

PACIFIC FISHERY MANAGEMENT COUNCIL

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December 8, 2004

Mr. Chris Mobley, Manager
Channel Islands National Marine Sanctuary
113 Harbor Way
Santa Barbara, CA 93109

Dear Chris:

Thanks for your continuing efforts to engage with the Pacific Fishery Management Council (Council) in your development of marine reserves and protected areas in the federal waters of Channel Islands National Marine Sanctuary (CINMS). The Council appreciates the cooperative approach used by you and your staff. By this letter, I am forwarding to you a series of recommendations adopted by the Council at the November 2004 meeting in Portland, Oregon.

Based on our review of the CINMS document – *Staff Preliminary Working Draft Document for Consideration of a Network of Marine Reserves and Marine Conservation Areas within the Channel Islands National Marine Sanctuary* – and the recommendations of our advisory bodies, including the Ad Hoc Channel Islands Marine Reserves Committee (CIMRC) and Scientific and Statistical Committee; the Council requests CINMS consider the following recommendations as you develop the Draft Environmental Impact Statement (DEIS) for your proposed actions:

1. Revise the current timeline developed by CINMS to show the Pacific Council considering a preliminary DEIS, prior to the DEIS release to the public, to afford the Council an opportunity to select a preferred alternative and to prepare regulations for implementation.
2. The DEIS should address the recommendations of the Council advisory bodies about additional analyses and clarifications.
3. The Status Quo (No Action) alternative in the DEIS should be updated to reflect fishing regulations (notably, groundfish fishery regulations) expected to be in place for 2005 and 2006.
4. The DEIS should include clear language as to changes to the CINMS Designation Document associated with each proposed alternative.
5. The DEIS should analyze the range of alternatives presented to the CIMRC (status quo, alternatives 1-3, and Miller/Hoeflinger alternative). In addition, the Council recommends:

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- (a) Revising the numbering for alternatives 1-3, such that alternatives 1-3 become alternatives 1.a, 1.b, and 1.c and adding new alternatives 2.a, 2.b, and 2.c. Each alternative 2 variation would use the same areas as depicted for each alternative 1, but the areas should be analyzed as marine conservation areas rather than no-take marine reserves. The marine conservation areas would allow commercial and recreational fishing with surface tending gear used to catch pelagic or highly migratory species (using the federal definitions for pelagic and highly migratory species).
 - (b) Adding a new alternative that analyzes how current (and future) state and federal management authorities could be used to accomplish the goals and objectives described in the DEIS Purpose and Needs section.
6. The DEIS should include information about potential fishery benefits and/or impacts that could result from the proposed alternatives.
7. All three options for "implementing alternatives in state waters" should be included in the DEIS.

Thank you for considering these recommendations. As you move forward with development of this information and drafting the DEIS, please coordinate with Council staff. CINMS staff has indicated that they anticipate providing the Council with the analytical documents necessary for drafting National Marine Sanctuary Act fishing regulations at either the March or April 2005 Council meeting. As the first order of business, please coordinate with Council staff and National Marine Fisheries Service to determine the optimal process for Council review of alternative management actions and consideration of a Council-preferred alternative. This coordination will also need to accommodate Council review of proposed changes to the CINMS Designation Document.

Again, thank you for your cooperative approach during this process. Should you have any questions, please contact me or Mr. Mike Burner at your convenience.

Sincerely,



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

DAW:ckc

Enclosure

c: Mr. Rod McInnis
Council Members
Ad Hoc CINMS Marine Reserve Committee