

PACIFIC FISHERY MANAGEMENT COUNCIL

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April 29, 2002

Mr. Robert R. Treanor, Executive Director
California Fish and Game Commission
PO Box 944209
Sacramento, CA 94244-2090

Re: Marine Reserves in the Channel Islands National Marine Sanctuary Area

Dear Mr. Treanor:

Thank you for your January 3, 2002 reply to our November 29, 2001 letter and the Commission's interest in accommodating Council comment during your process for considering marine reserves for state waters of the Channel Islands National Marine Sanctuary (CINMS). We hope an informed Council perspective will be of value to the Commission, and it can be provided before the Commission makes a final decision on this matter.

The Council had hoped to receive the Commission's environmental assessment papers by its March Meeting. During the relatively closely timed March and April Council meetings, we would have anticipated full analysis and review by our 7 scientific and technical advisory bodies, practical and policy input from our 4 fishery advisory bodies, and public input from all those that participate in the Council process. Given the effort tracking the development of alternatives up to that point, the Council would have been in good position to offer informed comment or a specific recommendation to the Commission in time for your projected August 2, 2002 meeting decision date. However, we have yet to receive the documents.

In lieu of this anticipated process, the Council held extensive floor discussion at the April meeting on how to best review the state documents within the Council process once they are received. For example, a subcommittee approach was considered between the April and June Council meetings in an attempt to consolidate technical and policy review of alternatives in a short time frame with single-meeting consideration for final action. In the end, however, the Council returned to what it believes is the strength of the Council process, and what will likely be most meaningful to the Commission: full review and analysis by our established advisory bodies, open comment from the public on the results of these reviews, and comprehensive integration of such advice by Council members with Council fishery management plans (FMP), policies, procedures, and legal counsel.

The Council concluded that the preferred approach is a two meeting process that can be triggered to start with the June Council meeting if we receive the state documents by May 15. The materials would be provided to the Scientific and Statistical Committee (SSC) Marine Reserves Subcommittee for a meeting prior to the June Council meeting, and included in the briefing book for the other advisory bodies and the Council members. The full SSC would meet the day before the normal onset of the Council meeting, and provide its review to the Council

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and its advisory bodies at the onset of the June Council meeting. The Council would consider all advice at the June Council meeting and provide direction to a small subcommittee of Council members to synthesize a policy recommendation for consideration at the September 9-13 Council meeting. At that time, advisory bodies and the public would provide final input on the subcommittee's recommendation, and the Council would take final action; we would forward the results to you soon thereafter.

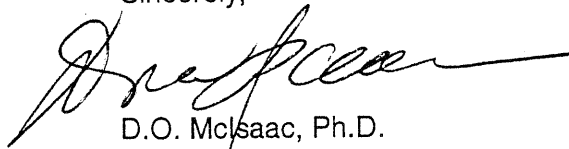
This schedule will not provide final comments for your August Commission meeting, should your current planning still include that meeting as a final decision point. If the Commission does not delay their decision to a later meeting, the Council will try to provide whatever comments it can in the time allotted. However, the Council feels it will be most able to provide you with its best advice if it has until September to deliberate on this matter.

Regarding the adoption of regulations in federal waters to compliment the Commission's action in state waters, the Council will take that up as a separate action. We anticipate working with the CINMS in initiating the process for considering complimentary marine reserves in federal waters, both within the 3-6 miles areas of the Sanctuary boundaries and the 6-200 mile waters beyond. A premier consideration will be consistency with any state action taken in nearshore waters and existing offshore closures such as the large cowcod closure zone off southern California.

Thank you in advance for your consideration of the substance of this letter. The Council sees this issue as an important concern, and agrees with the viewpoint that the optimal solution for marine reserve considerations in the state and federal waters in this area will come from a process whereby all governmental perspectives are known before any party establishes regulations. Final action taken by the parties in the CINMS area will carry precedence in the Council consideration of marine protected areas in other areas being considered under the California Marine Life Protection Act, at least three other National Marine Sanctuaries in California, and initiatives by governmental bodies in other West Coast states.

Should you have any questions on this matter, please don't hesitate to contact me.

Sincerely,



D.O. McIsaac, Ph.D.
Executive Director

DOM:kla

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