

## HIGHLY MIGRATORY SPECIES REPORT ON MARINE PROTECTED “NEED CRITERIA” FOR THE MONTEREY BAY NATIONAL MARINE SANCTUARY (MBNAS)

The Highly Migratory Species Advisory Subpanel (HMSAS) advises there is no need for expansion of Marine Protected Areas (MPAs) in the Federal water portion of the Monterey Bay National Marine Sanctuary (MBNMS). The HMSAS voted 9 to 1 in favor of this recommendation.

### **Majority Rationale**

The MBNMS acknowledges that there has been a large increase in MPAs within the sanctuary since public opinion was expressed on the matter some years ago. The Joint Management Plan Review (JMPR) process noted below in the minority rationale occurred five years ago, several years prior to the implementation of a network of MPAs within the MBNMS through the implementation of the California Marine Life Protection Act (MLPA). The documentation provided by the MBNMS does not provide a rationale or any analysis for why the recently implemented network of MPAs within the sanctuary likely contains spacing or habitat gaps or is limited in its ability to identify additional human impacts from fishing activities.

From a highly migratory species perspective it has been established that fishing for pelagic finfish in waters outside the 50 meter isobath is scientifically presumed to not have an impact on living or physical habitat due to the movement of these fish in and out of marine protected areas and the remoteness of pelagic gears from benthic habitat. Further, while some concern has been expressed by some related to fishing for pelagic finfish inside the 50 meter isobath due to the potential of benthic bycatch, to date information made available in the various MPA processes (e.g. MLPA process and workshops) on pelagic bycatch indicates that it is likely that pelagic fishing will have no impact on habitats or fish populations within MPAs.

### **Minority Rationale**

One member of the HMSAS (Meghan Jeans, Ocean Conservancy) believes that the MBNMS would benefit from the adoption of federal MPAs and urges the Council to support efforts to develop an improved public process and a coordinated management approach and establish a reasonable timeframe for adoption of federal MPAs in Sanctuary waters. Federal MPAs in the MBNMS would build upon and leverage the recent accomplishments of the State of California under the MLPA. Adoption of MPAs was a top priority identified by the JMPR process with over 20,000 plus public comments received in support of MPAs and the endorsement of the advisory council. Federal MPAs in Sanctuary waters are vital to conservation and ecosystem health and sustainability objectives.

PFMC  
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