

## Manhattan Beach officials approve pier fishing regulations despite state warnings

By Carley Dryden , Daily Breeze

DailyBreeze.com

Despite recent warnings from state agencies not to overstep its legal bounds, the Manhattan Beach City Council on Tuesday approved new regulations for fishing off the city's pier.

The city's temporary ban on pier fishing, although illegal according to state law, will remain in place for two weeks as the city puts up new signage.

The council argued that the urgency fishing regulations related to equipment and methods are necessary to protect the health and safety of swimmers and surfers in the wake of a recent shark attack.

"This is about protecting people who use the beach," said Councilman Wayne Powell. "We need to have regulations in place. (These) are reasonable. They won't deny anglers their livelihoods, and they're going to protect the safety and health of the public."

Last month, after a young great white shark wrestling with a fisherman's line bit a swimmer near the Manhattan Beach Pier, the City Council temporarily banned fishing from the state-owned pier.

Some have argued that the council and community members had a knee-jerk response to one freak accident, painting all fishers as trouble. However, others have demanded that the city take legal action or even attempt to amend the California Constitution to rid the pier of anglers for good before another swimmer or surfer is hurt.

Over the past several weeks, city staff crafted a set of regulations that prohibit the use of steel, metal or braided leader lines; unnecessarily large hooks often used to catch sharks; any fishing line other than a monofilament line with a maximum 40 pound test line weight; using more than two hooks on a single line; and cleaning of fish on the pier.

Chumming, or throwing out bloody fish parts to attract sharks and large fish, and any type of fishing that can endanger the public — i.e. overhead casting or casting right out in the surf — will also be prohibited. The city will also apply for a California Coastal Commission permit to attempt to limit fishing to the end of the pier.

The council approved the regulations unanimously Tuesday night, stating that the new rules will establish a balance of uses at the water.

The Fish and Game Commission last week warned the city that only the commission can establish fishing regulations, but the city attorney maintained that the city can enact the ordinance in the name of public health and safety.

"We can not impose our own regulations that affect the manner and method of fishing, according to state law," City Attorney Quinn Barrow said. "But with respect to these regulations, if they're designed to protect health and safety, that's acceptable."

However, the commission does not feel the city has any evidence that the measures strictly address health and safety.

“We’re all for helping the city deal with public safety, but (actions) have to be based on facts and real threats, not just perception,” Sonke Mastrup, executive director of the Fish and Game Commission, said last week.

Barrow told the council Tuesday that the Fish and Game Commission will likely want to take a closer look at the approved regulations.

“They may have some problems with these, and we’ll have to deal with it,” he said.

On Tuesday, Eric Martin, co-director of the Roundhouse Aquarium at the end of the pier, told the council that juvenile great white sharks will continue to proliferate near the pier.

“This is a nursery ground for baby great whites,” he said. “Even with fishing banned, I see sharks leaping out of the water. ... People hook sharks one to three times a day.”

Martin said the new regulations are necessary if fishing is going to continue on the pier.

“Sharks are going by every single day. If normal fishing keeps up, we will have another accident waiting to happen,” he said.

While many applauded the new regulations as a “reasonable compromise,” some anglers maintained that placing stringent limits on fishers goes against state law guaranteeing access to the water for all.

“We believe these new regulations are, in effect, a de facto ban on fishing in Manhattan Beach,” said a representative of the California Sportfishing League, which has gathered more than 1,000 signatures on a petition to keep the pier open to fishing. “Only the Fish and Game Commission has the authority to regulate the manner and method of fishing.”

Anglers said swimmers and surfers also must respect the county code that requires they keep a distance of 100 feet from the pier, thus limiting the chance they could get caught up in a fisherman’s line.

Mayor Amy Howorth noted that the use of the city’s pier has evolved tremendously since the fishing rules were put in place in 1902.

“While I believe in the Coastal Commission’s mission to provide public access to the coast and its waters, and I understand that fishing is a right in the constitution, the uses have evolved,” she said. “We are much more densely populated than in 1902. To think we have the same type of usage does not make any sense.”

Any violation of the new regulations, an ordinance in the municipal code, will be a misdemeanor, with fines starting at \$100, according to the city attorney.

The Police Department and code enforcement officers will enforce the regulations, he said.

The council will also partner with the Roundhouse Aquarium and Heal the Bay to develop an educational/outreach program for recreational fishers to teach what behavior is appropriate and how to respect each other.



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