

FEBRUARY 29, 2008

VIA ELECTRONIC MAIL

Board of Directors
Casitas Municipal Water District
1055 Ventura Ave
Oak View, CA 93022

RE: POTENTIAL LAKE CASITAS CLOSURE TO BOATING & ANGLING

Dear Members of the Board:

The undersigned organizations are writing in advance of your scheduled meeting on March 4, 2008, at which time we understand the Board will determine whether to close the Lake Casitas Recreation Area to recreational boating and angling due to fears of a potential quagga mussel infestation. Although we recognize the seriousness of the quagga mussel threat for Lake Casitas, we strongly urge the Board to resist calls to close the lake. As you well know, Lake Casitas is one of the premier trophy bass fisheries in the nation, drawing nearly 30,000 recreational boats per year and about \$600,000 in annual revenue for the Water District. In addition to depleting this revenue source, a closure would have substantial financial impacts on the local tackle shops, gas stations, hotels and restaurants that depend on the boaters and anglers Lake Casitas draws. A closure would mean the end of many tournament businesses, and it would put an unneeded economic strain on surrounding boat dealers, marine retailers and ancillary industries.

As organizations that represent the recreational boating and angling communities, we understand well the need to take aggressive action to prevent the spread of aquatic invasive species (AIS), which cause harm to fisheries and ecosystems and damages boats and boating equipment. Certainly, our members are advocates of clean water and healthy fisheries—both are essential not merely to our recreational pursuits, but to our livelihoods.

Just as clean water and healthy fisheries are essential to the continued viability of boating and angling, so is access to premier water bodies like Lake Casitas. Due to the substantial negative impacts an outright, immediate and potentially permanent boating ban on the lake would have on key stakeholders and the surrounding community, the Board has good cause to pursue less restrictive alternatives.

I. COOPERATION WITH DFG IS MANDATORY & THERE ARE ALTERNATIVES TO CLOSURE

The California Science Advisory Panel (“Advisory Panel”), in its May 2007 recommendations to the California Incident Command (CIP), proposed a series of measures which could help prevent, contain and eradicate the quagga mussel from California water bodies. At no point in its report does the Advisory Panel recommend closures for lakes that have not been infested. On the contrary, the Advisory Panel recommends for un-infested “destination waters” in California, such as Lake Casitas, that state and local governmental agencies, lake operators, and users work cooperatively to ensure that boats are inspected and cleaned prior to entry. The recommendation comports with the Water Board’s current approach of pre-entry watercraft inspection.

Most importantly, we urge the Board to follow the requirements set out in A.B. 1683 approved by the Governor on October 10, 2007, to work cooperatively with the Department of Fish and Game (DFG)

to develop a monitoring plan, a plan to avoid contamination of the Lake, and if an infestation does occur an approved plan to address it in a scientifically sound manner with the specific required elements included in Section 2301(d) of the Fish and Game Code of California. This cooperation with the Department of Fish and Game is not optional for the Board.¹ Any person who violates Section 2301 or who interferes with its implementation is subject to enforcement under the law. We commend the Board for taking the quagga threat seriously, but it is critical to the success of any invasive species eradication effort that all relevant parties work in concert to implement scientifically sound measures with an eye toward ensuring that the public is not unnecessarily burdened.

In lieu of a closure, our organizations respectfully recommend that the Board:

- Immediately meet with the DFG and the Department of Boating and Waterways (DBW), as well as other agencies, to begin formal consultations and plan development.
- Continue its robust watercraft inspection protocols, although it should recognize that the available scientific evidence on the quagga mussel does not support the 28-day quarantine. The prevailing scientific evidence indicates that the quagga do not survive longer than five days out of water.
- Partner with state and federal agencies with extensive institutional and operational experience and train additional Lake Casitas Recreation Area personnel as well as volunteers who use the lake. This training should include the proper inspection procedures to ensure protection from potential vectors while also protecting anglers and boaters from unnecessary closures of the lake. Users of the lake, and particularly tournament organizers, have indicated a strong desire to work cooperatively with the Board and park personnel proactively to protect the resource from a quagga mussel infestation.
- Pursue and enhance detection and decontamination measures sanctioned by the California Department of Fish and Game (DFG). As you know, the DFG Office of Training and Development provides for comprehensive “Watercraft Decontamination Training” courses. DFG also makes available portable watercraft decontamination kits, which were produced by the Pacific States Marine Fisheries Commission. We understand that personnel for Lake Casitas have not yet had occasion to undergo a DFG decontamination course.
- Implement comprehensive and routine AIS-tailored water quality monitoring. We urge the Board to utilize revenues collected from recreational boating on the lake—which would otherwise be lost in a closure—to develop a systematic monitoring program that includes deploying divers to

¹ Section 2301(d)(1) of the Fish and Game Code reads in part:

“A public or private agency that operates a water supply system shall cooperate with the department to implement measures to avoid infestation by dreissenid mussels and to control or eradicate any infestation that may occur in a water supply system. If dreissenid mussels are detected, the operator of the water supply system, in cooperation with the department, shall prepare and implement a plan to control or eradicate dreissenid mussels within the system. The approved plan shall contain the following minimum elements: (A) Methods for delineation of infestation, including both adult mussels and veligers. (B) Methods for control or eradication of adult mussels and decontamination of water containing larval mussels. (C) A systematic monitoring program to determine any changes in conditions. (D) The requirement that the operator of the water supply system cooperate with the department to update or revise control or eradication measures in the approved plan to address scientific advances in the methods of controlling or eradicating mussels and veligers.”

ensure that quagga mussels do not enter the lake, and, if they do, be prepared with rapid response measures.

- Partner with federal, state and non-governmental organizations to purchase and deploy boat wash down stations.
- Partner with non-governmental organizations, such as the signatories to this letter, and federal and state agencies to reach the broad boating and angling public with an effective education campaign.

Clearly, there are other, less restrictive alternatives than barring boaters and anglers from the lake that can be used to mitigate the threat of a quagga mussel invasion. A closure should be the option of last resort, not the first.

The California Aquatic Invasive Species Management Plan should be fully implemented. The Incident Command System (ICS), developed to provide state and local agency coordination, should be fully reconstituted and enhanced with the selection of a lead agency. The state of California should expand 24/7 border cross inspections of trailered boats coming into the state, and the legislature and Governor's office must generate the necessary leadership to fully fund a systematic, comprehensive response to the risk of aquatic invasive species sooner rather than later. We share the Board's frustrations that many of these actions have not been taken, but it would be inequitable and counterproductive to impose punitive measures on the boating and angling public because the political response to date has been inadequate.

Preservation of access to the lake, coupled with measured actions sufficient to protect the resource, would generate substantial goodwill among the lake's boating and angling customers. We believe that the Board has a unique opportunity to leverage this potential community support as well as its status as a premier fishery at risk of closure to bring urgency to the discussion of a comprehensive, statewide aquatic invasive species initiative. The Board, by taking a measured response, could help compel additional, more robust statewide action that works systematically, as distinct from beginning a trend of patchwork, lake-by-lake closures across the state.

II. COMMUNITY MOBILIZATION & EDUCATION

Local, state and national recreational angling and boating groups, including the signatories of this letter, stand ready to assist the Board in its efforts to prevent an invasion of the quagga mussel in Lake Casitas. The California BASS Federation is already working to educate its members about the quagga mussel and other aquatic invasive species, distributing some 10,000 educational materials to get the "Clean and Dry" message out. Several tournament directors are working together and have developed a web site to communicate the "Clean and Dry" message to their anglers. The BoatU.S. Foundation has been an active educator of boaters on AIS issues since developing the "Zap the Zebra" campaign for the US Fish and Wildlife Service (FWS) ten years ago, and has provided nearly \$50,000 in small clean water grants to 25 local nonprofits to educate boaters and anglers on AIS prevention. Many of our organizations are partners in the FWS Stop Aquatic Hitchhikers Campaign and provide informational materials and "Protect Our Waters" messages, reaching hundreds of thousands of boaters and anglers each year.

We would encourage the Board to work with the effected stakeholders on both a short- and long-term educational initiative.

III. CONCLUSION

We appreciate the opportunity to present the Board of Directors with the views of our organizations and hope the Board finds them helpful. We fully understand the Board's sense of urgency, but a ban on boating and angling in Lake Casitas is not the appropriate response at this time. We concur with the views of the California Department of Fish and Game and the California Department of Boating and Waterways that less restrictive alternatives exist and should be utilized prior to a lake closure.

We believe the Board has a unique opportunity to help anglers and boaters be a part of the solution to this issue. We look forward to working with you to help protect Lake Casitas for the future and hearing from you soon on how we may work together. Please do not hesitate to contact Mathew Dunn of the National Marine Manufacturers Association (mdunn@nmma.org; 202-737-9760) if you have any questions or if we can be of any assistance.

Sincerely,

Recreational Boaters of California

B.A.S.S. / ESPN Outdoors

United Anglers of Southern California

Southern California Marine Association

Boat Owners Association of the United States (BoatU.S.)

National Marine Manufacturers Association

Marine Retailers Association of America

American Sportfishing Association

Association of Marina Industries

Congressional Sportsmen's Foundation

Water Access Alliance