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Drizzle

# Two State Agencies, Fishermen Claim City Has Gone Too Far with Proposed Restrictions on Pier Fishing

*The Manhattan Beach City Council is set to discuss on Tuesday new restrictions to pier fishing once the temporary ban lifts in September.*

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([http://www.addthis.com/bookmark.php?v=300&winname=addthis&pub=ra-53285eac5a0653398US&s=google\\_plusone\\_share&url=http%3A%2F%2Fpatch.com%2Fcalifornia%2Fmanhattan-beach%2Fproposed&title=Two%20State%20Agencies%2C%20Fishermen%20Claim%20City%20Has%20Gone%20%20Politics%20-%20Manhattan%20Beach%2C%20California%20%7C%20Patch&ate=AT-ra-53285eac/53e94b9ee4781a2c/2&frommenu=1&uid=53e94b9e36cc0b6c&ct=1&tt=0&captcha\\_provider=nucapt](http://www.addthis.com/bookmark.php?v=300&winname=addthis&pub=ra-53285eac5a0653398US&s=google_plusone_share&url=http%3A%2F%2Fpatch.com%2Fcalifornia%2Fmanhattan-beach%2Fproposed&title=Two%20State%20Agencies%2C%20Fishermen%20Claim%20City%20Has%20Gone%20%20Politics%20-%20Manhattan%20Beach%2C%20California%20%7C%20Patch&ate=AT-ra-53285eac/53e94b9ee4781a2c/2&frommenu=1&uid=53e94b9e36cc0b6c&ct=1&tt=0&captcha_provider=nucapt))

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Two state agencies and a group representing fisherman say the Manhattan Beach City Council has gone too far in prohibiting fishing off its iconic pier following a 4th of July weekend shark attack (<http://patch.com/california/manhattanbeach/shark-attacks-swimmer-just-south-of-manhattan-beach-pier#.U-lAuYBdW9c>).

The City Council is set to discuss the ban, which expires Sept. 7, at its Tuesday meeting. The council meets at 6 p.m. at City Hall, 1400 Highland Ave. On the agenda are restrictions to fishing once the ban is lifted, including the type of gear fishermen can use.

That's going too far, says the California Sportfishing League (<https://www.facebook.com/CASportfishingLeague>).

"The city of Manhattan Beach, or any other city in California, does not have the legal authority to regulate fishing gear or the method of take," wrote Executive Director Marko Mlikotin in an Aug. 7 letter to Mayor Amy Thomas Howorth. That lies with the

California Fish and Game Commission (<http://www.fgc.ca.gov/>).

That state agency agrees. In a separate letter from Commission President Michael Sutton, that agency takes the City Council to task for initiating the temporary ban in the first place.

“At this juncture, the justification for banning fishing or implementing gear restrictions remains unclear and the actions taken and being contemplated appear beyond the authority of the council,” Sutton wrote in an Aug. 11 letter to Howorth.

Fish and Game has three major concerns moving forward:

- 1) The city does not own the pier, the State Department of Parks and Recreation does.
- 2) “[S]ince 1902 the regulation of fishing activity and gear types has been exclusively reserved to the state.
- 3) Restrictions on pier fishing would “disproportionately impact the disabled, subsistence fishers, and minorities,” Sutton wrote.

Yet another state agency, the California Coastal Commission (<http://www.coastal.ca.gov/>), chimed in with its own letter, also doubting the emergency nature of the temporary ban. To enact such a measure, there needed to be an imminent danger, which passed after the July 5 incident, wrote Teresa Henry, district manager for the Coastal Commission.

She asserts that the city changing the rules for fishing off the pier represent a “development” that requires a coastal development permit.

**PHOTO** Patch file photo.