen? Who got behind this and caused this kind of action in a legislature that normally moves at substantially below sub-glacial speed? As of press time, no one seemed to know.

Well then, there must have been a body of horribly frightening scientific research presented to galvanize the DTSC into such immediate and forceful action, wouldn't we think?

Looking into it, however, it turns out the answer to that is, well, actually, uh, not so much. In fact, when pushed to it, their response was...no, none at all. Zero. Zilch. Bupkis. No California-specific research whatsoever

has been done in any form, by anyone. Not even a player-to-be-named-later.

This was brought into the bright light of public inquiry at the September 25 workshop in Sacramento, when George Osborn, representing the California Sportfishing League (CSL), repeatedly nailed the regulators to the wall with very direct questions on what research - if any - had been done to justify any of the proposed actions so far, which would put sportfishing on their hit list.

Osborn asked, "You said there are up to 225 metric tons of sportfishing gear introduced into the environment each year. I'd like to know what kind of research you did to justify that number, please?"

What followed was a silence so long that Osborn had to ask that it not be charged against his allotted speaking time.

When the State's response finally came, it was to the effect that the figure, "Basically, is an estimate..." and came from some numbers from Canada and some other places.

Asked directly by Osborn if California had done any of its own research at all, based on conditions and the environment in California itself, the answer was an unequivocal...no.

"What was the research that you did that caused us to be placed on this list? That's what we're concerned about," was Osborn's next query. This was fol-

lowed by some stammering and rambling from the State representatives, who were obviously totally unprepared, and was repeatedly punctuated with "...in general..." and some vague references to fishing sinkers.

Osborn then backed up his concerns by introducing a letter in which the EPA had already informed the State of California some time ago (as we all may recall), that lead fishing weights were not really a concern; a fact which has apparently been lost or rather conveniently overlooked by the DTSC in their zeal to place common sportfishing gear on their list of things that must go, along with the truly toxic chemicals and substances which actually do present a danger to the citizens of our state.

Now while we're on the subject, here's a fun game for adults and kids alike, and all we need is a half-bright phone with a basic calculator, and a little imagination. Let's take the figure of 2 million or so anglers in California - one that is not supported by state licensing figures, by the way - but hey, they already said they're not very good with numbers. Then figure out how much gear each one of us has to fling into the water each year, and walk away from. What fun! Even more so, if you use a far smaller number which would be much closer to the actual count of licensed anglers in the state.

But then let's consider a larger question here. Let's take a

closer look at the State's justification for this colossal and dangerous waste of time and resources, and here's where it gets a little insidious.

Citing now the bogus reasoning their statement is based on, *i.e.*, "Together these anglers *may* lose hundreds of tons..." and then going on to assert, "The hazardous chemicals in the equipment they lose *can* expose, and potentially harm, birds and other wildlife."

"*May...and can...*" In this country, do we logically legislate on the basis of what might happen? Do we, as responsible individuals, make the important personal decisions in our daily lives based on the billions of possibilities in our universe, or do we take the much more manageable number and nature of probabilities, and act accordingly? So then, how much sense does this totally unsupported approach make, especially considering the magnitude of what is at stake here?

Perhaps it is because the DTSC is on such shaky ground here, that they have made a very obvious effort to quell any opposition from anglers or the multitude of industries that support them.

As Dave Dickerson, president of the CSL points out, "Given that DTSC just released its priority list on September 12th, and will close public comments a mere four weeks later, on October 13th, CSL believes the public has not had sufficient time to fully analyze the proposed regulations on manufacturers, retailers and the broader fishing community.

"To date, DTSC has not provided CSL any body of research that justifies fishing gear being listed among its top priority Product Work Plan. In fact, at the September 25th workshop, they admitted that the State has NOT conducted any field research that would justify the added regulations - or an outright fishing gear ban."

We sum up with Dickerson's observations on the situation. "Given that fishing does not impose unreasonable impacts on habitat and wildlife, it is remarkable that fishing gear was included in DTSC's first draft, and with little public notice.

"As a result, the recreational fishing community, and the industries dependent on its growth, have only weeks to respond to an initiative that will have a profound and costly impact on California tourism and jobs, and possibly, deny millions of Californians and tourists access to recreational fishing. Given the lack of analysis and sufficient time for public input, fishing gear regulations should be delisted from the State's plan."

In response to the proposed regulations, CSL has launched a major online petition drive to have fishing gear de-listed from DTSC's draft Priority Product Work Plan. Anglers, manufacturers, retailers and small business owners can join the coalition at www.sportfishingconservation.org or by Facebook, and we urge you to do so. Stop this runaway train before it derails and destroys everything in its path.