

GROUND FISH ADVISORY SUBPANEL STATEMENT
ON JURISDICTION AND AUTHORITY ISSUES FOR
MARINE PROTECTED AREAS'S

The Groundfish Advisory Panel (GAP) discussed the authority and jurisdiction of the Council, NMFS and the National Ocean Service (NOS) in regard to fishing regulations in National Marine Sanctuaries (NMS).

The GAP believes that both the language and the intent of the National Marine Sanctuaries Act - not to mention the designation documents under which the west coast sanctuaries were created - are crystal clear in providing the Council and NMFS with exclusive management authority over fisheries in marine sanctuaries. Just because a particular marine sanctuary wants to create a no-take area does not mean that it has carte blanc to do so. Council members are chosen because of their knowledge, by virtue of experience, in the fisheries in their area of jurisdiction. If the Council, after listening to public comment and the advice of its advisory bodies, chooses to close an area to fishing - as it has already done in over 20,000 square miles of ocean - then that is action taken with due consideration of all the facts, the risks, and the benefits. NOS does not have that expertise; indeed, a review of their web site shows no mention of expertise in fisheries management; to quote:

Thus, NOS's mission is to manage society's uses of coastal ecosystems to sustain their natural resources and services.

While resource conservation is a goal that we all share, enacting regulations to accomplish that goal while maintaining a productive society (along with a productive ecosystem) requires particular expertise which NOS doesn't have.

The GAP, therefore, urges the Council to continue to take an active role in asserting fisheries management authority within marine sanctuaries.