DRAFT - ENVIRONMENTAL REVIEW PROCESS TO CONSIDER CINMS RESERVES

2003

March

DOCUMENT
CINMS drafts Notice of Intent to prepare a DEIS for reserves

BRIEFING
CINMS briefs Pacific Fishery Mgmt. Council (PFMC) on initiation of reserves NEPA process

April

DOCUMENT
Notice of Intent published in Federal Register

LETTER
CINMS submits letter to PFMC describing NEPA process for consultation & PFMC meeting

BRIEFING
NMP briefs Sanctuary Advisory Council on initiation of reserves NEPA process

May/June

PUBLIC MEETING
CINMS hosts scoping meetings (May @ SAC meeting; June @ PFMC meeting)

LETTER
CINMS sends consultation letters to PFMC, NMFS, State of CA & other regional entities

BRIEFING
CINMS notifies PFMC of opportunity to prepare draft fishing regs for reserves

July - Nov

DOCUMENT
CINMS develops DEIS

PUBLIC REVIEW
PFMC considers drafting NMSA fishing regs for reserves

45 day public review of DEIS, design-docs & proposed regs; public hearing if change to terms of designation results

DOCUMENT
CINMS drafts final EIS & (if necessary) final regs & terms of designation

2004

Winter

DOCUMENT
CINMS releases DEIS, design-docs & proposed regs to Congress & the public

Spring/Summer

DOCUMENT
CINMS prepares response to comments

Fall/Winter

DOCUMENT
NMP releases final EIS*

ISSUE FINAL RULE
Effective after 45 days of continuous Congressional session (Winter '04)

Last Updated: May, 2003
March 2003

- Sanctuary prepares Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS)
- Brief Pacific Fishery Management Council (PFMC) on Sanctuary initiation of Environmental Review Process (completed)
- Brief Sanctuary Advisory Council (SAC) on Sanctuary initiation of Environmental Review Process (completed)

April 2003

- Sanctuary releases Notice of Intent to prepare DEIS in Federal Register
- Sanctuary submits letter to PFMC describing Environmental Review Process for discussion at April PFMC meeting

May/June 2003

- Sanctuary hosts Scoping Meetings - contemporaneously at SAC May meeting and PFMC June meeting, additional scoping likely in Ventura County
- Sanctuary sends consultation letters to PFMC, NOAA Fisheries, State of Calif. and other entities regarding a potential change to the terms of designation\(^1\) of the Sanctuary (60 day response period)
- Sanctuary notifies PFMC of opportunity to prepare draft National Marine Sanctuaries Act (NMSA) fishing regulations for the Exclusive Economic Zone portion of the Sanctuary – (NMSA regulations allow for 120 days for PFMC response; seek PFMC resolution by the Nov. Council meeting (approx. five months))

June – November 2003

- Sanctuary, in cooperation with PFMC, State of Calif. and SAC, develops DEIS, appropriate proposed regulatory changes and related proposed change to the terms of designation
- PFMC considers preparing draft NMSA fishing regulations and if it chooses prepares draft regulations

\(^1\) The terms of designation of a Sanctuary include its geographic area, the characteristics of the area that give it conservation, recreational, ecological, historical, research, educational, or esthetic value, and the types of activities that are subject to regulation to protect those characteristics.
Proposed Activities and Timeline (continued)

December 2003 / Early 2004

- Sanctuary releases to the public and Congress the DEIS, proposed regulations and related proposed change to the terms of designation
- Conduct public review of the DEIS, and proposed regulations and related proposed changes to the terms of designation. This will include an opportunity for public comment of at least 45 days and must include at least one public hearing if the rulemaking necessitates a change in a term of designation

Spring/Summer 2004

- Sanctuary prepares responses to comments

Summer 2004

- Sanctuary drafts Final EIS, and if necessary for chosen action, drafts final regulations and revises terms of designation

Fall/Winter 2004

- Sanctuary releases the Final EIS by publishing a notice of availability in the Federal Register and by providing copies to interested parties. After a 30-day “cooling off” period, the final regulations appear in the Federal Register and the Sanctuary sends the final regulations and revised terms of designation to Congress and to the governor’s office, if State waters are involved. The final regulations will take effect after the close of a review period of 45 days of continuous session of Congress. If State waters are involved, and the governor certifies that the change in terms of designation (and therefore the final regulations or portions thereof) is unacceptable, the affected final regulations will not take effect in State waters.