

COASTAL PELAGIC SPECIES ADVISORY SUBPANEL REPORT ON
REVIEW OF CHANNEL ISLANDS NATIONAL MARINE SANCTUARY DEIS
REGARDING FISHERY CLOSURES

The Coastal Pelagic Species Advisory Subpanel (CPSAS) met via teleconference on September 6, 2006. Four of the ten CPSAS members attended the call and time for full CPSAS review of this statement was limited. The CPSAS reviewed the *Draft Environmental Impact Statement for Consideration of Marine Reserves and Marine Conservation Areas within the Channel Islands National Marine Sanctuary (CINMS)*. The CPSAS appreciates the opportunity to review the draft document.

The CPSAS recognizes the Sanctuary's desire and mandate to protect the biodiversity of marine resources. However, the CPSAS questions the status of resources and reported benefits of marine reserves presented in the DEIS. While a few resources have declined, others, such as sardines and squid, have increased. Most fisheries are sustainable under current fishery management and overfishing is not occurring.

The goals and objectives of existing state and Federal resource laws and regulations (Magnuson-Stevens Fishery Conservation and Management Act (MSA), California Marine Life Management Act, the California Nearshore Fishery Management Plan, and California Marine Life Protection Act, to mention several) are similar to the goals stated in the draft CINMS document. Existing laws are able to protect biodiversity while effectively providing for conservation and management of marine resources.

The CPSAS remains concerned about the National Marine Sanctuary Programs attempting to manage fisheries, especially efforts to modify the CINMS designation document to authorize management of fishery resources within CINMS boundaries. The CPSAS feels this is in direct violation of promises made to the fishing industry when the CINMS was created. The CPSAS remains opposed to any change to the CINMS designation document that would authorize the transfer of resource management to the CINMS.

The CPSAS continues to express concerns about the ecological and socioeconomic analyses presented in this draft which could lead to an incorrect statement of biological benefits and fishery impacts.

The CPSAS is particularly concerned with the language in Section 922.73 of the proposed rule (Agenda Item F.2.a, Attachment 2), which appears to pre-empt future regulatory action by the Council beyond the effective date of the final rule, removing any flexibility for adaptive change in designated areas. The CPSAS urges the Council to pursue clarification of this section and further encourages the Council to continue to pursue clarifying language in both the MSA and National Marine Sanctuaries Act to ensure that Regional Fishery Management Councils and National Marine Fisheries Service are the sole authority for fishery management in Sanctuary waters.