



City of Encinitas

Office of
The Mayor

June 24, 2015

The Honorable Lorena Gonzalez
California State Assembly
State Capitol, Room 6012
Sacramento, CA 95814

Kristin Gaspar
Mayor

Re: AB 298 (Gonzalez) Fish and wildlife: violations
NOTICE OF SUPPORT

Dear Assembly Member Gonzalez:

Catherine S. Blakespear
Deputy Mayor

On behalf of the City of Encinitas, we are writing in support of AB 298 (Gonzalez) to amend the Fish and Game Code to make regulatory enforcement of marine protected areas (MPAs) in California more effective. One of the MPAs is in the City of Encinitas. Your bill will improve compliance with marine wildlife and ecosystem protection laws associated with the Marine Life Protection Act and California's network of 124 MPAs. This bill will enhance the efficiency of MPA enforcement by avoiding the need for costly and time-consuming prosecutorial review for lesser violations.

Tony Kranz
Council Member

Currently, MPA violations are cited under the California Code of Regulations (CCR) Title 14, Section 632 as misdemeanors. Cases must be filed with a County District Attorney's office for prosecution. Full prosecution of poaching cases often does not occur due to excessive caseloads, unfamiliarity with environmental and wildlife crime, and competing priorities. Officers invariably give warnings for minor poaching violations. The result is that MPAs can be under-enforced, sending poachers the message they need not fear punishment, and leaving California's ocean wildlife vulnerable to repeat offenders.

Mark Muir
Council Member

Your bill enables lifeguards to write infraction citations that will appear on the perpetrator's record. Repeat offenders will have a record documenting those offenses, or warrants outstanding. This documentation enables County prosecutors to strengthen their cases, and may even discourage poachers. Ultimately, this will be in the best interests of the public by helping protect MPAs.

Lisa Shaffer
Council Member

The City of Encinitas has a legislative priority to support ecosystem enhancing legislation. For this and the reasons stated above, we support AB 298 (Gonzalez).

Sincerely,

Larry Watt
Interim City Manager

Kristin Gaspar
Mayor

cc: Senator Patricia Bates
Assembly Member Rock Chavez
JGC Governmental Relations
City Council
Department of Fire and Marine Safety