



Pacific Fishery Management Council

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Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

Ms. Maria Brown
Sanctuary Superintendent
Gulf of the Farallones National Marine Sanctuary
991 Marine Drive, The Presidio
San Francisco, CA94129

June 30, 2014

RE: Pacific Fishery Management Council comments on the Proposed Expansion of the Cordell Bank and Gulf of the Farallones and National Marine Sanctuaries, Docket NOAA-NOS-2012-0228

Dear Ms. ^{Maria}Brown,

Thank you for the opportunity to comment on the Proposed Expansion of the Cordell Bank and Gulf of the Farallones National Marine Sanctuaries. The Pacific Fishery Management Council¹ (Pacific Council) expresses strong concern about the proposal as written and the analysis in the accompanying Draft Environment Impact Statement (DEIS). This strong concern includes the areas of *de facto* fishery regulation, stated justification, net benefits, and new regulatory process, as described below.

The Pacific Council has followed this process closely over the course of the past year and a half. It has been on the agenda of two Council meetings in 2014, including the recent June 20-25 meeting in Garden Grove, California. Two weeks prior to this meeting, the DEIS, proposed regulations, background information, and the two draft management plans were distributed for thorough consideration in the Pacific Council process. Written statements from six established advisory bodies and written and oral testimony from the public was considered by Council Members prior to discussion and deliberation on a motion on this important matter. Advisory body statements are appended to this letter, written comment can be accessed at <http://www.pcouncil.org/resources/archives/briefing-books/june-2014-briefing-book/#adminJun2014>, and audio tapes of public testimony and Council floor discussion are available by contacting the Pacific Council office.

¹ The Pacific Fishery Management Council is responsible for managing fisheries within the 317,690 square mile exclusive economic zone off Washington, Oregon, and California under the authority of the Magnuson Stevens Act, including waters inside Federal jurisdiction as appropriate. This includes management activities in fisheries and for fish habitat for approximately 120 species of salmon, groundfish, coastal pelagic fish, and highly migratory fish. The Pacific Council is also involved in international fisheries management for highly migratory and transboundary stocks that exist outside waters of United States jurisdiction off the West Coast.

Fishery Regulation

While the Pacific Council appreciates that an intent of the proposal is to not regulate fisheries, there are elements of the proposal that can amount to *de facto* regulation of fishing activities. Examples include the following, which is not intended to be a fully complete list nor in any order of priority.

- The proposed requirement that all vessels must have a holding tank or marine sanitation device could be a *de facto* fishing regulation that curtails fishing activity, particularly from small vessels.
- Prohibiting fish cleaning inside the Sanctuary of fish that were caught offshore or north of the Sanctuary boundaries, a common practice, is a peripheral fishery regulation that is not warranted.
- The release of harmful matter is prohibited and the definition of harmful matter includes fishing nets, line, and hooks—all of which can be lost during normal fishing activity. While there are other sections of the proposed regulations that appear to exempt some fishing activity, the proposed exemption language is unclear and incomplete.

There is concern that additional analysis of all regulatory proposals is needed, with changes necessary to ensure that they in fact do not achieve unintentional regulation of ongoing or potentially developed fisheries.

Sanctuary Expansion Purpose

The stated purpose of the boundary expansion is to protect a unique upwelling area. However, the upwelling phenomenon occurs throughout the coastline along California, Oregon, and Washington. While every area could be described as unique in the mind of the beholder, there is a concern that some greater justification for this area over the others should be described to warrant boundary expansion.

Net Benefits

While there are potential positive benefits to additional protection afforded by this proposal, there are also negative impacts of the proposal as currently described, and it is unclear that there is a significant net benefit. There does not appear to be adequate analysis of a net benefit beyond the existing protections, including the recent establishment of marine protected areas by the State of California. It is unclear if the lack of a prohibition on non-mineral energy development will impact currently productive fishing grounds. There is a concern that a clear and strong positive net benefit has been demonstrated to justify the proposed action.

New Regulatory Process

A new authorization process is included in the proposal that permits the National Marine Sanctuary to authorize exemptions from proposed protections. It is unclear how the authorization process interacts with the Pacific Council process in assessing impacts to fishery management. There is a concern that impacts to fisheries or essential fish habitat might occur.

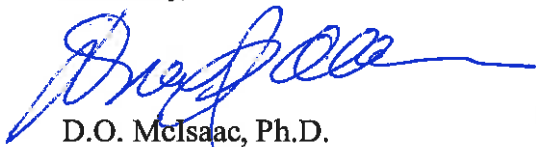
Recommendation

In expressing strong concern about the collective proposal, the Pacific Council notes that none of its advisory bodies expressed support for adoption of the proposal, but rather expressed the need for additional supporting analysis, outright opposition to the proposal, or both. The Pacific Council recommends the National Marine Sanctuary address the additions, revisions, and new analysis on the matters brought forward in this letter in a strengthened DEIS.

In closing, we would be remiss to not mention to excellent work by yourself and Daniel Howard in coming before the Pacific Council and its advisory bodies to make presentations and answer questions about this proposal. Your highly professional participation in the Council process is greatly appreciated.

Should you or your staff have any questions on this matter, please don't hesitate to contact me or Mr. Kerry Griffin at the Pacific Council office.

Sincerely,



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

KFG:kma

- c: Ms. Maria Brown, Superintendent, Gulf of the Farallones National Marine Sanctuary
- Mr. Dan Howard, Superintendent, Cordell Bank National Marine Sanctuary
- Dr. Lisa Wooninck, West Coast Office of National Marine Sanctuaries
- Pacific Fishery Management Council Members
- Pacific Fishery Management Council Staff Officers
- Senator Diane Feinstein
- Senator Barbara Boxer
- Governor Jerry Brown
- Representative Jared Huffman
- Representative Mike Thompson
- Representative George Miller
- Representative Nancy Pelosi
- Representative Barbara Lee
- Representative Jackie Speier
- Representative Anna Eshoo
- Representative Sam Farr

SALMON ADVISORY SUBPANEL REPORT ON GULF OF THE FARALLONES AND CORDELL BANK NATIONAL MARINE SANCTUARY BOUNDARY EXPANSION

The Salmon Advisory Subpanel (SAS) appreciates the benefits that National Marine Sanctuaries (NMS) can offer to fisheries through the protection of habitat and the exclusion of harmful activities. Commercial and recreational anglers rely on healthy and vibrant ecosystems. Therefore, the SAS believes that the goals of the NMS should be complementary to those of anglers. The SAS does not believe that NMS ought to burden or otherwise interfere with lawful fishing practices that substantially predate the creation of the Sanctuaries and do not pose harm to the ecosystem in any demonstrable way.

To our knowledge, the Cordell Bank and Gulf of the Farallones NMS have not adopted regulations that expressly regulate the take of fish and invertebrates in the waters of the Sanctuaries. However, the SAS notes that the Sanctuaries have expressly regulated fishing *activities*, which is an indirect path to regulating fishing. These regulations, if enforced as plainly written, would severely curtail if not eliminate fishing in the waters of the Sanctuaries.

To date, enforcement discretion and the grace of the Sanctuary Superintendent has allowed fishing activities to continue without interference. However, discretion and grace can be ephemeral. The appropriate solution is to amend the regulations to permit longstanding fishing practices to continue without threat of substantial civil fines and adverse court judgments. Absent such amendments, the SAS strongly objects to the proposed boundary expansion of the Cordell Bank and Gulf of the Farallones NMS.

It is poor public policy to promulgate overbroad and unnecessary regulations that the agency charged with enforcement purportedly intends not to enforce, at least for today.

Example 1: Fishing gear expressly defined as “harmful matter” along with fuel, oil and other contaminants.

Nobody wants to see Sanctuaries treated as a toxic waste dump. Reasonable regulations are needed to protect the ecosystem. Reasonable regulations would also distinguish between a fuel spill, on the one hand, and the incidental loss of fishing gear, on the other hand.

Fishing necessarily involves the placement of line, sinkers, and hooks into the Sanctuary ecosystem with the hope of extracting part of that ecosystem for the dinner plate. In the course of every fishing effort, there is a real risk of the loss of line, sinkers and hooks (or crab gear). Sometimes hooks snag on bottom structure. Other times a strong fish breaks off, retaining the hook and a length of line. Salmon fishing in the Sanctuary, in particular, involves the loss of sinkers. Propellers of passing boats can cut lines attached to crab traps.

Under the present Sanctuary regulations, each deposit of harmful matter, i.e. fishing gear, in the Sanctuary exposes the angler to significant civil penalties and legal costs. Enforcement of the present regulations would comprise a *de facto* fishing ban in Sanctuary waters. This risk of a fishing ban should not be enlarged through an expansion of Sanctuary boundaries.

Example 2: Sanctuary Regulations Require All Vessels, Regardless of Size, to Have Sewage Holding Tanks (Even Kayaks)

Federal and state regulations already restrict the discharge of sewage into coastal waters. The regulations are particularly strict with regard to solid waste. Sanctuary regulations, however, prohibit the discharge of any waste, even liquids. This means that every vessel, even kayaks, must contain wastes with holding tanks. This is hardly practical nor is there any demonstration of genuine harm to the Sanctuary ecosystem.

Example 3: Restrictions on Fish Cleaning are Arbitrary and Unnecessary

As a general matter, fish cleaning is not permitted in Sanctuary waters. There is an exception, however, for the cleaning of fish caught in Sanctuary waters. However, pelagic fish do not respect Sanctuary borders. A fishing trip in pursuit of albacore tuna, for example, will necessarily transit the Sanctuary, but the fish may be caught within or without the Sanctuary boundaries. It is typical for fish to be cleaned while returning to port. While all of the fish may be albacore tuna, some are lawful to clean while the cleaning of others is expressly prohibited may result in substantial civil fines and legal fees.

This distinction is without a meaningful difference. The regulation seeks to address a harm that simply does not exist. If the goal is to prevent the discharge of fish parts from a factory processing vessel, then the regulations can be drafted accordingly. Otherwise, this is simply an unenforceable and unnecessary dictate that burdens recreational and small-scale commercial fishing activities in California.

Example 4: Overbroad definition of “introduced species” bars the use of many baits typically used in recreational crabbing.

The Sanctuary Management Plan defines “introduced species” as “a species (including any of its biological material capable of propagation) that is non-native to the ecosystem(s) protected by the sanctuary.” Note that biological material *incapable* of propagation is not included in this definition. Under this definition, anglers could continue to use common crab baits such as poultry parts and carcasses of fish taken elsewhere in California, such as yellowfin or skipjack tuna.

However, the regulations have subtly reworded the definition of introduced species to “any species (including but *not limited to* any of its biological matter capable of propagation) that is non-native to the ecosystems of the Sanctuary.” (Emphasis added). Under this revised definition, any and all biological material of non-native species, irrespective of its capability to propagate the species, is deemed an “introduced specie.” It is unlawful under this regulation to use a striped bass carcass as crab bait even though striped bass are found in the Sanctuary ecosystem. This overbroad definition of introduced species appears unique to the Sanctuaries and is not found elsewhere in state or federal laws or regulations. (California law defines invasive species as “any species, including, but not limited to, the seeds, eggs, spores, or other biological material capable of reproducing that species, or any other viable biological material that enters an ecosystem beyond its historic range.”)

While the issue may seem trivial to some, it is emblematic of the Sanctuaries' overreach in regulations. There is no demonstrable harm from the longstanding use of poultry parts and other "non-native" baits in recreational crabbing. While anglers could switch to other baits, where is the need to do so?

Conclusion

Current Sanctuary regulations substantially burden fishing activities within the Sanctuary without any apparent benefit to the ecosystem. So far, current Sanctuary management has elected not to enforce the regulations as written. However, recreational and commercial anglers ought not be dependent on the beneficence of management, which is subject to change. Unless and until current Sanctuary regulations are amended to remove these burdens on fishing activities, the SAS is compelled to oppose any expansion of the Sanctuary boundaries.

PFMC

06/23/14

ENFORCEMENT CONSULTANTS REPORT ON GULF OF THE FARALLONES AND
CORDELL BANK NATIONAL MARINE SANCTUARY BOUNDARY EXPANSION

The Enforcement Consultants (EC) has reviewed the documents pertaining to Agenda Item C.2, Gulf of the Farallones and Cordell Bank National Marine Sanctuary (NMS) Boundary Expansion, and has the following comments.

Regarding Discharge Regulations (other than from a cruise ship), The EC has serious concerns that the regulation as proposed will impair our ability to conduct continuous underway operations. This will have a direct impact on our ability to effectively enforce fishery regulations, as well as regulations that pertain to the sanctuary. This is primarily due to the costs and complexity of vessel modifications, to increase holding tank capabilities or chemical treatment, as required. California Department of Fish and Wildlife and U.S. Coast Guard are in initial discussion with Sanctuary staff to find a mutually agreed upon solution.

PFMC
06/24/14

SUPPLEMENTAL HABITAT COMMITTEE REPORT

In the event the Council wishes to append a Habitat Committee (HC) Statement to a letter to the National Marine Sanctuary (NMS) on agenda item C.2. regarding the National Marine Sanctuary expansion, the following points represent the HC's comment on habitat related matters.

HC comments on Gulf of Farallones and Cordell Bank National Marine Sanctuary expansion:

1. Essential Fish Habitat

As you know, the Magnuson-Stevenson Fishery Conservation and Management Act (MSA) includes provisions to identify, conserve, and enhance essential fish habitat (EFH) for species managed under a Council fishery management plan. Its provisions deal with both fishing impacts and non-fishing impacts to EFH. The MSA requires the Council to identify and describe EFH and recommends designating habitat areas of particular concern (HAPCs) for its managed species. EFH is the habitat necessary for each Council-managed species to support a sustainable fishery and the managed species' contribution to a healthy ecosystem, while HAPCs are high priority areas for conservation, management, or research because they are rare, sensitive, stressed by development, or important to ecosystem function. Each Council is authorized under the MSA to comment on any Federal or state activity that, in the view of the Council, may affect the habitat, including EFH, of a fishery resource under its authority. In the region of the proposed sanctuary expansion, EFH for groundfish exists from the shore to the 3500 meter line. Thus, it encompasses the entire proposed expansion area.

Sanctuary management of the expanded area may add to existing habitat and ecosystem knowledge, and the new information, research and mapping that Sanctuaries may provide will help inform updates to EFH for Council-managed species.

2. Existing Regulations Related to Habitat Protection

The HC is encouraged that the Office of National Marine Sanctuaries (ONMS) has incorporated regulatory and non-regulatory programs in the proposed management plans that may advance protections and public knowledge of ecosystem and habitat science, such as water quality education and outreach and invasive species awareness. The protections within these programs are similar to those implemented by the Gulf of Farallones and the Monterey Bay National Marine Sanctuary programs. Since there are numerous existing habitat regulations in place by other Federal and state agencies, as noted in the draft environmental impact statement (DEIS) (Sections 4.3.2 and 4.7-3), it is not clear how Sanctuary designation will improve on existing protection measures. It would be useful to include a table that summarizes all the existing and proposed protective measures and regulations for the expansion area, with an explanation of how additional protective measures benefit the resources.

3. Additional Permitted Uses in the Sanctuaries

The HC notices that there is a regulation change proposed giving the GFNMS and CBNMS “Authorization” capability, similar to existing regulation in the Monterey Bay National Marine Sanctuary. It appears that additional uses and discharges in the existing sanctuary that have been prohibited in the past as well as in the proposed expansion area could be allowed if a proposed use or activity is approved by another federal, State or local agency. In order for ONMS to authorize an otherwise prohibited activity that was permitted, licensed or otherwise authorized by another federal State or local agency, ONMS would need to make a finding that the activity will have at most short term and negligible adverse effects on Sanctuary resources and qualities. ONMS may also require the applicant to comply with any terms and conditions deemed necessary to protect sanctuary resources and qualities. This change may be useful for considering discharges with minimum impacts, such as to allow the discharge of grey water from fishing boats, a welcome flexibility. It also may allow consultation with the Council and state agencies so as to analyze whether it is appropriate to allow the activity and if so, what conditions to impose to protect sanctuary resources and qualities.

4. Upwelling Zone Protection

A primary stated purpose for Sanctuary expansion is to protect the resources of the important upwelling zone off Point Arena. Sections 4.2, 4.3, and 4.4 of the DEIS provide a general analysis of the environmental consequences of this action on physical and biological resources. However, it is unclear how Sanctuary expansion would protect or benefit this upwelling zone. The HC requests additional information on the benefits of the expansion with respect to protection of the upwelling zone and associated resources. The HC is pleased to see that there is a comprehensive monitoring plan proposed, the HC recommends an analysis in the final EIS regarding how the monitoring plan will further protection of the upwelling waters. This is an essential part of habitat conservation efforts in light of impacts such as ocean acidification.

5. Oil and Gas Development

The HC welcomes the prohibition of oil and gas development in the area of Sanctuary expansion, while noting that it is unclear that such a threat exists in this area. Since the public generally believes that Sanctuary designation would bring permanent protection from such development, it is important that the DEIS clearly note that there are exceptions to this, and the prohibition is not necessarily permanent. The HC also recommends making note of what protections and prohibitions are already in place by other state and federal agencies.

6. Alternative Offshore Energy

The proposal does not prohibit offshore hydrokinetic energy development as it does oil and gas development. It would be helpful to understand the Sanctuaries’ policy and criteria for hydrokinetic energy development in Sanctuaries. The HC supports a comprehensive marine spatial planning effort to analyze existing uses, including fishing and habitat conservation uses, and recommends the DEIS incorporate clear direction on how Sanctuaries will evaluate wave and wind energy proposals, and what role the Council will have in this evaluation.

7. Department of Defense Activities

The DEIS states that ongoing Department of Defense activities occurring at the time of expansion would be exempt from the prohibitions listed in the proposed regulations, although there would be consultation with the Sanctuaries. The HC suggests that Sanctuaries develop a formal consultation process with DOD to assure minimization of impacts and include Council and NMFS notification within this process so that impacts to EFH in the Sanctuaries can be minimized.

8. Wildlife Protection Zones

The DEIS and revised Management Plans describe a resource protection plan and regulations that might include designating Special Wildlife Protection Zones. The HC understands the intent is to protect areas from cargo vessels and aircraft, and that these zones were previously named “Cargo Vessel Restriction Zones” and “Overflight Restriction Zones.” To avoid misunderstanding of the intended restrictions, the names and definitions of these zones should be clearly articulated in the final EIS. Are there limitations of the types of activities that can be regulated in such a zone? The final EIS should clearly articulate under what circumstances and for what purposes these Special Wildlife Protection Zones can be used in the future.

9. Management and Enforcement Resources

Given the current uncertainties of federal funding for programs, the HC has concerns that the resources required to manage this large new area could detract from the protection of existing resources in already designated Sanctuaries. The final EIS should identify what additional enforcement capabilities—beyond existing state and federal law enforcement agencies--will come with sanctuary designation. An analysis of these questions would be appreciated, with an assurance that the management of existing sanctuaries will not be compromised.

PFMC
06/25/14

GROUND FISH ADVISORY SUBPANEL REPORT ON
GULF OF THE FARALLONES AND CORDELL BANK NATIONAL MARINE SANCTUARY
BOUNDARY EXPANSION

The Groundfish Advisory Subpanel (GAP) heard from Dr. Lisa Wooninck about a proposed action by the Gulf of the Farallones (GFNMS) and Cordell Banks National Marine Sanctuaries (CBNMS), to expand the boundaries of each.

The GAP believes that the relationship of the two mentioned sanctuaries with the fishing industry has been good over time. However, based on problematic interactions with other sanctuaries over the years, the GAP has concerns about the future evolution of the National Marine Sanctuary Program.

The GAP can find no compelling reason for an expansion of any sanctuary on the West Coast. The need for upwelling area protection at Pt. Arena is not clearly defined. Pt. Arena is just one of many upwelling areas along the West Coast. The GAP is unclear which activities would be prohibited within the sanctuaries. There is particular concern with the regulation of maintenance of port infrastructure, especially dredging and disposal of spoils. A sanctuary is not the only tool for ocean protection.

This expansion proposal cannot be supported due to the following unresolved issues:

1. Fishery management authority.

This has been and will remain ambiguous until the MSA and/or NMSA are reauthorized or amended with language clarifying paramount authority over all managed marine species. The scientific expertise for conserving, managing, and regulating fisheries within the EEZ is found within the state and federal fishery management agencies. A sanctuary could have authority over many other entities concerning environmental standards.

2. Sanctuary governance structure.

The GAP believes that the sanctuary governance structure should allow for significant local oversight. The sole management authority exists with a single person, the superintendent. Local communities may only have input at the discretion of the superintendent.

2. Creation of no-fishing zones through sanctuary authority.

This is a fishery management action and should only be allowed through the authority of the relevant federal and/or state fishery management processes.

3. Protection vs. harvest of ocean resources.

Fishery management standards should dictate what level of protection is accorded concerning marine species and habitat currently under current or future fishing management.

4. Existing protections and management.

A thorough analysis is needed to quantify existing protections and management to determine whether there is a need for additional protections. All regulatory protections and authorities need to be part of this analysis.

An additional comment on funding needs to be addressed. Is there sufficient federal funding for this expansion, present and future? The GAP is concerned about the decline in funding for all marine management. Would the funding for this issue potentially result in even less available for fishery management?

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT
GULF OF FARALLONES AND CORDELL BANKS NATIONAL MARINE
SANCTUARIES BOUNDARY EXPANSION

The Highly Migratory Species Advisory Subpanel (HMSAS) is concerned about the proposed expansion of the Gulf of Farallones and Cordell Bank National Marine Sanctuaries (NMS). While the proposal states that there will be no fishing regulations in the expansion areas, fishing was regulated at the Channel Islands NMS. It was done by using a Marine Protected Area (MPA) to create a no fishing zone inside the sanctuary. According to the Alliance of Communities for Sustainable Fisheries located at Monterey Bay, the fishermen have had a hard time maintaining their fishing rights in the Monterey NMS. Fishing regulatory authority must remain with the Council and state authorities for all fishing regulations in any NMS or NMS expansion. Sanctuary authority must not be allowed to create no fishing zones as a substitute for Pacific Fishery Management Council or state fishing regulations. The HMSAS is also concerned about the list of activities that could affect fishing such as prohibitions on gray water discharges, altering the sea bed, taking and possessing certain species, air water quality issues, use of lead weights, bottom contacting gear, and other fishing activities. Restrictions on vessel sewage holding tanks regardless of size, fish cleaning, introduced species, bait, fishing gear defined as harmful, and fuel, oil, and other contaminants produced by fishing boats are also problematic.

HMSAS sees no sound reason for expansion of these two sanctuaries. The fishermen on the HMSAS know there are upwelling currents along the entire West Coast and do not see justification for special protection in these proposed expansion areas. We are not sure just what is being protected in these areas. Especially disconcerting is a proposed new authorization authority for the NMS to allow several of the prohibited activities inside these sanctuaries such as alternative energy development, desalination, oil and gas exploration, dredging, and disposal. The new NMS authority could allow all of these through the issuance of an exemption permit. This can negate the purpose of a marine sanctuary. As far as HMSAS is concerned, there appears to be no need to add yet another layer of jurisdiction to an already well-protected area off of California's coast line.

PFMC
06/24/14

COASTAL PELAGIC SPECIES ADVISORY SUBPANEL REPORT ON GULF OF THE
FARALLONES AND CORDELL BANK NATIONAL MARINE SANCTUARY BOUNDARY
EXPANSION

The Coastal Pelagic Species Advisory Subpanel (CPSAS) received a presentation from Lisa Wooninck, representing the National Marine Sanctuaries, and reviewed Briefing Book materials, including public comments. The CPSAS would like to draw upon the comments and concerns voiced by the Alliance of Communities for Sustainable Fisheries (ACSF) contained in Agenda Item C.2.d, Public Comment. In particular, we would like to highlight the following points:

[1] *Clarify that the Magnuson-Stevens Act is the dominant statute for any fishing-related management issues, including creation of Marine Protected Areas inside Sanctuaries and National Monuments.*

Although the current expansion proposal does not intend to change its designation document nor manage fisheries, this has been a sensitive issue for many years, which the Council has also noted in its comments.

[2] *Task the National Marine Sanctuary Program (NMSP) and individual sites to use robust, peer-reviewed science in management decisions. The sanctuaries have no equivalent of the Council's Science and Statistical Committee (SSC), nor any requirement to use the best available science in decision-making.*

NMSP work products would benefit by independent peer review, as is required in the Council process.

[3] *The Sanctuary Program should explain why expansions, some quite large, do not violate Congressional intent, in as much as there is a prohibition on new sanctuary designations... until such time as the Sanctuary Program shows that it is meeting its goals within budget.*

It is unclear how the sanctuaries would be able to maintain current programs under existing budgets if these sanctuaries are expanded.

By and large, fisheries have had a good working relationship with both the Gulf of the Farallones and Cordell Bank Marine Sanctuaries, and fishermen appreciate the Sanctuaries' interest in protecting the ecosystem surrounding the northern California coast. However, this expansion appears to be moving away from the original Congressional intent that Sanctuaries balance resource protections with multiple use opportunities.

The CPSAS also expresses concern over the precedent set by using administrative action to create this expansion. We suggest the above issues and others reflected in public comment are resolved before further sanctuary expansion occurs.