

GROUND FISH ADVISORY SUBPANEL STATEMENT ON REVIEW OF WEST COAST MARINE RESERVE EFFORTS

The Groundfish Advisory Subpanel (GAP) held two separate meetings with Council staff and staff of the California Department of Fish and Game (CDFG) to discuss marine reserve efforts on the West Coast. Because all of the marine reserves issues are related, the GAP is providing a single comment on this agenda item which also reflects discussions on agenda item D.2, Channel Islands National Marine Sanctuary.

First and foremost, the GAP repeats comments made at several previous Council meetings that there is a desperate need for coordination of marine reserves efforts along the entire coast. The GAP appreciates the Council adopting its suggestion for a coordinating committee consisting of representatives of Council advisory entities, which will help the Council better manage marine reserves efforts. The Council needs to ensure that this committee is used effectively and not just as a paper flow monitor. However, coordination among other federal and state entities is still lacking.

To this end, the GAP believes California should submit a consistency determination request for any marine reserves proposals being made under California's Marine Life Protection Act (MLPA). Removal of access to fishable grounds and potentially substantial amounts of biomass will have an effect that extends far beyond the State of California, especially for those species where a coast-wide harvest limit is in effect. The same situation applies to either of the other coastal states that move to establish marine reserves. State regulations affecting Council-managed fisheries outside of state boundaries must be found consistent with Council management plans.

As a potential means of forestalling a multitude of requests for consistency, the Council, the states, and NOAA should consider the approach taken by the South Atlantic Fishery Management Council of establishing a memorandum of understanding (MOU) which clearly delineates the roles and responsibilities of all parties. Any such MOU should not, however, relinquish the Council's fishery management responsibilities.

Second, while the GAP does not oppose marine reserves per se, their establishment should be fully justified, based on clear (not theoretical) science and put in place only after extensive consultation with affected resource users. To date, the GAP has seen no scientific justification for the system of marine reserves being considered in California under the MLPA, nor for the marine reserve proposals being discussed in the Channel Islands. At the last meeting with Channel Island representatives in June, the GAP asked specific questions about scientific justification and benefits, and pointed out studies which were contradictory as to the effects of marine reserves. To date, no reply has been received from any GAP inquiries.

Third, before embarking on establishment of a wholesale system of marine reserves, there is a need to examine the effects of existing management measures, especially in relation to how those measures have decreased effort and reduced harvest of sensitive species. As we have said before, we need to examine what has already been done before embarking on new, untested efforts.

Fourth, any proposals submitted to the Council involving marine reserves should be complete proposals. The Council does not have the time, money, or staff to complete all of the required paperwork on every marine reserve measure, including documents needed to comply with the National Environmental Policy Act. Those proposing marine reserves should pay the cost of making sure proposals are complete, accurate, and legally defensible.

Fifth, entities proposing marine reserves should consider establishing smaller, more discrete areas to

determine whether marine reserve theory translates into fact in regard to West Coast fisheries. Jumping immediately to vast tracts of areas being set aside without determining if these will make a difference is illogical and harmful to those who are displaced.

Sixth, if marine reserves are established based on the principles above, they should be phased in to avoid overwhelming economic impacts.

Finally, because establishment of a system of marine reserves will result in additional harvest displacement, the Council should move forward on its goal of capacity reduction before moving to establish a system of reserves.