



COURT DECISION REQUIRES MLPA BLUE RIBBON TASK FORCE TO REPAY ANGLING GROUPS FOR ALL LEGAL FEES IN PUBLIC RECORDS CASE

Ruling Marks Second Important Victory in Legal Battle Against Unlawful MLPA Process

A March 10, 2011 California Superior Court ruling has ordered the Marine Life Protection Act Blue Ribbon Task Force (BRTF) and Master Plan Team (MPT) to pay 100-percent of the legal fees incurred by recreational angling groups in a 2010 lawsuit to enforce BRTF's and MPT's obligations under California's Public Records Act to produce important information about their actions in adopting marine protected areas in the ocean waters off the California coast.

In that case, the court found in favor of Robert C. Fletcher, former president of the Sportfishing Association of California, a member of the Partnership for Sustainable Oceans, ordering the provision of information regarding the activities and decisions of the BRTF and the Marine Life Protection Act Master Plan Team. That ruling confirmed that these were public agencies and therefore required to carry on their business in an open and transparent way.

"This is a significant monetary award on our behalf, but it represents only a small portion of what we've invested in battling the unlawful MLPA process so far," said David Elm, Chairman of United Anglers of Southern California and director of the Ocean Access Protection Fund. "Even more important than the financial ramifications of this decision is the signal that it sends. The court has now decided in our favor twice, based on the merits of our original case against the BRTF and MPT," added Elm.

Elm was quick to remind anglers that this in no way should slow the pace of contributions to the Ocean Access Protection Fund, the non-profit organization established to finance legal action, on behalf of recreational fishermen, challenging the Fish and Game Commission's decisions under the MLPA. In fact, he suggested, it should do the opposite.

“This latest court decision has given both encouragement and additional resources to our efforts,” said Elm. “But we have a long way to go, and continued success will only be possible with ongoing support from anglers across California. We will continue our aggressive awareness and fundraising campaigns, allowing us to keep up our ‘full court press’ on the flawed MLPA process.”

Following the successful Public Records Act suit, on January 27, 2011, United Anglers of Southern California, Coastside Fishing Club and Robert Fletcher filed a lawsuit in the San Diego County Superior Court seeking to set aside the MLPA regulations for the North Central and South Coast study regions. This currently pending lawsuit cites a lack of statutory authority for the Fish and Game Commission to adopt the regulations, and, in the case of the South Coast regulations, numerous violations of the California Environmental Quality Act in the commission's environmental review of the regulations.

For additional information on legal action regarding the MLPA Process, visit www.keepamericafishing.org. To make a contribution to the Ocean Access Protection Fund, visit www.oceanaccessprotectionfund.org.

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