

GROUND FISH ADVISORY SUBPANEL REPORT ON
CHANNEL ISLANDS NATIONAL MARINE SANCTUARY (CINMS)

The Groundfish Advisory Subpanel (GAP) discussed the proposal from the Channel Islands National Marine Sanctuary (Sanctuary) to allow regulation of fishing under the National Marine Sanctuaries Act. While the GAP was pleased to learn that National Oceanic and Atmospheric Administration (NOAA) has committed to conform Sanctuary regulations to State regulations in the Sanctuary, the GAP continues to recommend Option 1 as shown on Agenda Item I.1.a, Attachment 1 (a combination of regulation under the Magnuson-Stevens Act and State regulations) as the best course of action.

No rationale has been offered to explain the statement in Vice Admiral Lautenbacher's letter that there is an insufficient scientific basis to allow the Council to regulate fishing under the Magnuson-Stevens Act. The Council has authority to close areas to fishing using all types of gear. The Council has the authority to designate habitat areas of particular concern. The Council is working with National Marine Fisheries Service to expand the vessel monitoring system program for enforcement purposes. This is more than sufficient to protect Sanctuary resources.

Further, the GAP cannot understand why NOAA continues to promote regulating fishing under the National Marine Sanctuaries Act when that process – including the need to change the designation document – will take far longer than even the Magnuson-Stevens Act process. If there is such an urgent need to develop regulations, why not use the process that is faster and achieves the same result?

The GAP continues to believe that using the Magnuson-Stevens Act is the best course of action and we urge the Council to adopt Option 1. The GAP continues to maintain its position that the Sanctuary designation document should not be changed to regulate fishing.

PFMC
11/01/05