

MARINE PROTECTED AREAS “NEED CRITERIA” FOR THE MONTEREY BAY
NATIONAL MARINE SANCTUARY

In the summer of 2007, the Monterey Bay National Marine Sanctuary (MBNMS, Sanctuary) initiated a process to consider criteria and thresholds that would define the need for marine protected areas (MPAs) in Federal waters of the sanctuary for additional resource protection. The Council was approached as a stakeholder in the process (see Agenda Item I.1.a, Attachment 1), which was scheduled for conclusion by February 15, 2008. A letter from the Council’s Executive Director was sent December 11, 2007 noting that discussions between Sanctuary and Council representatives had yet to occur, and suggested a process by which the Council could consider this question at one of the spring 2008 Council meetings (Agenda Item I.1.a, Attachment 2). The Council received a letter dated February 11 from the Alliance of Communities for Sustainable Fisheries (ACSF), a Monterey, California-based group which advocates for the heritage and economic value of fishing to California coastal communities, requesting that the Sanctuary and the Council (SAC) review a variety of reports and analyses on the subject (Agenda Item I.1.e, Attachments 1 through 8).

In a March 19, 2008 letter to the Council (Agenda Item I.1.b, Attachment 1), MBNMS Superintendent, Mr. Paul Michel, is seeking Council advice on ways the Council and MBNMS can collaborate in this effort. He attached a February 15, 2008 letter to the MBNMS MPA Workgroup and the SAC (Agenda Item I.1.b, Attachment 2), that characterizes in general terms the rationale and criteria behind a determination that MPA are needed. The three principal needs are stated in the letter as follows: “1) There is a need for areas where the natural ecosystem structure and function are restored and maintained; 2) there is a need for research areas to examine human impacts to the marine environment; and 3) there is a need to preserve some areas in their natural state for future generations.” Council staff understands this decision has been characterized as similar to the Council decision of September 2000 that MPAs be considered as a tool for Council action to address six prioritized objectives adopted in June 2000 (Agenda Item I.1.a, Attachment 3). In a supporting letter to the SAC, also dated February 15, 2008 (Agenda Item I.1.b, Attachment 3), Mr. Michel provides a list of concepts for a potential process for establishing MPAs in the MBNMS and a draft time line for such a process that includes additional coordination with the Council and the National Marine Fisheries service in the summer of 2009.

At the March, 2008 Council meeting, the Council scheduled review by the Scientific and Statistical Committee (SSC) of scientific papers in the ACSF request, and requested NOAA General Counsel review the legal analysis in the ACSF request. The SSC is scheduled to review these materials on Tuesday, April 8 (see Ancillary F, SSC Agenda).

At this meeting, the Council should take into account statements of the SSC and other Council advisory bodies and public testimony, and consider providing advice to the MBNMS on criteria and thresholds in identifying a need for MPAs in federal waters of the MBNMS. Further, the Council may wish to provide guidance on future collaboration with the MBNMS on their MPA consideration process.

Council Action:

Provide Council comments on the “Need Criteria” for MPAs provided by the MBNMS and provide guidance on future collaboration with MBNMS.

Reference Materials:

1. Agenda Item I.1.a, Attachment 1: July 26 email from Mr. Paul Michel to Mr. Rod McInnis, Dr. Donald McIsaac, and Mr. Mark Helvey, with attached letter of same date, both describing a process to identify the need for MPAs in Federal waters of the MBNMS.
2. Agenda Item I.1.a, Attachment 2: December 11, 2007 letter from Dr. Donald McIsaac to Mr. Paul Michel regarding scheduling input from the Council on determining the need for MPAs in federal waters of the MBNMS.
3. Agenda Item I.1.a, Attachment 3: Excerpts from September 2000 Council Minutes and “*Marine Reserves to Supplement Management of West Coast Groundfish Resources, Phase I Technical Analysis, February, 2001.*”
4. Agenda Item I.1.b, Attachment 1: March 19, 2008 cover letter from Mr. Paul Michel to the Council.
5. Agenda Item I.1.b, Attachment 2: February 15, 2008 letter from Mr. Paul Michel to the MPA Working Group and the Sanctuary Advisory Council conveying rationale and criteria for the need for MPAs.
6. Agenda Item I.1.b, Attachment 3: February 15, 2008 letter from Mr. Paul Michel to the Sanctuary Advisory Council including concepts and a draft timeline for the MPA process.
7. Agenda Item I.1.e, Attachment 1: February 11, 2008 cover letter from Mr. Emerson to MR. Paul Michel presenting the analyses conducted on behalf of ACFS.
8. Agenda Item I.1.e, Attachment 2: Summary of the ACFS reports and analyses.
9. Agenda Item I.1.e, Attachment 3: October 10, 2007 memorandum from Mr. Walsh to ACSF regarding legal guidance on MBNMS authority.
10. Agenda Item I.1.e, Attachment 4: Socioeconomic report to ACFS.
11. Agenda Item I.1.e, Attachment 5: MPAs and Research Needs report to ACFS.
12. Agenda Item I.1.e, Attachment 6: Report on fishery management in the MBNMS to ACSF.
13. Agenda Item I.1.e, Attachment 7: Report on ecosystem consequences of MPAs to ACSF.
14. Agenda Item I.1.e, Attachment 8: National Marine Sanctuary staff report “*State and Federal Laws, Regulations, and Programs other than those of the State Department of Fish and Game and Pacific Fishery Management Council that Contribute to the Protection of Marine Resources.*”

Agenda Order:

- a. Agenda Item Overview
- b. MBNMS Report
- c. Agency and Tribal Comments
- d. Reports and Comments of Advisory Bodies
- e. Public Comment
- f. **Council Action:** Provide Council Comments on “Need Criteria”

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