



County of Santa Cruz

BOARD OF SUPERVISORS

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JOHN LEOPOLD
FIRST DISTRICT

ELLEN PIRIE
SECOND DISTRICT

NEAL COONERTY
THIRD DISTRICT

GREG CAPUT
FOURTH DISTRICT

MARK W. STONE
FIFTH DISTRICT

AGENDA: 3/8/11

March 1, 2011

BOARD OF SUPERVISORS
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, CA 95060

RE: ASSEMBLY BILL 376

Dear Members of the Board:

As you may know, Assemblymembers Paul Fong and Jared Huffman have introduced a bill, Assembly Bill 376, to ban the possession and sale of shark fins. Most shark fins are obtained by the inhumane practice of shark finning, which involves cutting off the fins of a shark and then throwing the shark back into the ocean, often while still alive, only to drown, starve or die a slow death by predation from other animals.

According to the Monterey Bay Aquarium, tens of millions of sharks are killed each year for their fins. Killing sharks at this rate, and pushing an estimated one-third of open ocean shark species to the brink of extinction, damages the ecosystems that support many other species, degrading habitats like coral reefs and kelp forests and ultimately affecting the fish populations that we depend on for food. Shark populations cannot sustain the current slaughter rates. Unlike other fish species, sharks produce few pups, and thus many species are endangered or threatened due to the fin trade. The Monterey Bay Aquarium, together with the Ocean Conservancy, the Humane Society of the United States, and many other ocean advocates, is supporting AB 376.

Shark fin soup is a traditional soup in the Chinese culture dating back several hundred years. It is often served at banquets and special events and is very expensive.

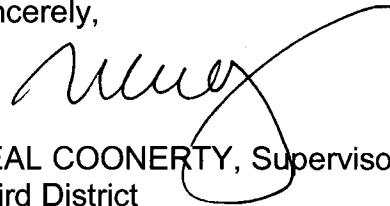
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However, as more and more people are able to afford the soup, the demand and price of shark fins has risen considerably. California represents one of the largest markets for shark fins outside Asia; therefore, banning the sale and distribution of shark fins in California will have impacts that resonate worldwide.

California's ban on shark finning off our coast is not effective as long as imported fins are widely available in markets and restaurants. AB 376 will be a step forward to protect sharks and our ocean for future generations by making it illegal to possess, sell, trade or distribute shark fins.

Accordingly, I recommend that the Board adopt the attached resolution supporting the passage of Assembly Bill 376 and direct the Clerk of the Board to distribute the resolution as indicated.

Sincerely,



NEAL COONERTY, Supervisor
Third District

NC:lg

cc: Senator Simitian
Senator Blakeslee
Assemblymember Alejo
Assemblymember Monning
Assemblymember Fong
Assemblymember Huffman
Assembly Committee on Water, Parks and Wildlife
Julie Packard, Monterey Bay Aquarium
Kaitilin Gaffney, Ocean Conservancy

1011C3

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted

RESOLUTION SUPPORTING THE PASSAGE OF ASSEMBLY BILL 376

WHEREAS, there is an inhumane practice called shark finning which involves cutting off the fins of a shark and then throwing the shark back into the ocean, often while still alive, only to drown, starve or die a slow death by predation from other animals; and

WHEREAS, according to the Monterey Bay Aquarium, tens of millions of sharks are killed each year for their fins; and

WHEREAS, killing sharks at this rate, and pushing an estimated one-third of open ocean shark species to the brink of extinction, damages the ecosystems that support many other species, degrading habitats like coral reefs and kelp forests and ultimately affecting the fish populations that we depend on for food; and

WHEREAS, shark populations cannot sustain current slaughter rates; and

WHEREAS, unlike other fish species, sharks produce few pups, and thus many species are endangered or threatened due to the fin trade; and

WHEREAS, the Monterey Bay Aquarium, together with the Ocean Conservancy, the Humane Society of the United States, and many other ocean advocates, is supporting AB 376, authored by Assemblymembers Fong and Huffman, which would ban the possession and sale of shark fins; and

WHEREAS, driving this market for fins is the demand for shark fin soup, an often very expensive dish associated with affluence; and

WHEREAS, because California represents one of the largest markets for shark fins outside Asia, stopping the sale and distribution of shark fins here will have impacts that resonate worldwide; and

WHEREAS, California's ban on shark finning off our coast is not effective as long as imported fins are widely available in markets and restaurants; and

WHEREAS, AB 376 will be a step forward to protect sharks and our ocean for future generations by making it illegal to possess, sell, trade or distribute shark fins.

RESOLUTION SUPPORTING PASSAGE OF ASSEMBLY BILL 376

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NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz County Board of Supervisors hereby supports the passage of Assembly Bill 376.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____, 2011, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS

MARK W. STONE, Chairperson
Board of Supervisors

ATTEST: _____
Clerk of said Board

Approved as to form:

Asst. *Jim Heats* 3/2/11
County Counsel

DISTRIBUTION: Governor Brown
Senator Simitian
Senator Blakeslee
Assemblymember Alejo
Assemblymember Monning
Assemblymember Fong
Assemblymember Huffman
Assembly Committee on Water, Parks and Wildlife
Julie Packard, Monterey Bay Aquarium
Kaitilin Gaffney, Ocean Conservancy

1011C3

ASSEMBLY BILL**No. 376****Introduced by Assembly Members Fong and Huffman**

February 14, 2011

An act to add Section 2021 to the Fish and Game Code, relating to sharks.

LEGISLATIVE COUNSEL'S DIGEST

AB 376, as introduced, Fong. Shark fins.

Existing law makes it unlawful to possess any bird, mammal, fish, reptile, or amphibian, or parts thereof, taken in violation of any of the provisions of the Fish and Game Code, or of any regulation made under it.

This bill, except as specified, would make it unlawful for any person to possess, sell, offer for sale, trade, or distribute a shark fin, as defined.

The bill, by creating a new crime, would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:

1 (a) Sharks, or elasmobranchs, are critical to the health of the
2 ocean ecosystem.

3 (b) Sharks are particularly susceptible to decline due to
4 overfishing because they are slow to reach reproductive maturity
5 and birth small litters, and cannot rebuild their populations quickly
6 once they are overfished.

7 (c) Sharks occupy the top of the marine food chain. Their decline
8 is an urgent problem that upsets the balance of species in ocean
9 ecosystems and negatively affects other fisheries. It constitutes a
10 serious threat to the ocean ecosystem and biodiversity.

11 (d) The practice of shark finning, where a shark is caught, its
12 fins cut off, and the carcass dumped back into the water, causes
13 tens of millions of sharks to die each year. Sharks starve to death,
14 may be slowly eaten by other fish, or drown because most sharks
15 need to keep moving to force water through their gills for oxygen.

16 (e) Data from federal and international agencies show a decline
17 in shark populations worldwide.

18 (f) California is a market for shark fin and this demand helps
19 drive the practice of shark finning. The market also drives shark
20 declines. By impacting the demand for shark fins, California can
21 help ensure that sharks do not become extinct as a result of shark
22 finning.

23 (g) Shark fin often contains high amounts of mercury, which
24 has been proven dangerous to consumers' health.

25 SEC. 2. Section 2021 is added to the Fish and Game Code, to
26 read:

27 2021. (a) As used in this section "shark fin" means the raw,
28 dried, or otherwise processed detached fin, or the raw, dried, or
29 otherwise processed detached tail, of an elasmobranch.

30 (b) It shall be unlawful for any person to possess, sell, offer for
31 sale, trade, or distribute a shark fin.

32 (c) This section does not apply to any person who holds a license
33 or permit pursuant to Section 1002 and who possesses a shark fin
34 or fins consistent with that license or permit.

35 (d) This section does not apply to any person who holds a license
36 or permit issued by the department to take or land sharks for
37 recreational or commercial purposes and who possesses a shark
38 fin or fins consistent with that license or permit.

39 SEC. 3. No reimbursement is required by this act pursuant to
40 Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school
2 district will be incurred because this act creates a new crime or
3 infraction, eliminates a crime or infraction, or changes the penalty
4 for a crime or infraction, within the meaning of Section 17556 of
5 the Government Code, or changes the definition of a crime within
6 the meaning of Section 6 of Article XIII B of the California
7 Constitution.

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