

REVIEW OF PROPOSAL FOR MARINE RESERVES IN STATE WATERS OF THE  
CHANNEL ISLANDS NATIONAL MARINE SANCTUARY (CINMS)

Situation: At its April 2002 meeting, the Council further considered the process for Council review of the proposal to create no-take marine reserves in state waters of the CINMS. In response to the delay in receiving the California Environmental Quality Act (CEQA) analysis documents, the Council adopted the following process keyed to the receipt and distribution of the CEQA documents by May 15:

- Distribution of the CEQA documents to the SSC and advisory body chairs by May 15.
- Scientific and Statistical Committee (SSC) Marine Reserves Subcommittee meeting to review the CEQA documents in early June.
- Full SSC consideration of the marine reserves subcommittee report on Sunday of the June Council meeting week.
- Advisory body consideration of the SSC report at the June Council meeting.
- Establishing a small policy committee to meet between the June and September meetings.
- Council consideration of advisory body comments and tasking the small policy committee at the June Council meeting.
- Final consideration of the recommendations of the small policy committee, advisory bodies, and the public and the Council at the September meeting.

The Council tasked the Executive Director with sending a letter to the California Department of Fish and Game (CDFG) communicating the intended process and identifying the key constraint of the scheduled CDFG final decision on August 2, 2002 Exhibit F.1, Attachment 1.

A meeting date of June 10-11 was established for the SSC marine reserves subcommittee. The CDFG noticed the Council the CEQA documents would be finalized prior to the May 15 time frame, and indicated the collective document would be relatively large (approximately 1500 pages). The CDFG agreed to mail the document directly to the SSC in order to provide the most time possible for SSC review. Some of the critical excerpts from the CEQA document are provided as an attachment (Exhibit F.1, Attachment 2). The full document is provided in the briefing materials on a CD ROM. Hard copies will be made available to Council members at the Council meeting.

The CDFG has delayed its final decision until December 6, 2002 (Exhibit F.1, Attachment 2).

The SSC received the document May 29. The SSC will proceed with its June 10-11 subcommittee meeting to make as much progress as is possible towards the review of the document; the full SSC will also meet on Sunday June 16 to work on the review. At this point, due to the loss of two weeks of review time for a large document, the SSC comments may not be ready before Tuesday of the Council meeting. The Council should have a completed SSC report or schedule for completing the review by the time it addresses this issue on Thursday. Advisory bodies will be asked to develop statements for the Council without the benefit of the SSC review, noting that they will have the opportunity at the September Council meeting to consider both the SSC report and the recommendations of the small policy committee.

**Council Action:**

- 1. Appoint an ad hoc policy review committee and schedule a meeting well in advance of the September Briefing Book deadline (August 21).**
- 2. Consider guidance to the ad hoc policy review committee for development and finalization of comments on the proposal for marine reserves in state waters of the CINMS.**

**Reference Materials:**

1. Letter from Dr. McIsaac to Mr. Robert Treanor dated April 29, 2002 (Exhibit F.1, Attachment 1).
2. Excerpts from CEQA Document and CD ROM (Exhibit F.1, Attachment 2).
3. Letter from Mr. Robert Treanor to Dr. Donald McIsaac dated May 16, 2002 (Exhibit F.1.b, CDFG Letter).
4. Public Comment (Exhibit F.1.d, Public Comment).

Groundfish Fishery Strategic Plan (GFSP) Consistency Analysis

The GFSP calls for the Council to "use marine reserves as a fishery management tool that contributes to groundfish conservation and management goals, has measurable effects, and is integrated with other fishery management approaches."

Agenda Order:

- a. Agendum Overview
- b. Status of the California Department of Fish and Game Process
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Develop a Response to the California Fish and Game Commission

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