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Exhibit C.9
Attachment 3
June 2001

MARINE RESERVES PHASE II PROCESS

At the Ad Hoc Groundfish Strategic Plan Implementation Oversight Committee (SPOC) one issue left unresolved was how to organize the process for the consideration of marine reserves and, in particular, the composition of the committee(s) to be appointed and the charge to be given to the committee(s).

There appear to be two primary roles in which the Council will operate as marine reserves are considered for the West Coast:

1. As a lead agency considering marine reserves and potentially proposing regulations for fisheries under its jurisdiction.

2. As a responding agency that is asked to implement regulations for proposals developed by other authorities.

As a responding agency, the scope of Council recommendations will likely be determined primarily by the scope of the proposals presented to the Council and the limits placed on Council legal authority by the Magnuson-Stevens Fishery Conservation and Management Act and other applicable law. As a lead agency, the Council action will be restricted primarily by its legal authority.

To determine how to proceed in a lead agency role, it may be helpful for the Council to focus first on the scope of its intent with respect to Phase II consideration of marine reserves.

Scope

Thus far, groundfish have been the main focus driving the Council's consideration of marine reserves: when the Council finished its Phase I consideration of marine reserves, it determined that marine reserves may be a useful tool for the management of groundfish species and decided to proceed with consideration of Phase II design and siting issues; the marine reserve development team that developed a budget for the Phase II process was appointed under the auspices of the groundfish SPOC; and the budget developed by this committee was put into a budget developed for implementation of the groundfish strategic plan.

On the other hand, marine reserves may restrict fisheries other than the groundfish fishery and may be proposed to meet fishery management or ecosystem management objectives that include species beyond the scope of the groundfish plan.

In the current agenda, marine reserves are addressed both as a separate agenda item (E.1 and E.2) and under the groundfish strategic plan (C.9). In considering committee organization and charges, the Council may wish to evaluate whether there should be a separate process for consideration of marine reserve proposals related to specific fishery management plans (FMPs), as appropriate, or a central process to consider all no-fishing marine reserves and generate the needed decision documents. A recent example of a combined decision document is the single document prepared for groundfish FMP 10 and Salmon FMP Amendment 12, to allow the retention of salmon by groundfish trawlers.

In its role as a lead agency, should the current Council effort focus:

- only on groundfish?
- on any FMP species that may benefit from marine reserves?
- any species under Council jurisdiction (i.e., all species from 3 to 200 nm, regardless of whether or not an FMP exists)?

Committee Organization and Charges

Options for organizing committees depend on budgetary constraints. In the role of a lead agency, committee work will include a wide range of considerations, and development of options will require numerous meetings over a relatively long period of time. In the role of a responding agency, it may be possible to limit the workload to communication and organization of a narrow range of tasks. Initiating agencies may be asked to prepare decision packages needed for the Council process.

Organization for Lead Role

The Council's role as lead may take on varying levels of intensity depending on the resources the Council has available for this task (see Table 1). At one end of the scale, coordinating consideration of a coastwide network of marine reserves would be a multimillion dollar effort. A budget has been developed for such an effort (attached). On the other end of the scale may be the development of policy principles or guidelines that the Council could seek to implement over time. One example of such a Council guideline could be a statement that it would be beneficial to implement reserves for a certain percentage of the habitat of specified species or groups of species. Such guidance may help focus the development of options by federal, state, or local jurisdictions.

Organization for Responding Role

Whether or not the Council takes a lead role, it will likely have a role as a responding agency. For example, the Council will likely be approached with specific proposals for marine reserves by agencies such as California Department of Fish and Game and federal marine sanctuary programs. The Council's role as a responding agency may also take on varying levels of intensity depending on the funding available. At a minimum, the Council will likely want to be prepared to communicate with the initiating agency at an early stage regarding the standards of process and documentation for any proposals to be presented to the Council.

Decision Matrix

In establishing a committee(s) to address marine reserves, it may be useful to consider:

- the two primary roles the Council may play in the consideration of marine reserves,
- the scope of species that may be the primary focus in each Council role,
- the composition of the committee(s) most suited to meet each role, and
- the charges that should be given to the committee(s).

The following decision matrix covers these considerations.

Council Role	Scope of Species	Committee	Charge
Lead Fishery Agency	Identify Species Groups of Primary Focus	Identify Committee	Provide Charge
Responding Agency	Identify Species Groups of Primary Focus [This will likely be all species under Council authority.]	Identify Committee/Process	Provide Charge

The lead agency and responding agency roles might be assigned to:

- a single new committee,
- a main new committee (lead role) and a new subcommittee (responding role),
- separate new committees with or without some overlap in membership,
- a lead role new committee and a responding role process (e.g., Council staff consulting with identified marine reserve liaisons for each Council advisory entity), or
- a coordinating Council Staff Officer relying on existing committees (Scientific and Statistical Committee, Habitat Steering Group, Groundfish Advisory Subpanel, etc.) for independent advisory statements.

To assist the Council in its deliberations, the composition of committees that have recently been assigned lead roles in marine reserves issues is provided in Table 2.

Table 1. Alternative funding scenarios and organizational approaches for the two Council roles in considering marine reserves.

	Funding Scenario		
	Full Funding ($1-2 million/year)	Partial Funding (Enough money for regular meetings of one ad hoc advisory body)	No Funds
Council Role	**Plan A**	**Plan B**	**Plan C**
Council as lead fishery agency	As specified in Strategic Plan.	Appoint a committee to have lead role. For example, habitat committee, ad hoc committee from Phase I, ad hoc team used to develop the Phase II budget proposal, other. This committee might also be charged with identifying alternative funding sources to expand the process.	For example, establish broad guidelines and statements of need that may be useful to others considering the development of marine reserve options. Achieve this with standing committees within the agendas of normally scheduled meetings.
Council as responding agency	This function would need to be added to the Strategic Plan.	For example, small committee or subcommittee of above to (1) establish standards of process and documentation for any proposals to be developed for the Council, (2) work with the initiating agency to ensure the standards are understood, (3) review materials to ensure standards are met and received by Council and advisory committees in a timely fashion.	For example, Council staff works with input from committee chairs or their designees to achieve tasks such as those identified as examples for Plan B.

Table 2. Composition of committees that have worked on marine reserves.

Marine Reserve Ad Hoc Committee - Phase I	Marine Reserve Development Team - Tasked with developing a process and budget
Conservation Representative GAP - Processor GAP - Fixed Gear Fisher GAP - Trawl Gear Fisher NMFS - SWR and NWR NMFS - SWFSC Tribal Representative PSMFC Representative SAS - Recreational SAS - Commercial State - WDFW, ODFW, CDFG	Conservation Representative (2) GAP - Processor GAP - Fixed Gear Fisher GAP - Trawl Gear Fisher State - WDFW, ODFW, CDFG NMFS - SWR and NWR PSMFC Representative SAS - Recreational

Project to Support the Council
Consideration of Marine Reserves for the West Coast Groundfish Fishery
(and Coordination with State and Local Efforts)

Task I: General Process Support (GPS)

Staff would be hired to provide preparation, coordination, and follow-up for all other tasks in this project. The staff would be assigned as follows:

Location		Cost Year 1	Cost Years 2&3
A. Council Office	One professional plus 0.25 FTEs of administrative support	$150,000/year	$150,000/year
B. Washington	One professional	$66,000/year	$132,000/year
C. Oregon	One professional	$66,000/year	$132,000/year
D. California	One professional	$66,000/year	$132,000/year
E. NMFS NWR	One professional	$66,000/year	$132,000/year
F. NMFS SWR	One professional	$66,000/year	$132,000/year
G. Tirbes	One professional	$66,000/year	$132,000/year
H. Process Oversight Panel Meetings		$35,000/year	$35,000/year
		Total Year 1: $581,000	**Total/year for Years 2&3: $977,000**
			Total for three years: $2,535,000

Task II: Initial Outreach

- Provide information on what has happened thus far in the process and the plans for what will happen.
- Invite participation.
- Determine what processes others are pursuing to consider marine protected areas (MPA)s. Address integration and overlap issues.
- Educate regarding the science of marine reserves.
- Be ready to accept input.

Subtask	Details	Timing	Cost	Responsible Party
A. Develop an Outreach Plan for Each State (Coordinate with State and Local MPA Processes)	Work with Sea Grant and other contacts up-front to plan meetings and visits for the following two subtasks	Year 1	See GPS Task	Council Coordinates
B. Hold a Series of One Day Community Meetings	A team would go to each location for each one day meeting. The team would remain in the area for 2 or 3 extra days to engage in one-on-one discussions with members of the fishing industry and local community: Washington (5 meetings); Oregon (5 meetings); California (15 meetings)	Year 1	$3,000 per meeting plus GPS Task Total: $75,000	Council Coordinates
C. Attend Meetings of Specific Groups (e.g., Industry Associations)	One person would go to meeting and stay an extra day for further discussion: Washington (4 meetings); Oregon (4 meetings); California (8 meetings)	Year 1	$500 per meeting Total: $8,000	Council Coordinates
		Year 1	**Total: $83,000**	

Task III: Physical, Biological, and Socioeconomic Science and Data Development

- Assemble and summarize data.
- Achieve a common understanding of the science and data.
- Provide a mechanism to capture fishermen's knowledge.
- Produce specific design criteria.
- Find out what others are doing to develop science and data systems, determine whether or not it is compatible and useful.
- Consider monitoring theory and enforceability.
- Develop siting frameworks/design criteria.

Subtask	Details	Timing	Cost	Responsible Party
A. Assemble Two Standing Panels	One panel of physical and biological scientists and one panel of economists and other social scientists	Year 1	See GPS Task	Council Coordinates
B. Three Post-doctoral Scientists to Support Panels in Year 1, Four in Year 2	These individuals would pull together and summarize data then work with local fishers to augment information available from existing data systems.	Years 1&2	$100,000/person/year Year 1: $300,000 Year 2: $400,000 **Total:$700,000**	PSMFC or NMFS
C. Industry Liaisons	Fishers to work hand-in-hand with scientists	Years 1&2	$200,000/year **Total:$400,000**	PSMFC
D. GIS Data System and Decision Support Tool	One individual, travel, software and computer support and document development, reproduction, and distribution	Years 1&2	$200,000/year **Total: $400,000**	PSMFC or NMFS
E. Meetings	Technical science meetings (4/year) Town hall meetings to augment data system information (several) Final science meeting (1)	Years 1&2	$30,000/year **Total: $60,000**	Council Coordinates
		Year 1	**Total: $730,000**	
		Year 2	**Total: $830,000**	
		Project	**Total: $1,560,000**	

Task IV: Marine Reserve Scenario Development

- Use the concept of an extended Groundfish Advisory Subpanel that includes communities and all stakeholders to develop scenarios for marine reserves.
- Scenarios should include proposals for management restrictions in the marine reserve areas, boundaries and management outside the marine reserve.

Subtask	Details	Timing	Cost	Responsible Party
A. Initial Scenario Development	Three three-day meetings of extended GAP. One meeting for the nearshore area, one for the shelf area and one for the slope. At each meeting the attendees would divide into three groups, one for each state. Integrate with local efforts to develop marine reserves. Include professional facilitator.	Year 2 (Jan-Apr)	$54,000 Plus GPS Task	Council Coordinates
B. Regional Scenario Development	Hold regional meetings: two each for Washington and Oregon and six in California. Integrate with local efforts to develop marine reserves. Include professional facilitator.	Year 2 (Jun-Aug)	$120,000 Plus GPS Task	Council Coordinates

C. Finalize Scenarios for Council Consideration	Single meeting for groups from Subtask A.. Include professional facilitator.	Year 2 (Fall)	$20,000 Plus GPS Task	Council Coordinates
D. Prepare Recommendations for Council	Develop documents for Council	Year 2-3	GPS Task	Council Coordinates
		Year 2	**Total: $194,000**	

Task V: Expanded Council Process for Final Decision

- Narrow alternatives.
- Continue to rely on an expanded Groundfish Advisory Subpanel-type group.
- Additional outreach at proposed sites.
- Conduct needed National Environmental Policy Act analysis.

This task includes only activities over and above normal process and Council staff support.

Subtask	Details	Timing	Cost	Responsible Party
A. Website	Develop and implement interactive website to present data from Task III and scenarios from Task IV	Year 3 (may start in Year 2)	$50,000 Plus GPS Task	PSMFC
B. Outreach Publications	Development, reproduction and distribution	Year 3	$50,000 Plus GPS Task	Council Coordinates
C. NEPA Analysis	EIS Documents	Year 3	$250,000 Plus GPS Task	Contractor
D. Expanded Advisory and Public Hearing Process for Council		Year 3	$30,000 Plus GPS Task	Council
		Year 3	**Total: $380,000**	

Fiscal Summary:

Task	Year 1	Year 2	Year 3	Total
I. General Process Support	$581,000	$977,000	$977,000	$2,535,000
II. Initial Outreach	$83,000			$83,000
III. Physical, Biological, and Socioeconomic Science and Data Development and Summary	$ 730,000	$830,000		$1,560,000
IV. Marine Reserves Scenario Development		$194,000		$194,000
V. Expanded Council Process			$380,000	$380,000
Total	$1,394,000	$2,001,000	$1,357,000	$4,752,000

PFMC
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