



COMMUNITY

News in Brief

Community News



Bob Bertelli
Chairman
CSUC

October 2013 Issue

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Chairman's Report

THE POLITICS OF FISHING

The Science is Political

In making his farewell address to the nation on January 17th, 1961, President Eisenhower warned of the growing power of the “military-industrial complex”, and it is often quoted.

What is not so well remembered was another growing force that would need careful oversight: “The prospect of domination of the Nations scholars by Federal employment, project allocation, and the power of money is ever present and is to be

gravely regarded. Yet in holding scientific discovery in respect, as we should, we must also be alert to the equal and opposite danger the public policy could itself become the captive of scientific-technological elite.”

Now as then, his insights into our political life hold true and marine resource management is no exception. In fact, given the unprecedented effort by the Environmental Non-Governmental Organizations (ENGO's, aka Big Green, and our particular favorite: the Sea Ot-

ter Cult (SOC). They are doing this with staggering sums of money, given to them by the charitable trusts, private individual donations (often as a result of fear mongering), and government grants given to them by politicians they bought with those funds. Besides buying political favors, they also “purchase” science that favors their political philosophies, and related goals and objectives!

President Eisenhower might have called this the “NGO-Science-Government Complex”.
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Executive Director's Report

It seems that there is no shortage of issues facing our fishery these days. Whether it's regulatory, resource, political, or market driven, there are concerns which are best addressed collectively. The California Sea Urchin Commission (CSUC) is perhaps one of the most active fishermen organizations along

the West Coast. From my vantage point the greatest resource we have are those divers who give of their time and expertise to tackle these matters head on and within the organizational structure of the Commission.

Volunteerism is defined as “*the principle of do-*

ing time and energy for the benefit of other people in the community as a social responsibility rather than for any financial reward.” The California Sea Urchin industry is small and lacks the financial resources to hire a multitude of lobbyists or contractors to do the work that needs to be done.



David Goldenberg
Executive Director
CSUC

“The CSUC is a unique type of governmental organization. Unlike the US, State or local governments, the CSUC which was created by state legislation is reauthorized every five years.”



Executive Director’s Report *continued from page 1*

Our volunteers whether they be the CSUC Board of Directors or other involved fishermen, have dedicated their time to address the needs of industry. As volunteers, the speed with which the issues are solved can take time. The same is true for the government bureaucracy which turns slowly and cautiously.

The CSUC is a unique type of governmental organization. Unlike the US, State or local governments, the CSUC which was created by state legislation is reauthorized every five years. This is an opportunity for the industry to decide whether it believes the Commission is effectively representing the industry. Two hearings are scheduled in late October and invite interested fishermen to express their views. See the hearing notice within this newsletter for additional information.

Also within this newsletter are updates on some of the challenges your Commission is working on. Due to space considerations we are limiting these reports which are most pressing. Divers are reminded that

all Commission meetings are open to the public and fishermen are invited to attend and participate. The CSUC has an electronic newsletter delivery system which provides more timely information via email; especially Board meeting notices and pertinent reports. For those who do not receive the Constant Contract email notices, we invite you to send your email address to the office for inclusion in the database. Please send your name and email address to: david@calurchin.org.

Sincerely,
David Goldenberg
Executive Director



Worst Case Scenario

As dive harvesters we're used to working and living on the edge; of weather and sea conditions, maintenance and breakdowns of boats and air systems, marketing and delivery of quality product, all the while juggling this with personal and family life. Something that we may not consider too often in our headlong rush to get

back out there and under water, is what happens to our families or those of our friends and colleagues in the event of serious injury or death. We've lost a few good ones lately, and it's hard to think of those families left behind, suddenly without that income made on the edge; physically, psychologically, and financially. Those of us on the N. Coast are in favor of transferability to the families of those deceased who've made a significant amount of their income from sea urchin harvesting, (say 30-50%), in the last 10 yrs in the event of death by any cause. If transferability doesn't come into effect soon, we believe that CSUC should push at least for a 2 years lease by families in the event of death.

Even though transferability or lease on death may seem to go against the goal of reducing permit numbers, we believe the numbers are negligible and worthwhile on compassionate grounds. We should as an industry have some serious discussion on this issue.

Harry Barnard -N. Coast Rep.

Update on CA Sea Urchins in the US and World Markets

The market for California Sea Urchins has changed considerably over the years. Currently most of the top A Grade or Gold is sold in the U.S. in a fixed price market. The B Grade or Premium is still mostly exported to Asia (Japan, Hong Kong and Taiwan) although demand is growing in the U.S.

In recent years the demand for Californian sea urchin has been highest in the summer months for several reasons:

1. In the U.S. people are on vacation, enjoying the good weather and they tend to go out to sushi bars more often.

2. Over the past few years, the Sea Urchin supply from other sources has been decreasing in the summer as outlined below.

California, Russia, Canada, Mexico and Maine are currently the major suppliers for fresh Uni to Japan, although the harvest in Russia has been decreasing. The Canadian season opens August 1st through July 31st, but they haven't been hitting the TAC and have been closing their

season early.

The Mexican Sea Urchin harvest is open from July 1st through March 1st. Its product is mostly sold in Japan but it's now entering the Hong Kong and Taiwan markets.

In the last few years, by June or earlier elsewhere in the world, Uni supplies have been getting short, leading many customers to look for our product. The shortage of product continues until September when more sources are available.

In the 1980's the best markets for California Sea Urchin worldwide occurred from October to December. The Japanese economy was booming and there was no supply from Russia yet. By the 1990's the Japanese economy had changed and due to the end of the Cold War, Russian product was entering Japan on a large scale. Luckily, the demand for sushi in the U.S was increasing at this time so the market here shifted from export driven to a domestic orientation. As this shift occurred, the California Sea Urchin Commission worked with California

Department of Fish and Game and the Fish and Game Commission to open more days during the summer.

Because the quality of Southern California Sea Urchin peaks October through December, buyers will pay higher prices due to the yield, but it's actually a more difficult time to sell product due to supplies from other markets. That's why many buyers then reduce the number of days that they buy. In the summertime, the yields may not be as high as in October but most buyers purchase every day possible due to the short supply from elsewhere.

In order to maintain our competitive advantages it's important to have a presence year round every week of the year. Otherwise we risk having another supplier fill the market. In summary, the overall change package I recommend is that we consider more open days in the summer to maintain our presence and to supply the market.

David Rudie
Catalina Offshore Products, San Diego



"In recent years the demand for Californian sea urchin has been highest in the summer months for several reasons"





Dan Williams

“The California Sea Urchin Commission has conducted several surveys of the divers to understand their concerns.”



Ventura Port Meeting

CSUC Regulatory Package

Last summer the California Sea Urchin Commission held a Regulatory Workshop to try and find consensus amongst the fishery participants from North to South on proposed changes to fishery regulations moving the fishery to limited entry transferable permits.

The California Sea Urchin Commission has conducted several surveys of the divers to understand their concerns. Numerous Port Meetings were held thorough out the state with uniform agendas to discuss regulatory changes. After 3-4 meetings in each port the CSUC held its Workshop to find consensus. Compromise, lengthy discussions, and the port meetings results lead us to an agreement. The following recommendations were unanimous from all participants:

1. Capacity Goal 150

(currently 300. Since 2005 - 95% of all sea urchins have been harvest by just less than 140 divers/year with only ~200 divers/year making at least one landing since 2005)

2. Full Transferability after 150

(once reduced to 150 all permits transferable)

3. Lottery 10:1

(until 150 is reached - allowing tenders access)

4. Transferability at Death

(currently only if death occurs from dive accident and for only 2 years)

5. Buyback not fisherman funded

New Recommendation to meet Market Demands

6. Open some access during June thru October

Since the last years workshop concerns have been raised that during the summer and early fall the limited open day schedule is detrimental to maintaining our markets. During the summer months the domestic demand for sea urchins rises just when limited day harvest restrictions take effect. Divers that sell direct to consumers have to hold over sea urchins from Wednesday or Thursday's harvest for weekend sales with freshness concerns. Demand in Japan rises in October as their fishery has closures and Canada Closes May

thru September all providing us market opportunities. The open day schedule was developed in the late 1980's when the majority of our sea urchins were sold in Japan which is no longer the case.

The week closures that were in effect in the 1990's to early 2000's created market shortages giving the Russian's the opportunity to establish their product reducing our market share and the resulting dramatic ex-vessel price drops experienced in the early 2000's. Ex-vessel prices have slowly increased over the past decade and market availability and presence is critical to an economically viable fishery for both processors and divers.

The CSUC has been in close contact with the California Department of Fish and Wildlife managers to discuss our proposal and receive their concerns and recommendations. On September __, 2013 numerous CSUC Board members attended the California Fish and Game Commission Marine Resources Meeting in Santa Barbara to present

CSUC Regulatory Package continued

and discuss the regulatory package with them in conjunction the California Department of Fish and Wildlife representatives.

Wildlife Department to determine the results validity. Please take the time to return your ballot.

the California Sea Urchin Commission, P.O. Box 2077, Folsom, CA 95763-2077.

The CSUC is committed to the democratic process as such a VOTE of the divers on these proposed regulatory changes is being conducted and the results will be vetted by the California Fish and

Each diver is requested to submit a ballot with their preferences for directing the CSUC on how to scope the regulatory package. The ballot is shown below.

The deadline for submission is November 30, 2013. At that time all ballots will be evaluated and provided to the CSUC Board of Directors for action.

Please clip and return your completed ballot to

Please call the CSUC office if you have any questions.



Caption describing picture or graphic.

Ballot CSUC 2013 Regulatory Modifications

	Yes	No
1. Reduce Capacity Goal to 150.	<input type="checkbox"/>	<input type="checkbox"/>
2. All Transferability once 150 is reached.	<input type="checkbox"/>	<input type="checkbox"/>
3. Lottery 10:1 (until 150 are reached).	<input type="checkbox"/>	<input type="checkbox"/>
4. Full Transferability at Death.	<input type="checkbox"/>	<input type="checkbox"/>
5. Buyback to reduce # permits (not fisherman funded).	<input type="checkbox"/>	<input type="checkbox"/>

Modifying Fishing Schedule

6. Open Every Day Year Round	<input type="checkbox"/>	<input type="checkbox"/>
7. Open 1 Day/Week during June-Oct Southern CA.	<input type="checkbox"/>	<input type="checkbox"/>
8. Open 1 Day/Week during June-Oct Northern CA.	<input type="checkbox"/>	<input type="checkbox"/>
9. No Change to Dive Schedule Southern CA.	<input type="checkbox"/>	<input type="checkbox"/>
10. No Change to Dive Schedule Northern CA	<input type="checkbox"/>	<input type="checkbox"/>

Name _____

Permit No _____

Address _____

Comments:

Return To: California Sea Urchin Commission
P.O. Box 2077
Folsom, CA 95763-2077

Return your ballot by November 30, 2013

CSUC 2013 Continuation Hearings—October 23 & 28, 2013

Issues and Projects Under Taken by the CSUC

A special mailing was made last month announcing the CSUC Continuation Hearing scheduled October 23 and 28. Below is a summary of CSUC activities for your review.

Sea Otters, EIR Comments, HR 4043

The California Sea Otter issue is one that will in time force sea urchin harvest to cease. As a protected mammal species, the Federal US Fish & Wildlife Service (FWS) will protect habitat for otters as they expand their range into areas now commercially harvested. In order to protect otters from a potential oil spill, an experimental translocation of otters were moved to San Nicholas Island between 1987 and 1990 to establish a breeding nucleus of 70 animals. To reach that goal the FWS was to move 250 animals. Due to several obstacles, only 170 animals were moved, but the goal of 70 breeding animals were never adjusted to reflect 66% of the animals moved. In negotiations between the industry and the FWS, Congress passed Public Law 99-625 which sets up a “no otter” zone where animals that moved away from San Nicholas Island would be brought back to the Island. 99-625 also provided protection to fishermen who might accidentally injure or kill a sea otter in the area. As part of the San Nicholas Translocation project, certain criteria was established to determine if it was a success or failure. In 2009 two sea otter environmental groups sued the FWS to declare the translocation a failure.

The California Sea Urchin

Commission (CSUC) joined the lawsuit on the side of the FWS as an intervener. The CSUC was able to negotiate a settlement which required a final Environment Impact Report amongst other things. Hearings were held and comments were taken. In the final analysis the FWS declared the translocation a failure and set aside Public Law 99-625. At about that same in 2012 the CSUC obtained the commitment of Congressman Elton Gallegly (R-24) to sponsor a bill HR4043 to require the FWS to conduct an ecosystem management plan which would encompass sea otters, fishermen, and other endangered species including white and black abalone which are in the sea otter range. The CSUC was able to join forces with the US Navy due to the potential for limited artillery practices in the sea otter zone. The CSUC overcame heavy opposition by House Democrats but eventually was able to secure the passage of HR4043 which moved to the Senate. The Senate was poised to insert the bill into the Armed Services Reauthorization Bill at the end of the year in 2012. In the waning hours of the night HR4043 became a political casualty and was negotiated out of the Bill.

To add insult to injury, the FWS maneuvered a quick assault on the California Coastal Commission to support the translocation failure declaration. The CSUC lobbied this effort vigorously but was denied a fair hearing when staff covered their tracks and convinced the Commissioners they had no choice but to agree. The Commissioners were compassionate about the plight of the fishery, but in the end thumbed their noses to the fishermen.



Caption describing picture or graphic.

**CSUC
Continuation
Hearings:
October 23—Ft
Bragg
October 25—
Los Alamitos**



PLF Lawsuit

In 2013 the Pacific Legal Foundation (PLF) agreed to take the case and represent the California shell fish industry by suing the FWS that they have no authority to arbitrarily ignore Public Law 99-625, the no otter zone. The PLF is funded by private sources and helps clients which are unable to sue governmental organizations from unjust decisions or regulations. The PLF case will demonstrate the an agency cannot decide to ignore a law which is on the books. When 99-625 was established it did not contain provisions to terminate the law. The lawsuit will show that FWS is in contempt of Congress for terminating the No Otter Zone when they declared the San Nicholas translocation a failure. Only Congress can terminate the law. If successful, the lawsuit will demonstrate that fishermen are still protected from what's termed "incidental take." The law also provides that FWS will remove otters that venture outside the zone. It's unlikely the FWS will fulfill that obligation but the protections for fishermen will continue. The lawsuit was filed on July 30, 2013 and it may take a year before the suit is settled by the courts. The CSUC filed the lawsuit in conjunction with the California Abalone Association, the California Lobster and Trap Fishermen's Association, and the Commercial Fishermen of Santa Barbara. A special recognition is given to Steve Rebeck who help shepherd the PLF agreement.

The CSUC is actively engaged in the sea otter case because it threatens to close the fishery as the animals expand their range. Range

expansion will be a slow process, but it will happen over a long period of time. Delaying the inevitable is in the best interests of the fishery now and in the future.

Permit Transferability, Reduction of Capacity

The California Sea Urchin Commission has been working on a regulatory package for transferability of CA Sea Urchin Permits in response to the vast majority of divers concerns. Since 1989 CA fisheries are being managed by a restricted Access Limited Entry System and the CA Sea Urchin Fishery is the last fishery without transferability. It is not consistent with CA Fish and Game Commission Policy. Presently new divers are added through a lottery when licenses fall below a Capacity Goal of 300: above 300 new permits are issued at a rate of 10 for 1 and below 300, 1 for 1. About half of the 300 licenses are relatively inactive. With a large group of latent effort (permits not fishing) the concern of excess effort and harvest exists which mirrors comments from the CA Department of Fish and Wildlife. Several industry surveys indicated most divers believe the current harvest of 11-12 million pounds is a sustainable level. Transferability at a reduced Capacity Goal will meet sustainable harvest levels and a regulatory policy objective of equity for participants.

The California Sea Urchin Commission conducted surveys in 2007 and 2011 as well as scheduled discussions at each Board of Directors meeting. Diver port associations up and down the coast have simultaneously held meetings to raise the awareness of divers, solicit

view points and determine common ground.

The Commission appeared before the CA Fish & Game Commission Marine Resource Committee in Ventura on June 18 and presented the following proposal:

Capacity Goal: 150
Lottery: 10:1
Full transferability after 150
Transferable on death
Buyback Not fisherman funded

A ballot is enclosed in this newsletter to seek final industry input as this proposal is evaluated by the Department of Fish & Wildlife. The Fish & Game Commission would like to see the urchin fishery undergo a limited Fishery Management Plan (FMP) which is still being developed.

Legislative & Regulatory Issues

Each year the California Legislature and the Congress do what they do best and that is to propose good and bad legislation. When necessary the Commission jumps into the fray to support or oppose regulations that impact the commercial fishermen. We either work alone or in many instances we join forces with other like-minded organizations and form coalitions to support or defeat legislation. For the most part the Commission has a favorable track record. There are too many bills to list in this short report. However, without an organization representing diver interests, who would take on this much needed and time consuming task?

U.S. Coast Guard

The CSUC continues to work with the US Coast Guard on issues on

boating safety issues. The CSUC went to bat for urchin divers and was able to negotiate an exemption from survival craft requirements for boat which contains less than three or fewer individuals. The Commission has argued against a plethora of life raft regulations.

Marketing – Boston Seafood Show

Opening up new markets for California sea urchins is the goal for exhibiting at the 2014 Boston Seafood Show, scheduled March 16-18. The CSUC will share a booth with the California Salmon Council to promote California seafood. The CSUC scouted the 2013 show and determined that California is not represented at this East Coast and International show. Fishermen will be invited to help staff the booth and sea urchin processors will be given an opportunity to participate by assisting with underwriting the cost of the booth. The CSUC is in a unique position to promote urchins and open up new markets.

North Coast MPA Monitoring

The Commission supports the efforts in the north to assess relationships between: urchin densities; sizes; gonad development, quality; abalone densities; algae abundance; and species composition; season; and water depth. The project proposes to assess these relationships using various data collection methods in current closed areas by swapping open areas for closed areas to see if Marine Protected Areas can enhance the resource using adaptive management or lead to urchin barren areas.

Annual Meeting Industry Barbecue – Santa Barbara

Each summer the CSUC in conjunction with the Commercial Fishermen of Santa Barbara co-host the annual industry barbecue in Toro Canyon. The festivities are coordinated with the CSUC annual meeting following a review of the most pressing issues facing the industry. During the past few years a featured speaker or two have been invited to touch on topics of concern.

Data Collection - UC Santa Barbara Larval Settlement Study – Industry Funded

The CSUC helps underwrite the 22 year sea urchin larval study conducted by Steve Schroeter, UC Santa Barbara. The larval study provides the longest index of stock health which targets the early and most vulnerable life stages. The study estimates and distinguishes the signals of shifting oceanographic regimes (e.g. El Nino/La Nina conditions and Pacific Decadal Oscillations, Ocean Acidification) from effects of harvesting. The study will be useful when the sea urchin industry undergoes a fishery management plan.

Pacific Urchin Harvesters Association (PUHA)

The Pacific Urchin Harvesters Association (PUHA) represents the fishermen in British Columbia. The CSUC keeps an open line of communication with our Northern industry friends on areas of mutual interest.

National Sea Food Marketing Group

The CSUC is cooperating

with a coalition of national, state and regional fishery organizations to establish a \$50 million National Seafood Marketing and Development Fund through the Department of Treasury. As proposed, the funding will be distributed from the Saltonstall-Kennedy Fund, which receives tax revenues from import duties. The authorization bill was introduced last year. To date no action was taken on the bill due to funding uncertainties in Congress.

Fisheries Forum

Each year the California State Legislature, Joint Committee on Fisheries and Aquaculture sponsors the Fisheries Forum in Sacramento. The meeting begins with presentations by the Secretary for Natural Resources and the Director of the Fish & Wildlife. A large contingency of speakers representing various fisheries and environmental groups appear before the legislature and present 5 minute updates to the assembly members and state senators. The meeting culminates in an evening reception for the legislators and staff. A smorgasbord of locally caught seafood is prepared by professional and student chefs and served by fishermen representatives in attendance. Uni is one of the highlighted dishes.



President's Report cont from pg 1

Resource management, marine and terrestrial, was supposed to be based on "the best available science," or "sound science," and now due to a New Mexico Federal Court ruling the "best creditable science."

Now I will make no argument that the implementation of the Marine Life Protection Act (MPA's) and a whole host of other legislative programs are in fact science based, I will however tell you that up to 90% of the science is all too often "political science," with questionable marine biology, oceanography, and little or no related economic or social science!

The good news is we have repeated this truth so often, and in the right venues, that it is having a positive effect with some in the science community, as well as individuals within a few of the ENGO's. They understand that they run the risk of losing credibility, which includes, political, legal, the public trust, plus whatever they have left with fishermen.

One only has to look at the poor performing climate models, and growing public skepticism of global warming to see the results of too much politics, money, and the negative effect it can have on science. T.H. Huxley wrote, "The great tragedy of science, the slaying of a beautiful hypothesis by an ugly fact."

Make no mistake, I'm not arguing climate change, but rather, speaking to the growing over reliance on science models. As fishermen, we rely on science models all the time in

the form of the "weather forecast," you also know how wrong they can be, and we take that into account in making your decisions.

Models are used in making resource management decisions, so we need to understand that a science model is a prediction of what might happen based on the data the modeler uses, the assumptions made, and the personal integrity he or she upheld in choosing the data, and assumptions.

In other words, did they sift through the data, making assumptions that fit a desired outcome (say, that of their funders), or did they use the best creditable science, with real world assumptions, did the math, and let the chips fall where they may?

Good news or bad, all the stakeholders, resource managers and policy makers need to be comfortable with the rigor of the science being used to make decisions, and that means keeping the political science to a minimum!

To keep the political science to a minimum, it takes a strong political organization like the CSUC has become, through building strong political alliances, and strategic relationships. This did not happen overnight, it has taken years of hard work, with much, much more ahead!

With this in mind, we must consider the Marine Life Management Act (MLMA), as it relates to any future changes to the Sea Urchin Regulations. The MLMA requires all of California's fisheries to have a Fisheries Management Plan (FMP).

There is a good chance that Sea Urchins will be next up for a FMP. This is why we have closely moni-

tored the Lobster FMP process, and reviewed other FMP's.

Soon Coastal and Marine Special Planning will start in California. Think MLPA on steroids! I have attended two workshops on this subject to help position us for this fight. We cannot afford to loose any more fishing area.

MLPA (MPA's) are an ongoing issue, and the CSUC has, and will continue to fight for better outcomes as the MPA's come up for review (every 5 years).

Sea otters are both a legal and political issue. I spent much of last year (2012) in working on the California Fish and Wildlife Strategic Vision Project: a top to bottom review of the Fish and Game Commission, the Department of Fish and Game, (now Wildlife, or DFW), and reviewing the regulations in the F&G Code. During this time, we were able to build strong working relationships with farming, ranching, building, and other groups that are effected by FGC and DFW policy, and related laws. This informal, but well organized "coalition," has been able to defeat, or positively modify all the legislation that affects fish and wildlife for the last two legislative sessions.

These are some, but not all the challenges we, as an industry face. Our advisories are well funded, organized, with powerful political and science connections. With comparatively meager resources, we do more than hold our own and will continue to do so as long as we stick together!

As Ben Franklin once said, "If we do not hang together, then we will most assuredly hang separately."

California Sea Urchin Commission

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CommUNITY News



Annual Meeting BBQ a Blast

Take away the ocean and you have no boundaries at an urchin harvester's barbecue. That's right; introduce great food and beer and everybody's talking again. We talked about old times and new times, we talked about bad times but mostly good times. A great band played out some familiar tunes and we all started dancing again.

It was as if, time stood still in the quarrels and episodes of a bunch of

Ocean Cowboys. Nobody drew a fist or a gun it was just damn, pure, fun . . .

Wes Carpenter and company made the best food, Harry Liquornik arranged for the beer and food up front and I was challenged to match the costs with the raffle.

Ventura Boat Yard donated \$100 off on a haul and launch, Beacon Marine a \$25 discount, Ventura Dive and Sport a \$25 dis-

count, Nuvair Breathing Systems put in some great T-shirts and Coast Channel gave up a \$25 discount. Tom Trumper donated a bunch of shirts and caps. Dave Rudie and his one of a kind T-shirt and baseball caps won some favorites.

First prize goes to Bob Shupe's generous donation. A Bionic Arm handcrafted with precision, his personal touch. Countless hours goes into Bob's work.
[www.shupeswelding@](http://www.shupeswelding@yahoo.com)

[yahoo.com](http://www.shupeswelding@yahoo.com)

Anybody we may have missed, the Commission recognizes your tireless efforts and your support.

Christopher Nelson
Ventura Rep

