

## CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

The Council has been coordinating with Channel Islands National Marine Sanctuary (CINMS) in their development of proposed marine protected areas (MPAs, which include both no-take marine reserves and marine conservation areas where some fishing is allowed and some prohibited) within CINMS. The Council has considered MPAs in two regulatory avenues: (1) via a combination of Magnuson-Stevens Fishery Conservation and Management Act (MSA) and state authorities and (2) under National Marine Sanctuaries Act (NMSA) authority.

Under the MSA/State regulatory avenue, the Council adopted a preferred alternative at the June Council meeting and is scheduled under H.7 on Wednesday of this Council meeting to adopt final groundfish fishery management plan text and regulatory language. Under the NMSA regulatory avenue, this Council meeting represents the second of a two meeting process under which the Council is scheduled to adopt a final response to the NMSP regarding the opportunity to draft proposed fishing regulations under the NMSA. At its September 2005 meeting, the Council approved a range of potential responses for public review; these include proposed fishing regulation language as appropriate (Agenda Item I.1.a, Attachment 1). NMSA section 304(a)(5) provides for a 120 day response time for Regional Fishery Management Councils to submit proposed fishing regulations after notification; the response deadline for the Pacific Council on this matter is November 23, 2005.

The supporting materials submitted by the CINMS at the June Council meeting provided a description of the range of alternatives and preliminary analyses to be used in Council and Department of Commerce decision making on this matter. The analysis of one essential alternative was not included, specifically the evaluation of the establishing fishing regulations that meet the CINMS goals and objectives under a combination of MSA and state authorities as opposed to the NMSA authority. In a letter dated July 19, 2005, Vice Admiral Lautenbacher notified the Council of the need for additional time to complete the review of meeting CINMS goals through existing MSA and state authorities. The letter stated that the review is now anticipated to be completed by October 2005. The results of this evaluation were not available at the time these briefing materials were prepared, however it is possible this analysis will be available prior to Council final action on this matter at the November 2005 Council meeting. Additional analytical material requested by the Scientific and Statistical Committee at the September Council meeting was received (Agenda Item I.1.b, Attachment 1).

The Council will hear a report from the CINMS staff and receive statements from its advisory bodies and the public. The Council is scheduled to adopt a final response to NMSP regarding the 304(a)(5) process for drafting proposed fishing regulations to be implemented under the NMSA.

**Council Task:**

- 1. Adopt Final Recommendations for Proposed Fishing Regulations under National Marine Sanctuaries Act Authority for the potential establishment of marine protected areas in federal waters of the Channel Islands National Marine Sanctuary.**

**Reference Materials:**

1. Agenda Item I.1.a, Attachment 1: Range of Council Responses on Proposed Fishing Regulations to Be Promulgated Under the National Marine Sanctuaries Act for the Federal Waters Portion Of The Channel Islands National Marine Sanctuary.
2. Agenda Item I.1.b, Attachment 1: Socioeconomic Impact Analysis of Marine Reserve Alternatives for the Channel Islands National Marine Sanctuary (*Introductory sections of the document only, full document provided on CD and the Council web site*).
3. Agenda Item I.1.c, CPSMT Report
4. Agenda Item I.1.c, CPSAS Report
5. Agenda Item I.1.d, Public Comment

**Agenda Order:**

- a. Agenda Item Overview
  - b. Statement of the CINMS Staff
  - c. Reports and Comments of Advisory Bodies
  - d. Public Comment
  - e. **Council Action:** Adopt Final Recommendations for Proposed Fishing Regulations under National Marine Sanctuaries Act Authority
- Mike Burner  
Christopher Mobley/Sean Hastings

PFMC  
10/18/05