

GROUND FISH MANAGEMENT TEAM REPORT ON
FEDERAL WATERS PORTION OF THE CHANNEL ISLANDS NATIONAL MARINE
SANCTUARY, CORDELL BANK NATIONAL MARINE SANCTUARY, AND MONTEREY
BAY NATIONAL MARINE SANCTUARY

The Groundfish Management Team (GMT) only discussed the proposed regulatory measures for fishing activities from the Cordell Bank and Monterey Bay National Marine Sanctuaries (NMS), as the GMT understands that proposals from the Channel Islands NMS will be presented at the Council's June meeting.

In regards to the proposed fishing regulations for these two sanctuaries, the GMT made the following determinations:

1. The preferred fishing regulation alternative for the Cordell Bank NMS proposal excepts only the use of vertical hook-and-line gear within a 50-fm isobath surrounding Cordell Bank, thus excluding some gears (i.e., purse seines) that do not interact with the bottom. However, protection of the bottom habitat could also be accomplished by only prohibiting the use of bottom-tending gears.
2. In regards to the Monterey Bay NMS proposal, the alternatives as proposed by the sanctuary would accomplish their objectives if the fishing regulations were written in a manner that could be enforced.
3. The GMT notes that the proposals from Cordell Bank and Monterey Bay NMS would affect fisheries targeting species other than groundfish (e.g., highly migratory species, coastal pelagic species).

Marine Protected Area (MPA) Proposals and Essential Fish Habitat (EFH) Environmental Impact Statement (EIS)

The GMT recommends, if the Council decides to take the lead in drafting the proposed regulations, that it be done in conjunction with the Council's groundfish EFH EIS initiative. We support dovetailing these two ongoing processes for the following reasons:

1. To review the potential areas of overlap of the alternatives in the two processes (i.e., the proposed closures from the sanctuary could be overlaid with the proposed alternatives, specifically the Oceana trawl closure proposal, in the EFH EIS) to determine where there are areas of overlap, as well as areas that would be covered under only one initiative. This would increase efficiency and avoid having two different suites of regulations with potentially minor differences in areas covered. Also, the action taken relative to the sanctuary proposals will likely affect the analyses of the EFH and habitat areas of particular concern (HAPC) alternatives.
2. To not preclude the public comment process on the EFH EIS (i.e., if action were taken to adopt one or more of the sanctuary proposals, it could potentially preclude public comment through the EFH EIS process, which is on a slightly longer track and would result in an approximate six-month delay for implementation of the sanctuary proposals).

3. To reduce confusion on the part of the public about when and how to provide comments on the sanctuary proposals (i.e., with two different, but concurrent public processes occurring, there are individuals who may provide comments during the course of one process who do not realize their concerns won't be considered during the course of the other process).

To accomplish this, the GMT offers the following course of action and timeline for Council consideration:

1. March – Decide whether the Council should take the lead in drafting fishing regulations for the sanctuary proposals and select preferred alternatives for public review; provide formal response to respective sanctuary of action taken.
2. April – Provide opportunity for public comment on preferred alternatives for Cordell Bank and Monterey Bay NMS and opportunity for public comment on EFH and HAPC proposals in draft EIS; adopt final sanctuary alternatives; provide formal response to respective sanctuary confirming final adoption of alternatives.
3. Between March and June – NMFS analyze sanctuary alternatives in conjunction with Oceana trawl closure proposal as a supplement to draft EFH EIS.
4. June – Provide supplement to draft EFH EIS; select final alternatives for EFH and HAPCs; consider draft proposals from Channel Islands NMS (if available).
5. After June – Draft regulations to implement sanctuary alternatives; draft final EFH EIS and EFH and HAPC regulations.

GMT Recommendations

As noted above, the GMT suggests that any proposed fishing regulations be considered in conjunction with the Council's groundfish EFH EIS initiative. However, if the Council decides to draft fishing regulations for either of these sanctuaries outside of the EFH EIS process, then the GMT suggests the regulations for the Cordell Bank NMS be revised to only pertain to bottom tending gear within the 50-fm isobath surrounding Cordell Bank, and the regulations for the Monterey Bay NMS be rewritten, so they are enforceable.

PFMC
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