

**Public Comments  
on the  
Draft Environmental Impact Statement  
for the Consideration of Marine Reserves  
and Marine Conservation Areas  
in the  
Channel Islands  
National Marine Sanctuary**

## Overview

The CINMS received both written and verbal comments on the Draft Environmental Impact Statement during the public comment period from August 11, 2006 to October 10, 2006. CINMS received approximately 30,100 comments. This document includes a copy of the comments received. To view NOAA's responses to the comments please see the *Final Environmental Impact Statement for the Establishment of Marine Reserves and Marine Conservation Areas in CINMS* on this website:

<http://channelislands.noaa.gov/marineres/main.html>

Comments were received via electronic mail, fax, and regular mail or solicited at the following public meetings:

- Sept. 7, 2006, Santa Barbara, Recreational Fishing Working Group of the Sanctuary Advisory Council (SAC)
- Sept. 13, 2006, Foster City, Pacific Fishery Management Council
- Sept. 21, 2006, Santa Barbara, Conservation Working Group of the SAC
- Sept. 22, 2006, Sanctuary Advisory Council meeting
- Sept. 26, 2006, Public hearing in Ventura, CA.
- Sept. 28, 2006, Public hearing in Santa Barbara, CA.

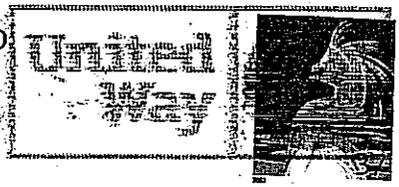
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Dear Mr. Hastings, TELETYPE CENTER



I am writing to ask that the Channel Islands National Marine Sanctuary extend protection around the Channel Islands. Specifically, I would like you to do your best to offer thorough and continuous protection six nautical miles out from the islands.

Thank you very much.

Sincerely, Will Alexander  
250 S. Estes Dr #90  
Chapel Hill NC  
27514

Théophile Steinlen (French, 1859-1923)  
L'Été: Chat sur une balustrade. Lithograph, 1909.  
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NC 276  
PM 5L

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National  
Marine Sanctuary  
113 Harbor Way Suite 150  
Santa Barbara, CA  
93109

L-41



# United States Department of the Interior

MINERALS MANAGEMENT SERVICE  
Pacific OCS Region  
770 Paseo Camarillo  
Camarillo, California 93010-6064

7300

OCT 5 2006

Mr. Chris Mobley, Superintendent  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Mobley,

The Minerals Management Service has reviewed the draft environmental impact statement (EIS) for the establishment of no-take and limited take marine zones in the Channel Islands National Marine Sanctuary and found it to be of very good quality. However, we have identified some questions and deficiencies that we recommend be addressed prior to issuing the final EIS.

General Comments:

As this is a Federal Action, the DEIS should specifically address Environmental Justice. The Council on Environmental Quality requires this inclusion, and the counties under consideration differ in income and social structure. Although the population and income information may be in the document, there should be specific references, comparison between counties, or a sub-section discussion devoted to Environmental Justice within the sections on the Affected Environment and Environmental Impact.

The impact on regional and port economies may be insignificant compared to the total county and/or regional economy; however, the impact on Santa Barbara and Ventura Counties' recreational and commercial fishing income and to fishers from loss of fisheries and/or fishing opportunities may be significant. The document should define what you mean by short-term losses to both recreational and commercial fisheries, why you believe they will be short-term, and how you will measure the temporal nature of the impacts. In addition, the expected socioeconomic impacts to the recreational and commercial fisheries and fishers' income should be compared to that sector's total income by county and not to the total county income and regional data.

The document discusses seasonal closures by the U.S. Fish and Wildlife Service and the National Park Service that protect nesting birds and marine mammals on the islands. It is not clear how those closures that are applied to land will affect the marine protected areas (MPA's) or how the MPA's will benefit the intent of those closures. The second statement on page 82 indicates that the Proposed Action would supplement the closures by "establishing temporally permanent zones," but no details are given and the statement is confusing.



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The DEIS states that non-consumptive recreation will still be allowed in the MPA's. Does this statement mean that such non-consumptive ocean-based use may be subject to future closures in the MPA's?

Specific Comments:

Page 5 – The reference for Rosenberg et al. 2005 and McLeod et al. 2005 are not in the reference section.

Page 13 – Alternative 1a lays Federal jurisdiction over State jurisdiction. What is California's position on such overlapping jurisdiction and possible authority? Explain or reference the decision-making process.

Page 33 – Large vase sponges and deepwater corals such as the Christmas tree coral, *Antipathes dendrochristos*, should be included within Section 3.3.3, *Criterion 4: Species of Interest*. These deepwater long-lived, vulnerable species are certainly located within the proposed zone at the Footprint area where this coral was discovered in 2005.

Page 49, Section 4.3. – As the focus of the action is Santa Barbara Channel, data relevant to this area, not the State as a whole, should be used. A statement is made that "almost 20 percent of those who use California's coastal areas for recreation are interstate or international visitors..." Does this figure also apply to the more geographically limited Channel Islands area? Another statement is made that as numbers of people increase (referring to coastal population growth), so do the number of CINMS users. Are there any data to support this statement? Does the increase in CINMS use parallel the rates of increase elsewhere?

Page 65 – The citation for Abeles et al. 2003 is not in the reference section.

Pages 68 through 73 – The statement on page 68 that there has been "relatively little activity" within the proposed marine zones conflicts with the statement on page 73 that states changes will occur rapidly in marine zones of Anacapa and Santa Cruz Islands, "where commercial and recreational fishing has been concentrated for a long time." If fishing has been concentrated at Anacapa and Santa Cruz, wouldn't you expect some fishing activity congestion because of implementing marine zones at those islands? If not, please explain further.

Page 69 – The citation for Palumbi 2003 does not match the date in the reference section.

Pages 82 through 85 – Because there is presently no commercial kelp harvesting occurring, there is no impact to this part of the local economy that has not already occurred. Future kelp harvesting is not reasonably foreseeable and should be deleted from consideration.

Thank you for the opportunity to participate in the process. If you have any questions about our comments please call Dr. Ann Scarborough Bull at 805/389-7855.

Sincerely,



Ellen G. Aronson  
Regional Manager

**Report from Recreational Fishing Working Group members**  
**in response to CINMS DEIS on MPA expansion into federal waters**

By: Capt. David Bacon  
Recreational fishing representative to the CINMS SAC  
September 2006

I polled our representative organizations and individual anglers regarding the CINMS DEIS for expanding MPAs into federal waters. We met together as the Recreational Fishing Work Group and additionally considered the researched findings of the Pacific Fishery Management Council (PFMC). The PFMC is responsible for fisheries management in west coast federal waters and has fisheries managers and expert fisheries advisory bodies in place, unlike the CINMS. The PFMC manages fisheries under authority of the Magnuson Stevens Act. They are fully committed to amending appropriate Fisheries Management Plans to accomplish the goals of the CINMS, under the purview of the Magnuson Stevens Act, through truly adaptive fisheries management programs.

PFMC advisors have well-founded concerns over the impact of splintering the authority for fisheries management, should the CINMS be successful in its attempt to take control of fisheries management within Sanctuary waters under authority of the National Marine Sanctuaries Act. Remember, the CINMS has no fisheries manager position, no expert fisheries advisory bodies and no extensive stakeholder input process established for the recreational angling public. PFMC advisors feel that involving an agency (CINMS) lacking a track record or adequate organization for fisheries management may complicate or confuse the coordination of existing authorities responsible for the management of fisheries.

Recreational anglers participating in west coast federally managed Fishery Management Plans are regulated by a series of complex and interwoven management regulations. It is well recognize that we currently have a regulatory environment that sorely taxes the capacity of an angler to keep abreast of. Our Recreational Fishing Working Group worries that subjecting managers and anglers to another layer of bureaucracy and regulations will break the brain bank, by causing us to not only know precisely where we are on the water, but be capable of assuming a new mindset of complex regulations.

Our Recreational Fishing Working Group feels it inconsistent with good and sincere management principles that the Sanctuary has dropped sustainable fisheries as a goal, yet seeks to manage fisheries. We see no good coming from these conflicting actions.

These grave and valid concerns allow the recreational fishing community to circle around a unified statement and a sincere hope that the Sanctuary Advisory Council will appreciate our resulting position. Here is the statement, ratified by the United Anglers of

Southern California, the Recreational Fishing Alliance and the Sportfishing Association of California:

“The Sanctuary has done a great job of keeping oil exploration out of the Sanctuary and of making the public aware of what precious resources the Channel Islands are. We support that role. We do not support changes to the Designation Document, we do not support the Sanctuary assuming authority for fisheries management and we do not support expansion of the MPAs as a Sanctuary action. Such action should be under the purview of our knowledgeable and experienced fisheries managers, the Pacific Fisheries Management Council and under the authority of the Magnuson Stevens Act.”

With that unified statement we come to a position of strong conviction. We support the “No action” alternative of this DEIS. We will wait for our REAL fisheries managers, the Pacific Fishery Management Council to provide a solution under authority of the Magnuson Steven Act. That solution appears to coming soon enough. We ask the Sanctuary Advisory Council to please support our position by advising the Sanctuary to work through the PFMC to accomplish fishery management goals.

Subsequent discussion revealed that recreational anglers realistically expect, if not endorse, that MPAs will be expanded into federal waters. We will be losing something of great value to us here... places to fish. It is therefore fair and equitable to ask for mitigation as a form of environmental justice. We have two areas of interest for mitigation. One is considerable funding for truly collaborative research which involves the recreational fishing community. A good example of that is the calico bass tagging program funded through the CINMS Foundation. The beauty of collaborative research is that we all work together to get good data that we can all share. We may all put our own spin on it, because we are all only human, but the research data is considered valid by all because we worked together. The other area of interest for mitigation is for artificial reefs and rigs-to-reefs programs to create replacement fishing opportunities either within or without the Sanctuary. Sanctuary... what can we expect from you in terms of mitigation?

September 2006

**Recreational fishing community unified position statement in response to the DEIS regarding expansion of existing MPA's. Rec fisher Working Group meeting Wednesday 9-6-06**

“The Sanctuary has done a great job of keeping oil exploration out of the Sanctuary and of making the public aware of what precious resources the Channel Islands are. We support that role. We do not support changes to the Designation Document, we do not support the Sanctuary assuming authority for fisheries management and we do not support expansion of the MPAs as a Sanctuary action. Such action should be under the purview of our knowledgeable and experienced fisheries managers, the Pacific Fisheries Management Council and under the authority of the Magnuson Stevens Act.”



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006

**Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.**

Name: Toni Bailey

Representing: Myself

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

P.O. BOX 3827  
Santa Barbara, CA 93130

diver24@cox.net

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\*COMMENTS\*\*\*\*\*

I support the consideration of Alternative 2.  
This alternative provides for a larger protection  
area in order maximize the potential  
benefits. We have the opportunity ~~to~~ to  
expand existing protection areas and this is  
a long arduous process. We should take  
advantage of this opportunity and do it

(continue on reverse)

right - meaning we should protect as much area as possible in order to reap the best results.

Even the larger areas proposed in Alternative 2

are small in comparison to the vast marine

habitat. However, it is a good start. The more

we protect now the more we will have for

the future.



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006

Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.

Name: KEVIN BAILEY

Representing: \_\_\_\_\_

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

P.O. Box 3827  
Santa Barbara, CA 93130

DIVER23@COX.NET

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

### \*\*\*\*\*COMMENTS\*\*\*\*\*

As a lifetime resident of S. Calif. & 25yr resident of SB  
I have seen changes to the oceans that if continue  
will be devastating & ruin our pristine local environment.  
I have been a sport diver (recreation) for close to 30 yrs  
& the changes to the ecosystems are frightening  
I think it is critical to expand the Sanctuary  
to continue to help rebuild the marine  
species population in the Channel Islands (continue on reverse)

I support both phases of the CINMS

to help preserve as much habitat as possible.

Both marine reserves & marine conservation areas are very important. I want to see the size & number of species increase w/in the CINMS

There is strong research to show that with these 2 types of marine zones that the wildlife will increase & become more abundant & help even to areas outside of the sanctuary zones

I strongly suggest that Alternative 2 be adopted.

I have been diving in areas that are not in a sanctuary zone & the number of fish & species are dramatically less than those areas that are protected

**Subject:** RE: marine reserve extentions  
**From:** Dan Bensen <daniel.bensen@gmail.com>  
**Date:** Thu, 05 Oct 2006 13:25:41 -0700  
**To:** cinmsreserves.deis@noaa.gov

Greetings,

My name is Daniel Bensen, my vote is "No Action" after reading the Channel Islands National Marine Sactuary Summary Guide.

Thanks for your time,

Daniel Bensen  
1635 Basswood Ave.  
Carlsbad, Ca 92008  
(760) 458-3158

Research Scientist, ActiveSight, San Diego, Ca

Member/Alternate

**Tourism**

Lauri Baker / Andrea Moe

**Business**

William Spicer / <vacant>

**Non-Consumptive Recreation**  
Warren Glaser / W. Scott Dunn

**Commercial Fishing**  
Jim Marshall / Bruce Steele

**Recreational Fishing**  
David Bacon / Merit McCrea

**Education**

Barbara LaCorte / Dan Powell

**Research**

Dr. Robert Warner / Dr. Daniel Brumbaugh

**Conservation**

Linda Krop / Greg Helms

**Public At-Large 1**

Phyllis Grifman / John Rennell

**Public At-Large 2**

Eric Kett / Matthew Lum

**Chumash Community**

Paulette Cabugos / Reggle Pagaling

**National Marine Fisheries Service**

Mark Helvey / Lyle Enriquez

**National Park Service**

Russell Gallpeau / Gary Davis

**U.S. Coast Guard**

CWO Ronald Fien / MSTC John Luzader

**Minerals Management Service**

Dr. Fred Piltz / Dr. Ann Bull

**U.S. Department of Defense**

Ieven Schwartz / Walter Schobel

**California Department of Fish and Game**

Marija Vojkovich / Kristine Barsky

**California Resources Agency**

Brian Baird / Leah Akins

**California Coastal Commission**

Rebecca Roth / Jack Ainsworth

**County of Santa Barbara**

Dianne Black / Michelle Gibbs

**County of Ventura**

Lyn Krieger / Jack Peveler

**Channel Islands Nat'l Marine Sanctuary**

Chris Mobley

**Monterey Bay Nat'l Marine Sanctuary**

Dr. Holly Price / Rachel Saunders

**Gulf of the Farallones Nat'l Marine Sanctuary**

Maria Brown

**Chair**

Dianne Black

**Vice Chair**

Linda Krop

**Secretary**

Eric Kett

# Sanctuary Advisory Council

CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

L-25

October 10, 2006

Mr. Chris Mobley, Sanctuary Superintendent  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

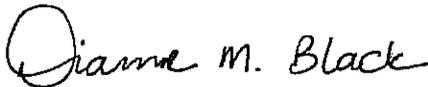
**Re: Sanctuary Advisory Council and Working Group  
Comments on the Draft Environmental Impact Statement for the  
Consideration of Marine Reserves and Marine Conservation  
Areas**

Dear Mr. Mobley,

Thank you for the opportunity to comment on the Channel Islands National Marine Sanctuary (sanctuary) Draft Environmental Impact Statement (DEIS) for the Consideration of Marine Reserves and Marine Conservation areas. Sanctuary Advisory Council (Advisory Council) representatives and several Advisory Council Working Groups have worked diligently to provide insightful and thoughtful comments on these documents. Our comments are included as attachments to this letter. We understand that the sanctuary will respond to all comments in the Final Environmental Impact Statement.

We look forward to receiving regular progress reports on the Final Environmental Impact Statement and any final regulations.

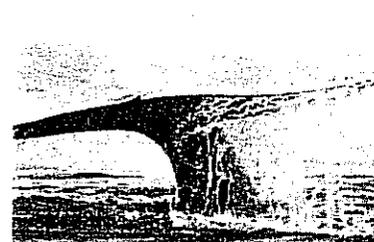
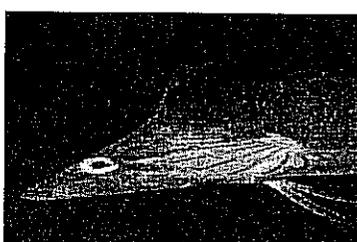
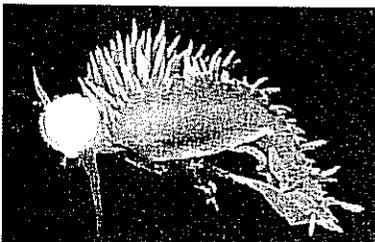
Respectfully,



Dianne M. Black  
Chair, Channel Islands National Marine Sanctuary Advisory Council

**Attachments:**

1. Sanctuary Advisory Council comments (consensus and non-consensus)
2. Sanctuary Advisory Council voting results on motion to send Chris Mobley the Advisory Council's comments on the DEIS
3. Conservation Working Group comments on the DEIS
4. Recreational Fishing Working Group comments on the DEIS
5. Research Activities Panel comments on the DEIS
6. Additional comments from the Commercial Fishing and Education seats



L-2b

## **EXECUTIVE SUMMARY**

No comments.

## **INTRODUCTION AND BACKGROUND (SECTION 1.0)**

Consensus Comments:

1. Consider adding NMSA language regarding traditional/compatible/sustainable use. (sec. 1.1)

## **PURPOSE AND NEED (SECTION 2.0)**

Consensus Comments:

2. To add the biological goal in addition to the administrative goal of complementing the state action, add "and complement the protection afforded by the state and ensure protection of the full suite of habitat types" after "complement." (Goal #5, Sec. 2.1)
3. Many of the references cited in this section are not in the reference list.

## **ALTERNATIVES (SECTION 3.0)**

### **DEVELOPMENT OF ALTERNATIVES (SECTION 3.1)**

Consensus Comments:

4. The names of the agencies on p. 8 and elsewhere should be reviewed for accuracy to ensure that the acting agency is correctly cited. There are a number of typos.
5. Clarify and/or identify the reason why Alternative 1A is the preferred alternative.

### **DESCRIPTION OF ALTERNATIVES (SECTION 3.2)**

Consensus Comments:

6. Improve graphics so that map resolution does not present inaccuracies.
7. Clarify what the Federal conservation zones allow.
8. We encourage the consideration of adaptive management within conservation zones for all agencies.

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Non-consensus Comments:

9. It does not make sense to have the rules in the state conservation zone apply to the adjacent Federal area.
10. There should be an opportunity for consultation with NMFS on the rules within a conservation area.
11. Recommend an alternative that exclusively includes no take zones for Federal waters.

COMPARISON OF ALTERNATIVES (SECTION 3.3)

Consensus Comments:

12. Black seabass is not an official common name – giant seabass is the official common name (p. 33). Recommend that still include “black seabass” in parentheses, since it is also known by that name.
13. Deepwater sponges and corals should be included as species of interest. They exist in The Footprint, and they are important as habitat building species.

AFFECTED ENVIRONMENT (SECTION 4.0)

OVERVIEW (SECTION 4.1)

Consensus Comments:

14. Acknowledge increases in certain species: e.g., certain pinnipeds and cetaceans. This is not currently mentioned, but should be. If such successes are documented and can be cited they should be included, e.g., sardines and pinnipeds.

Non-consensus Comments:

15. Recommend that successes/increases and decreases be looked at in terms of population status assessments, where possible.
16. Recommend a more balanced tone between species in decline, and species that are increasing. (The same comment applies to sections 4.2.4.3, 4.2.4.6.)

ECOLOGICAL ENVIRONMENT (SECTION 4.2)

Consensus Comments:

17. If better information is available for substrate analysis, use it to update Figure 11.

SOCIO-ECONOMIC ENVIRONMENT (SECTION 4.3)

Consensus Comments:

18. Would like clarification as to how the "Baseline person days of recreation activity" were determined (p. 55). Recommend re-evaluating these statistics. Discrepancies between the ratio of private and charter boat dives, and consumptive vs. non-consumptive divers seem inaccurate. Question whether trips in Santa Barbara are less expensive than in Los Angeles.
19. Recommend adding a heading to the top of p. 59 for consumptive diving.
20. Would like clarification as to meaning of employment in private boat diving.
21. Recommend providing citations with the tables.
22. Last year there were 7000 kayaking days at Santa Cruz Island, Scorpion Anchorage alone. The kayaking statistics seem inaccurate.
23. Recommend that tables be made easier to understand, and if appropriate presented as figures instead. If the numbers are estimates add confidence intervals. If differences are significant that should be noted, and at what level. Recommend clarifying the time period and area in which the data was gathered.
24. Recommend adding a statement about the impact of the closures on the sportfishing industry in terms of public perception.
25. Recommend adding an expenditure that represents guiding fees for kayaking (p. 58), e.g., a day kayaking trip is approximately \$180.00 (including boat fee).
26. Leeworthy's 2003 publication, which is cited as the source for much of the data provided in this section, is based on data actually collected in the 1990s; this may explain some of the above suggested discrepancies (e.g., comments #18, and #22). Recommend that make sure the tables in this section cite the date on which the data were collected.
27. Recommend adding data from the National Economics Project, National Park Service, and Chris LaFranchi.

MANAGEMENT (SECTION 4.4)

No comments.

ENVIRONMENTAL IMPACTS (SECTION 5.0)

ECOLOGICAL IMPACTS (SECTION 5.1)

Consensus Comments:

28. Recommend clarifying the definition of "adverse impact."
29. If adverse is defined as declines in abundance, there will be declines in abundance. Ben Halpern's colleague has a paper showing 20% decline in total abundance.
30. Recommend deleting the 1st sentence in the 2nd paragraph under Section 5.1.
31. Recommend moving the text in footnote #17 into the main body of the text.
32. Recommend that clarify that not all species decline, and not all species increase. Both trends are potential outcomes. Clarify after 1st sentence of 2nd paragraph (p.69) that some non-target species would be expected to decline. There is also unpublished evidence that targeted species are sometimes more abundant outside reserves (a study that Ugoretz participated in outside Big Creek).
33. Regarding end of 2nd paragraph (p. 68), "relatively little activity" doesn't account for the fact that these areas are closed by other regulations. Recommend add "currently" before "relatively little activity...."
34. Recommend noting observed declines in species abundance within reserves for non-target species as well.
35. Recommend supporting this section with more references, and clarifying who is making these assertions and why (5.1.2 p. 74).
36. Recommend adding a reference for the statement regarding the distance between reserves (p. 76): MLPA Science Advisory Team.

SOCIOECONOMIC IMPACTS (SECTION 5.2)

Consensus Comments:

37. The impacts shown are partially an artifact of these areas being temporarily closed by fisheries management measures. Recommend noting that current EFH rules may change.

38. Recommend that cited studies quantify the impact to the recreational fishing industry due to perception problems (as previously noted above).

#### MANAGEMENT CONSIDERATIONS (SECTION 5.3)

##### Consensus Comments:

39. If there is a problem in terms of public perception that leads to adverse impacts on recreational fishing, then there should be some attention paid here to education and outreach attempts to address that particular problem.
40. Recommend clarifying that the whole sanctuary is not a preserve.
41. Recommend explaining whether or not enforcement partners have committed to enforcing these alternatives.
42. Recommend clarifying what "complementary regulations" are referred to under Alternative 1A (p.132).

#### PROPOSED RULE (APPENDIX A)

##### Consensus Comments:

43. Recommend that display boundaries graphically, rather than only using the 132 points currently listed, in the Federal Register notice, and show difference between current boundaries and proposed boundaries. Recommend displaying this map in larger format than 8 ½ x 11, e.g., on a chart.
44. Recommend that parenthetical in 2nd paragraph on p. 172 be stricken because it would be a hazard and is not feasible (i.e., keeping spear shafts separate from spear guns).
45. Recommend ensure that definition of "stowed and not available for immediate use" is practical and feasible.

L-25

**Channel Islands National Marine Sanctuary Advisory Council – Voting Results**

Below are the voting results of a Sanctuary Advisory Council motion to send a letter to Chris Mobley (Sanctuary Superintendent), including Advisory Council comments on the sanctuary's Draft Environmental Impact Statement for Consideration of Marine Reserves and Marine Conservation Areas.

<b>SAC Seat</b>	<b>Representative</b>	<b>Vote</b>
Tourism	Lauri Baker	Yes
Business	Bill Spicer	Yes
Recreation (non-consumptive)	Scott Dunn	Yes
Recreational Fishing	David Bacon	Yes
Commercial Fishing	Jim Marshall	Yes
Education	<not present at vote>	--
Research	Bob Warner	Yes
Conservation	Linda Krop	Yes
Public At-large (1)	Phyllis Grifman	Yes
Public At-large (2)	Eric Kett	Yes
Chumash Community	<not present at vote>	--
National Marine Fisheries Service	Lyle Enriquez	abstain
National Park Service	Russell Galipeau	Yes
U.S. Coast Guard	John Luzader	abstain
Minerals Management Service	<not present at vote>	--
U.S. Department of Defense	Steve Schwartz	Yes
California Department of Fish and Game	Marija Vojkovich	Yes
California Resources Agency	<not present at vote>	--
California Coastal Commission	<not present at vote>	--
County of Santa Barbara	Dianne Black	Yes
County of Ventura	<not present at vote>	--

Introduction

In considering establishment of the “federal portion” of the proposed marine reserves network within the Channel Islands National Marine Sanctuary, four core issues arise in the CWG’s consideration of the CINMS Marine Reserves DEIS:

- 1) Recognition of the intrinsic value of wild species, habitats and ecosystems
- 2) The type of zone to be established at each of the areas, i.e. limited take (conservation area), or no-take (marine reserve), that best accomplishes the conservation and research goals of zone establishment
- 3) The jurisdictional framework to be established for the coherent management, monitoring and enforcement of the zone network, and
- 4) The spatial extent of the network, with respect to reserve network function and performance; habitat representation and connectivity; protection against disturbance or disaster, and design considerations for effective zone monitoring, research and experimental design.

The CWG has specific rationale for the best choices CINMS staff can make for each issue, in order to best fulfill its mandate to protect, conserve, and enhance Sanctuary resources.

1. The Need to Recognize the Intrinsic Value of Ecosystems

Conservation, in addition to protecting flora and fauna is about overcoming anthropocentrism which primarily values nature for subsistence, economic development, and sport. A more biocentric view accepts intrinsic values in the natural world, independent of utilitarian or direct human value endowment. Spiritual, aesthetic, and non-consumptive nature values are important at this more (biocentric) end of the value spectrum. The National Marine Sanctuary Program as a whole embraces the goal of protecting the intrinsic values of the marine environment and the CINMS MRWG listed it as a major goal for the marine reserve network.

Intrinsic values are defined as those aspects of ecosystems and their constituent parts which have value in their own right, including their biological and genetic diversity; and the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience. However, in the DEIS, nonuse or passive-use values are measured primarily in economic terms. While putting a monetary value on the “passive” value of the CINMS natural resources is useful, it is incomplete. The economic approach used in the EIS is reminiscent of the historical utilitarian philosophy which began in the 1800s. The National Marine Sanctuary Program was formed in part to offset this historical ideology, being created with the goal of using a more ecologically-minded

approach to resource management that places a high priority on the intrinsic values of protected places and resources and views the ocean as something to be appreciated for its own sake (regardless of its economic value).

The CWG is concerned that the DEIS (at section 5.2.6: "Other Potential Benefits") primarily values marine reserves for their economic value and not for their intrinsic natural value, independent of humans. Beyond the treatment of "non-use" value at DEIS pp. 125-6, which discusses methods for assigning value to various forms of appreciation of Sanctuary uses, there exists a host of aesthetic, spiritual and social values that are served by resource protection designations such as marine reserves. Among these are the intangible sense of responsibility and good-conscience derived from responsible treatment of living resources, the moral satisfaction of "doing the right thing", the psychological and spiritual benefits of knowing that an untouched, ancient and wild area is present and available, and the growing sense within society that those that appreciate and assign value to intact ecosystems be given their "allocation" in the form of marine reserves alongside those traditionally seen as stakeholders (oil and gas operations, commercial and recreational fishers, municipal dischargers, etc.). These values are well described in the United States Wilderness Act<sup>1</sup>.

To resolve this concern, the title of Section 5.2.6.3. could be changed to *Scientific, Intrinsic and Educational Values* (adding the word Intrinsic).

Within this section, the following could be added as potential non-economic benefits:

- ◆ Reserves will protect unique and representative areas of marine life habitat for their intrinsic value.
- ◆ Reserves will protect unique and representative marine life for its intrinsic value.
- ◆ Reserves will protect marine biodiversity and marine ecosystem integrity for its intrinsic value.

In turn, these additional factors must be integrated into the analysis conducted by NOAA to establish an environmentally preferred alternative, and be considered as support for promulgation of that alternative. Accordingly, the CWG believes that adoption of Alternative 2 would better reflect an appropriate level of recognition of the intrinsic value of CINMS' natural resources, by protecting a greater quantity of living individuals, communities and systems that have long been overexploited and undervalued.

2. Establishment of Fully Protected MPAs best meets the DEIS Purpose and Need, Community-Developed Goals and Objectives, and Scientific MPA Design

CWG Recommendations

- Sanctuary zones should be based on principles of ecosystem based management, which recognizes and incorporates all components of a living system, including

<sup>1</sup> 16 U.S.C. 1131-1136, 78 Stat. 890

the full complement of living resources along with their habitat, physical and biological processes and the interactions between them.<sup>2</sup>

- The community-developed goals and objectives developed during the MRWG process specifically call for inclusion of full ecosystems in reserve networks.
- Marine reserves, as opposed to limited-take forms of zones, are much more easily and cost-effectively enforced, are suitable for collaborative, citizen, and inter-agency monitoring and enforcement, are suitable for remote and land-based compliance monitoring and can best be enforced using emerging forms of compliance monitoring technology (e.g. VMS, satellite technology)
- Fully protected zones best match the Congressional mandate of the Sanctuary to protect resources using a “comprehensive approach.”
- Fully protected reserves allow for decisive evaluation of zone performance because they exclude all forms of anthropogenic take, thereby removing them as variables in determining the causes of observed changes in ecological conditions within marine zones. Because the take (or prohibition of take) of species such as pelagics inevitably have effects on the natural system, allowing take confounds the ability to distinguish changes due to marine zone establishment from other sources of ecosystem change (e.g. natural disturbance or variability).
- Limited forms of MPAs such as conservation areas cannot perform the important role as “research reference areas” since conservation areas do not result in areas free of fishing disturbance.
- Scientific evidence reveals that while pelagic fish exhibit high mobility, they tend to aggregate in discrete areas such as banks or ridges<sup>3,4,5</sup>. This spatially-explicit pattern of distribution makes pelagic species “protectable” by reserves at least during specific, critical life cycle stages.
- Pelagic and other highly mobile species form a critical component of ecosystems through indirect and direct interactions with the benthic community, through their role as apex predators and by regulating the system through predation. Removal of these species will alter the composition and productivity of the system.<sup>6</sup>
- Removal of these mobile predators may cause profound changes in community structure. Such “trophic cascades,” in which even subtle or indirect changes to the natural community reverberate throughout the food web, can change or weaken the ecosystem as a whole.
- Full protection is especially critical for “the Footprint” area, which would be protected only through this federal process, due to the above-cited reasons.

<sup>2</sup> Grumbine, E.R. 1994. What is ecosystem management? *Conservation Biology* 8(1): 27–38

<sup>3</sup> Heyman, W.D. 2004. Conservation of multi-species spawning aggregation sites. *Proceedings of the Gulf and Caribbean Fisheries Institute*. 55: 521-529.

<sup>4</sup> Hooker, S. K., and L. R. Gerber. 2004. Marine reserves as a tool for ecosystem-based management: the potential importance of megafauna. *BioScience*. 54(1): 27-39.

<sup>5</sup> Worm, B., M. Sandow, A. Oschlies, H. K. Lotze, and R. A. Myers. 2005. Global patterns of predator diversity in the open oceans. *Science*. 306: 1365-1369.

<sup>6</sup> Sosa-Lopez, A., D. Mouillot, T. D. Chi, and J. Ramos-Miranda. 2005. Ecological indicators based on fish biomass distribution along trophic levels: an application to the Terminos coastal lagoon, Mexico. *ICES Journal of Marine Science*. 62(3): 453-458.

3. Reserve Networks Managed as a Cohesive Unit Best Meet the Management, Scientific and Conservation Goals of the Sanctuary; Sanctuary Zone Regulations Should Overlay State Designations

- An “overlay” of Sanctuary Act zone designation will create a unified, coherent regulatory framework that best meets the management needs of the public, the research and monitoring institutions, enforcement officials and management and regulatory agencies by providing a single jurisdictional framework.
- Jurisdictional coherence best advances management effectiveness by reducing management gaps, protecting against uneven and inconsistent enforcement, and integrating the full host of management responsibilities, technologies and capacities.<sup>7</sup>
- Alternative 1a would continue to bring the unique assets of the SAC to bear on zone outreach and awareness. Non-integrated alternatives would jeopardize and reduce the SAC’s contribution to community involvement in CINMS reserves, conservation areas and other zones.
- An overlain or integrated management framework is best suited to spatial management approaches in which ecological linkages are emphasized.
- An integrated management framework will best foster continued and enhanced management partnerships that extend financial and technical resources, enforcement capabilities and monitoring efforts.
- Overlaying Sanctuary Act zone regulations (e.g. Alternative 1a and 2) is most consistent with MPA policy recommendations such as the U.S. MPA Center recommendations, and the State of California’s Marine Managed Areas Improvement Act (AB 1600) which directed the State to consolidate and simplify the range of MPAs within California.<sup>8</sup>
- If CINMS zones do not overlay state MPAs, almost double the number of zonal management units will be created, thereby decreasing efficiency and increasing costs for all jurisdictions (and increasing jurisdictional conflicts).
- Alternative 1C would result in physical and administrative gaps in resource protection, potentially resulting in destructive conflicts in authority, enforcement and management, collectively resulting in outrageous obstacles to compliance.

4. The Spatial Configuration of Alternative 2 Best Meets the Community and Scientific Goals for Resource Protection, Species Sustainability and Restoration and Zone Performance

- Effective reserve design requires “networks” that promote sustainable populations better than stand-alone, isolated zones.<sup>9,10</sup>

<sup>7</sup> Crowder, L.B., G. Osherenko, O. R. Young, S. Airamé, E. A. Norse, N. Baron, J. C. Day, F. Douvère, C. N. Ehler, B. S. Halpern, S. J. Langdon, K. L. McLeod, J. C. Ogden, R. E. Peach, A. A. Rosenberg, J. A. Wilson. 2006. "Resolving Mismatches in U.S. Ocean Governance." *Science* 313: 617-8.

<sup>8</sup> 6, 7, 8, 10 of PRC sec 36601

<sup>9</sup> Botsford, L. W., A. Hastings, and S. D. Gaines. 2001. Dependence of sustainability on the configuration of marine reserves and larval dispersal distances. *Ecology Letters* 4: 144–150.

<sup>10</sup> Carr and Syms, 2006 (source?)

- Sufficient size and spacing of reserves is crucial so that production of larvae and recruitment of adult individuals is maximized through zone connectivity.<sup>11</sup>
- Alternative 2 best achieves the above scientific design considerations by including larger, by connecting habitat areas across the range of depth and substrate-types. This is particularly the case at the Carrington Point area at Santa Rosa, at Anacapa Island, the South Point area off Santa Rosa, off Judith Rock on San Miguel Island and in the South-east area off Santa Barbara Island. Extended and full protection at Carrington Pt. is crucial because the area would be the only intermediate deepwater reserve on the north side of the islands for recruitment of larvae of deepwater, rocky bottom fishes – this configuration is essential for adequate reserve network performance.
- Alternative 2 incorporates needed replicate reserve areas that achieve the scientific requirement that reserve networks protect against disturbance of one part of the network by including additional areas.<sup>12</sup>
- As discussed in the Draft EIS, Alternative 1 suffers from the absence of contiguous or connected habitat areas, especially at Carrington Point.
- Species whose recovery, protection or restoration would be particularly advanced by the network design in Alternative 2, but not as well in Alternative 1, include: (Carrington Pt): mid-water bottom species such as bocaccio, vermillion, olive, yellowtail and canary rockfish; (Judith Rock): thresher shark, thornyhead, spot prawn, mackerel, sablefish and sardine; (Anacapa Island): species such as billfish and halibut; (South Point, Santa Rosa): bottom and pelagic species including white sea bass, California and warty sea cucumbers and spot prawn.

### Conclusion

The DEIS has few deficiencies and provides excellent coverage of pertinent science with respect to the widely recognized need for ecosystem management and marine reserves. Both the analysis articulated in the DEIS, and the evidence and criteria identified by the CWG lead to the conclusion that NOAA should consider Alternative 2 the environmentally preferred alternative, and, accordingly, adopt it.

<sup>11</sup> O'Farrell, M. R. and L.W. Botsford. 2006. "Estimating the status of nearshore rockfish (*Sebastes* spp.) populations with length frequency data." *Ecological Applications* 16:977–986.

<sup>12</sup> Allison, G.W., Gaines, S.D., Lubchenco, J., and Possingham, H.P. 2003. "Measuring persistence of marine reserves: catastrophes require adopting an insurance factor." *Ecological Applications* 13: 8.

**Report from Recreational Fishing Working Group members**  
**in response to CINMS DEIS on MPA expansion into federal waters**

By: Capt. David Bacon  
Recreational fishing representative to the CINMS SAC  
September 2006

I polled our representative organizations and individual anglers regarding the CINMS DEIS for expanding MPAs into federal waters. We met together as the Recreational Fishing Work Group and additionally considered the researched findings of the Pacific Fishery Management Council (PFMC). The PFMC is responsible for fisheries management in west coast federal waters and has fisheries managers and expert fisheries advisory bodies in place, unlike the CINMS. The PFMC manages fisheries under authority of the Magnuson Stevens Act. They are fully committed to amending appropriate Fisheries Management Plans to accomplish the goals of the CINMS, under the purview of the Magnuson Stevens Act, through truly adaptive fisheries management programs.

PFMC advisors have well-founded concerns over the impact of splintering the authority for fisheries management, should the CINMS be successful in its attempt to take control of fisheries management within Sanctuary waters under authority of the National Marine Sanctuaries Act. Remember, the CINMS has no fisheries manager position, no expert fisheries advisory bodies and no extensive stakeholder input process established for the recreational angling public. PFMC advisors feel that involving an agency (CINMS) lacking a track record or adequate organization for fisheries management may complicate or confuse the coordination of existing authorities responsible for the management of fisheries.

Recreational anglers participating in west coast federally managed Fishery Management Plans are regulated by a series of complex and interwoven management regulations. It is well recognize that we currently have a regulatory environment that sorely taxes the capacity of an angler to keep abreast of. Our Recreational Fishing Working Group worries that subjecting managers and anglers to another layer of bureaucracy and regulations will break the brain bank, by causing us to not only know precisely where we are on the water, but be capable of assuming a new mindset of complex regulations.

Our Recreational Fishing Working Group feels it inconsistent with good and sincere management principles that the Sanctuary has dropped sustainable fisheries as a goal, yet seeks to manage fisheries. We see no good coming from these conflicting actions.

These grave and valid concerns allow the recreational fishing community to circle around a unified statement and a sincere hope that the Sanctuary Advisory Council will appreciate our resulting position. Here is the statement, ratified by the United Anglers of

Southern California, the Recreational Fishing Alliance and the Sportfishing Association of California:

“The Sanctuary has done a great job of keeping oil exploration out of the Sanctuary and of making the public aware of what precious resources the Channel Islands are. We support that role. We do not support changes to the Designation Document, we do not support the Sanctuary assuming authority for fisheries management and we do not support expansion of the MPAs as a Sanctuary action. Such action should be under the purview of our knowledgeable and experienced fisheries managers, the Pacific Fisheries Management Council and under the authority of the Magnuson Stevens Act.”

With that unified statement we come to a position of strong conviction. We support the “No action” alternative of this DEIS. We will wait for our REAL fisheries managers, the Pacific Fishery Management Council to provide a solution under authority of the Magnuson Steven Act. That solution appears to coming soon enough. We ask the Sanctuary Advisory Council to please support our position by advising the Sanctuary to work through the PFMC to accomplish fishery management goals.

Subsequent discussion revealed that recreational anglers realistically expect, if not endorse, that MPAs will be expanded into federal waters. We will be losing something of great value to us here... places to fish. It is therefore fair and equitable to ask for mitigation as a form of environmental justice. We have two areas of interest for mitigation. One is considerable funding for truly collaborative research which involves the recreational fishing community. A good example of that is the calico bass tagging program funded through the CINMS Foundation. The beauty of collaborative research is that we all work together to get good data that we can all share. We may all put our own spin on it, because we are all only human, but the research data is considered valid by all because we worked together. The other area of interest for mitigation is for artificial reefs and rigs-to-reefs programs to create replacement fishing opportunities either within or without the Sanctuary. Sanctuary... what can we expect from you in terms of mitigation?

**Research Activities Panel  
A Working Group of the Channel Islands National Marine Sanctuary Advisory Council**

**Comments on the Channel Islands National Marine Sanctuary's Draft Environmental Impact Statement (DEIS) for the Consideration of Marine Reserves and Marine Conservation Areas**

**September 14, 2006**

Compiled by Robert Warner (RAP Chair) from comments solicited from RAP members in August-September, 2006.

In general, the RAP is supportive of the DEIS, and appreciates the effort that has gone into the production of the document.

**Section 2.0 Purpose and Need**

The RAP notes that the six stated goals for the proposed action differ in some respects from those stated for the establishment of the State portion of the Marine Reserve network; the present goals lack any mention of sustainable fisheries, or the role that marine reserves might play in fisheries management. We are aware of the reasons for this, and will evaluate the DEIS based on the present goals. However, we reaffirm the need of the CINMS to be an active participant in management decisions regarding resources within the Sanctuary.

The present proposal cannot be viewed in a vacuum. To us, the most important aspect of the present proposal is the chance to complete a network of marine reserves within the CINMS, as originally envisioned by the Marine Reserves Working Group, the CINMS staff and SAC, and the California Department of Fish and Game. The political boundaries that forced this vision into two processes make no biological sense, but instead led to the creation in 2003 of a network of reserves that only protect nearshore habitats. The fact that many species utilize adjacent offshore habitats for part of their life cycles places special emphasis on completing plans for their full protection by extending the reserves into Federal waters, as originally envisioned. For this reason, the RAP does not support the no-action alternative.

**Section 3.0 Alternatives**

Given the recent NMFS rulings prohibiting bottom contact gear in areas corresponding to Alternatives 1 and 2, there is a compelling need for the CINMS to adopt NMSA area-based regulations that overlap with the NMFS rules (as in Alternatives 1 and 2).

The RAP concurs with the DEIS in their analysis of the potential effect of allowing limited (pelagic finfish) take in certain of the proposed reserves by declaring them Marine Conservation Areas rather than Marine Reserves. Given the potential ecological coupling between pelagic fishes and their (sometimes) benthic prey, and given that some important pelagic aggregation sites appear to exist within the proposed zones, it is advisable to limit pelagic take. We also note that enforcement of a reserve that is partially limited take and partially no-take is problematic.

L-27

The RAP supports the adoption of Alternative 2 (chosen because it affords the greatest amount of ecosystem protection). Alternative 1a (chosen over 1b or 1c because of the ease of managing areas with overlaying rules, as opposed to managing two abutting areas with different rules) may also be acceptable. As noted in the comparison of the alternatives, both Alternatives 1 and 2 provide substantial protection for the deeper water habitats that are not currently under protection in the State reserves, and both provide these habitats in areas adjacent to areas currently under protection. However, Alternative 2 provides substantially more protection and habitat representation, especially in the ecologically rich Oregonian biogeographic region, and is therefore more congruent with the stated goals of the proposal. Given that the socioeconomic cost/benefit analysis indicates very little difference in the impact of these two alternatives, it is difficult to comprehend why Alternative 1a is the NMSP's preferred alternative. Some justification for this preference should be provided.

The RAP generally concurs with the criteria outlined in Table 1, as developed by the Science Advisory Panel for the MRWG process and the Science Advisory Team for the MLPA process. Criterion 5, size of marine reserves based on species home range sizes, and criterion 6, spacing between reserves based on larval dispersal, are less well supported than criteria based on habitat and species representation. However, the size and spacing of the reserves in this proposal are determined principally by the location and size of existing State reserves and the CINMS boundary. We note that the combined State and Federal portions of the reserve network will go much further in fulfilling the overall criteria than did the State portion alone.

#### **Section 4.0 Affected Environment**

The RAP found the description of the ecological environment adequate; it had no comment on the socioeconomic environment.

#### **Section 5.0 Environmental Impacts**

The RAP found the description of the general ecological effects of reserve establishment quite well done, and noted that some species will be expected to decline in reserves. The predicted biological responses (impacts) of reserve establishment were reasonable, even cautious. However, we point out that fishing pressure is not great at present in the proposed reserve areas. Just as this indicates that the economic impact of reserve establishment will be minimal, equally it suggests that ecological response to protection will likely be less than that predicted for protection of more heavily fished areas in State reserves.

**Channel Islands National Marine Sanctuary  
Sanctuary Advisory Council**

**Comments on the Sanctuary's Draft Environmental Impact Statement for the  
Consideration of Marine Reserves and Marine Conservation Areas  
September 22, 2006**

Sanctuary Advisory Council representatives from both the Commercial Fishing and Education seats announced that they had not had formal working group meetings on this topic, but that they did have some comments to share. Their verbal comments are summarized below.

Commercial Fishing Comments

- Former Commercial Fishing Seat member Chris Hoeflinger is soliciting comments from the commercial fishing community and will submit written comments to the sanctuary.
- Approve of the sanctuary not selecting Alternative 2 as the preferred alternative, and acknowledge that by doing so the sanctuary honored negotiations made during the Marine Reserves Working Group phase.
- Recommend that the reserves be managed in an adaptable manner as species increase and decrease in response to protection and climate variability.

Education Comments

- The Sanctuary Education Team continues to evaluate the possibility of creating materials to educate sanctuary users about natural boundary markers.
- Recommend that the sanctuary work with the Department of Fish and Game to consider some slight shoreline MPA boundary adjustments (in order to be more precise and potentially line up with natural landmarks), before finalizing adjacent federal boundaries.



## DEPARTMENT OF FISH AND GAME

Marine Region  
4665 Lampson Avenue, Suite C  
Los Alamitos, CA 90720  
(562) 342-7108



L-12

September 27, 2006

Chris Mobley, Superintendent  
Channel Islands National Marine Sanctuary  
NOAA National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, California, 93109

Re: Review of Channel Islands National Marine Sanctuary Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas

Dear Mr. Mobley:

The California Department of Fish and Game (Department) appreciates the opportunity to review the Draft Environmental Impact Statement (DEIS) for the establishment of Marine Reserves and Marine Conservation Areas in the Channel Islands National Marine Sanctuary (Sanctuary). The Department notes that the proposed changes follow a joint State-Federal process to consider marine protected areas (MPAs) within the Sanctuary. The Department was a partner in this process and is pleased that the Sanctuary is continuing to pursue the federal waters portion of the recommendation coming from this process.

The Department has reviewed the DEIS for technical content, regulatory impact, and consistency with the joint State-Federal process and later Department input. Based on this, we are providing the following comments as well as more specific technical and editorial comments in the attached list. As noted above, the Department is supportive of the Sanctuary's efforts to implement the federal waters portion of the proposed MPAs in the Channel Islands region.

Specifically, the Department supports the adoption of Alternative 1c (as modified below and in the attached) which would establish MPAs in Federal waters only. The Department will work with the California Fish and Game Commission (Commission) to fill in the gaps between existing State MPAs and the State-Federal water boundary at 3 nautical miles from shore.

Sanctuaries Act and Magnuson Act Authorities to Regulate Fisheries

The Department agrees with the proposed limited change to the Sanctuary's Terms of Designation in Article 5, Section 1. Specifically, we note that the change limits the Sanctuary's authority for regulation of fisheries to portions of the Sanctuary within MPAs. Additionally, the proposed rule limits this authority to MPAs established pursuant to the scope of the Department's Final Environmental Document for MPAs in the area. Both of these limitations are consistent with earlier Department requests.

C. Mobley  
September 27, 2006  
Page 2

The Department also appreciates the Sanctuary's effort to allow Magnuson Act regulations implemented by NOAA Fisheries to supercede Sanctuary regulations for fishing within MPAs. The DEIS notes "(t)he proposed regulations prohibit only those extractive activities within marine reserves that are not prohibited by 50 CFR part 660...(NOAA fisheries regulations)" (DEIS, pg. 164). The proposed rule, however, includes a statement that could be interpreted to mean that only NOAA fishery regulations enacted prior to the date of the final Sanctuary rule would supercede the Sanctuary regulations. The proposed rule states:

§922.73 (a) Marine reserves. Unless prohibited by 50 CFR part 660 (Fisheries off West Coast States) as of [effective date of final rule], the following activities are prohibited...

This addition of the statement "as of [effective date of final rule]" is repeated in Section 922.73(b). Because of the addition of the effective date of the final rule, only those NOAA Fisheries regulations which are in effect prior to the date of the final rule will apply. If, at a later date, NOAA Fisheries regulations are established which prohibit fishing, the Sanctuary regulations will still apply, even though they would then become duplicative and unnecessary. The Department recommends removing this reference to the date of the final rule, so if at any time NOAA Fisheries regulations prohibit the activities the Sanctuary regulations no longer apply.

Department Marine Region Comments

The Department's Marine Region has worked closely with Sanctuary staff throughout the Channel Islands MPA process. The Marine Region has provided a variety of technical and editorial comments in the attached list. These comments are primarily intended to strengthen the factual basis for the proposed action. As noted above and in previous comments, the Marine Region supports the establishment of MPAs in Sanctuary waters that will help complete the joint State-Federal proposal and compliment the MPAs adopted by the Fish and Game Commission and implemented in 2003 in State waters.

Department Office of Spill Prevention and Response Comments

The Department's Office of Spill Prevention and Response (OSPR) is active within the Sanctuary in two ways: (1) responding to oil spills, and (2) restoring natural resources impacted by oil spills and other releases of deleterious materials. OSPR indicates that the proposed creation of MPAs in federal waters will have no adverse impact on the planning or operational activities undertaken by OSPR response personnel, or inhibit or impede their mission to respond to oil spill events in the area.

OSPR is currently involved in several restoration actions in the area, primarily focused on bird species such as the Xantus's Murrelet, Cassin's Auklet, Brown Pelican, and Bald Eagle. While the proposed action is primarily designed to conserve marine fish and invertebrate resources, this action may also reduce conflicts between seabirds and fisheries (e.g., due to bycatch or lights on vessels) and in general promote the health of the ecosystem. As such, these actions should compliment OSPR's restoration efforts.

C. Mobley  
September 27, 2006  
Page 3

Department Enforcement Comments

The Department's enforcement staff have reviewed the proposed rule for consistency with State regulations, enforceability, and understanding by the public. Unlike the proposed federal rule, the State MPA regulations do not provide specific definitions for gear stowage when transiting MPAs. The Department feels this allows appropriate discretion when enforcing the regulations. If the Sanctuary deems it necessary to include a specific definition for gear stowage, Department enforcement staff request an alternative definition be used. This definition is provided in the attached specific comments. Additionally, a minor change to the proposed rule regarding possession of legally taken marine life within marine conservation areas is suggested in the attached.

Again, the Department appreciates this opportunity to comment on the DEIS as well as the Sanctuary's continued efforts to work collaboratively with the State of California. If you have questions regarding this matter please contact Mr. John Ugoretz, Nearshore Ecosystem Coordinator, Marine Region at (831) 649-2893, or by email at [jugoretz@dfg.ca.gov](mailto:jugoretz@dfg.ca.gov).

Sincerely,



L. Ryan Broddrick, Director  
California Department of Fish & Game

cc: Mr. Rodney F. Weiher, Ph.D.  
NOAA NEPA Coordinator  
NOAA/PPI, SSMC3, Room 15603  
1315 East-West Highway  
Silver Spring, MD 20910

**California Department of Fish and Game**  
Mr. Sonke Mastrup, Deputy Director - Sacramento  
Mr. Gary Stacey, Marine Region Manager - Los Alamitos  
Ms. Marija Vojkovich, Marine Region - Santa Barbara  
Mr. John Ugoretz, Marine Region - Monterey



California Department of Fish and Game  
Review of the Channel Islands National Marine Sanctuary DEIS  
for the Consideration of Marine Reserves and Marine Conservation Area  
Specific Technical and Editorial Comments  
September 26, 2006

**Section 5.1.1.3**

Page 74

- First paragraph: halibut, lingcod and kelp bass are not pelagic species as the section title implies. We suggest changing the title to "Effects on Apex Predators".
- Second paragraph: The first sentence of this paragraph is not relevant as written; it may intend to discuss fishing inside reserves. The statement regarding estimates of biomass showing removals of 90% is misleading and inappropriate for the context. The final sentence is hypothetical and not supported by citation. This paragraph needs significant revision and/or deletion.

**Section 5.1.6**

Page 80

- Second paragraph: Replace CDFG with PFMC. The phrase "and associated species" should be removed, as only the recovery of cowcod rockfish is estimated at 90 years.
- Last paragraph: The entire continental shelf has been designated as EFH. The paragraph likely intends to refer to Habitat Areas of Particular Concern (HAPCs) which require federal agencies to consult with each other before taking actions that may impact them.

Page 81

- Last paragraph: Proposition 132 was a public initiative and therefore was not passed specifically because of scientific information on impacts of gill nets. Rather, it was a response to public perception of impacts. This paragraph should be reworded.

Page 82

- First paragraph (and repeated on Page 95, 4<sup>th</sup> paragraph): Reference is made to seasonal area closures to "protect nesting birds and marine mammals". The regulatory authority and reference for these closures should be added.
- Fifth paragraph: The statement "The Proposed Action utilizes the ecosystem-based..." should be re-written to state "The Proposed Action could be one component of the ecosystem-based..."
- Sixth paragraph: The spot prawn trawling closure was not in response to declines in spot prawn catch. The trawl closure for spot prawns was implemented primarily due to concerns of potential damage to high relief habitat from roller gear and from overall levels of bycatch, particularly finfishes, relative to spot prawn catch. Rockfish were a minor component of the finfish bycatch, although the estimated levels of bocaccio bycatch were significant relative to the TAC in 2003 for bocaccio set by PFMC. While it is true that statewide spot prawn landings were in a declining period in the early 2000's, landings in the late 1990's had reached unprecedented high levels due to increased trawler effort. The Commission was more concerned with potential habitat damage and rockfish bycatch issues than

with the landings trend. This paragraph should be re-written to reflect the correct reason for the closure.

### Section 5.2.2.

Beginning on page 85.

- Parts of this section are confusing, in part due to the use of the term "Ex vessel value of catch and harvest of kelp". Page 86, paragraph 1 states "There are zero additional impacts to kelp harvesters/processors...", yet page 87, sentence 1 states "Although Alternative 1 only potentially impacts 1.18% of the annual ex vessel value of catch and harvest of kelp...", and thus appears contradictory with respect to kelp. If kelp harvest could be treated separately this should avoid the confusion. This comment also applies to page 96, paragraph 3.
- It does not seem logical to include potential impacts from the existing Channel Islands state MPAs. This impact should have already occurred and in many cases, data do not show that these impacts have occurred. This need to be re-written.
- The kelp fishery should not be in this analysis, since no kelp beds occur in the new portions of the proposed MPAs.

Page 88, Table 26, and page 97, Table 31

- These tables are confusing because the column headers say "value" but what the tables depict is actually "potential impact" to the fisheries.
- There appear to be mathematical errors in the impact tables. For instance, if \$24,233,406 is used as the total value of all fisheries (Table 24, Column 2), and \$3,012,974 is the total potential impact (Table 26 bottom of next to last column), then the percent total impact should be 12.43, and not 12.50 as listed at the bottom of the last column in Table 26. For Table 31, a similar problem occurs. The mathematical result is 12.88%, not 12.95%.

### Section 5.2.2.2

Page 90

- First paragraph: The last sentence, in stating "this fishery...", makes a weak link to rockfish two sentences previous. There is more than one rockfish fishery (nearshore, shelf, slope). Landings are not continuing "in steep decline". In 2003 to 2005, none of the landings for the port of Santa Barbara in these three fisheries could be considered as having "steep" declines- shelf rockfish landings increased during this period.
- Second paragraph (this comment also applies to page 100, paragraph 1): spot prawn decline stopped in 2003 and increased in each of the next two years. It is incorrect to speak of "prawn catch" as one fishery- there are two separate fisheries, for ridgeback and spot prawn. The analysis discussion is unclear about one whether there is one or two fisheries. It is misleading to state that the spot prawn fishery was in steep decline prior to the ban on trawling; the fishery realized its highest catch ever in 1998, primarily due to significant increases in trawl effort. This catch level was likely not sustainable, and the resultant catch levels in 2002, the last full year of fishing by spot prawn trawlers, was approaching a more sustainable level. It is also misleading to say that trap fishing is replacing trawling; trap fishing has been occurring since the mid 1980's in southern California. The reality is that the few former spot prawn trawlers who were given conversion permits by the Commission, and have grieved to switch to spot prawn traps, are

finding it difficult to make a living fishing those traps in what were the former spot prawn trawl grounds.

- Last paragraph: The statement regarding "squid and wetfish" accounting for the majority of impact appears to contradict the statement on page 86, which states that "the largest potential impacts are on the harvesters of squid, wetfish, urchins, prawn, and rockfish;"

Page 91

- First paragraph: The impact to fisheries within State waters MPAs has already occurred. The analysis and discussion should reflect this fact.

Page 94

- Second paragraph: Allocation is not regulation as the paragraph implies. Additionally Proposition 132 was not designed to allocate a resource nor to benefit one group. This paragraph should be re-written or deleted.
- Third paragraph: The paragraph states "Given the open access nature of the fishery..." The nearshore rockfish fishery is a restricted access fishery and the definition of "open access nature" should be included. Overall this paragraph is awkward and difficult to understand and should be re-written.

Page 95

- First full paragraph: The paragraph states "One example of rational fisheries management is the use of individual transferable quotas (ITQs)." This rather sweeping and unsupported use of the term "rational" is inappropriate in this type of discussion. Additionally, the paragraph and further discussion of ITQs is laden with assumptions and unsupported equilibrium results. The major assumption that "capacity in fisheries is reduced" doesn't speak to possible redistribution of effort to other geographic locations. The second paragraph would benefit from changing the phrase "...ITQs would result in much lower capacity in the fisheries" to "...ITQs may result in lower capacity in the fisheries."

**Section 5.2.3.1**

Page 101

- Last paragraph: The text incorrectly referenced Table 39; it should reference Table 37. It would really help the reader in this paragraph if the references to Table 37 would include the section of the table where the numbers cited could be found.

**Section 5.2.3.3**

Page 108

- First paragraph: As above, the text references Table 39; it should reference Table 40. It is also unclear that the authors have added 4 numbers in each table (Section 1 columns 2 and 4 last line, Section 2, columns 2 and 4 last line) to arrive at their total rounded-off estimate of potential impacts. Without additional explanation, this makes it difficult to understand the relationship between the text and the table.

**Proposed Rule:**

Page 172

- Section 922.71: Replace the definition of "Stowed and not available for immediate use" with the following:  
Stowed Gear Definition. For the purposes of this regulation,

(a) Stowed recreational hook and line fishing gear is defined as hook and line gear with all line reeled to the reel or rod tip with hooks secured to the rod and not actively fishing.

(b) Stowed recreational lobster fishing gear is defined as un-baited hoop-net gear with all lines detached from the net.

(c) Stowed spear guns are defined as unloaded, or partially disassembled (such as spear shafts being kept separate from spear gun).

(d) Stowed trawl gear is defined as stowed either below deck, or if the gear cannot readily be moved, in a secured and covered manner, detached from all towing lines, so that it is rendered unusable for fishing; or remain on deck uncovered if the trawl doors are hung from their stations and the net is disconnected from the doors.

(e) Stowed commercial lobster fishing gear is defined as an un-baited trap placed on or below a vessel surface and tied to such surface in a manner that would not allow immediate deployment.

- Sections 922.73(a) and (b): Remove the references to "as of [effective date of final rule]" as described above.

Page 173

- Section 922.73(b)(3): Certain fish are allowed to be taken within marine conservation areas when not at anchor or in transit. Thus, the addition of the phrase "at anchor or in transit" to the end of this sub-section is not appropriate. We suggest removing the phrase from this sub-section.

**Subject:** Review comments on DEIS, Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas, Channel Island National Marine Sanctuary (CINMS)  
**From:** "Brus, Kirk C SPL" <Kirk.C.Brus@spl01.usace.army.mil>  
**Date:** Wed, 20 Sep 2006 10:08:09 -0700  
**To:** cinmsreserves.deis@noaa.gov  
**CC:** "Watt, Alexander C SPL" <Alexander.C.Watt@spl01.usace.army.mil>

To NOAA:

Thank you for the opportunity to review the subject matter DEIS, Consideration of Marine Reserves and Marine Conservation Areas, CINMS.

Comment 1: As noted in the subject matter DEIS on pages iii, 1, 2, 3, 27, 64, 65, 154, 156, 158; and pages 205, 207, 208 (Appendix I) discuss the cultural, archeological and historical value and/or significance of certain portions of the CINMS. As noted in the DEIS on page 27, Table 3, the Painted Cave MCA is stated as an existing important and cultural- and natural feature. Question: In Table 3, Under Habitat Types in Alternative 1 and Habitat Types in Alternative 2 pertaining to the Painted Cave MCA are stated as "No addition proposed." Is "No addition proposed" for Alternative 1 and 2 inferring that the expansion of the Alternative 1 and 2 zone(s) would have no impact on the Painted Cave MCA? Please clarify what is meant by "No addition proposed"; thank you.

Comment 2: Also discussed in the DEIS, on page 164, under B. Activities prohibited within the marine reserves, the following statement: "It (sanctuary resource) also includes historical resources (which, pursuant to 15 CFR 922.3), include cultural and archeological resources, such as shipwrecks and Native American remains."

Per Section 106 of the National Historic Preservation Act (NHPA) of 1966 requires Federal agencies to take into account the effects of their undertakings on historic properties. The historic preservation review mandated by Section 106 is outlined in regulations issued by the Advisory Council of Historic Properties (ACHP). Revised regulations, "Protection of Historic Properties" (36 CFR Part 800), became effective January 11, 2001. Since the DEIS does identify some evidence of existing important historic resources, the US Army Corps of Engineers (Corps) recommends NOAA to implement Section 106 to include: 1) Initiating Section 106 process that includes consultation with the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO); 2) Properly identify historic properties; 3) Assess adverse effects, if any, on all the Alternatives; 4) Resolve adverse effects, if any, that usually includes a Memorandum of Agreement (MOA), which outlines agreed-upon measure that the (action) agency will take to avoid, minimize, or mitigate the adverse effects; and 5) Implementation (of MOA), if any, of the undertaking.

Also, since the DEIS does identify some evidence of existing important cultural resources (i.e., Painted Cave MCA), and since the Chumash Tribe, for example, is present in Santa Barbara and Ventura County, and is a recognized State of California Tribe and part of the State of California's Native American Heritage Commission (NAHC) distribution, the Corps recommends NOAA to implement Section 106, as noted above, with Tribes in the CINMS project area. It should be noted that as with NEPA (scoping), public involvement is a key ingredient in successful Section 106 consultation, and the view of the public should be solicited and considered throughout the process. Section 106 also places major emphasis on consultation with Indian tribes and Native Hawaiian organizations, in keeping with the 1992 amendments to NHPA. Consultation with an Indian tribe must respect tribal sovereignty and the government-to-government relationships between the Federal Government and Indian tribes.

Response to Corps Comments may be sent to:

US Army Corps of Engineers  
P.O. Box 532711  
Planning Division, Attn: Kirk Brus (CESPL-PD-RL)  
Los Angeles, CA. 90053-2325

Thank you-

Kirk Brus  
Physical Scientist Environmental Manager

**Subject:** sanctuary

**From:** "obuche@cox.net" <obucher@cox.net>

**Date:** Thu, 05 Oct 2006 18:44:01 -0700

**To:** cinmsreserves.deis@noaa.gov

I have been sport-scuba diving all the islands since 1969.  
I used to spear fish and collect Abalones & Lobsters in the 70's, but have long since stopped taking anything.  
I have seen DRAMATIC changes every decade, reduction in fish population. Fish much fewer and smaller in size.  
Abalone completely depleted.

When will fishermen finally realize that establishing drastic reserves is the only way to assure harvesting of  
seafood in certain areas for future generations.  
The total depletion of the once plentiful Abalone should teach us something !  
O.Bucher, S.Barbara

October 5, 2006

L-49

Mr. Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings:

I am writing because I deeply respect and admire America's natural resources and wildlife and to urgently ask you to adopt regulations that will protect the Channel Islands National Marine Sanctuary and make this area a safe haven for marine wildlife.

The waters around the Channel Islands are home to endangered seabirds, over-fished populations of rockfish, and 30 different species of marine mammals.

With an area just larger than Yosemite National Park, the Channel Islands National Marine Sanctuary is a national treasure and a United Nations Biosphere Reserve.

Even though the sanctuary was created in 1980 to preserve and protect the area's "unique and fragile" community, it has historically offered very little protection to the fish, whales and birds that live there.

California adopted its portion of a network of marine protected areas for the islands in 2002.

Now, the federal government must finish that network and extend protection out to six nautical miles from the islands' shores.

Together, this combined state and federal effort will protect almost a quarter of the Channel Islands' marine wildlife.

Please support the National Marine Sanctuary Program's option "1a" and ask you to move quickly to create these important marine protected areas.

Thank you for your help in this important matter.

Respectfully,



J. Capozzelli  
315 West 90th Street  
New York, NY 10024

LOIS CAPPS  
23RD DISTRICT, CALIFORNIA

1707 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-0522  
(202) 225-3601

COMMITTEE ON  
ENERGY AND COMMERCE

COMMITTEE ON THE BUDGET



**Congress of the United States**  
**House of Representatives**

October 10, 2006

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings:

Thank you for this opportunity to comment on the Channel Islands National Marine Sanctuary Draft Environmental Impact Statement (DEIS) for the consideration of Marine Reserves and Marine Conservation Areas.

National Marine Sanctuaries are the crown jewels of America's marine environment. The public trust responsibility of the National Marine Sanctuary Program requires that the biological diversity and ecological integrity of sanctuary ecosystems be conserved and sustained. The present DEIS offers a timely opportunity to ensure that these goals are achieved in the Channel Islands National Marine Sanctuary.

I strongly support the agency's efforts to expand and complete the network of marine protected areas around the Channel Islands. Based on the ecological, socioeconomic, and management analyses conducted by your staff, I believe that Alternative 1a, the agency's preferred alternative, is the most effective way to provide long-term protection of Sanctuary resources, as well as restore and maintain the Channel Islands diverse and productive marine habitat and wildlife. Alternative 1a will also provide undisturbed reference areas for important research and education opportunities throughout the Channel Islands ecosystem.

In addition, Alternative 1a complements the existing state marine protected areas, which were created in 2003. Overlaying regulations, as proposed in Alternative 1a, will provide added assurance that conservation actions will be implemented by both State and Federal agencies. Coordination between these officials will benefit a variety of key stakeholders interested in management decisions at the Channel Islands National Marine Sanctuary.

Thank you again for the opportunity to comment on the DEIS. I look forward to continuing to work with you as this important process moves forward.

Sincerely,

  
LOIS CAPPS  
Member of Congress

L-37  
DISTRICT OFFICES:

- 1411 MARSH STREET, SUITE 205  
SAN LUIS OBISPO, CA 93401  
(805) 546-8348
- 1216 STATE STREET, SUITE 403  
SANTA BARBARA, CA 93101  
(805) 730-1710
- 141 SOUTH A STREET, SUITE 204  
OXNARD, CA 93030  
(805) 385-3440

E-28

**Subject:** Channel Is

**From:** Charrier <[sjcharrier@worldnet.att.net](mailto:sjcharrier@worldnet.att.net)>

**Date:** Sat, 07 Oct 2006 16:27:00 -0500

**To:** [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Dear NOAA and Sean Hastings:

Please adopt Option 1a and protect the Channel Islands!

Most sincerely,

JL Charrier

[sjcharrier@worldnet.att.net](mailto:sjcharrier@worldnet.att.net)

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L-13

October 3, 2006

Chris Mobley, CINMS Superintendent  
NOAA National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Mobley,

The Resources Agency appreciates the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Consideration of Marine Reserves and Marine Conservation Areas in the Channel Islands National Marine Sanctuary. Protecting our ocean and coast is a high priority for the State of California. The California Ocean Protection Council is focused on improving coordination of ocean management. The state is committed to designing a network of marine protected areas (MPAs) under the Marine Life Protection Act. California's strong partnership with the National Marine Sanctuary Program to manage the four sanctuaries off our coast is critical to ensure the health of ocean ecosystems in California.

California is happy to see this progress on the federal phase of the joint state-federal process to establish MPAs in the Channel Islands. As Secretary for Resources and the state's lead for ocean issues pursuant to the California Ocean Resources Management Act, I requested the relevant departments to submit their comments on the DEIS directly to my office so I could coordinate a state response.

The Resources Agency is currently evaluating comments from our departments, boards, and commissions on the range of alternatives in the DEIS and will submit our preferred alternative at a later stage in the process. The comment letters from the Departments of Fish and Game and Boating and Waterways are attached. Comments from the California Coastal Commission will be submitted to your office by October 10.

The Department of Fish and Game supports the adoption of Alternative 1c (as modified in their comment letter), which would establish MPAs in federal waters only.

The Department of Boating and Waterways expressed concerns in their comment letter about any alternative that expands the MPAs (Alternative 2).

1416 Ninth Street, Suite 1311, Sacramento, CA 95814 Ph. 916.653.5656 Fax 916.653.8102 <http://resources.ca.gov>

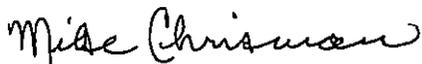
Baldwin Hills Conservancy • California Bay-Delta Authority • California Coastal Commission • California Coastal Conservancy • California Conservation Corps • California Tahoe Conservancy  
Coachella Valley Mountains Conservancy • Colorado River Board of California • Delta Protection Commission • Department of Boating & Waterways • Department of Conservation  
Department of Fish & Game • Department of Forestry & Fire Protection • Department of Parks & Recreation • Department of Water Resources • Energy Resources, Conservation & Development Commission  
Native American Heritage Commission • San Diego River Conservancy • San Francisco Bay Conservation & Development Commission  
San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy • San Joaquin River Conservancy  
Santa Monica Mountains Conservancy • Sierra Nevada Conservancy • State Lands Commission • Wildlife Conservation Board



It is in the best interest of all parties for us to discuss these comments before the final EIS is submitted. I propose we hold a meeting at my office in Sacramento with representatives from the Department of Fish and Game and the Sanctuary Program. The objective of this meeting will be to address the issues that have been raised while focusing on our common goal of co-managing the MPAs in the Channel Islands.

Thank you for the opportunity to comment on this document. We look forward to meeting with you. Please contact Assistant Secretary for Ocean and Coastal Policy Brian Baird at [brian.baird@resources.ca.gov](mailto:brian.baird@resources.ca.gov) or (916) 657-0198, or Ocean Policy Analyst Leah Akins at [leah.akers@resources.ca.gov](mailto:leah.akers@resources.ca.gov) or (916) 653-9416 to schedule a meeting with our office and if you have any questions regarding these comments.

Sincerely,



Mike Chrisman  
Secretary for Resources

cc: Mr. Rodney F. Weiher, Ph.D.  
L. Ryan Brodrick, Director, Department of Fish and Game  
Raynor Tsuneyoshi, Director, Department of Boating and Waterways  
Peter Douglas, Executive Director, California Coastal Commission

---

----- Original Message -----

**From** Dan Chua <spearoo@gmail.com>

**Date** Wed, 16 Aug 2006 11:01:55 -0700

**To** cinmsreserves.deis@noaa.gov

**Subject** MPAs

Eliminating commercial fishing in the area will do much more for the fisheries than the MPAs. Lots of fish are pelagic and move in and out of MPAs. how do the MPAs protect these fish.

Dear Mr. Hastings,

I was a significant contributor when funds were being sought to buy parts of Santa Cruz Island with the aim of creating a new natural reserve, thus one could say that I have a vested interest in the Channel Islands National Marine Sanctuary. I am including the NRDC letter, with which I'm sure you are familiar, because I believe the points it makes are valid.

I urge sanctuary officials to adopt regulations that would create marine protected areas to complete the work started at the Channel Islands nearly seven years ago.

The waters around the Channel Islands are home to endangered seabirds, overfished populations of rockfish and 30 different species of marine mammals. With an area just larger than Yosemite National Park, the Channel Islands National Marine Sanctuary is a national treasure and a United Nations Biosphere Reserve. The sanctuary was created in 1980 to preserve and protect the area's "unique and fragile" ecosystem, yet for decades the sanctuary has offered very little protection to the whales, fish and birds that live there.

California adopted its portion of a network of marine protected areas for the islands in 2002. The Channel Islands National Marine Sanctuary should now finish that network and extend protection out to six nautical miles from the islands' shores. I support option 1a, which would provide continuous protection for marine life within the sanctuary.

It is time for the sanctuary to live up to its name by providing a safe haven for ocean wildlife. Please move quickly to expand these important marine protected areas.

Sincerely,

Jack Couffer  
716 Marguerite Ave.,  
Corona del Mar, CA 92625

**Subject:** Save the channel Islands sanctuary  
**From:** "E. Page Cunningham" <e\_page\_c@hotmail.com>  
**Date:** Sat, 07 Oct 2006 19:24:38 -0700  
**To:** cinmsreserves.deis@noaa.gov

I am a 6th generation californian. I dearly am a proponent for our wildlife and most importantly our sea life. Please (of all the nonsense that our state does) let this issue go down in history as one that we stepped up to the plate and did the right thing for our environment.

---

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**Subject:** Comments: Re: Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas for the Channel Islands National Marine Sanctuary

**From:** Jim Curland <jcurland@defenders.org>

**Date:** Tue, 10 Oct 2006 15:56:47 -0700

**To:** cinmsreserves.deis@noaa.gov

**CC:** Jim Curland <jcurland@defenders.org>



**VIA EMAIL AND U.S. MAIL**

October 10, 2006

Mr. Chris Mobley  
Superintendent  
NOAA National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109  
*CINMSReserves.DEIS@noaa.gov*

**Re: Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas for the Channel Islands National Marine Sanctuary**

Dear Mr. Mobley:

On behalf of Defenders of Wildlife ("Defenders"), with our headquarters' office in Washington, DC, offices throughout the country (including three offices in California: our main Sacramento office, a marine program office in the Monterey Bay area, and a desert office), representing nearly a half million members and supporters nationwide, and more than 120,000 of those members that are in California, we are submitting the following comments on the *Draft Environmental Impact Statement* ("DEIS") *for the Consideration of Marine Reserves and Marine Conservation Areas for the Channel Islands National Marine Sanctuary* ("CINMS"). Defenders has submitted comments on the Channel Islands Marine Reserve issue over the past several years, and more recently (July 21, 2006) we submitted comments on the CINMS Draft Management Plan. In addition, we have been involved in sea otter conservation issues within the CINMS. Some of the comments we have provided on those issues overlap with areas of focus in the DEIS.

In general, Defenders supports Alternative 2 as it best meets the scientific

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and conservation goals for resource and habitat protection, species sustainability and restoration, and the successful implementation of a network of marine reserves and conservation areas that will accomplish the goal of ecosystem protection and biodiversity. If we are to succeed in achieving the goals and objectives of the National Marine Sanctuaries Act and the CINMS, it is imperative that we select a plan that will enhance protection of Sanctuary resources for future generations. Alternative 2 is this plan.

### General Comments

Defenders wishes to "incorporate by reference" comments from the Conservation Working Group letter dated September 21, 2006, Environmental Defense Center letter, dated October 10, 2006, and The Ocean Conservancy letter, dated October 10, 2006.

When Defenders submitted written comments and testified at public hearings in 2002 on the *Draft Environmental Document for Marine Reserves in the Channel Islands National Marine Sanctuary*, the scientific consensus for designing a network of marine reserves in state waters was that "30% to 50% of each habitat type be set aside as part of the reserve network within CINMS." In our letter dated August 30, 2002 we stated:

*In a letter addressed to Governor Davis, dated December 6, 2001, a coalition of 50 environmental groups, which included Defenders, stated, "although we continue to support a more comprehensive network of reserves than the Department's draft preferred alternative, we believe this compromise will provide the minimum protection necessary (emphasis added) for Channel Islands marine life while accommodating existing public and commercial uses of these waters. Selection of a lesser alternative would not achieve the consensus-based goals of the Marine Reserves Working Group and would threaten the success of the reserve network itself." While Defenders has acknowledged that 25% (previously the "draft preferred alternative" percent coverage, now the Project percent coverage) is the minimum protection necessary to provide success for a network of reserves within CINMS, we strongly urge the CDFG to recognize that alternative 5 in the DED is the only proposal that approaches the Scientific Advisory Panel's (SAP) ecosystem-based recommendation that 30% to 50% of each habitat type be set aside as part of the reserve network within CINMS.*

This same argument should be adhered to for designing a network of marine reserves and conservation areas for federal waters and can be used to support why alternative 2 is the only choice. In addition, this is the only one of the alternatives that fills in the gaps for state waters that were not included

as part of the 2002 decision and subsequent implementation of the network.

As socioeconomic evaluations proceed forward, as outlined on pp. 49-67 and pp. 82-127 of the DEIS, a study by Dr. John Loomis, Department of Agricultural and Resource Economics, Colorado State University, *Economic Benefits of Expanding California's Southern Sea Otter Populations*, should be considered. While the sea otter resides in state waters, the benefits achieved from designing a network of marine reserves and conservation areas in accordance with Alternative 2 will benefit the sea otter and its potential reoccupation of areas within CINMS. This in turn will translate into the economic benefits concluded by the Loomis report. Dr. Loomis concluded that:

*Expansion of southern sea otter populations and habitat will likely result in increases in tourism in Santa Barbara in the next decade, and eventually in Ventura County. Using a statistical model of tourism in California along with survey data on sea otter visits, we estimate an increase in Santa Barbara county of at least 62 direct jobs to as much as 326 direct jobs. This increase in jobs is associated with estimates from the U.S. Fish and Wildlife Service (USFWS) Draft Supplemental Environmental Impact Statement on the Translocation of Southern Sea Otters (DSEIS) of 117 additional otters along the coast in Santa Barbara county in the next decade. These job estimates do not include multiplier effects, which could easily double the eventual number of jobs provided once sea otter populations expand and additional tourism infrastructure is put in place in Santa Barbara and Ventura counties. This expansion of southern sea otter populations along the Santa Barbara coast would result in at least \$1.5 million in direct tourism income related to sea otters to a best estimate of \$8.2 million annually in Santa Barbara and Ventura counties from the initial expansion of sea otter populations reported by USFWS. These direct income effects do not reflect any multiplier effects, consideration of which may double these direct income estimates.*

**Conclusion**

Defenders looks forward to being part of the process dedicated to finalizing the designation of a network of marine reserves and conservation areas within CINMS. We support alternative 2 and strongly urge CINMS staff to adopt this alternative as best accomplishing the variety of goals set forth to protecting this remarkable area and its inhabitants.

If you have any questions regarding our comments, please contact me.

Sincerely,



Jim Curland, Marine Program Associate

Cc: Dr. Rodney Weiher, NOAA

National Headquarters  
1110 Seventeenth Street, NW  
Washington, DC 20036-6064  
Telephone: 202-662-9400  
Fax: 202-662-1311  
www.defenders.org

Image: 0/0x3d019px

<b>Loomis Otter Rpt_Dec2005_final.pdf</b>	<b>Content-Type:</b> application/octet-stream <b>Content-Encoding:</b> base64
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<b>DOW CINMS DED cmmts-08/02</b>	<b>Content-Type:</b> multipart/appledouble <b>Content-Encoding:</b> 7bit
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----- Original Message -----

**From** rod delmue <rodcindy@ftcnet.net>

**Date** Fri, 08 Sep 2006 12:20:49 -0700

**To** cinmsreserves.deis@noaa.gov

**Subject** DEIS Request

Please consider more exclusive diving areas for the sport lobster divers, I think it would be good policy to restrict the commercial lobster fisheries. They get most of the lobster, and it benefits only a few lobster fishermen. I think it would also be good for the lobster populations, as since the divers are so severely restricted in the take methods that are allowed them. It would probably be a good idea to close one half of the fishery to the commercial fisherman. It seems to have worked well on catalina island. Thank you rodcindy@ftcnet.net

## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5200  
FAX (415) 904-5400



L-33

October 10, 2006

Chris Mobley, CINMS Superintendent  
NOAA National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Mobley,

Following are comments of the staff of the California Coastal Commission on the *Channel Islands National Marine Sanctuary Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas* (hereafter "DEIS"). We appreciate this opportunity to comment on the exciting prospect of rebuilding the living resources of the CINMS.

**GENERAL COMMENTS**

1. Alternative 1a is disclosed, in sections 3.2.2 and 5.3.1, as NOAA's preferred alternative. Please note this within the Executive Summary.
2. Some of the proposed marine reserves ("MR") and marine conservation areas ("MCA") appear too small to provide sufficient ecosystem conservation and network benefit. In fact, the DEIS says several of the proposed marine protected areas (collectively, "MPAs"), in all of the alternatives discussed, do not meet the size minimums suggested by the Research Advisory Panel ("RAP"). However, the DEIS does not explain why the proposed MPAs are not proposed to be larger, consistent with the suggestions of the RAP. Please address this in the Final EIS.
3. In order to protect a broad array of marine species and their ecological interactions, a portion of all the representative habitat types within the CINMS should be protected. Furthermore, the CINMS Research Advisory Panel has recommended that at least three to five replicate patches of each habitat type be represented within MPAs to allow the National Marine Sanctuary Program's ("NMSP") biological protection, conservation and enhancement goals to be properly met and to provide sufficient information about each habitat and its associated species to adequately inform scientific understanding of the ecological consequences of MPAs. As noted in the second paragraph of page 28 of the DEIS however, "Habitat patches of hard substrate within all depth intervals are not replicated sufficiently in Alternative 1 [which] includes two or fewer replicates of hard substrate" mostly in small patches of less than one square nautical mile. We request that the Final EIS address this apparent discrepancy between the goals of the NMSP and recommendations of the RAP and the lack of hard substrate habitat representation and replication proposed under the Alternative 1 and Alternative 2 MPA designations.

4. It appears most of the MPAs discussed in the DEIS address marine resources that have historically been commercially or recreationally "extracted." There is some mention in section 3.3.3 of some non-commercial or non-extracted resources that will also benefit from MPAs; however, it is also clear that the CINMS MPAs are not primarily designed to enhance benefits to non-harvested species. That said, the Painted Caves marine conservation area seems to stand out as an odd player in the MPA network. Cultural resources at Painted Caves would be protected (we presume those are on-shore cultural resources), and the area is also a marine mammal haul out site. It is the smallest MPA proposed, and is currently entirely within state waters. Neither cultural resources nor marine mammal haul out areas are identified for protection in other areas of the CINMS. The DEIS does not propose extending Painted Caves into federal waters, even though that extension might make it meet the Research Advisory Panel size guidelines, or provide further marine mammal or seabird prey species protections.
5. Alternatives 1a, 1b and 1c all propose the same broad outline for each proposed MPA, but treat the state and federal waters boundary differently. Several proposed areas (Judith Rock, South Point, Carrington Point, Painted Cave, Anacapa) within Alternative 1 fail to extend protections to the full (6-mile from shore) offshore extent of the CINMS. Alternative 2 provides those extensions to the 6-mile CINMS offshore boundary. However, there is no alternative that evaluates using the Alternative 2 boundaries, but turning some of the offshore areas currently posed as federal marine reserves into federal marine conservation areas, allowing some highly restricted fishing for non-imperiled species within those areas. If correctly configured and regulated, some marine conservation areas in federal waters (where there is only limited fishing) could be scientifically studied and compared to nearby marine reserves in federal waters where absolutely no fishing is allowed. We would then have more scientific information to tell us which species – and maybe even which highly migratory species – could truly benefit from full reserve protection. If marine conservation areas that allow some fishing are later demonstrated, based on the expected scientific monitoring and evaluation, to require more protection, they could be turned into marine reserves based on those data. We request that this alternative be considered in the Final EIS.
6. When the DEIS discusses socioeconomic impacts to fisheries, it only includes value of the catch. It does not include income brought to harbors/marinas/businesses that support fishing (e.g., cold storage facilities, launch ramps, slip fees, fish processors and marketers, restaurants). Likewise, support and rental services for recreational fishing (e.g., party boats, kayak rentals, dive shops, visitor lodging) are not addressed. This deficiency exists in both the DEIS socioeconomic impacts discussion as well as the more detailed analysis provided by Leeworth and Wiley (2005). We request that the Final EIS include a discussion and analysis of the potential socioeconomic impacts to commercial and recreational fishing support services and businesses.
7. Kelp bed lease issues need a more complete discussion in the DEIS. ISP Alginates is apparently leaving the area (and the suggestion is made that this is because there is insufficient kelp left to harvest commercially), but if the kelp beds in the area are leased,

- and those leases have not expired, then there cannot be a marine reserve designated for that area. It either needs to be a marine conservation area that still allows (present or future) commercial kelp harvest, or the CDFG needs to change any leased or open kelp beds in the marine reserves to closed beds. Otherwise, if kelp comes back, ISP or some other commercial kelp harvester could exert their rights to lease the bed and harvest the kelp. This is a particular issue for Alternatives 1a and 2, which suggest federal MPAs overlie existing state MPAs.
8. The Final EIS should address the benefits of the proposed marine reserves to southern sea otter recovery. There are a couple of otters at San Miguel Island, and an unsubstantiated report of one at Santa Cruz Island. The establishment and success of sea otters at the CINMS would benefit sea otter population recovery, and if they became established in fair number, could present benefits to kelp forest marine biodiversity within and outside the marine reserves, and potential impacts to some fisheries outside the reserves.
  9. The DEIS does not sufficiently discuss or address long-term research monitoring of network effectiveness, enforcement program development and funding, or outreach and education. This critical deficiency can be addressed at least in part in the Final EIS by incorporating the recommendations made in specific comments number 22, 23 and 34 and by referencing and/or incorporating relevant elements of two recent documents:
    - o California Marine Life Protection Act Initiative *Draft Report on Improving Coordination among State and Federal Agencies with MPA Responsibilities* (August 28, 2006 draft).
    - o NOAA *Draft Framework for Developing the National System of Marine Protected Areas* (Federal Register Notice of September 22, 2006, Vol. 71 No. 184, DOCID: fr22se06-48).

## SPECIFIC COMMENTS

10. Page 9, second full paragraph, re: take of highly migratory pelagic species from protected areas: The DEIS states, "Allowing the take of highly migratory pelagic species from protected areas ... has the potential to disrupt the ecological relationship between ... predators and their prey." This pinpoints a fundamental difference in interpretation of what underlying science there is regarding protections afforded by marine reserves to migratory species. The Central Coast MLPA process interpreted this differently, concluding that marine reserves would afford migratory species little protection, the Central Coast MLPA elected instead to construct "highly protective" marine conservation areas in some areas, rather than marine reserves. The CINMS interpretation effectively limits the alternatives that can be considered for effective MPA network constructs. Please refer to our Comments 5 and 6, and justify the DEIS position supporting state and federal water marine reserves rather than nearshore marine reserves coupled with offshore marine conservation areas.

11. Page 9, last paragraph, re: enforcement: The DEIS states, "...management measures and regulations for marine conservation areas are necessarily more complicated ... than reserves ...[and] enforcement agents would have to make on-water determinations as to the type and disposition of gear ... and the location of the vessel (relative to the zone boundaries)". The ability of enforcement agents to accomplish this is entirely within their grasp. Boundaries of MPAs (whether a marine conservation area or a marine reserve) will be charted. Vessel position can be determined with vessel Automatic Information System ("AIS") and Geographic Information System ("GPS") tools, and enforcement agents will have GPS, the charts, and readouts from vessel AIS to chart vessel position relative to any MPA boundary. Enforcement agents can also determine which species are being caught and if takes are allowed under MPA regulation. The joint federal and state enforcement programs anticipated under either Alternatives 1a or 2 make enforcement of marine conservation areas and marine reserves equally possible.
12. Page 21, Figure 8, re: Fishermen's Alternative: Please provide the same location labels as those included in Figures 3,4, 5,6 and 7.
13. Page 22, section 3.3.1, 3<sup>rd</sup> sentence: Note "The Oregonian Province ... encompasses *the southwest, north and northeast portions of Santa Rosa Island...*"
14. Page 31, section 3.3.2, fourth paragraph: This paragraph provides a detailed discussion of habitat patch replication under the Alternative 2 proposal without providing a similar level of detail for the preferred alternative, Alternative 1a. Please amend this section to include a similarly detailed discussion of habitat replication for both alternatives.
15. Page 37, second paragraph: "Current data suggest that marine zones spanning less than about 5-10 km in width may leave many individuals of important species poorly protected." Please discuss what species the Painted Caves MCA, which does not meet this width minimum, is intended to protect, and why the DEIS is not suggesting it (or the Skunk Point marine reserve) be made wide enough to assure at least minimum protection. Using an "average" width (last paragraph, pg. 37) across all proposed MPAs would not seem to satisfy the width minimum suggested for each MPA.
16. Page 37, second paragraph: "Larger marine zones, spanning 10-20 km of coastline, are probably a better choice..." Please discuss why it was decided that some of the proposed MPAs (e.g., Judith Rock, Skunk Point) would be allowed to fall below the minimum along-shore span recommendation, or why the DEIS is not using this opportunity to make them meet the minimum.
17. Page 40, last paragraph, and page 41, last paragraph, re: average distance between protected habitats: Please determine whether each MPA meets the recommendation for minimum distance from the next MPA with similar habitats/species/depth range protections. An average distance among all MPAs will not satisfy the recommendation of a minimum distance between MPAs of similar type.

18. Page 41, first and second paragraphs, re: limited number of connections between protected patches of rocky substrate: Please provide greater detail on the specific number and distances of connections between marine reserves, including those connections between protected patches of rocky substrate, which MPAs the patches are located in and the distances between them.
19. Page 48, section 4.2.4.4: Please note whether the sea turtle strandings were for live or dead animals. Dead turtles that appear on beaches in the southern California bight may have died far away. Presence of a dead animal on a beach does not necessarily indicate that live animals inhabit nearby waters.
20. Pages 53 and 54, Tables 11 and 12: Please update these tables and the text explanations, per our Comment 4, to reflect socio-economic impacts to all direct and indirect incomes related to commercial and recreational fishing.
21. Page 63, section 4.3.3.2, re: kelp harvest: Please address per our Comment 5.
22. Page 64, section 4.3.5, re: research activities: This section should be expanded to highlight existing and proposed research projects on the effectiveness of MPAs within the CINMS, including details about the specific number of projects currently underway and planned, the extent and availability of funding for these projects, and their individual goals and timelines. Potential research gaps and opportunities should also be described.
23. Page 68, section 5.1, third paragraph, fourth sentence: This sentence states that "It remains to be seen whether the impact [of concentrating fishing in areas adjacent to MPAs] will be mitigated or exacerbated by existing fishing regulations and spillover of targeted species into adjacent areas." The potential for addressing and evaluating this impact through monitoring or research should be explored further in the Final EIS.
24. Page 68, third paragraph: The potential for MPAs to attract fishing activity on their borders and adjacent waters should also be mentioned as a potential ecological impact. Adjacent areas may experience increases in fishing pressure beyond that which would be expected from displacement alone.
25. Page 77, third paragraph: Please explain the apparent mathematical discrepancy in this paragraph, a reduction of 25 square nautical miles from 241 square nautical miles would result in an overall size of 216 square nautical miles.
26. Page 82, section 5.2: The discussion in this section relies heavily on Leeworth and Wiley (2005), please consider including this document in the appendix of the Final EIS.
27. Page 82, section 5.2: As stated above, this section relies heavily on Leeworth and Wiley (2005) for analysis of potential socioeconomic impacts associated with the proposed MPAs. Several sections and tables in this document (page 11, table 1.3, page 12, paragraph 2 and table 1.4) analyze the value and employment associated with "Total Consumptive Activities" as a means of determining whether or not the cumulative

socioeconomic impacts of the proposal meet the significance criteria described under Presidential Executive Order 12866. These references and data appear to consistently ignore the additional value of businesses and services dedicated to supporting commercial and recreational fishing however (i.e. slip fees, launch ramps, storage facilities, fish processors and marketers, etc.). We recommend that the Final EIS include the value of these businesses and support services in its socioeconomic analysis in order to provide a more comprehensive description of the potential overall economic impact of the proposed MPAs. We also recommend that the Final EIS include an explanation for why these additional businesses and services were not considered as part of the socioeconomic impact significance criteria evaluation in Leeworth and Wiley (2005).

28. Page 83, section 5.2.1.1: Please discuss whether this socioeconomic analysis included indirect impacts to fisheries-related support services and businesses (per Comment 4), and if not, why not.
29. Page 85, Table 24: Please add time period covered (1996 – 2003) to table title. Footnote 1 needs some extra words deleted.
30. Page 86, section 5.2.2.1, re: kelp harvest/processors: The DEIS states, “There are zero additional impacts to kelp harvesters/processors...” Apparently this is because the major kelp harvester is leaving the area due to lack of kelp to harvest. However, the Final EIS needs to address 1) the loss of future kelp harvest opportunities and income if kelp beds in the proposed marine reserves are left open to lessees, and 2) per our Comment 5, how the proposed MPA network might need to be altered (or compromised) if the CDFG cannot change existing leased or open kelp beds to closed beds within marine reserves.
31. Page 87, second paragraph, page 95, fifth paragraph, and page 96, fourth paragraph: When discussing the potential impact of the proposals on the ports within the study area, the potential economic costs of the percentage reductions in catch landings should be included.
32. Page 87, third and fourth paragraphs, page 96, first and fifth paragraphs, page 97, first paragraph: Discussions of the overall potential reductions in annual income and full and part time employment should include these values as percentages of the regional and local commercial fishing industries as well as the overall regional economy.
33. Pages 88, 89, 98 and 99, tables 27, 28, 29, 32, 33, and 34: These tables do not include the values of support services and businesses associated with commercial and recreational fishing. Please include these values in the Final EIS or explain their omission.
34. Page 90, last paragraph re: species’ source and sink areas: The DEIS states” ...squid and wetfish ... account for a majority of the impact on the commercial fisheries from the added MPAs. It is not clear to what extent the added areas serve as sinks or sources for these species.” Statements such as this would present an excellent opportunity to discuss how long-term scientific monitoring could help answer important questions like this one.

At minimum, the Final EIS should reference the documents noted in Comment 9 as possible frameworks to address these issues.

35. Page 91, second paragraph, re: cumulative impacts: The DEIS states, "...marine reserves ... would likely have net benefits to the commercial fisheries ... however if ... fishermen do not accept these results, there could be increased social costs ... and lawsuits, and increased costs of enforcement ... Both ecological and socioeconomic monitoring and education and outreach efforts may be required. ..." Please address in the Final EIS options (e.g., socioeconomic, education, outreach) to minimize or mitigate these impacts.
36. Page 132, section 5.3.1.2: Please explain if this expenditure is expected to continue at the present level and for how long. Also, please describe what previous research budgets have been spent on, what research proposals are currently being considered and how much funding exists for future MPA monitoring efforts.
37. Page 134, section 5.3.4: Please include a more detailed analysis of the management considerations specific to Alternative 2.
38. Page 135, table 52: Please include an evaluation of Alternative 2 in this table.

Thank you for the opportunity to comment on the DEIS. Please do not hesitate to contact Ellen Faurot-Daniels at (415) 904-5285 or Cassidy Teufel at (415) 904-5502 if you have any questions or concerns regarding the comments included in this letter.

Sincerely,



Alison Dettmer  
Manager, Energy and  
Ocean Resources Unit

**Subject:** New DEIS

**From:** Elzbet Diaz de Leon <elzbet@vcccd.edu>

**Date:** Thu, 05 Oct 2006 13:07:52 -0700

**To:** cinmsreserves.deis@noaa.gov

I support the new proposal to expand the area of the protected areas in the Channel Island Nation Marine Sanctuary. I encourage the adoption of the alternative to prohibit all extractive activities in the reserves. Marine reserves are important for the recovery of resources and can not fully express that role if not fully protected.

Elzbet Diaz de Leon

Ventura County Fish & Game Commissioner, 1st District

L-01

Monday, August 14, 2006 10:35 AM

Dale Edwards 805-778-1934

p.01

Dale E Edwards  
592 Benson Way  
Thousand Oaks Ca 91360

Federal Fish Sanctuary

I have fished these waters off the Channel Islands for years and challenge the National Oceanic and Atmospheric Administration to there findings.

1. I wish to know if any structure has been developed for the preservation of fish habitat in our waters in the past or proposed for in the future.

2. Has the Bottom trawlers' and long liners been stopped in this harvest sterilizing of the ocean floor along our coastal waters?

3. What has happened to the un-wanted fish caught by the commercial fisherman?

4. What has been done to curtail the hundreds of thousands of metric tons of bait fish (their food) taken out of these waters?

5. These area's NOAA has surveyed, are these levels the species live in, looking for surf perch at 300 fathoms will result in a return of no fish found.

6. What has been done to stop the pesticides and pollutants entering the sea,

7. Has there been an investigation into what's Killing Kelp and other ego systems along this coast.

Establishing structure, restricting the amount of food other countries can remove from our coastal waters, increasing field game wardens, their wages, and fines, and making sure limits are enforced, would be a start.

This Chris Mobley must have his head in the sand! To make a statement "having these sanctuaries would greatly benefit the species if there is a major oil spill or El'Nino "

By saying "to protect an area, the species will become abundant" is this only half the truth! Ask yourself what will they eat if trawlers take all of there food back to ASIA? What of the pesticides making its way to the ocean from the farms and neighborhood lawns which have been killing off the ego system (food) along the coast for years where does this stuff end up at?

What is his plan to stop pollutants or the red tides drifting into proposed sanctuaries, how could it protect all species? I suggest to him after a heavy rain, to take a boat trip to the mouth of our rivers and look at the chemical/pesticide slicks going out to sea.

I have concluded, that the NOAA and the Dept of Fish and Game have there own agenda and have decided before hand what their plan will be, and will not bend to findings or suggestions. This is apparent in the previous meetings that have been with them that the West Coast Anglers and the concerned fishermen, giving options and suggestions meant nothing to them and to suggest us to give input to this advisory board is quite amusing.

They have not supplied concrete evidences of the reasons why, but go off the edge in there suggestions, in my opinion they only wish to take away fishing and the fun of fishing with your children. In creating this sanctuary we will forever be telling our children's children, what it was like to fish our local waters just because of insufficient data generated by bureaucrat's and environmentalists agenda's.

I have lived my life in California and am dismayed by how our State agencies are being lead, living in the Sierras and watching the Dept of Fish and Game mismanage deer herds going from stopping traffic on 395, to draw of the lottery. It is now easier to hunt out of state then to live your whole life in a hunting zone and not be able to hunt in it, from hatcheries producing trout year round for planting in our lakes and streams, to now under staffed and lack of funds, with the results of downsizing, underpaid field game wardens no fish hatchery employees, increasing management, regulators and their salaries, and the license fees keep rising year after year. License fees should only go to the benefit of wildlife and not to a states general fund to be squandered in bureaucratic projects.

When I was a young boy my Father took me out on a fishing boat which left me with great memories, closing off more areas will take away more of our heritage we enjoy today along with the memories of fishing with our children and having them catch their first fish.

There is nothing I can give this agency credit for, it has gone to an embarrassing special interest group that will not listen to anyone but environmentalists with no data to prove there case.

Dale E Edwards



October 10, 2006

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

VIA E-MAIL:  
CINMSReserves.DEIS@noaa.gov

Re: Comments of the American Sportfishing Association on the Proposed Changes to the Channel Islands National Marine Sanctuary Designation Document and Designation of Marine Reserves and Marine Conservation Areas and the Draft Environmental Impact Statement.

Dear Mr. Mobley:

Enclosed with this letter are the Comments of the American Sportfishing Association ASA on the Notice published in the federal Register on August 11<sup>th</sup>, 2006 "Concerning Consideration of Marine Reserves and Marine Conservation Areas Within the Channel Islands National Marine Sanctuary." (71 FR 155)

As you will see from our comments, ASA strongly objects to the designation of these marine reserves and marine conservation areas based on the documentation presented in the federal register notice and the Draft Environmental Impact Statement. A reading of the draft EIS has led us to the conclusion that the result of the analysis was effectively set before any analysis was developed. No options other than establishment of marine reserves and marine conservation areas was considered. ASA has always believed in comprehensive management of our fisheries and other marine resources. However, the establishment of areas that restrict or prohibit fishing, even recreational fishing does not meet the standard of comprehensive management when separated from the larger efforts of the states and Fishery Management Councils. We urge the National Marine Sanctuaries Program to withdraw the proposed rule and take a broader look at what

L-31

actions can preserve the marine resources of the Channel Islands without unduly limiting recreational opportunities.

Thank you for consideration of our comments.

Sincerely,

Carol A. Forthman  
Director of Ocean Resource Policy

cc: (w/ enclosure)  
John Dunnigan, USNOS  
William Hogarth, USNMFS  
Michael Murphy, USNMSP  
James Connaughton, USCEQ

Michael Chrisman, California Secretary  
of Resources

Ryan Broddrick, California DFG

Mathew Hogan, AFWA  
Monita Fontaine, NMMA  
Dick Pool, Pro-Troll  
Tom Raftican, UASC  
Bob Franco, Coastside



**AMERICAN SPORTFISHING ASSOCIATION COMMENTS ON  
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR  
CHANNEL ISLANDS NATIONAL MARINE SANCTUARY MARINE  
RESERVES**

**October 10, 2006**

On August 11, 2006, The National Marine Sanctuary Program (NMSP) published a proposed rule affecting the Channel Islands National Marine Sanctuary located in California. The rule proposes to change both the designation document that sets forth the allowable uses in the sanctuary to allow for the creation of marine protected areas (MPAs) including marine reserves (MRs) and to simultaneously create the marine reserves. (71FR 155, August 11, 2006) The rule references a Draft Environmental Impact Statement which NMSP asserts supports the creation of extensive areas in which fishing is either prohibited (MRs) or highly restricted (Marine Conservation Areas or MCAs).

**SUMMARY OF OBJECTIONS**

ASA has several objections both to the proposed rule and to the proposed designations. Some of those objections go to the basic authority for the designation of MPAs and others relate to inadequacies in the documents used to support the designation. ASA believes the creation of the MPAs in the proposed rule is neither appropriate under the authority of the NMSP, nor supported by scientific evidence. The simultaneous rule changes to both the Sanctuary Management Plan and designation document indicate that the NMSP intended to create the MPAs well in advance of it having the authority to do so, raising the question of whether the process has been designed simply to justify the preconceived conclusion.

Among the issues that lack support are the failure to provide scientific support for the need to impose the severe restrictions on recreational fishing, the failure to adequately address the proposals of the Pacific Fishery Management Council with regard to management under the Magnuson-Stevens Act, the failure to evaluate less restrictive measures to achieve the intended purpose, the failure to include performance measures

and review criteria for the MPAs, and the failure to consider the economic impacts on recreational fishing beyond the charter sector

**The DEIS Justifies a Preconceived Outcome, rather than Providing the Analysis of a Full Range of Options Required by the National Environmental Policy Act**

The Proposed Outcome Drove the Designation Process

An obvious flaw in the DEIS is that the NMSP has conducted a long process of proposing the establishment of marine reserves without ever having the legal authority to establish them. The original sanctuary designation clearly constrains the NMSP's authority to regulate fishing.

Fishing is addressed in the original designation document for CINMS (45 FR 193, October 2, 1980) in two ways; one by omitting fishing regulation from permitted activities, and the other by specifically addressing fishery regulation and placing the primary responsibility with the Fishery Management Councils. In the first instance, under Article 4, Scope of Regulation, Section 1 lists six activities that "may be regulated" by the NMSP in the sanctuary. Fishing is not mentioned in any of the six. On the other hand, in Article 5, Relation to Other Regulatory Programs, Section 1 is entitled simply "Fishing."

The section reads:

The regulation of fishing is **not authorized under Article 4**. However, fishing vessels may be regulated with respect to discharges in accordance with Article 4, Section 1, paragraph (b) and aircraft conducting kelp surveys below 1000 feet can [sic] be regulated in accordance with Article 4, Section 1, paragraph (e). **All regulatory programs pertaining to fishing, including particularly regulations promulgated under the California Fish and Game Code and Fishery Management Plans promulgated under the Fisheries Management and Conservation Act of 16 U.S.C. 1801, et seq., shall remain in effect.** All permits, licenses and other authorizations issue[d] pursuant thereto shall be valid within the Sanctuary unless authorizing any activity prohibited by any regulation implementing Article 4. Fishing as used in this Article and Article 4 includes kelp harvesting. (emphasis added)

This section is immediately followed by the following statement:

[End of Designation Document]  
Only those activities listed in Article 4 are subject to regulation in the Sanctuary. Before any additional activities may be regulated, the Designation must be amended through the entire designation procedure including public hearings and approval by the President.

The text that follows the designation itself seems to indicate that the original intent of Congress was to prohibit regulation of fishing by NMSP and to make it difficult to change that expanded regulatory authority.

While it is true that the Secretary has the authority to modify a designation document, in this case the designation document that gives the authority is being changed after the decisions that are authorized by the changes to the document have already been made. This amounts to a post-hoc rationalization for a preconceived outcome. Under the NMSA a change in designation must be supported by a number of documents and adopted in the same way as the original designation.

**The "Need For Action" Analysis of the DEIS Is Inadequate to Support the Designation of Marine Reserves.**

The Need for Action in the DEIS states that "Marine resources in the SCB [Southern California Bight] have declined under pressure from a variety of factors, including commercial and recreational fishing, changes in oceanographic conditions associated with El Nino and other large scale oceanographic cycles, disease, and increased levels of pollutants."

While these statements may be viable arguments for protection of "marine resources," they beg the question of what types of protection are needed and the particular resources in need of protection. The statement applies to the Southern California Bight, a much larger area than the sanctuaries and does not contain either specific references to the Channel Islands, or support for the use of marine reserves as the only solution. Marine resources is a broad term that can apply to many types of resources beyond fisheries.

In fact, the references cited for the support of the "need" do not stand for the propositions that are in the DEIS. A good example of this is the statement: "New markets for commercial fisheries have emerged since the 1980s (Dugan and Davis, 1993) adding pressure to significant commercial and recreational fisheries." The species cited in the Dugan and Davis report are abalone and sea urchins, both sessile bottom dwelling invertebrates. While important, the management of these species can hardly be compared to the management needs for highly mobile finfish. A second example is the statement in the DEIS that states: "CDFG data show decreases in landings for several categories of commercial and recreational fisheries." (DEIS p.5) The actual publication cited takes a more complex view.

Commercial landings in California decreased from 791.4 million pounds in 1981 to 472 million pounds in 1999. . . . The precipitous decline in the 1980s was **largely the result of a shift in tuna landings from California ports to less costly cannery operations in American Samoa and Puerto Rico.** The decline in tuna landings has been compounded by declines in landings of species such as groundfish, urchin, shark and swordfish, salmon, abalone. Other species (e.g. market squid, lobster, prawn, coastal pelagics) have been the target of **expanding fisheries**, while others (e.g.

crab, pacific herring, shrimp) exhibit **no obvious pattern** or trend in landings and revenues. (emphasis added)  
(Leet *et al.*, Status of California Marine Resources, 2001, p.48)

The Leet report does not report a similar change in recreational landings. The report evaluates the economic impact of recreational fisheries but does not report trend lines for catch.

The DEIS also oversimplifies the role of fishery management in its finding of a "need" for the reserves, stating: "Fisheries management tends to focus on optimizing the catch of a single target species and often does not address habitat, predators, and prey of the target species and other ecosystem components and interactions."

Such a statement reveals a complete lack of understanding of the comprehensive nature of modern fishery regulation. In fact, while a management plan may be for a single species or assemblage, this statement ignores the fact that all species in a region are subject to management plans, and that habitat and other considerations are included in such things as Essential Fish Habitat (EFH) designations and limitations on destructive gear. These latter provisions do not regulate the number of fish that may be caught but rather consider the environment that sustains the fish populations. Fishery management also includes closures by season or area where needed. Harm to other species in bycatch is also addressed. The DEIS ignores all of these facets of existing fishery management, thus distorting its role.

The DEIS also ignores the comprehensive and coordinated nature of marine fishery management. The Fishery Management Councils in federal waters and the Marine Fisheries Commissions in state waters, as well as individual states, generally cooperate to jointly manage most species. As a result, the management is continuous throughout large areas, encompassing all or a large part of the ranges of managed species. The creation of separate management schemes such as the ones proposed here, creates pockets of management that may or may not be compatible with the overall species management.

The DEIS further states: "In ecosystem management the direct and indirect effects of human activities are considered when making the decisions about human interactions with resources, recognizing that marine systems are not static and acknowledging the uncertainties in the biotic, abiotic, and human components."

However, the only "ecosystem management" consideration addressed in the DEIS is to either severely restrict or completely prohibit fishing. This hardly seems to qualify for the definition of "management," or to represent a comprehensive approach. It certainly does not address the numerous other ecosystem components that may be affecting the sanctuary.

Another broad statement made to support the "need" for the closed areas states that "Marine resources in the SCB have declined under pressure from a variety of factors, including commercial and recreational fishing, changes in oceanographic conditions

associated with El Nino and other large scale oceanographic cycles, disease, and increased levels of pollutants."

First, the reserves and conservation areas that are proposed will have no effect on oceanographic conditions, climate or pollution. Only fishing is singled out for control. The Southern California Bight is an area considerably larger than the Channel Islands, and encompasses a large portion of the California Coast. No similar claim is put forth for the island system itself. Furthermore, the claim misrepresents the state of fisheries off of California. This misstatement cannot have been from lack of knowledge, as the Pacific Fishery Management Council (PFMC or Council) provided copious comment and evaluation that the NMSP apparently ignored. The underlying motive given for the establishment of the marine reserves and conservation areas is that they are a "response to declining fish populations." However, the fisheries in the Sanctuary (and in fact the rest of California) are not overfished and considerable progress has been made in restoring fisheries through traditional fishery management tools. This year, lingcod, which had been depleted in recent decades, was found to be completely recovered. The Pacific Council is nationally recognized for its reliance on its expert advisory boards whose members have considerable fisheries background and a long history in fishery management. **NMSP has no such expertise or experience in fishery management.**

These factors that were cited as example supporting the "need" for MPAs, including marine reserves. However, the DEIS fails to support a need for reserves and conservation areas as the only or even most effective approach.

### **The Rejection by the National Marine Sanctuaries Program of the Pacific Council's Proposed Measures Pursuant to the Magnuson-Stevens Act Violates the National Marine Sanctuaries Act**

The National Marine Sanctuaries Act clearly contemplates that fishery management within national marine sanctuaries shall be the purview of the Fishery Management Council with jurisdiction in the region. The Act states:

#### **(5) Fishing Regulations**

The Secretary shall provide the appropriate Regional Fishery Management Council with the opportunity to prepare draft regulations for fishing within the Exclusive Economic Zone **as the Council may deem necessary to** implement the proposed designation. Draft regulations prepared by the Council, or a Council determination that regulations are not necessary pursuant to this paragraph, **shall be accepted and issued as proposed regulations** by the Secretary unless the Secretary finds that the Council's action fails to fulfill the purposes and policies of this chapter and the goals and objectives of the proposed designation.

Despite this clear direction, NMSP has given short shrift to the Pacific Council's proposed regulations. Throughout the process, the Pacific Council has repeatedly expressed opposition to modifying the Sanctuary's designation document to include

fishery regulation. The Council rightly pointed out the "duplication of costs, the patchwork of overlapping federal regulatory authorities, the lack of full and transparent public process and lack of a requirement for best available peer-reviewed science, as well as the precedent set by such action." (Supplemental CPSAS Report 2006)

The DEIS states that:

the PFMC recommended the Channel Islands marine zones in Federal waters be designated as Essential Fish Habitat and Areas of Particular Concern with corresponding management measures to prohibit the use of bottom contact gear under Amendment 19 of the Groundfish Fishery Management Plan. To complete the process, of addressing closure of the remaining aspect of the marine zones (i.e., in the water column) the PFMC Stated its intent to pursue those closures through other fishery management plan authorities and complementary State laws. (DEIS p.160)

The DEIS goes on to say:

NOAA reviewed the PFMC's recommendations and determined that they did not have the record or specificity to support the use of the MSA or State laws to establish limited take or no-take zones in the water column and thereby did not fulfill NOAA's goals and objectives for marine zones in the CINMS. (DEIS p.160)

This response indicates that the rejection was due to the fact that the PFMC recommended that the NMSP establish the marine zones, but that the fishing regulations remain the responsibility of the Council. The reason for the rejection was apparently that the PFMC did not propose establishing the exact type of closures that the NMSP had in mind, and that NMSP's goal was to have complete regulatory authority over the marine zones. If this is meant to fulfill the requirement for "findings" as required by the NMSA, it is sorely lacking. The requirement for findings implies a serious consideration of the Council's proposals. Any findings must be supported by facts and go beyond simply rejecting the PFMC proposals. That is, the findings should state why the PFMC's proposals fail to meet the Sanctuary objectives and the basis for that conclusion.

An EIS is supposed to be an evaluation of all reasonable alternatives. However, this rejection of the PFMC indicates that the decision to establish marine reserves and conservation areas under the authority of the NMSP was the preconceived outcome of the process. Although the Notice of Intent issued by the NMSP stated: "The environmental impact statement will examine a range of management and regulatory alternatives associated with consideration of marine reserves within the Sanctuary," (68 FR 99, May 22, 2003) in truth, the DEIS addresses the creation of marine reserves under the full control of NMSP, including the fisheries, as the only acceptable alternative. The alternatives given simply make minor adjustments to the boundaries where the federal and state reserves and conservation areas meet up, presumably to give the illusion of an analysis of alternatives.

No real examination of other means to achieve the Sanctuary's goals is included. This does not even come close to fulfilling the MSA's mandate that the proposals of the Council **shall be accepted and issued as proposed regulations**. The conclusory dismissal of the PFMC's recommendations cannot constitute a Secretarial finding "that the Council's action fails to fulfill the purposes and policies of this chapter and the goals and objectives of the proposed designation." A more thorough analysis is required to support such findings. The rejection is at a minimum arbitrary and capricious and an abuse of NMSP discretion.

**Banning Fishing Is Not the Proper Approach**

The PFMC and the State of California have been successful in recent years in restoring fish populations using measures that limit but do not prohibit all fishing. The measures used for commercial operators include seasons, trip limits and quotas. The implementation of limited access programs has also been used by both the State of California and the PFMC. Gear restrictions and other measures add to the array of tools to protect fisheries. The decision making for these measures is subject to extensive review by the Science and Statistical Committees and other advisory panels.

Other creative measures have been employed to manage and protect fisheries. In 2006, the Nature Conservancy announced a program in conjunction with the PFMC in which the Nature Conservancy would buy commercial bottom trawling permits and at the same time, the PFMC would ban bottom trawling in certain areas. This type of approach that solves a recognized problem and is sensitive to the needs of all affected parties is a far cry from the outright banning of fishing.

Recreational fishing is also closely regulated to protect fish populations. Seasons, bag limits, size limits are the usual tools. In some cases the taking of a specific species or assemblage is prohibited for a time. Such prohibitions, however, are subject to review using specific performance measures and success criteria. This allows for modification according to the specific circumstances and health of the system.

Nowhere in the DEIS is there an analysis of the differences between the impacts of commercial and recreational fishing on habitat or species composition. No distinction is made between commercial and recreational use; no gear impact evaluation or consideration of the greater impact of commercial fishing. The DEIS makes no mention of the impact of allowing continued recreational fishing while constraining commercial use. While limited recreational fishing is proposed in some of the areas, the reasons for the distinction are never revealed. The analysis of whether recreational fishing can be compatible with the Sanctuary goals is a reasonable and valid alternative that has not been addressed.

**There Are No Performance Measures or Success Criteria for the Reserves and Conservation Areas**

The reserves and conservation areas have been delineated as geographic areas, but no performance measures or success criteria have been developed. There are general references to biodiversity and increased fish productivity as aims, but no specific goals are stated. Without specific measures of performance and success criteria as goals, adaptive management is precluded. The rules do not specify a time frame for re-evaluation. There is no indication that the limits in these zones are not intended to be permanent. While the rules that established the reserves and conservation areas are subject to revision, there is no process set forth to review the reserves and conservation areas. Given the success in recent years of both the State of California and the PFMC in restoring fisheries and continually monitoring their success, the lack of such criteria for the reserves and conservation areas is even more striking.

**The Socioeconomic Analysis of Recreational Fishing Is Totally Inadequate.**

The DEIS purports to evaluate the socioeconomic impact of the creation of the marine zones. While the analysis cites numerous figures and calculations for both charter/party and private boating impacts, the sources of the data are never given. Without such information, it is impossible to evaluate the numbers. However, a few observations can be made. The first is the fact that the lack of impact is based on the concept that anglers will find areas outside of the closed areas to access. However, there is no analysis of the quality of the closed areas for fishing as compared with other areas. Also, the calculation ignores the cumulative impact of closures in the state waters and the federal waters along with the closures under the State's Marine Life Protection Act. This proposal more than doubles the closed areas off of the Channel Islands. California recently closed another 140 square miles along the Central Coast to fishing and will be proposing additional closures to the north and south. Many groups continue to press for more closed areas. The long term impact of continued closures will have an impact on recreational access that is not acknowledged here. The purported benefit of increased supply due to the closures has not been scientifically verified.

**Summary:** In summary, the analysis in the DEIS seems designed to justify a preconceived outcome. The analyses are lacking in scope and depth. They fail to consider the true range of alternatives available, misrepresent the true state of California fisheries and do not adequately analyze the impact on affected groups. The DEIS should be rejected and a new analysis that meets the requirement of the NMSA and NEPA should be developed.

Respectfully submitted,

Carol A. Forthman  
Director of Ocean Resource Policy

**Alliance of Communities for Sustainable Fisheries**

256 Figueroa Street #1, Monterey, CA 93940

(831) 373-5238

[www.alliancefisheries.org](http://www.alliancefisheries.org)

October 9, 2006

Mr. Sean Hastings  
Channel Island National Marine Sanctuary  
113 Harbor Way  
Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings,

Please accept the following comments on behalf of the Alliance of Communities for Sustainable Fisheries (ACSF). The ACSF is a 501(c) 3 organization designed to represent fishing families and fishing communities throughout Central California. We're writing to comment regarding the Channel Islands National Marine Sanctuary (CINMS) proposal as published in the August 11, 2006 Federal Register to establish MPA's in Federal Waters of that Sanctuary.

Our organization has grave concerns about any change to a designation document of any Sanctuary which would provide it new authority to create fishing regulations within that Sanctuary. Sanctuary designation documents were drafted as the basis of the understanding struck between the community and the Sanctuary program at the time that the Sanctuary was being proposed. While we will be the first to agree that the Sanctuary should have the ability to amend its management plans, amending the designation document should occur only with the most significant science based need as a justification, and for which there is no other practical legal method for the Sanctuary to accomplish its goals. Again there must be an overarching need for the Sanctuary program to do this, filled by no other agency. This is not the case with the CINMS proposal.

While we acknowledge the usefulness of creating an MPA for scientific study purposes, we feel this is hardly an urgent need in the case of CINMS. Nor has CINMS made any credible case for the rebuilding of depleted fish stocks or enhancement of biodiversity that have not already been accomplished through the Council's EFH and other actions.

Section 1434 (a) (5) of Title 16, United States Code provides regional fisheries management councils "with the opportunity to prepare draft regulations for fishing

within the exclusive economic zone as the Council may deem necessary to implement the proposed designation." A Council's opportunity to carry out this function is only denied if the Council declines to act or acts inappropriately. In the case of CINMS the PFMC is in the process of creating regulations that can cover, in nearly all circumstances, fishing activities both on the bottom and in the water column in the proposed MPA. Because the Council is making progress on this, it is substantially premature for the National Marine Sanctuary Program to propose its own regulations. I will also add that the Sanctuary has existing authority to prohibit removal of Sanctuary Resources other than for harvest. Secondly it is highly unlikely that vessels from out of State will be fishing in these areas. This possibility is so remote that it should not be a significant factor in this decision making.

I also point out that MSA National Standard 7 stipulates that "the conservation and management measures shall to the extent possible minimize cost and avoid duplication." The CINMS regulatory proposal is in fact a wasteful duplication of effort and creates public confusion. Congress has created the MSA precisely to make sure that both the food production capabilities of our Nation along with proper conservation measures are maintained. Through the Council process there is a fair public and scientifically based process to deal with conservation and/or fishery management questions.

This is not the case with the National Marine Sanctuary Program. This program does not maintain the expertise to manage fisheries in any regard, nor does it have the public decision making process required for the public to feel that a fair and equitable process has been maintained. With regard to the Sanctuary and fisheries management, we hear that it does not feel that creating MPAs is fisheries management. However these proposed closures will effect the Nation's food supply. They will effect the behavior of fishermen as they transfer their efforts to other locations and could require Council or further State actions to mitigate those consequences. With regard to the Sanctuaries public decision making process, they are currently reliant on the Sanctuary Advisory Councils. Because these councils are largely appointed by Sanctuary Management, this has caused the public to wonder whether the SACs represent the public, or the wishes of Sanctuary Management. This has been hugely controversial in the Monterey Bay region and to a lesser degree in Channel Islands region. As it stands, it is our opinion that the public is rightfully skeptical of the advice provided by the Sanctuary Advisory Councils.

It should also be noted that the Sanctuary's proposed language is, prepared under section 922.73 As such it would preclude any future action by the PFMC. This would mean that the Nation would loose these resources forever. It also means that the Council would forever loose its ability to modify these MPAs based on emerging sound science.

There is also considerable irony in this situation in as much as MSA National Standard #1 stipulates that the Nation's fisheries resources are to be used for the highest food benefit sustainably possible. How is it that the goals of the National Marine Sanctuary Act outweigh the goals of the Magnuson Stevens Fishery Conservation Act? We don't think that they should, nor is a conflict necessary.

I urge NOAA to allow sufficient time for the PFMC to do its work in evaluating this issue and creating any needed regulations that will benefit the existing designation document and the management plan of the Channel Islands National Marine Sanctuary. There is no urgency in this matter that would require the shoving aside of the PFMC and the substitution of the authority under the National Marine Sanctuary Act.

Thank you for considering these comments.



Kathy Fosmark  
Co-Chair  
Alliance of Communities for Sustainable Fisheries

C: Vice Admiral Conrad Lautenbacher, USN (ret.)



# United States Department of the Interior

L-26

IN REPLY REFER TO:

NATIONAL PARK SERVICE  
Channel Islands National Park  
1901 Spinnaker Drive  
Ventura, California 93001-4354

N2219-CHIS

OCT 06 2006

Mr. Chris Mobley  
Superintendent  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Mobley:

The expansion of Marine Protected Areas (MPAs) to Federal waters within the Channel Islands National Marine Sanctuary is an important action that is long overdue. The National Park Service advocates ecosystem management of marine resources and supports the proposed action to overlay existing State marine zone boundaries with MPAs extending into Federal waters.

The marine resources around the Channel Islands are a national treasure. The diversity of organisms and high productivity are worthy of the recognition of National Park, National Marine Sanctuary, various State designations, and International Biosphere Reserve. However, the area is threatened by increasing use of those resources. Traditional management practices have not always been able to keep abreast of changing technologies and resource demands. The network of MPAs, specifically marine reserves implemented in State waters in 2003, was a big step in the direction of ecosystem management. At that time it was intended by the participants of the Marine Reserve Working Group that the MPAs extend out to the National Marine Sanctuary boundary to provide better protection for marine life. It is important that these offshore areas be included so that all habitats are represented.

The proposed action (Alternative 1a) seems logical and straightforward and though it does not provide the protection of the additional area covered in Alternative 2, we support the action because it balances the most important habitat protection with a reduction in the short-term economic impacts. Expansion of the MPAs into Federal waters is necessary for completing the network of MPAs at the Channel Islands. This network is important ecologically and should not be delayed any longer.

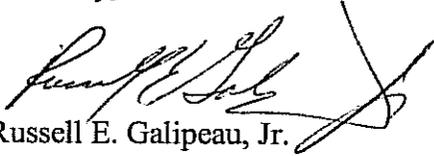
For continuity of enforcement, monitoring, and education overlaying the Federal and State boundaries is the logical solution. Alternatives 1b and 1c would likely create confusion, and in the case of Alternative 1c, would create untenable boundaries and enforcement challenges. Alternative 2 would be preferred for the increased protection to resources afforded by the larger reserves; however, Alternative 1a provides increased protection for most of the area and reduces economic impacts.



L-26

If you need further assistance, please do not hesitate to contact me at 805/658-5702.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell E. Galipeau, Jr.", with a large, stylized flourish extending to the right.

Russell E. Galipeau, Jr.  
Superintendent

**Subject:** Support for extended areas

**From:** Pat Greer <pgreer@i5online.net>

**Date:** Mon, 25 Sep 2006 11:23:42 -0700

**To:** Sean.Hastings@noaa.gov

Mr. Hastings,

Please add my name to those supporting the proposed extensions to the Marine Reserve areas around the Channel Islands. As a long time visitor to the islands, I have personally witnessed the decline in all species of marine life around the islands. The refuge areas are badly needed to provide areas where stocks can replenish themselves. As a trained marine ecologist, and despite being an avid fisherman and diver, I fully support the extensions as proposed.

Thank you for your dedication and hard work,

Patrick Greer

712 Kenwood Court

Newbury Park, CA 91320

**Subject:** No Further Extension of Sanctuary Authority  
**From:** Hawk <fishermn73@hotmail.com>  
**Date:** Wed, 27 Sep 2006 00:12:19 -0700  
**To:** Sean.Hastings@noaa.gov

I am unalterably opposed to the Sanctuary attempting to extend its authority to regulating fishing. You have an agreement under which the Sanctuary operates. Honor it.

The only reason I could imagine the Sanctuary wanting to expand its power is to close down the entire area to fishing forever.

NO!

Michael Grossman  
Tarzana, CA

**Subject:** DEIS comment  
**From:** Darren Hardy <dhardy@bren.ucsb.edu>  
**Date:** Fri, 29 Sep 2006 16:56:55 -0700  
**To:** cinmsreserves.deis@noaa.gov

To: CINMS, Resource Protection Coordinator  
Re: Public comment on August 2006 DEIS

My name is Darren Hardy and I've been a resident of Santa Barbara since 2003. I'm writing to support the action to create additional marine zones in the Channel Islands.

As a environmental professional, I support the action. I'm a Ph.D. student at UCSB, a GIS specialist, and hold B.S, M.S. and MESM degrees. As a volunteer at CINMS, I assisted the CINMS staff in their analysis of environmental and socio-economic impacts (Section 5). The potential impacts are acceptable and do not present any undue burden. In particular, the SAMSAP data (p. 130) indicate that there's low vessel activity in the proposal reserves.

As a California citizen, I support the action. I strongly believe that the Channel Islands and its environs should be held in the public trust and governed by conservation principles, a long-term outlook, and equal access. Creating new marine reserves is an appropriate action to further that goal.

Thank you for the opportunity to comment on your proposed action.

Darren Hardy  
111 1/2 N. Alisos St.  
Santa Barbara, CA 93103  
[dhardy@bren.ucsb.edu](mailto:dhardy@bren.ucsb.edu)

L-17

4900 Telegraph Rd  
#634  
Ventura, CA  
93003

N.O.A.A.  
To Whom:

I favor expansion of all sanctuaries -  
as a sailor and an environmentalist -  
the wider the expansion the better.

Sincerely,  
Jean M. Harris  
HARRIS

RECEIVED  
OCT - 3 2006  
CHANNEL ISLANDS  
MARINE SANCTUARY

L-23

October 03, 2006

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings,

Please adopt the strongest possible protections for the Channel Islands! Thank you!

Sincerely,

Matthew Haskett  
2561 Jubilee Dr  
Turlock, CA 95380-8432  
USA

L-30

*Advocates for Wild, Healthy Oceans*

Santa Barbara Field Office  
714 Bond Avenue  
Santa Barbara, CA 93101  
805.687-2322 ph



# The Ocean Conservancy

October 10, 2006

Mr. Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109  
[Via Email [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)]

RE: Draft Environmental Impact Statement for the consideration of marine reserves and conservation areas within the CINMS

Dear Mr. Hastings:

Thank you for the opportunity to comment on the draft environmental impact statement (DEIS) for the proposed federal portion of the Channel Islands National Marine Sanctuary ("CINMS" or "Sanctuary") marine reserves network. The Ocean Conservancy has worked extensively on establishing fully-protected marine zones (MPA) in the CINMS including participation in the unique stakeholder process that produced the state-federal alternative now under consideration for Sanctuary action, and the public hearings and deliberations by the California Fish and Game Commission and the Pacific Fisheries Management Council (PFMC) to extend the State MPAs into Sanctuary waters.

The Ocean Conservancy also co-chairs the CINMS Sanctuary Advisory Council's Conservation Working Group (CWG), a SAC working group composed of several conservation organizations active within the Sanctuary region.

The Ocean Conservancy joins the comments submitted by the CWG on the DEIS and the proposed regulatory action on September 21, 2006. We are also submitting the following additional comments on behalf of our 25,000 members and activists in California, and our 170,000 members nationwide to urge you to implement the MPAs and marine reserves in the CINMS under the Sanctuaries Program.

Need for Sanctuary Authority

Action by the Sanctuary to establish marine zones including no-take marine reserves, that complement and extend MPAs and reserves created by state action has been anticipated since the alternative adopted by the State of California and endorsed by NOAA was produced in 2002. Setting aside within marine zones a full range of habitats, species and processes in both state and federal waters is critical to properly implement the MPAs, and satisfy the consensus goals and objectives of the Marine Reserves Working Group.

The Sanctuary Program was and is recognized as a critical component in achieving proper compliance and enforcement of marine zones, in coordinating biological and socio-economic monitoring, and in providing a unique forum for facilitating community input and involvement. The success of the proposed MPAs and reserves depends both biologically and administratively on an integrated approach to management provided by the Sanctuary Program, and a MPA design that contains habitats, species and processes that occur in both state and federal areas of CINMS. This point is supported in both the State of California's 2002 DEIR (which analyzed effects of the entire state-federal reserve network) and in the CINMS DEIS.

Some doubts have been raised about whether the federal component of the CINMS marine zoning network should be established by the Sanctuary. However, alternatives proposed for establishing the MPAs would compromise the long-term biological and administrative performance of these zones. For example, establishment of zones by the PFMC under the Magnuson-Stevens Act would replace local, community-scale management with distant, remote management under highly limited representation of the range of stakeholders interested and active in CINMS resource issues. PFMC jurisdiction would also compromise the effectiveness of enforcement, monitoring, outreach and oversight by limiting the role of the Sanctuary, which plays the strongest role in these areas at present. A MPA and reserve network established by PFMC under Magnuson-Stevens would not provide the comprehensive or long-term protection required under the Sanctuaries Act. The MSA authority does not regulate all human activities that might affect the MPAs and reserves, and protections established under the MSA can be revoked at any time. MSA jurisdiction also excludes from protection a host of Sanctuary resources including certain fish, seabirds, reptiles, and mammals. MSA jurisdiction is piecemeal, confusing, unnecessary and fails to meet the goals and objectives of the Sanctuary, the State, and the stakeholder panel that defined the objectives of the CINMS MPA project.

The State of California and the Sanctuary share a complementary set of policies and goals for precautionary marine resource management based on long-term ecosystem considerations and the full range of consumptive and non-consumptive user needs. The goals and policies of the Magnuson-Stevens Act are more limited and otherwise inconsistent with these approaches, and fail to fulfill the primary management responsibility of the Sanctuary: to protect the resources within its boundaries. For these reasons, the Sanctuary must bring the creation of marine zones that protect resources within its scope of authority, and act under the Sanctuaries Act to complete the network of MPAs at CINMS.

### Consideration of a Preferred Alternative:

The DEIS has identified "Alternative 1a" as the preferred alternative for NEPA purposes. This alternative would extend some state-established marine reserves and conservation zones into federal waters consistent with California Fish and Game Department preferred alternative and the alternative endorsed by NOAA in 2002. This alternative would create a state-federal network of MPAs at CINMS that included representative habitats and marine populations across the depth and substrate range present at CINMS, and represents a positive step towards long-term protection of the Sanctuary's nationally significant marine resources.

Alternatives such as 1a and 2 propose an administrative arrangement with the State of California that would produce a seamless, unified and simple set of protective zones that, as described at length in the CWG's comment letter, would best serve the compliance, enforcement, funding, and community involvement functions of MPA management. The Ocean Conservancy strongly supports this "overlay" arrangement.

However, the DEIS also presents a second alternative ("Alternative 2") that is superior to Alternative 1a from a biological standpoint (also described in CWG comments), and should be considered the *environmentally* preferred alternative. Alternative 2 adds additional protection to areas such as Carrington Point and South Point at Santa Rosa Island that would establish a contiguous protection zone incorporating shallow and deep hard substrate habitats that is absent in Alternative 1a. The designation of 1a as the "preferred alternative" seems to reflect non-biological considerations such as continuing the valuable partnership with state agencies, and consistency with NOAA's endorsement of the State's preferred alternative in 2002. Although such considerations are extremely important, the DEIS should include a fuller discussion and analysis of these considerations within the "Development of Alternatives" in order to inform and justify the selection of the spatial extent of Alternative 1 over that of Alternative 2. Pending that discussion, we support the conclusion of the biological analysis that supports adoption of Alternative 2.

### Conclusion

The Ocean Conservancy congratulates the CINMS on successful completion of this important milestone in consideration of marine zones for the waters of the Channel Islands. This process has exhaustively considered an immense amount of scientific, social, economic and policy material. Together with the California Department of Fish and Game's 2002 DEIR, the DEIS represents a comprehensive and accurate description of the effects of completing this historic ocean zoning process.

Sincerely

Greg Helms  
The Ocean Conservancy, Santa Barbara Field Office

10/10/06

L-35

To Chris Mobley  
CIWMS Superintendent  
NOAA National Marine Sanctuary Program  
113 Harbor Way Suite 150  
Santa Barbara Ca 93109

As a 60 year Santa Barbara Channel Islands utalizer and a 40 year commercial sword fish Harpoon fisherman I am writing To Oppose the placing of "the Footprint" into a Federal Marine Reserve. This is the histaic center of the Santa Cruz / Anacapa Island harpoon Fishing Grounds. During my lifetime every boat that harpooned sword fish in this area passed through this spot on a daily basis, often several times each day. When searching for a "finer" in the croumast it would be distractive, difficult and a imposition of the fisherman to be calculating where the Non-Usable Limit lines determining the reserve are located

(2)

L-35

TRY this in the crows nest with a pair of binoculars

Point 1	33.983	119.433
Point 2	33.983	119.516
Point 3	33.901	119.516
Point 4	33.901	119.433

Footprint Marine Reserve  
where is it?

then Derrigging the "Fishing Gear" before crossing "the Line" would be time consuming and counter productive.

— you might want to ask why —

this particular Federal Marine Reserve will make criminals out of honest, dedicated, respectful men + Pop fishers.

What if you harpoon a swordfish outside the reserve and it swims into the reserve before being retrieved.

(3)

Are you a criminal facing a "Typical" <sup>L-35</sup>  
civil Penalty of \$ 5,000 to \$20,000 ?

Harpoon Swoad fishing is the most selective  
gear type + poses NO threat to any  
other Fish or Non Fish. There is NO  
Bottom interaction.

I say that turning this Traditional  
Fishing Ground into a Federal Marine  
Reserve will antagonize the affected  
fishers to the state of being

NON Friendly to Sanctuary proposals  
and ideas. Frame Justification such  
as 5.1.1.3 Effects on Pelagic Species  
justifying STATEMats Quoting Myers-Worm  
2003 world wide 90% Apex predator  
removal make this <sub>91</sub> life time experienced

(4)

L-35

Coastal Fishers wonder if there is any common sense in our sanctuary guiding lights. After reading through the Draft Environmental Impact STATEMENT... I feel the authors have little concept or actual experience/knowledge of the passing through our area of Apex Predators (Swordfish) or their interactions with other species or the effect of harpoon swordfishers on the area.

I believe enforcement in the footprint will also prove to be excessively costly. The area has the very best water conditions during the harpoon fishing season - Boats will be transiting the grounds frequently often several times a day. In Compliance or Not in Compliance<sup>92</sup> - Who knows without

(5)

L-35

a costly enforcement check out. Every  
Time consuming enforcement contact will  
alienate these sanctuary users. As they  
fish up and down the Southern California  
Bight they probably will have a  
NOW positive opinion of the Sanctuary  
To Tell their associates.

By eliminating or changing — i.e.  
Protect the bottom / allow pelagic or Apex  
Predator fishing — the Federal Marine  
Reserve designation you could  
gain a sanctuary consumptive user  
support group

Fred Hepp  
708 Island View Dr  
Santa Barbara Ca 93109

**Subject:** alternative A. NO ACTION!  
**From:** Dan Hernandez <dan@toolofna.com>  
**Date:** Thu, 28 Sep 2006 16:00:13 -0700  
**To:** cinmsreserves.deis@noaa.gov

I am writing today to voice my vote for alternative A of NO ACTION. There should be no further closures or regulation changes to area in the Channel Islands National Marine Sanctuary. The closures already in place are more than enough any more and it will have serious effects of the economy and community. In the other 2 alternatives you state that "relatively little fishing activity occurs in the proposed marine zones" whom ever the committee is obviously has never stepped foot on a sport fishing boat. You are cutting the legs out from under a thriving community. The areas proposed would close Anacapa Island to fishing as well as the foot print area both great fisheries. It also states "expected to have small impact on existing consumptive activities" they have to be kidding. Sport boats and charter boats run out of Santa Barbara, Ventura harbor, Channel Islands harbor and Port Hueneme to say that these proposed closures will not have an economic impact is ludicrous. These communities thrive because of the sport fishing industry. Don't believe me just look at fish counts. The best place to sport fish for White Sea Bass year after year is the Channel Islands. The Mirage and the Island Tak are number 1 and number 2 every year for white sea bass. People come from all over California to fish on these boats which fish the proposed areas. There are enough regulations on anglers these days that we do not need any more closures. Just look at the resurgence of white sea bass; the programs put into place are working anglers are following the rules. The numbers don't lie! I will be turning 30 in a few months and fear that my children and grand children will only hear stories of this great sport. "you know sonny; back in 2006 we used to ride boats out to the islands and we used to bait up our rods and try to catch fish. It was a great way to unwind and relax; there is nothing like waking up in the morning being in a remote location with nothing around you but the ocean an island and the fish below mother nature at its best; but that's the way it used to be."

I can only hope that the people who are out there on the water day in day out are heard; it would be a tragedy if our great fisheries were closed by folks who sit behind a desk all day and have no idea what is really going on.

Dan Hernandez  
11885 PORT RD  
CULVER CITY, CA 90230

Dan Hernandez  
Tool of North America  
Production Accountant  
tel. 310/453-9244  
fax. 310/453-4185  
[dan@toolofna.com](mailto:dan@toolofna.com)

October 4, 2006

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Subject: Proposed marine reserves in CINMS

Dear Mr. Hastings,

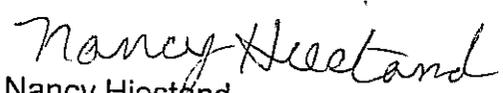
I urge sanctuary officials to adopt regulations that would create marine protected areas to complete the work started at the Channel Islands nearly seven years ago.

The waters around the Channel Islands are home to endangered seabirds, overfished populations of rockfish and 30 different species of marine mammals. With an area just larger than Yosemite National Park, the Channel Islands National Marine Sanctuary is a national treasure and a United Nations Biosphere Reserve. The sanctuary was created in 1980 to preserve and protect the area's "unique and fragile" ecosystem, yet for decades the sanctuary has offered very little protection to the whales, fish and birds that live there.

California adopted its portion of a network of marine protected areas for the islands in 2002. The Channel Islands National Marine Sanctuary should now finish that network and extend protection out to six nautical miles from the islands' shores. I support option 1a, which would provide continuous protection for marine life within the sanctuary.

It is time for the sanctuary to live up to its name by providing a safe haven for ocean wildlife. Please move quickly to expand these important marine protected areas.

Sincerely,



Nancy Hiestand  
526 South Campus Way  
Davis, CA 95616

*[Faint, illegible text, possibly a stamp or bleed-through from the reverse side of the page]*

October 3, 2006

Channel Islands National Marine sanctuary  
113 Harbor Way, Suit 150  
Santa Barbara, Ca.  
93109

**RE: Commercial Fishing Seat Comments for CINMS Marine Reserve Consideration Process DEIS:**

My name is Chris Hoeflinger. For the past two years I have attempted to represent the interest of fishermen at the Channel Islands National Marine Sanctuary (CINMS) in my role as the CINMS Sanctuary Advisory Council (SAC) Commercial Fishing Seat (CFS) representative.

During my service as the CFS, I studied the science of fishery management and the use of marine reserves and marine protected areas (MPAs). I meet with many researchers, scientists, fishermen, and policy makers, who helped others and me, develop the following comments and questions regarding this proposed project.

The following comments constitute the official comments from the SAC Commercial Fishing Seat during my term as representative which expired in September of 2006. I am requesting answers to all of the following questions to be included into both the draft and Final Environmental Document (FED), which must be developed under the National Environmental Policy Act (NEPA). Answering and addressing the points in each of the questions will strengthen the FED and justify the final outcome of the proposed project.

- 1) **Removal of the Sustainable Fishery goal from the project and the Purpose and Needs Statement:** The proposed network of reserves utilized a design criteria developed to achieve two primary objectives; fisheries enhancement/sustainability and conservation/preservation. Since the fishery goal has been eliminated as a goal for the federal phase of the proposed project, please explain why the size and spacing criteria used to meet the fishery goal should still be valid?
  - a. Why should the number and or the size of reserves in the proposed project not be reduced at this time, due to the elimination of the fishery goal?
  - b. Who decided to eliminate the fishery goal?
  - c. Why was the advice of Sanctuary Advisory Council not used to consider the elimination of the projects' sustainable fishery goal?
  
- 2) **Range of alternatives:** The commercial fishing sector developed five additional alternatives for the CINMS federal phase project range of alternatives. Four of these alternatives were delivered directly to the CINMS office and one was submitted through the commercial fishing seat. The purpose for developing

theses alternatives was to incorporate new information and new fishing restrictions into the evaluation and consideration process for the federal phase of the CINMS marine reserve project. These five alternatives were developed with the intent of expanding the evaluation process relative to the size, spacing and protection level required to meet the projects goal in light of new information and unanticipated fishery restrictions that occurred after the preferred alternative was developed by the CINMS and the CDFG. We believe that highly restrictive and unanticipated fishery restriction actually renders parts of the preferred alternative as redundant and unnecessary regulatory actions. Additionally members of the Fishery Data Review Committee (FDRC), a panel developed to quantify the economic impact of the reserve project, discovered substantial errors in the socio-economic impact report that underestimated the impacts of the preferred alternative. These and other factors including using MPAs to meet project goals were incorporated into the five designs submitted by commercial fishermen and the SAC commercial fishing seat (CFS).

The CINMS CFS requested and received an economic analysis of these five alternatives from NOAA Special Projects. The NOAA analysis showed lower economic impacts to both recreational and commercial fishermen, than the preferred alternative because a balanced of MPAs and Marine reserves was used instead of considering marine reserves as the only tool capable of meeting the proposed projects objectives.

The CFS also requested a biological analysis of each of the five alternatives by CINMS. The reason and purpose for requesting this biological analysis was to measure and quantify the biological impact of balancing the use of marine reserves with MPAs, relative to meeting the projects objectives. This balancing of reserves with MPAs, lowers economic impacts caused by the proposed project, but was not considered by the process responsible for developing the preferred alternative in both the State the federal phase of the proposed project. By combining the results of the economic impact with the requested biological impact study, an informed decision can be made regarding the utility of the MPA to meet the projects' objectives. It also provides missing information relative to a cost benefits analysis through the use of a bio-economic model.

The CINMS possesses the computer model necessary to conduct the biological analysis of the five alternatives but never conducted this analysis even after repeated requests by the CFS. The CINMS also refused to include any of the five alternatives into the range of alternatives.

- a. Under what basis did the CINMS refuse to conduct this biological analysis?
- b. Does quantifying the difference between the biological benefits of marine reserves verses the biological benefits of limited take MPAs advance the process of evaluating the cost benefit analysis of the project under the NEPA?

- c. If quantifying the difference between the biological benefits of marine reserves verses the biological benefits of limited take MPAs does advance the process of evaluating the cost benefit analysis of the project under NEPA, why has this not been done?
- d. Why has the CINMS refused to include any of the five alternative designs into the range of alternatives?
- e. Why does the current range of alternative only include slightly different iterations of the same network design and the no-project alternative?
- f. NEPA requires a full range of reasonable alternatives. What has the CINMS found unreasonable about each of the five alternatives submitted by commercial fishermen and the CFS?
- g. How do slight iterations of the same reserve dominated design meet the NEPA range of alternative requirements?
- h. How can cost benefit considerations be evaluated under NEPA, if the range of alternatives does not include alternatives that balance marine reserves with limited take MPAs? What are the economic and biological trade-offs, for species and fisheries that are not likely to benefit from a network of marine reserves of this scale?

3) **Reserve Performance Criteria:** The primary scientific basis for the reserve network design is centered around assumptions of scientific theories regarding biological rates of productivity in no-take reserves verses biological rates of productivity in areas where traditional fishery management controls fishing effort and maintains sustainability of the fisheries. These rates are often measured relative to species richness abundance, and diversity. In order to test reserve theory, criteria need to be established for rate of change in no-take reserves compared to areas where different levels of fishing is permitted. In order to measure these rates of change, experiments must be conducted using detection instruments and monitoring programs that are capable of measuring rates of productivity change in specific populations of selected species over a selected area i.e. inside and outside reserves. When reserves networks experiments are designed to sustain fisheries, the monitoring programs must be designed to measure the species they are designed to manage.

- a. What are the adopted performance criteria for the rates of increase in species richness, abundance and diversity for commercially harvested species?
- b. What are the survey designs and sampling instrument necessary to measure changes in species richness, abundance and diversity in the water column portion of the CINMS for commercially harvested species? Have baseline surveys been conducted?
- c. What are the survey designs and sampling instruments necessary to measure changes in species richness, abundance and diversity in the water column portion of the CINMS for recreationally harvested species? Have baseline surveys been conducted?

- d. What are the survey design and sampling instruments necessary to measure changes in species richness, abundance and diversity in the water column portion of the CINMS for species that are not harvested? Have baseline surveys been conducted?
  - e. What are the survey design and sampling instruments necessary to measure changes in species richness, abundance and diversity for the commercially harvested species such as crab, shrimp, squid, seabass, sharks, and halibut? Have baseline surveys been conducted for these species?
- 4) **Bioregional Representation:** The number of reserves required to achieve the CINMS reserve projects' goals and objectives were dependant on the CINMS Science Advisory Panels (SAP) determination and finding that "three main bioregions emerge"(at the Channel Islands) "based on sea-surface temperatures maps and abrupt shifts in community assemblages found in field surveys". (9-26-2000 SAP document, **Locating Potential Reserves in CINMS**) The Science Panel recommended "To meet fisheries and conservation goals, Scientists recommended setting aside at least one, and no more than four, marine reserves in each of the three bioregions of the CINMS" (**SAP Recommendation Ecological Criteria for Marine Reserves Network Design in CINMS 'undated'**).
- a. What specific species of concern, community assemblages, or abrupt shifts in community assemblages, did these field surveys identify that enabled the SAP to define the Transition Zone as one of "three main bioregion" requiring one and no more than four reserves to meet the projects objectives?
  - b. Does this "Transition bioregion" contain any of the 119 identified species of concern, which the project is designed to protect, that are not found in the California or Oregonian bioregions? If yes list which species?
  - c. If the "Transition bioregion" does not contain any of the 119 identified species of concern, that are not found in the California or Oregonian bioregions, than what are the four reserves placed in this "Transition bioregion" intended to protect?
  - d. If the four reserves placed or proposed for the Transition zone are only protecting sea-surface water temperature variations and not any endemic species of concern, has the scientific recommendation of no more than four reserves per bioregion been violated since 12 reserves are being proposed to protect two different community assemblages residing within only two major bioregions in the project area?
  - e. Why shouldn't the number of reserves in the project area be reduced from 12 reserves to 8 reserves?
  - f. Has a scientific error been made by identifying a Transition between two bioregions as a "third main bioregion"?
  - g. What are the implications to the projects size and spacing recommendation if the answer to question f. above is yes?

- 5) **Reserve Monitoring:** On May 4, 2000 the CINMS marine reserve Science Advisory Panel (SAP) developed a paper titled "Scientific Panel Concerns and recommendations". Under Objective 5. *Objectives for Reserve Monitoring and Evaluation:* "The Science Panel (SAP) recommended that monitoring and evaluation should remain independent of the Science Panel members, the CINMS, and the CADFG to ensure neutrality in results." Now that the CINMS, the CADFG and member of the Science Advisory team are in charge of monitoring and evaluation:
- a. What assurances do affected parties have regarding the neutrality of monitoring results?
  - b. What prevents cherry picking of data to support preferred outcomes regarding reserve effectiveness, by the reserve designers?
  - c. If science panel members are stakeholders in reserves, based on their competition for limited reserve monitoring funding, what ensures that reserve-monitoring programs are well balanced at measuring both ecological as well as fishery centered goals?
  - d. How will fishermen be able to compete for limited reserve funding from governmental and non-governmental organization to conduct fishery centered monitoring when Science Panel members are competing for these same funds to maintain their pre-existing ecologically centered monitoring projects.
  - e. Explain how the current research allocation imbalance for the projects objectives affects over-all ecosystem monitoring objectives.

(6) The DEIS as written provides a flawed and inaccurate description of sanctuary resources, as many resources are healthy and increasing, and many highly migratory and epipelagic species that traverse through the area are acknowledged to receive no benefit from site specific MPAs.

(7) The DEIS fails to report full socio-economic impacts from potential closures. Information is out-dated

(8) The DEIS has not addressed the ecosystem benefits of existing fishery management to achieve sanctuary biodiversity goals

(9) The DEIS and proposed regulations have disregarded the assurances provided by V. Adm. Lautenbacher in his recent letter(s) to the Pacific Fishery Management Council, to wit:

While NOAA plans to move forward with the NMSA process, and has concluded the section 304(a)(5) process, we encourage you to continue your efforts to address fishing activities in the water column under various other Fishery Management Plan authorities. The proposed NMSA regulations will be drafted in such a way that, if your future management measures meet the goals and objectives of the CINMS, the scope of the NMSA regulations could be reduced.

There is no provision in proposed rules that address this promise.  
In fact, Sec. 922.73 provides only "...as of [effective date of final rule], the following activities are prohibited and thus unlawful for any person to conduct or cause to be conducted within a marine reserve..."

There is no provision for future modification of these regulations under the Magnuson Act.

The Sanctuary clearly does not have authority at the present time to regulate fisheries within Sanctuary waters, absent a change of designation document. Alternatively, the Pacific Fishery Management Council is developing regulations to achieve sanctuary goals under the MSA, and this provision must be acknowledged in the DEIS and proposed rules, as stated in V.Adm. Lautenbacher's letter to the PFMC, dated December 30, 2005.

END

October 6, 2006

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara CA 93109

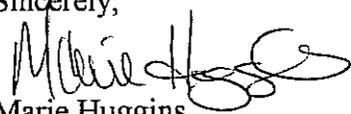
Dear Mr. Hastings,

I urge you to adopt regulations that will protect the Channel Islands National Marine Sanctuary and make this area a safe haven for marine wildlife.

The waters around the Channel Islands are home to endangered seabirds, over-fished populations of rockfish and 30 different species of marine mammals. With an area just larger than Yosemite National Park, the Channel Islands National Marine Sanctuary is a national treasure and a United Nations Biosphere Reserve. Even though the sanctuary was created in 1980 to preserve and protect the area's "unique and fragile" community, it has historically offered very little protection to the fish, whales and birds that live there.

California adopted its portion of a network of marine protected areas for the islands in 2002. Now, the federal government must finish that network and extend protection out to six nautical miles from the islands' shores. Together, this combined state and federal effort will protect almost a quarter of the Channel Islands' marine wildlife. I support the National Marine Sanctuary Program's option "1a" and ask you to move quickly to create these important marine protected areas.

Sincerely,

  
Marie Huggins

E-22

**Subject:** In favor of Alternative 2

**From:** Richard Hunt <richardhunt@cox.net>

**Date:** Sat, 07 Oct 2006 14:59:22 -0700

**To:** cinmsreserves.deis@noaa.gov

I am a recreational SCUBA diver and 34+ year Santa Barbara resident. I have first hand experience diving in and outside of existing marine reserves at the Northern Channel Islands, and I have seen what a difference reserves make.

I strongly support Alternative 2 to get maximum benefit from NOAAs efforts to stem the long term decline of our marine resources.

Richard Hunt



L-42

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
**75 Hawthorne Street**  
**San Francisco, CA 94105-3901**

October 6, 2006

Chris Mobley  
CINMS Superintendent  
NOAA National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Subject: Channel Islands National Marine Sanctuary (CINMS) Draft Environmental Impact Statement (DEIS) for the Consideration of Marine Reserves and Marine Conservation Areas, California (CEQ # 20060330)

Dear Mr. Mobley:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

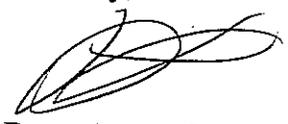
The DEIS analyzes the impacts of establishing marine reserves and marine conservation areas in the Channel Islands National Marine Sanctuary (Sanctuary) for the protection of Sanctuary biodiversity and to complement an existing network in the Sanctuary established by the State of California. The DEIS also evaluates amending the Pacific Coast Groundfish Fishery Management Plan by prohibiting the use of bottom contact fishing gear in Federal waters of the proposed zones. Alternative 1a is the National Oceanic and Atmospheric Administration's (NOAA) preferred alternative.

Based on our review, we have rated the DEIS as Lack of Objections (LO) (see enclosed "Summary of Rating Definitions"). EPA applauds this effort to address marine biodiversity loss and to support long-term ecosystem resiliency and health in the Sanctuary. The DEIS states that Alternative 2 provides even greater ecological benefits than the preferred alternative. Alternative 2 is 47 square nautical miles larger than Alternative 1a, includes unique biophysical characteristics, and increases potential habitat connectivity along the south side of the northern Channel Islands. We encourage NOAA to select this alternative if economic impacts are deemed acceptable. The DEIS states that proposed Essential Fish Habitat (EFH) does not include all areas proposed in Alternative 2, and synergistic effects are likely to occur in areas where the proposed marine zones and fishery closures are spatially consistent. It is not clear why Alternative 2 was developed with spatially inconsistent EFH. If Alternative 2 is selected, NOAA should explore the possibility of altering EFH in this alternative to match its marine zones.

L-412

EPA appreciates the opportunity to review this DEIS. When the Final EIS is released for public review, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at (415) 972-3988 or Karen Vitulano, the lead reviewer for this project, at 415-947-4178 or [vitulano.karen@epa.gov](mailto:vitulano.karen@epa.gov).

Sincerely,



Duane James, Manager  
Environmental Review Office  
Communities and Ecosystems Division

Enclosure: Summary of EPA Rating Definitions

## SUMMARY OF EPA RATING DEFINITIONS

This rating system was developed as a means to summarize EPA's level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the EIS.

### ENVIRONMENTAL IMPACT OF THE ACTION

#### *"LO" (Lack of Objections)*

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### *"EC" (Environmental Concerns)*

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### *"EO" (Environmental Objections)*

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### *"EU" (Environmentally Unsatisfactory)*

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

### ADEQUACY OF THE IMPACT STATEMENT

#### *Category 1" (Adequate)*

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### *"Category 2" (Insufficient Information)*

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### *"Category 3" (Inadequate)*

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006

Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.

Name: Stacey Janik

Representing: Recreational diver

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

Stacey Janik  
3558 Modoc Rd #48  
Santa Barbara, CA 93105

sdKimsey@yahoo.com

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

### \*\*\*\*\*COMMENTS\*\*\*\*\*

In order for the marine reserves to work, we must give them  
a viable chance to be effective. A half-way measure  
or compromise will give inconclusive results that will  
be a poor basis for future policy decisions. We have  
an opportunity to protect vital resources, allow monitoring  
and much-needed ~~research~~ ecosystems research, and create  
an exemplary model of scientifically-based marine protection.

I support Alternative 2, and urge NOAA (continue on reverse)



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006

**Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.**

Name: Shovey Kaplan

Representing: P.A.D.I.E.R.S. Outrigger Canoe Club

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

OUTRIGGINS@HOTMAIL.COM

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\***COMMENTS**\*\*\*\*\*

As a paddler in Santa Barbara for 7 years one of the greatest pleasures of being in the water is seeing the wildlife while paddling. With "No Take Reserves" I will and those in the years to come will have the pleasure the ocean around the islands has to offer.



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary

Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006



**Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.**

Name: Carol G. Katz, M.D.

Representing: Myself as a member of the Community

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

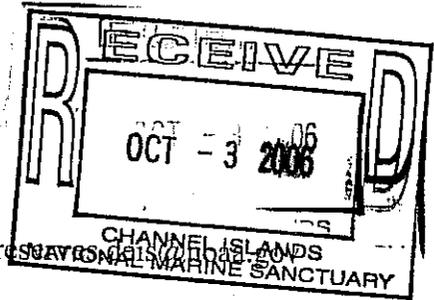
3600 S. Harbor Blvd. #71  
Amador, Ca. 93035

clgkatz@hotmail.com

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: cinmsrc@noaa.gov



Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\*COMMENTS\*\*\*\*\*

I am a retired physician. I have enjoyed the natural <sup>riches</sup> riddles of the Channel Islands harbor, beaches, and waters for thirty years. My sons learned to sail and to dive in this area. One is now a career marine biologist working in Seattle, in the area of salmon conservation.

(continue on reverse)



E-13

**Subject:** Public Comment forum 26 Sept, 2006

**From:** david katz <dkatzmd@hotmail.com>

**Date:** Wed, 27 Sep 2006 19:36:40 +0000

**To:** cinmsreserves.deis@noaa.gov

**BCC:**

PUBLIC COMMENT re: Draft EIS Forum 9/26/2006

To: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
Cinmsreserves.deis@noaa.gov

Thank you for the opportunity to attend and hear the public response to your intended Environmental Impact Statement. It was a well run public forum and almost all the speakers were polite and well informed in their own areas of interest. I feel compelled to write as a local resident of the area (Hollywood Beach) and feel whatever action is taken will have some impact on all of us. Our son is a marine biologist working for NOAA in Seattle and so we have heard of similar diverse interests having some conflict in solving the salmon issue in the Columbia River area. It was evident that the emotions and feelings were very strong as the impact on income, job security, and restrictions were well expressed. These are strong interests and occasionally override the impacts expressed on conservation, preservation of species other than human, and environment. So some compromise should be able to satisfy somewhat all parties concerned. As stated by some, we are all predators in that, unless vegans, we all consume sea life for food and therefore rely on the catching and processing some of the creatures being protected by the restrictions. If they are over fished and disappear, however, those industries and our needs will be harmed.

One or two speakers asked for the data. If available, this seems reasonable and may solve the whole conflict. If it can be shown that the present restrictions have markedly increased the populations of the prey otherwise endangered, then specified areas can show profitability to the commercial fishermen and their sponsors by increasing rather than depleting their yields long term. However, if it is too soon to show results or trends of the present restrictions then it will difficult to dissuade those who believe further restrictions will only cut deeper into their pocketbooks.

The repeated statements that the various agencies are under funded, there are too few marine biologists and statisticians, too few observing regulators to monitor and enforce the laws call into question the whole project. There were numerous lettered agencies stated with interests in the problem, the project, and the solution and yet these stated deficiencies were not refuted. If the public forum was to solicit public response, to see how the voting populous would react to the intended changes of continued versus increased restriction, then having a better handle on the factual results (present and future) would have been more convincing.

Therefore, if a presentation could include more of the data suggested I believe you would get much more support from the recreational users of the ocean, the commercial dependers of the sea environment, as well as the voting and financially supporting members of the public community at large. Thank you for the opportunity to participate in your forum.

David J. Katz, M.D.  
Oxnard, CA

<b>PUBLIC COMMENT re EIS forum.doc</b>	<b>Content-Type:</b> application/octet-stream <b>Content-Encoding:</b> base64
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L-38

**Mr. & Mrs. Michael Kevany**

615 Bennington Lane  
Silver Spring, MD 20910

October 6, 2006

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings,

We urge you to adopt regulations that will protect the Channel Islands National Marine Sanctuary and make this area a safe haven for marine wildlife.

The waters around the Channel Islands are home to endangered seabirds, over-fished populations of rockfish and 30 different species of marine mammals. With an area just larger than Yosemite National Park, the Channel Islands National Marine Sanctuary is a national treasure and a United Nations Biosphere Reserve. Even though the sanctuary was created in 1980 to preserve and protect the area's "unique and fragile" community, it has historically offered very little protection to the fish, whales and birds that live there.

California adopted its portion of a network of marine protected areas for the islands in 2002. Now, the federal government must finish that network and extend protection out to six nautical miles from the islands' shores. Together, this combined state and federal effort will protect almost a quarter of the Channel Islands' marine wildlife. We support the National Marine Sanctuary Program's option "1a" and ask you to move quickly to create these important marine protected areas.

Respectfully,

*Mr & Mrs Michael Kevany*  
Mr. & Mrs. Michael Kevany



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006

Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.

Name: Bruce King

Representing: Paradise Dive Club

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

Bruce King  
PO Box 21311  
Santa Barbara, CA 93121

\_\_\_\_\_

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\*COMMENTS\*\*\*\*\*

I support the Fair & Responsible management of the CINMS. Getting the "word out" of upcoming Public Hearings such as this is important and appreciated by members of the public such as myself. I often rely on friends to find out about things happening at the Channel Islands and the variety of issues surrounding the use and management.

Sincerely  
(continue on reverse)

Bruce



L-02

**To: CINMS Advisory Council**

**From: Linda Krop, Conservation Representative**

**Re: Conservation Working Group Report, 9/21/06**

The Conservation Working Group (CWG) met on September 21, 2006. Members present: Linda Krop, Chair (Environmental Defense Center); Greg Helms, Vice Chair (The Ocean Conservancy); Jean Holmes (League of Women Voters of Santa Barbara); Deborah McArdle. Other participants included Shiva Polefka (EDC Marine Conservation Analyst), Phyllis Grifman, Monica Jain.  
CINMS staff: Sean Hastings, Natalie Senyk.

## **I. INTRODUCTIONS & ANNOUNCEMENTS**

Introductions were made.

## **II. MARINE RESERVES**

Sean gave a slide presentation describing the CINMS process and DEIS. The CWG and public members reviewed draft comments authored by Greg Helms, Shiva Polefka and Deborah McArdle. After extensive discussion, the comments were revised and finalized for presentation to the SAC on September 22. The four main issues addressed in the letter focus on:

- Recognition of the intrinsic value of wild species, habitats and ecosystems;
- Recommendation for full no-take reserves;
- Preference for the CINMS to assert jurisdiction over the full network of reserves within the Sanctuary; and
- Recommendation to adopt the spatial configuration presented in Alternative 2.

Shiva offered to finalize the comments in written form so that they can be handed out at the SAC meeting.

The CWG discussed strategies for encouraging public participation in the upcoming hearings.

## **III. CWG AQUACULTURE REPORT**

Shiva provided an update on the draft report on open ocean aquaculture. The report has been distributed to the CWG members, who are asked to provide their input and feedback by October 13. We hope to finalize the draft report and send it to the SAC two weeks prior to the November SAC meeting. We would like to make a presentation at the November SAC meeting, and solicit input from the SAC in time to bring a final report back to the Council in January for action.

*Conservation Working Group Comment: CINMS Marine Reserves Draft EIS (DEIS)*  
 September 21, 2006

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Introduction

In considering establishment of the "federal portion" of the proposed marine reserves network within the Channel Islands National Marine Sanctuary, four core issues arise in the CWG's consideration of the CINMS Marine Reserves DEIS:

- 1) Recognition of the intrinsic value of wild species, habitats and ecosystems
- 2) The type of zone to be established at each of the areas, i.e. limited take (conservation area), or no-take (marine reserve), that best accomplishes the conservation and research goals of zone establishment
- 3) The jurisdictional framework to be established for the coherent management, monitoring and enforcement of the zone network, and
- 4) The spatial extent of the network, with respect to reserve network function and performance; habitat representation and connectivity; protection against disturbance or disaster, and design considerations for effective zone monitoring, research and experimental design.

The CWG has specific rationale for the best choices CINMS staff can make for each issue, in order to best fulfill its mandate to protect, conserve, and enhance Sanctuary resources.

1. The Need to Recognize the Intrinsic Value of Ecosystems

Conservation, in addition to protecting flora and fauna is about overcoming anthropocentrism which primarily values nature for subsistence, economic development, and sport. A more biocentric view accepts intrinsic values in the natural world, independent of utilitarian or direct human value endowment. Spiritual, aesthetic, and non-consumptive nature values are important at this more (biocentric) end of the value spectrum. The National Marine Sanctuary Program as a whole embraces the goal of protecting the intrinsic values of the marine environment and the CINMS MRWG listed it as a major goal for the marine reserve network.

Intrinsic values are defined as those aspects of ecosystems and their constituent parts which have value in their own right, including their biological and genetic diversity; and the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience. However, in the DEIS, nonuse or passive-use values are measured primarily in economic terms. While putting a monetary value on the "passive" value of the CINMS natural resources is useful, it is incomplete. The economic approach used in the EIS is reminiscent of the historical utilitarian philosophy which began in the 1800s. The National Marine Sanctuary Program was formed in part to offset this historical ideology, being created with the goal of using a more ecologically-minded

approach to resource management that places a high priority on the intrinsic values of protected places and resources and views the ocean as something to be appreciated for its own sake (regardless of its economic value).

The CWG is concerned that the DEIS (at section 5.2.6: "Other Potential Benefits") primarily values marine reserves for their economic value and not for their intrinsic natural value, independent of humans. Beyond the treatment of "non-use" value at DEIS pp. 125-6, which discusses methods for assigning value to various forms of appreciation of Sanctuary uses, there exists a host of aesthetic, spiritual and social values that are served by resource protection designations such as marine reserves. Among these are the intangible sense of responsibility and good-conscience derived from responsible treatment of living resources, the moral satisfaction of "doing the right thing", the psychological and spiritual benefits of knowing that an untouched, ancient and wild area is present and available, and the growing sense within society that those that appreciate and assign value to intact ecosystems be given their "allocation" in the form of marine reserves alongside those traditionally seen as stakeholders (oil and gas operations, commercial and recreational fishers, municipal dischargers, etc.). These values are well described in the United States Wilderness Act<sup>1</sup>.

To resolve this concern, the title of Section 5.2.6.3. could be changed to *Scientific, Intrinsic and Educational Values* (adding the word Intrinsic).

Within this section, the following could be added as potential non-economic benefits:

- ◆ Reserves will protect unique and representative areas of marine life habitat for their intrinsic value.
- ◆ Reserves will protect unique and representative marine life for its intrinsic value.
- ◆ Reserves will protect marine biodiversity and marine ecosystem integrity for its intrinsic value.

In turn, these additional factors must be integrated into the analysis conducted by NOAA to establish an environmentally preferred alternative, and be considered as support for promulgation of that alternative. Accordingly, the CWG believes that adoption of Alternative 2 would better reflect an appropriate level of recognition of the intrinsic value of CINMS' natural resources, by protecting a greater quantity of living individuals, communities and systems that have long been overexploited and undervalued.

## 2. Establishment of Fully Protected MPAs best meets the DEIS Purpose and Need, Community-Developed Goals and Objectives, and Scientific MPA Design

### CWG Recommendations

- Sanctuary zones should be based on principles of ecosystem based management, which recognizes and incorporates all components of a living system, including

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<sup>1</sup> 16 U.S.C. 1131-1136, 78 Stat. 890

the full complement of living resources along with their habitat, physical and biological processes and the interactions between them.<sup>2</sup>

- The community-developed goals and objectives developed during the MRWG process specifically call for inclusion of full ecosystems in reserve networks.
- Marine reserves, as opposed to limited-take forms of zones, are much more easily and cost-effectively enforced, are suitable for collaborative, citizen, and inter-agency monitoring and enforcement, are suitable for remote and land-based compliance monitoring and can best be enforced using emerging forms of compliance monitoring technology (e.g. VMS, satellite technology)
- Fully protected zones best match the Congressional mandate of the Sanctuary to protect resources using a “comprehensive approach.”
- Fully protected reserves allow for decisive evaluation of zone performance because they exclude all forms of anthropogenic take, thereby removing them as variables in determining the causes of observed changes in ecological conditions within marine zones. Because the take (or prohibition of take) of species such as pelagics inevitably have effects on the natural system, allowing take confounds the ability to distinguish changes due to marine zone establishment from other sources of ecosystem change (e.g. natural disturbance or variability).
- Limited forms of MPAs such as conservation areas cannot perform the important role as “research reference areas” since conservation areas do not result in areas free of fishing disturbance.
- Scientific evidence reveals that while pelagic fish exhibit high mobility, they tend to aggregate in discrete areas such as banks or ridges<sup>3,4,5</sup>. This spatially-explicit pattern of distribution makes pelagic species “protectable” by reserves at least during specific, critical life cycle stages.
- Pelagic and other highly mobile species form a critical component of ecosystems through indirect and direct interactions with the benthic community, through their role as apex predators and by regulating the system through predation. Removal of these species will alter the composition and productivity of the system.<sup>6</sup>
- Removal of these mobile predators may cause profound changes in community structure. Such “trophic cascades,” in which even subtle or indirect changes to the natural community reverberate throughout the food web, can change or weaken the ecosystem as a whole.
- Full protection is especially critical for “the Footprint” area, which would be protected only through this federal process, due to the above-cited reasons.

<sup>2</sup> Grumbine, E.R. 1994. What is ecosystem management? *Conservation Biology* 8(1): 27–38

<sup>3</sup> Heyman, W.D. 2004. Conservation of multi-species spawning aggregation sites. *Proceedings of the Gulf and Caribbean Fisheries Institute*. 55: 521-529.

<sup>4</sup> Hooker, S. K., and L. R. Gerber. 2004. Marine reserves as a tool for ecosystem-based management: the potential importance of megafauna. *BioScience*. 54(1): 27-39.

<sup>5</sup> Worm, B., M. Sandow, A. Oschlies, H. K. Lotze, and R. A. Myers. 2005. Global patterns of predator diversity in the open oceans. *Science*. 306: 1365-1369.

<sup>6</sup> Sosa-Lopez, A., D. Mouillot, T. D. Chi, and J. Ramos-Miranda. 2005. Ecological indicators based on fish biomass distribution along trophic levels: an application to the Terminos coastal lagoon, Mexico. *ICES Journal of Marine Science*. 62(3): 453-458.

3. Reserve Networks Managed as a Cohesive Unit Best Meet the Management, Scientific and Conservation Goals of the Sanctuary; Sanctuary Zone Regulations Should Overlay State Designations

- An “overlay” of Sanctuary Act zone designation will create a unified, coherent regulatory framework that best meets the management needs of the public, the research and monitoring institutions, enforcement officials and management and regulatory agencies by providing a single jurisdictional framework.
- Jurisdictional coherence best advances management effectiveness by reducing management gaps, protecting against uneven and inconsistent enforcement, and integrating the full host of management responsibilities, technologies and capacities.<sup>7</sup>
- Alternative 1a would continue to bring the unique assets of the SAC to bear on zone outreach and awareness. Non-integrated alternatives would jeopardize and reduce the SAC’s contribution to community involvement in CINMS reserves, conservation areas and other zones.
- An overlain or integrated management framework is best suited to spatial management approaches in which ecological linkages are emphasized.
- An integrated management framework will best foster continued and enhanced management partnerships that extend financial and technical resources, enforcement capabilities and monitoring efforts.
- Overlaying Sanctuary Act zone regulations (e.g. Alternative 1a and 2) is most consistent with MPA policy recommendations such as the U.S. MPA Center recommendations, and the State of California’s Marine Managed Areas Improvement Act (AB 1600) which directed the State to consolidate and simplify the range of MPAs within California.<sup>8</sup>
- If CINMS zones do not overlay state MPAs, almost double the number of zonal management units will be created, thereby decreasing efficiency and increasing costs for all jurisdictions (and increasing jurisdictional conflicts).
- Alternative 1C would result in physical and administrative gaps in resource protection, potentially resulting in destructive conflicts in authority, enforcement and management, collectively resulting in outrageous obstacles to compliance.

4. The Spatial Configuration of Alternative 2 Best Meets the Community and Scientific Goals for Resource Protection, Species Sustainability and Restoration and Zone Performance

- Effective reserve design requires “networks” that promote sustainable populations better than stand-alone, isolated zones.<sup>9,10</sup>

<sup>7</sup> Crowder, L.B., G. Osherenko, O. R. Young, S. Airamé, E. A. Norse, N. Baron, J. C. Day, F. Douvère, C. N. Ehler, B. S. Halpern, S. J. Langdon, K. L. McLeod, J. C. Ogden, R. E. Peach, A. A. Rosenberg, J. A. Wilson. 2006. “Resolving Mismatches in U.S. Ocean Governance.” *Science* 313: 617-8.

<sup>8</sup> 6, 7, 8, 10 of PRC sec 36601

<sup>9</sup> Botsford, L. W., A. Hastings, and S. D. Gaines. 2001. Dependence of sustainability on the configuration of marine reserves and larval dispersal distances. *Ecology Letters* 4: 144–150.

<sup>10</sup> Carr and Syms, 2006 (source?)

- Sufficient size and spacing of reserves is crucial so that production of larvae and recruitment of adult individuals is maximized through zone connectivity.<sup>11</sup>
- Alternative 2 best achieves the above scientific design considerations by including larger, by connecting habitat areas across the range of depth and substrate-types. This is particularly the case at the Carrington Point area at Santa Rosa, at Anacapa Island, the South Point area off Santa Rosa, off Judith Rock on San Miguel Island and in the South-east area off Santa Barbara Island. Extended and full protection at Carrington Pt. is crucial because the area would be the only intermediate deepwater reserve on the north side of the islands for recruitment of larvae of deepwater, rocky bottom fishes – this configuration is essential for adequate reserve network performance.
- Alternative 2 incorporates needed replicate reserve areas that achieve the scientific requirement that reserve networks protect against disturbance of one part of the network by including additional areas.<sup>12</sup>
- As discussed in the Draft EIS, Alternative 1 suffers from the absence of contiguous or connected habitat areas, especially at Carrington Point.
- Species whose recovery, protection or restoration would be particularly advanced by the network design in Alternative 2, but not as well in Alternative 1, include: (Carrington Pt): mid-water bottom species such as bocaccio, vermillion, olive, yellowtail and canary rockfish; (Judith Rock): thresher shark, thornyhead, spot prawn, mackerel, sablefish and sardine; (Anacapa Island): species such as billfish and halibut; (South Point, Santa Rosa): bottom and pelagic species including white sea bass, California and warty sea cucumbers and spot prawn.

### Conclusion

The DEIS has few deficiencies and provides excellent coverage of pertinent science with respect to the widely recognized need for ecosystem management and marine reserves. Both the analysis articulated in the DEIS, and the evidence and criteria identified by the CWG lead to the conclusion that NOAA should consider Alternative 2 the environmentally preferred alternative, and, accordingly, adopt it.

<sup>11</sup> O'Farrell, M. R. and L.W. Botsford. 2006. "Estimating the status of nearshore rockfish (*Sebastes* spp.) populations with length frequency data." *Ecological Applications* 16:977–986.

<sup>12</sup> Allison, G.W., Gaines, S.D., Lubchenco, J., and Possingham, H.P. 2003. "Measuring persistence of marine reserves: catastrophes require adopting an insurance factor." *Ecological Applications* 13: 8.

September 29, 2006

Dear Sanctuary,

I think you folks should choose the smaller of the options on the table for closure of the Channel Islands fishing area. Mr. McCorkle brought up some very good points in that migratory fish sometimes swim through closed areas but do not linger there or necessarily breed there. So how does it make any sense to close it off to commercially taking migratory fish?

Those islands have been commercially fished for many years yet the resource, for the most part, is still there. Most of the commercial people I know are very concerned about the resource because it is their lively hood. In years gone by, fathers used to pass their profession down to the sons perpetuating a useful and productive line of work. Basically, that of feeding people. Sadly this is rarely the case any more.

Most of the environmentalists I have spoken with are very narrow-minded in their beliefs and want it all their way without compromise. Mr. Shimek is a good example of this. All he is interested in is the Sea Otter, nothing else matters to him. The Sea Otter hasn't done well south of Point Conception so apparently Mr. Shimek's solution is to close it all down completely.

I'm not familiar with the rules concerning the closure but I hope that it also includes all sport fishing as well as commercial fishing. Seems to me that if you are going jeopardize a person's lively hood because of the diminishing fish supply, then the sport fisherman should be denied access to the resource as well. Sport boats take a large amount of fish. I know areas that were being left alone by commercial Abalone divers letting the resource expand. Then a sport Abalone boat would come along and drop on that particular area and decimate it.

Thank you for allowing me to post my concerns.

Allan La Fleur





# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Name: Chris A Larson

Representing: Self

Would you like CINMS to e-mail you announcements about future public meetings?  Yes  No

If yes, please provide e-mail address: \_\_\_\_\_

Would you like CINMS to mail you announcements about future public meetings?  Yes  No

If yes, please provide mailing address:

211 W. Gutierrez # 13

### COMMENTS

In the introduction/comment section there is not any mention of improvements to 'CINMS' ~~or~~ such as: ① Increase of wet lands ② Repairs to damaged lagoons or ③ Restoration of aquatic-geologic surfaces for holdfasts. Not to mention, having an ~~artificial~~ artificial nursery for the ~~to~~ growth of both ~~vertebrates~~ ~~and~~ vertebrates an ~~invertebrates~~ much like the techniques ~~to~~ that have been used at UCSB for the last 30<sup>+</sup> years. (continue on reverse)

Please submit this form in the Public Comment Box, or mail to:

CINMS  
113 Harbor Way  
Santa Barbara, CA 93109

You may also e-mail comments as follows:

Management Plan Revision: [michael.murray@noaa.gov](mailto:michael.murray@noaa.gov), Marine Reserves Process: [sean.hastings@noaa.gov](mailto:sean.hastings@noaa.gov),  
Sanctuary Advisory Council: [michael.murray@noaa.gov](mailto:michael.murray@noaa.gov)

October 10, 2006

MEMORANDUM FOR: Jack Dunnigan  
Assistant Administrator for Ocean Services

THROUGH: Sam Rauch  
Deputy Assistant Administrator for Fisheries

FROM: D. Robert Lohn  
Regional Administrator, NMFS Northwest Region

Rodney McInnis  
Regional Administrator, NMFS Southwest Region

SUBJECT: Comments on Proposed Rule and DEIS for Consideration of  
Marine Reserves and Marine Conservation Areas within the  
Channel Islands National Marine Sanctuary (CINMS)

The Northwest and Southwest Regions of NOAA's Fisheries Service offer their comments on the above referenced subject. Before providing our comments, we think it is useful to share our perspective on NOAA's policy for what legal instrument should be used for regulating fishing. We assume that a common appreciation of this policy between both agencies is imperative for both to work cooperatively as one in fulfilling NOAA's objectives.

It is our contention that NOAA's commitment for implementing marine protected areas (MPAs) dedicated to reduced or prohibited fishing is to regulate these fishery allocations by using the Magnuson-Stevens Act rather than the National Marine Sanctuaries Act when possible. A few examples come to mind that we believe support this position, most notably:

- October 19, 2005 letter to the Council by Admiral Lautenbacher stating that: "... NOAA finds in all but one limited instance, the Council's proposal to regulate fishing under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) is a viable approach for meeting the Sanctuaries' goals and objectives under the National Marine Sanctuaries Act (NMSA)."
- December 30, 2005 letter by Admiral Lautenbacher to Dr. Donald McIsaac pertaining to CINMS: "While NOAA plans to move forward with the NMSA process, and has concluded the section 304(a)(5) process, we encourage you to continue your efforts to address fishing activities in the water column under various other Fishery Management Plan authorities. The proposed NMSA regulations will be drafted in such a way that, if your future management

*measures meet the goals and objectives of the CINMS, the scope of the NMSA regulations could be reduced."*

Given the interpretation that NOAA believes it can achieve Sanctuary objectives for regulating fishing activities by means of the MSA, we believe for the most part, the preamble language in Parts I and IV in the Supplementary Section of the proposed rule (FR 71, August 11, 2006) does not reflect this position. Rather, the preamble seems to indicate that the Council or NMFS may at some later date rescind its fisheries regulations and that these NMSA proposed regulations would be triggered to achieve prohibitions on bottom tending gear. However, we note that the decision to implement bottom fishing regulations under the MSA rule was made by NOAA, and that this decision was based on best scientific evidence. If a decision is made in the future to revise these prohibitions, it will again be a NOAA decision (not solely a Council, NMFS, or NOS decision) and will be based on the best available science and fully consistent with NOAA's obligations to protect the marine environment. Given that the recent NOAA regulations provide robust protection for bottom habitat and resources, the CINMS prohibitions only need to address the water column. (We offer suggested changes to the regulatory language below to address this last point).

#### Revised Designation Document

We note in section III, Part 5 of Proposed Revised Designation Document, that the change in language regarding the regulation of fishing as unauthorized "except within portions of the Sanctuary designated as marine reserves, marine parks, or marine conservation areas established pursuant to the goals and objectives of the Sanctuary and within the scope of the State of California's Final Environmental Document" is causing some angst within the fishing community. Some believe that reference to the State's document, which lists a range of alternatives including two proposing area closures exceeding the area proposed for closure in this action, will allow the Sanctuary to return at some future date and impose additional fishing closures consistent with the State's document. In other words, the authority to regulate fishing mentioned for this proposed action could conceivably be applied to a future proposal discussed in the State's document. May we suggest that, in the interest of NOAA being clear with the fishing public, this reference to the State's document either be omitted or that some statement of whether the Sanctuary may have future MPA intentions be clearly expressed.

#### Part 922.73

While we are not clear on the intent, we find the statement "as of [effective date of final rule]" in part § 922.73(a) that states "*Marine reserves*. Unless prohibited by 50 CFR part 660 (Fisheries off West Coast States) as of [effective date of final rule], the following activities are prohibited..." confounding. The phrase appears to preclude any future action to change the authority of the proposed marine reserves from the NMSA to the MSA. We suggest that particular phrase be omitted as this will enable NOAA to comply with the Vice Admiral's policy at a latter date should the Pacific Council be able to justify water column closures using the MSA.

In addition, to narrow the scope of the regulations only to the water column as discussed above, we believe that the initial sentence in 922.73 should read as follows:

*(a) Marine reserves. Unless prohibited by 50 CFR part 660 (Fisheries off West Coast States), the following activities are prohibited within the water column and thus unlawful for any person to conduct or cause to be conducted within a marine reserve described in Appendix B to this subpart:"*

#### Public Image

Lastly, we note that the October 10, 2006 6-page letter we just received from PFMC Executive Director Dr. Donald McIsaac to CINMS Superintendent Chris Mobley (attached) addresses many of the issues we are raising and several others. A lot of the concerns were identified by NWR and SWR staff when comments were forwarded to CINMS on earlier drafts of the DEIS and proposed rule before they went public. We believe that some of the issues listed in this memo as well as the Council's letter could have been avoided had CINMS taken these comments to heart. We do not think this puts the best face on NOAA when advice is given and apparently disregarded as noted by the Council's reaction. We believe there needs to be a stronger effort by both agencies to work cooperatively together and utilize the expertise of both to carry out NOAA's mission.

Attachment

**Subject:** SWR & NWR comments on CINMS regs]]]  
**From:** Margo Jackson <Margo.E.Jackson@noaa.gov>  
**Date:** Fri, 13 Oct 2006 14:58:04 -0400  
**To:** Michelle Mills <Michelle.Mills@noaa.gov>

Please print off copies of this for, Michael, John Armor and me.  
Thanks.

----- Original Message -----  
Subject: [Fwd: [Fwd: SWR & NWR comments on CINMS regs]]  
Date: Fri, 13 Oct 2006 14:53:55 -0400  
From: "Donna.Wieting" <Donna.Wieting@noaa.gov>  
To: Margo Jackson <Margo.E.Jackson@noaa.gov>, Adrienne Harris  
<Adrienne.Harris@noaa.gov>, Stephanie Campbell  
<Stephanie.Campbell@noaa.gov>

FYI - for our discussion with NMFS.

----- Original Message -----  
Subject: [Fwd: SWR & NWR comments on CINMS regs]  
Date: Wed, 11 Oct 2006 14:57:49 -0400  
From: Samuel Rauch <Samuel.Rauch@noaa.gov>  
To: Donna Wieting <Donna.Wieting@noaa.gov>

Donna, here are the combined comments from our regions on the CINMS  
proposed rule

----- Original Message -----  
Subject: SWR & NWR comments on CINMS regs  
Date: Tue, 10 Oct 2006 17:54:02 -0700  
From: Frank Lockhart <Frank.Lockhart@noaa.gov>  
To: Samuel Rauch <Samuel.Rauch@noaa.gov>, Carrie Selberg  
<carrie.selberg@noaa.gov>  
CC: Rod McInnis <Rod.Mcinnis@noaa.gov>, Tony Morton  
<Tony.Morton@noaa.gov>, Mark Helvey <Mark.Helvey@noaa.gov>,  
"joe.scordino Scordino" <Joe.Scordino@noaa.gov>

Sam & Carrie --

Please find attached the SWR & NWR comments on the CINMS proposed  
rule, as well as the PFMC's comments on the same subject.

If you need anything further from us or have any questions on the  
attached documents, please let us know.

Frank  
(on behalf of both regions)

CINMS Comment letter-SWR-NWRfinal.doc

Content-Type: application/octet-stream  
Content-Encoding: base64

Contents	Authority CEQ, <del>NAO 216.6</del>	Not Applicable	Suggestions/Remarks
Title of proposed action together with name of fishery management plan to which the action applies.			Title: For the Consideration of Marine Reserves and Marine Conservation Areas. I noted the verb "establish" is used otherwise in the document when the action is discussed so I am wondering why "consider" is used in the title.
Name, address, e-mail address, and telephone number of a contact person.			The contact person information is missing from the cover page. I see it in the Dear Reviewer letter. It should be on the cover page.
Identification of type of document (draft or final; supplemental; EA or EIS).			It is identified as a draft EIS.
A one-paragraph abstract of the document stating major conclusions.			An abstract is missing. Material in the Dear Reviewer letter could be adapted easily to construct the required abstract.
The date by which comments must be received (Draft EA or EIS only).			The comments due date is missing off the cover page. The "dear reviewer" letter says it is October 10, 2006. Though it is good that it is in the package, the CEQ regulations say to put it on the cover page. Preparers should follow CEQ regulations as closely as possible so users of EISs don't flounder around looking for information that is supposed to be in a particular place.
Clearly state whether it is a separate EIS or an EIS consolidated with a management plan or amendment, and whether the document supplements an earlier EIS	<del>5.04512</del>		It is not clear on the cover page whether this is a stand alone NEPA analysis or also serving as a Sanctuary management plan amendment. The summary confused me further by saying "concurrent with this action, NOAA is proposing to amend the Pacific Coast Groundfish Management Plan to protect essential fish habitat along the west coast." I am wondering if the intent is to inform that Fishery Management Plan amendment decision with this EIS, or if NOAA Fisheries Service is going to prepare another NEPA analysis for it. Appendix A is the proposed rule for marine reserves and marine conservation areas.
Table of Contents	1502.10(c) <del>5.04511(a)</del>		One is present along with lists of figures and tables.
<b>Summary (optional for EAs)</b> Adequately and accurately summarizes statement or assessment.	1502.12 <del>5.04511(c)</del>		The summary does not summarize any findings from the analysis. It consists of a historical summary of how the proposed action came about and general overview of NEPA EIS parts. It should be rewritten to impart the required summary information found at 1502.12 of CEQ regulations. No findings or conclusions should be in the summary unless they are also in the body of the analysis.

Contents	Authority CEQ, NAO 2166	Not Applicable	Suggestions/Remarks
Stresses:			
Major conclusions (especially environmental impacts of all alternatives).			No, the summary does not currently present the major conclusions of the analysis.
Areas of controversy (including issues raised by agencies and the public).			No, the areas of controversy were not summarized.
Issues to be resolved (including the choice among alternatives).			No the issues yet to be resolved are not disclosed in the summary
Summary table or matrix built from issues and impacts displayed against alternatives.	Optional		Not attempted. It would be informative to make a summary matrix as well as go back through the analysis editing the text such that conclusions are stated for each alternative and each issue in ways that lend themselves to presentation in a table.
<b>1.0 Purpose and Need</b>	1502.13		
Briefly specify underlying purpose and need to which agency is responding in proposing alternatives including proposed action.	<del>5103.162</del> <del>5104.611(b)</del>		<p>Section 2 has the heading Purpose and Need, however, after close and repeated reading, I cannot pick out what has triggered preparation of this EIS. It stands as an ambiguous Purpose and Need description.</p> <p>I pieced together some phrases about the action from other places: the title says "consideration of marine reserves and marine conservation areas", the Dear Reviewer letter says "establishment of no-take and limited take marine zones in CINMS", the Executive Summary (on page iv) says "the proposed NMSA regulations analyzed in this DEIS will prohibit the take of resources from the proposed zones not prohibited by the Amendment 19 regulations."</p> <p>Ambiguous Purpose and Need statements can lead to unrealistic expectations about the utility of the NEPA document. I recommend the preparers draft a purpose and need section that states the proposed action in plain English. Then place that clear statement in the section titled Purpose and Need, repeat it verbatim in the Executive Summary, and perform careful editing everywhere else to ensure no different or inadvertent representation of the purpose and need appears.</p>
List all Federal permits, licenses, and other entitlements which must be obtained in implementing the proposal	1502.25(b)		No list of Federal permits, licenses, or other entitlements (if any) which must be obtained in implementing the proposal is present. This list should be constructed and the process of drafting it will help the preparers better plan to integrate NEPA requirements with other environmental review and consultation requirements (CEQ 1502.25).

Contents	Authority CEQ <del>NAO 21626</del>	Not Applicable	Suggestions/Remarks
Specify why the proposed action is required now (statutory, operational policy, new program, etc.)	503 <b>b</b>		I deduce that the action is being proposed as a "new program", however, it is not directly stated.
<b>2.0 Alternatives Including the Proposed Action</b>	1502.14 <del>503<b>b</b></del>		Five Alternatives (no action, Alt 1 (split into three sub-alternatives), and Alt 2) Implementing Alt 1a would require amendment of the CINMS designation document.
Based on information and analysis presented in sections on affected environment and environmental consequences, should present:	504 <b>b</b> (d)		
Environmental impacts of proposal and the alternatives in comparative form.			Three aspects (ecological, socioeconomic, management considerations) and various sub-issues are systematically compared.
Sharply defined issues.			Figures 3,4,5,6,7,8,9 have such small text fonts they are nearly impossible to read. The hatching and shading are equally indistinct. I can't tell which gray corresponds to which label in the legend.
Clear basis for choice among options.			Six ecological criteria used to compare alternatives (listed in Table 1), described in a referenced document (CDFG 2002)
Rigorously explore and objectively evaluate all reasonable alternatives.	1502.14 (a)		Differences in alternatives by ecological criteria are summarized in Tables 2,3,4,5,6,7,8,10
For alternatives eliminated from detailed study, briefly discuss reasons they were eliminated.			Section 3.2.6 discusses limited-take marine conservation areas and harvest controls. The proposal to rename the cowcod conservation area and the rockfish conservation area was rejected from inclusion because it does not adequately or completely protect a full range of habitat and populations, does not satisfy the purposes and goals or the six ecological criteria listed in section 3.3, and because it was proposed under the MSA instead of the NMSA and is not appreciably different than the no action alternative.
Devote substantial and equally detailed treatment to each alternative considered in detail including proposed action.	1502.14 (b)		The alternatives considered valid are adequately considered.
Include reasonable alternatives not within jurisdiction of lead agency.	1502.14 (c)		The NMSP would need to amend the CINMS designation document to implement Alternative 1a (the Preferred Alternative).
Include no action alternative.	1502.14 (d)		It does.
Identify preferred alternative (optional in draft EIS and EAs).	1502.14 (e) <del>504<b>b</b>(b)</del>		It is.
Include appropriate mitigation measures not already included in proposed action or alternatives.	1502.14 (f)		Discussions of the possible need to increase investments in enforcement activities are included. They could be classified as mitigation.

Contents	Authority CEQ. NAO/216-6	Not Applicable	Suggestions/Remarks
<b>3.0 Affected Environment</b>			
Succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. Descriptions shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in a statement shall be commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced. Avoid useless bulk in statements and concentrate effort and attention on important issues.	1502.15 <del>5.04.b.1(c)</del>		Adequate
Structure Affected Environment around issues pertinent to the proposed action identified during scoping.			Document does an excellent job of this
Provide explanatory background of criteria and reference points used to evaluate impact significance in the Environmental Consequences.			Excellent
Cumulative impacts:	1508.27(b)(7) 1508.7		Discussed in section 4.3.3
Stipulate geographic and time boundaries appropriate for issues pertinent to the proposed action	CCE		Distinctions are made to the near-past, the present management and regulatory situation, and how the sanctuary is intended to be in the future.
Identify past, present, and reasonably foreseeable future actions	CCE		Fishing and kelp harvesting are considered. Research activities are projected. Ongoing educational activities are dependant on future funding. Readers are directed to the CINMS Draft Management Plan/DEIS for management discussions.
<b>4.0 Environmental Consequences (forms scientific and analytic basis for comparisons under alternatives).</b>	1502.16 <del>5.03.4</del> 5.04.b.1(f)		
Shall consolidate discussions of those elements which are within the scope of the analysis (should not duplicate discussions in Chapter 2.0 Alternatives Including Proposed Action Section).			Chapter 4 (affected environment) and Chapter 5 (environmental consequences) are well constructed using parallel topical headings which make it easier to use.
If the following are issues pertinent to the proposed action they should be considered in evaluating intensity:	NEPA (102(2)(C)(i))		
Public health or safety.	1508.27(b)(2) <del>6.01.5(2)</del>		I didn't see a section addressing public health or safety. A summary of how often human

Contents	Authority CEQ, <del>NAO 216-6</del>	Not Applicable	Suggestions/Remarks
			situations develop that result in injury or loss of life could be added.
Unique characteristics of the geographic area.	1508.27(b)(3) <del>601b(3)</del>		Ably described
Degree to which effects on the quality of the human environment are likely to be controversial.	1508.27(b)(4) <del>601b(4)</del>		The nature and amount of controversy associated with establishing marine reserves seems downplayed compared to the intensity of discussions that have appeared in the media.
Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks.	1508.27(b)(5) <del>601b(5)</del>		Uncertain and unique or unknown risks are not mentioned. The type of action (establishing reserves) is not an invasive action at all so normally would not be associated with risks.
Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.	1508.27(b)(6) <del>601b(6)</del>		Topic not discussed.
Whether action may affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.	1508.27(b)(8) <del>601b(8)</del>		Section 4.3.2.2 discussing non-consumptive diving mention 140 ship wrecks, 21 of which are located and used by divers. It would be helpful to know if any sites are on the National Register of Historic Places.
Degree to which action may adversely affect an ESA listed endangered or threatened species or its critical habitat.	1508.27(b)(9) <del>601b(9)</del>		Research and biological monitoring programs are described. T&E listed species and effects (if any) of the alternatives on T&E species could have been more directly addressed.
Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.	1508.27(b)(10) <del>601b(10)</del>		Apparently not.
Whether action may result in the introduction or spread of a non-indigenous species.	<del>601b(11)</del>		I didn't see this addressed.
Where relevant, consideration of the impact of the proposed action on the environmental and health impact on low-income and minority populations	<del>5102.63(f)</del>		I didn't see this addressed.
Relationships between local short-term uses of man's environment and maintenance and enhancement of long-term productivity.	NEPA (102(2)(C)(iv))		Addressed throughout chapter 5. Specific distinctions made in Table 30.
Irreversible and irretrievable commitments of resources which would be involved in proposed action should it be implemented.	NEPA (102(2)(C)(v))		I didn't see this addressed.
The analysis should provide as much detail about alternatives to the proposed action as is necessary to support comparisons of impacts.	NEPA (102(2)(C)(iii))		Enough detail is provided.

Contents	Authority CEQ, <del>NAO 216.6</del>	Not Applicable	Suggestions/Remarks
Information about incomplete or unavailable information, including how such information might influence the analysis and conclusion.	1502.22		Little material presented on incomplete or unavailable information. The nature of the action (establishing reserves) is quite benign in comparison with more invasive federal actions.
Shall include:	1502.16		
Direct effects and their significance.	1502.16 (a)		Adequate. Impacts do not rise to point of significance.
Indirect effects and their significance.	1502.16 (b)		Adequate. See above
Both beneficial and adverse impacts.	1508.27 (b)(1) <del>601.661</del>		Yes, beneficial impacts are predominant.
Possible conflicts between proposed action and the objectives of Federal, regional, State, and local land use plans, policies and controls for the area concerned.	1502.16 (c)		Some conflicts are listed.
Environmental effects of alternatives including proposed action (comparisons under alternatives in Chapter 2.0, including the proposed action, will be based on this discussion)	1502.16 (d)		Adequate
Energy requirements and conservation potential of various alternatives and mitigation measures.	1502.16 (e)		Not addressed. Though this action is not consumptive of energy in traditional sense it should have been addressed.
Natural or depletable resource requirements and conservation potential of various alternatives and mitigation measures.	1502.16 (f)		Not addressed.
Urban quality, historic and cultural resources, and the design of the built environment, including the reuse and conservation potential of various alternatives and mitigation measures.	1502.16 (g)		Nothing is being built so this is not applicable to this proposal.
Information adequate to conduct an Essential Fish Habitat (EFH) consultation. If the action "may adversely affect" EFH notify the appropriate regional Habitat Conservation Division to conduct EFH consultation on the proposal. The EFH Assessment may be included in the NEPA document. If the consultation has been completed (e.g., for a Final EIS), discuss the results of the consultation including any EFH Conservation Recommendations and NMFS' responses.	<del>502.630</del>		Yes information is present. I didn't see whether NOAA Fisheries Service has concluded the EFH consultation or if that is still pending. If it is done a citation to the letter or report could be included in the EIS.
Means to mitigate adverse	1502.16 (h)	131	Mitigation could have been more overtly

Contents	Authority CEQ, NAO 216-6	Not Applicable	Suggestions/Remarks
environmental impacts (if not fully incorporated into the alternatives).			discussed.
Sufficient evidence and analysis for determining whether to prepare an EIS or a FONSI (in an EA)	<del>5:03(b)(1)</del>		The lead agency decided to prepare an EIS
Threatened, endangered, or candidate species and/or their critical habitat. An ESA Section 7 consultation is needed if analysis reveals the proposed action "may affect" an ESA listed species. Section 7 consultation may be packaged within the NEPA document.	1508.27 (b)(9) <del>5:02(a)(3)(i)</del>		I didn't see references to a section 7 consultation for this proposal. If there is one, the status and/or findings of it could have been summarized in the EIS.
Cumulative impacts:	1508.7		Cumulative impacts are evaluated for the ecological, socioeconomic, and management components of the analysis
Identify important cause-and-effect relationships between human activities and resources, ecosystems and human communities.	CCE		Fishing is identified in this way
Determine magnitude and significance of cumulative effects.	CCE		Significance is not clearly addressed. I understand the impacts to fall well below a level that are considered significant.
Modify or add alternatives to avoid, minimize, or mitigate significant cumulative effects			Mitigating significant cumulative effects not necessary for this proposed federal action.
Issue by issue summaries of cumulative impact assessment findings	Optional		Table 24, 30 and 37 do this well.
List of Literature Cited	Optional		References are listed in Section 8.0
<b>5.0 List of Preparers</b>	1502.17		
List names, together with their qualifications (expertise, experience, professional disciplines) of persons primarily responsible for preparing document or significant background papers.	1502.18 <del>5:04(b)(1)(e)</del>		It has a list at section 6.0
Identify persons responsible for a particular analysis, including background papers.			This draft contains a list of preparers, it does not indicate to which part of the analysis the preparers contributed. That should be added.
<b>6.0 List of Agencies, Organizations, and Persons to Whom Copies of the Statement Are Sent</b>	1502.10 1502.19 <del>5:04(b)(1)(e)</del>		
Shall be sent to any of the listed groups or individuals, guaranteeing full and honest notification and disclosure.			A mailing list is included as Appendix C.
<b>7.0 Index</b>	1502.10(f) <del>5:04(b)(1)(e)</del>		No index. One should be added. About 150 keywords and terms seems appropriate for a

Contents	Authority CEQ, NAO 216-6	Not Applicable	Suggestions/Remarks
			document of this complexity.
Public Comments (Final EISs only) all substantive public comments or summaries of comments received during the public comment period	1503.4(b) <del>5104.6</del>	n/a	After the public comments are collected they should be reproduced
Responses to Public Comments (Final EISs only)		n/a	the agency should prepare a comment by comment response and include it in the final EIS
<b>Appendices (Optional)</b>	<del>5104.6</del> (D)		
Summary report of scoping process and/or other documentation that scoping was conducted.	Optional		Appendix E contains a summary of public scoping comments
Consists of material prepared in connection with an EIS (as distinct from material which is not so prepared and which is incorporated by reference).	1502.18 (a)		The document contains nine appendices, all appear relevant to this analysis.
Consists of material which substantiates any analysis fundamental to the document.	1502.18 (b)		Appendix G and H substantiate the analyses
Analytic and relevant to the decision being made.	1502.18 (c)		Yes
Circulated with the EIS or be readily available upon request.	1502.18 (d)		Yes

Editorial comments:

Pg 13 at the end of section 3.2.2 – It says “For the precise proposed changes to the CINMS designation document, refer to the preamble to the NMSP’s proposed rule.” The document doesn’t seem to have a preamble, it has a summary and a background. It would be clearer to tell the reader they are reproduced in section III of the Proposed Rule which is Appendix A to this document.

Page 67 has a call out to the CINMS Draft Management Plan/DEIS (NOAA 2006). I don’t see that reference in the list of references (Section 8.). All call outs to references, reports, and any other print materials being cited should be in the list of references in enough detail that a reader can find a copy in the public domain.

<sup>a</sup> The National Environmental Policy Act (NEPA) implementing regulations issued by the Council on Environmental Quality (CEQ) as codified in Parts 1500-1508 of Title 40 of the Code of Federal Regulations (40 CFR Parts 1500-1508).

<sup>b</sup> NAO 216-6 Describes NOAA’s policies, requirements, and procedures for complying with NEPA and the implementing regulations issued by the CEQ and those issued by the Department of Commerce (DOC) in Department Administrative Order (DAO) 216-6. The Order incorporates the requirements of Executive Order (E.O.) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Also, the Order reiterates provisions to E.O. 12114, Environmental Effects Abroad of Major Federal Actions, as implemented by DOC in DAO 216-12, Environmental Effects Abroad of Major Federal Actions. Citations from NAO 216-6 in the second column of the table are highlighted to distinguish them from citations to the CEQ Regulations.

<sup>c</sup> Considering Cumulative Effects. Council on Environmental Quality Executive Office of the President. January 1997. 64 pg + Appendices. (Recommendations in this Handbook are not considered legally binding.)

Protect Channel  
Islands Now

Dear Mr. Hastings

Please adopt all  
regulations that  
will protect sea beds  
& sub-water quality  
as well as the  
beauty of the area.

Make the area a  
safe haven for  
a clean and healthy  
Respectfully  
C. M. Lydson



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary

Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006



Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.

Name: JOSHUA MADEIRA

Representing: \_\_\_\_\_

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

JMADEIRA@BREN.UCSB.EDU

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\*COMMENTS\*\*\*\*\*

As a graduate student studying marine ecosystems, I  
would like to impress upon the committee the importance  
of protecting large tracts of habitat at various  
depths and locations to allow biological & ecological  
structure to return to the Channel Islands. Compromises  
such as Alternative 1A are not enough - even if  
the goal of these reserves<sup>35</sup> is to establish sustainable

(continue on reverse)

BIOLOGICALLY DIVERSE, <sup>NATIVE</sup> ECOSYSTEMS, THEN SCIENCE HAS  
PROVEN THAT SIZE MATTERS.

WHEN A HUMAN IS SICK & GOES TO THE DOCTOR,  
DOES THE DOCTOR ONLY HALF-TREAT THE PATIENT?  
IS A COMPROMISE TO A HUMAN'S HEALTH ACCEPTABLE?  
THE ANSWER IS NO.

IF WE ARE SERIOUS ABOUT ESTABLISHING  
DIVERSITY, & ~~MAINTAINING~~ BIOLOGICAL STRUCTURE IN  
THE CHANNEL ISLANDS, THEN WE MUST TAKE THE FULL  
ACTION POSSIBLE TO TRY & SOLVE THE PROBLEM.  
THUS, HABITAT, & LOTS OF IT <sup>IS</sup> ~~THE~~ THE ANSWER.

GO BIG. PLEASE CONSIDER OPTION 2.

THANK YOU.

  
SANTA BARBARA, CA



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006

**Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.**

Name: ROBERT F MAUDE

Representing: MYSELF

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

1215 ANCHORS WAY #112  
UBATUN CA 93001

RIMADS@SBCG/OSA-WF

**Here's how to submit written comments:**

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\*COMMENTS\*\*\*\*\*

ANY FURTHER CLOSURES, PARTICULARLY IN SHUGGLER  
COVE/YELLOW BANKS AREA WOULD CAUSE GRAVE  
ECONOMIC HARM TO THE PEOPLE INVOLVED IN  
THE SPORTFISHING INDUSTRY, THIS INCLUDES INCLUDING  
BOAT OPERATORS, SPORTING GOODS AND ALL RELATED  
BUSINESS.



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary

Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006



**Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.**

Name: Natasha Marston

Representing: Santa Barbara, California, + Global Resident

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

Email: [cinmsreserves.deis@noaa.gov](mailto:cinmsreserves.deis@noaa.gov)

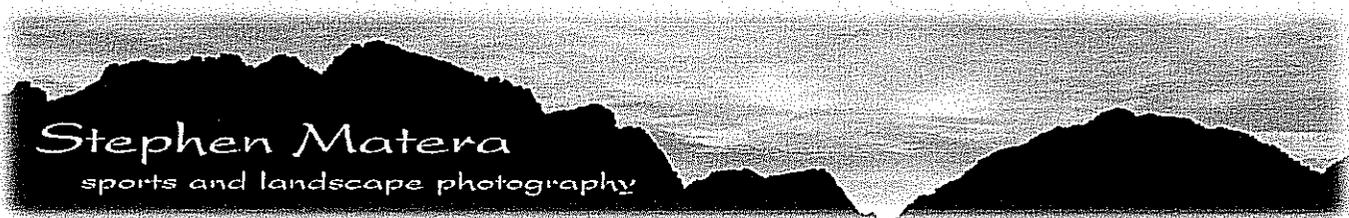
Mail: Channel Islands National Marine Sanctuary  
Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\***COMMENTS**\*\*\*\*\*

As a Santa Barbara resident and a physician I strongly  
wish you to adopt alternative 2 to ensure the  
maximum protection and maximum benefits to  
ocean and human health.

Thank You for your consideration of this issue



(206) 715-4572 • P.O. Box 31243 • Seattle, WA 98103-1243 • email: stephen@materaphoto.com

10/6/06

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Subject: Proposed marine reserves in CINMS

Dear Mr. Hastings,

I urge sanctuary officials to adopt regulations that would create marine protected areas to complete the work started at the Channel Islands nearly seven years ago.

The waters around the Channel Islands are home to endangered seabirds, overfished populations of rockfish and 30 different species of marine mammals. With an area just larger than Yosemite National Park, the Channel Islands National Marine Sanctuary is a national treasure and a United Nations Biosphere Reserve. The sanctuary was created in 1980 to preserve and protect the area's "unique and fragile" ecosystem, yet for decades the sanctuary has offered very little protection to the whales, fish and birds that live there.

California adopted its portion of a network of marine protected areas for the islands in 2002. The Channel Islands National Marine Sanctuary should now finish that network and extend protection out to six nautical miles from the islands' shores. I support option 1a, which would provide continuous protection for marine life within the sanctuary.

It is time for the sanctuary to live up to its name by providing a safe haven for ocean wildlife. Please move quickly to expand these important marine protected areas.

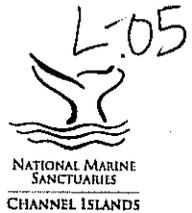
Sincerely,

Stephen Matera  
336 NE 56<sup>th</sup> St.  
Seattle, WA 98105  
206.729.7032



# PUBLIC COMMENT FORM

## Channel Islands National Marine Sanctuary



Draft EIS, September 26<sup>th</sup> and 28<sup>th</sup>, 2006

**Help Shape the Future of Your Sanctuary! We welcome your comments and suggestions on the Draft EIS. We will accept written comments through (postmarked by) October 10, 2006.**

Name: Deborah McArdle (PhD Candidate, UCSB)

Representing: CWG and general Public, MRWG member

Would you like CINMS to add you to our Marine Reserves mailing list?  Yes  No

If yes, please provide your mailing address:

Email address:

488 Devon Place  
Santa Barbara, CA  
93111

mcardle@lifesci.ucsb.edu

### Here's how to submit written comments:

At the Hearings: Turn in this completed form at the "Comment Sign-Up" Station

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Resource Protection Coordinator  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Fax: (805) 568-1582

\*\*\*\*\*COMMENTS\*\*\*\*\*

I agree with the extension of reserves.  
I also believe that for ecological reasons  
Alternative 2 is the best choice. It is  
the best alternative to meet the original  
MRWG goals.

**Subject:** Marine Sanctuary  
**From:** Bruce McDonald <brumcdo@allvantage.com>  
**Date:** Fri, 06 Oct 2006 18:53:22 -0700  
**To:** cinmsreserves.deis@noaa.gov

To: Resource Protection Coordinator

Hi, I've been a resident of California for 57 years and a resident of Santa Barbara for 25 years. I work for the City of Santa Barbara as a Public Works Inspector and have been in the construction "trades" for 37 years. I am very much in favor of the Channel Island Marine Sanctuary and for the National extension of the boundaries. Alternative 2 is the choice I make for those areas extended and I hope you chose that as well. Thank you for your work to protect our great environment:

Bruce McDonald



## Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101, Portland, OR 97220-1384  
Phone 503-820-2280 | Toll free 866-806-7204 | Fax 503-820-2299 | www.pcouncil.org

October 10, 2006

Mr. Chris Mobley, CINMS Superintendent  
NOAA, National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

RE: Proposed Marine Reserves in the Channel Islands National Marine Sanctuary.

Dear Mr. Mobley,

Thank you for the opportunity to review and comment on the draft environmental impact statement (DEIS) and proposed rule for the consideration of marine reserves and marine conservation areas within the Channel Islands National Marine Sanctuary (CINMS). The Pacific Fishery Management Council (Pacific Council) reviewed the DEIS and the *Federal Register* (FR) notice of the proposed rule at the September 10-15, 2006, Pacific Council meeting, where they took input from its advisory bodies and the public. The Pacific Council tasked me with providing this response, which is based on the results of the September 2006 Pacific Council meeting and the administrative record of Pacific Council meetings since 2001, when this matter was first brought before the Pacific Council.

It is important to note that the continuing premise of the Pacific Council is that fishing regulation is properly done in the Pacific Council forum, in a holistic manner that takes into consideration the full range and ecosystem of the fish stocks involved. The position that fishing regulation in the CINMS should be done in the Pacific Council forum under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) is consistent with original justification of the CINMS and terms of its Designation Document.<sup>1</sup> It is also consistent with advisory letters from Undersecretary of Commerce for Oceans and Atmosphere VADM Conrad Lautenbacher on behalf of the National Oceanic and Atmospheric Administration (NOAA).<sup>2</sup> Lastly, it is consistent with verbal testimony from National Ocean Service (NOS) and CINMS representatives over the course of Pacific Council meetings considering this matter, who have repeatedly stated that the CINMS does not have an *a priori* intent to regulate fishing, and is only in a position to propose doing so in this narrow situation as a result of advice that the past record of the Pacific Council is currently insufficient to enact fishery restrictions in the water column of the areas in question.

<sup>1</sup> Article 5, Section 1 of the CINMS Designation document, as currently in place unchanged from 45 FR 65200, October 2, 1980, states, "The regulation of fishing is not authorized under Article 4." (Article 4 is the *Scope of Regulation*).

<sup>2</sup> Letters date October 19, 2005 and December 30, 2005, from the latter, "While NOAA plans to move forward with the NMSA process, and has concluded the section 304(a)(5) process, we encourage you to continue your efforts to address fishing activities in the water column under various other Fishery Management Plan authorities."

The proposed regulations and changes to the Designation Document do not specifically allude to only regulating fishing in the water column. However, we also note that the objectives and goals of the CINMS leading to the establishment of a network of marine protected areas in Federal waters have already been accomplished under the MSA with regard to the regulation of fishing associated with the sea floor.<sup>3</sup> We presume that the choice of fishery regulation language in the proposed rule, which does not specifically mention the regulation of fishing only in the water column, serves the purpose of including non-fishing use effects on the benthos as opposed to any intent to reserve the authority for further regulation of benthic fishing.

In general, the Pacific Council remains supportive of achieving the goals and objectives of the State of California and the CINMS with regard to establishing a network of marine protected areas in the CINMS. Again however, the Pacific Council feels strongly this should be accomplished under the authorities of the MSA and State jurisdiction and not by initiating new fishing regulation authority for the CINMS. Should fishery regulations be promulgated under the National Marine Sanctuaries Act (NMSA), the Pacific Council wishes to contribute its expertise to ensure that any Federal fishery regulations are enforceable, are clearly understood by the public, and meet the goals and objectives of the Pacific Council and the CINMS.

This letter provides notice of the Pacific Council intent to move forward with achieving the remaining necessary fishery regulations and protective measures in these areas through the existing authorities of West Coast States and the MSA. However, if the CINMS Designation Document modifications providing authority over fishing activities and accompanying NMSA fishing regulations are determined to be necessary, this letter also: 1) conveys the Pacific Council recommendation that the duration of any fishing regulations brought about by action under the NMSA, and changes to the Designation Document as they pertain to the regulation of fishing, automatically sunset at the time regulations are promulgated under MSA; 2) conveys the Pacific Council recommendation that the scope of the proposed authority to regulate fishing, as described in the DEIS, is too broad; and 3) conveys specific comments on the documents in support of the proposed action, i.e., the DEIS, the FR notice, and the proposed rule.

#### PACIFIC COUNCIL INTENT TO ESTABLISH PROPOSED RESERVES AND PROTECTED AREAS VIA THE MSA

The Pacific Council understands that past action under the MSA has achieved the desired fishing regulation necessary to accomplish the stated goals and objectives of the CINMS, with the exception of fishery regulation in the water column. Accordingly, the Pacific Council has scheduled further process to adopt fishery regulations in these areas. At the upcoming November 12-17, 2006 Pacific Council meeting in Del Mar, California, the Pacific Council will explore several potential avenues for such action under the authority of the MSA. Therefore, the Pacific Council continues to recommend the CINMS Designation Document not be changed regarding the authority to regulate fisheries.

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<sup>3</sup> 50 CFR 660.306(h)(9)

### THE DURATION OF PROPOSED FISHERY REGULATIONS AND AUTHORITY TO REGULATE FISHING

If the CINMS Designation Document is modified to provide authority over fishing activities and the proposed NMSA fishing regulations are implemented, the Pacific Council provides both comment and a recommendation on the duration of such changes to regulate fishing in the water column of proposed marine protected areas. First, it appears the use of an "effective date" provision in the proposed regulation is unclear, burdensome, and inconsistent with the model language previously presented to the Pacific Council by NOS for inclusion under the NMSA 304(a)(5) process, and therefore should not be used. The Pacific Council recommends the duration of both the fishing regulations promulgated under the proposed action and the authority of the CINMS to regulate fishing should automatically sunset when fishery regulation action under MSA is taken.

Under Section 922.73 of the proposed rule, fishery prohibitions would be promulgated under NMSA authority unless those prohibitions were enacted under MSA regulations as of an inserted effective date in the NMSA final rule; sections 922.73(a) and 922.73(b) of the proposed rule state "Unless prohibited by 50 CFR Part 660 (Fisheries off West Coast States) as of [effective date of final rule], the following activities are prohibited...." This approach is unclear as to what happens if MSA regulations are promulgated after the inserted effective date. Although the preamble to the proposed rule attempts to clarify NOAA's intent to pursue rulemaking activities to reduce the scope of NMSA fishing regulations when MSA regulations can be promulgated, there is nothing in the proposed regulatory language to ensure it will happen. The approach is burdensome in that it requires a proposed and final rulemaking process under the NMSA to execute the transition to MSA authority. The approach is also inconsistent with regard to the model language presented to the Pacific Council in November 2005 by the CINMS for inclusion under the 304(a)(5) process. This model language included no date after which NMFS regulations under 50 CFR Part 660 are not considered without additional NMSA rulemaking.

If CINMS Designation Document modifications providing authority over fishing activities and accompanying NMSA fishing regulations are determined to be necessary, the Pacific Council recommends that a direct approach be used for sunsetting the NMSA regulations and Designation Document changes automatically at the time fishing regulations are promulgated under the MSA. For the proposed rule, it is recommended that the sentences in the first paragraphs of Sections 922.73(a) and 922.73(b) of the proposed rule beginning "Unless prohibited by 50 CFR Part 660 (Fisheries off West Coast States) as of [effective date of final rule], the following activities are prohibited...." be changed to direct language dictating the NMSA regulations be automatically sunset, such as "The following activities are prohibited until such date as regulations are adopted under 50 CFR Part 660. At that time, regulations promulgated under this rulemaking are rescinded and shall not be in effect." Similarly, it is recommended that a provision be included in any Designation Document changes to mandate automatic sunsetting of any fishery regulation authority of the CINMS. This would be accomplished by adding a new Article 7 to the CINMS Designation Document, such as: "Article 7. Automatic Sunsetting of Fishery Regulation Authority. At the time fishery regulations are promulgated under 50 CFR Part 660 that achieve the goals and objectives of the marine reserves, marine parks, or marine conservation areas established under [insert reference to regulations implemented in the NMSA final rule], all revisions in the Designation Document made under [insert reference to and date of FR

notification of CINMS Designation Document changes] sunset and are rescinded and shall not be a functional part of the CINMS Designation Document from that date forward.”

### THE SCOPE OF PROPOSED AUTHORITY TO REGULATE FISHING

Regarding fishery regulatory authorities proposed for Articles 4 and 5 of the CINMS Designation Document, the Pacific Council found the language regarding the scope of such authority to be vague and unnecessarily broad. The Pacific Council understands the intent of the proposed Designation Document change is to limit CINMS authority to the present action of establishing specific marine reserves and marine conservation areas. The FR notice and the DEIS propose to limit the authority to regulate fishing “within the scope of the State of California’s Final Environmental Document ‘Marine Protected Areas in NOAA’s Channel Islands National Marine Sanctuary’ (California Department of Fish and Game, October 2002), certified by the California Fish and Game Commission.” The Pacific Council notes that the scope of the referenced CDFG document includes a suite of action alternatives relative to establishing marine protected areas ranging from status quo, under which no new fishing regulations are implemented but can be changed at any time, to action alternatives covering larger areas than those in the current preferred alternative (DEIS Alternative 1a).

Testimony at Pacific Council meetings from NOS and CINMS representatives has indicated that the proposed fishing regulation rules and Designation Document changes would be limited just to the narrow scope of 1) the fishing regulations not currently accomplishable under the MSA and 2) only in the areas finally adopted to match marine protected areas created by State of California action in 2002. Towards that end, the Pacific Council recommends that should the CINMS Designation Document be modified to provide authority over fishing activities, the scope of such authority be limited to the areas and regulations in the preferred action alternative rather than the broad suite of alternatives contained in the “Marine Protected Areas in NOAA’s Channel Islands National Marine Sanctuary” document as currently proposed.

### SPECIFIC COMMENTS ON SUPPORT DOCUMENTS

#### *DEIS Socioeconomic Analyses*

The Pacific Council recommends improvements to the socioeconomic analyses presented in the DEIS. The Pacific Council notes that the economic data used in many of the analyses are dated and reports from both Pacific Council members and the Pacific Council’s Groundfish Advisory Subpanel indicate estimates of lost revenue and maximum potential loss are lower than data from more recent fishing seasons.

#### *Clarification on DEIS Language Regarding the Cowcod Conservation Area*

The Pacific Council notes that language in the first full paragraph of page 80 of the DEIS refers to implementation of the Cowcod Conservation Area by the California Department of Fish and Game. As a point of clarification, these area closures were first implemented in Federal waters by the Pacific Council and NMFS and were followed by California State action in State-managed nearshore areas.

### *Changes to the Proposed Regulatory Language*

The Pacific Council and its advisory bodies spent a great deal of time with CINMS staff during the NMSA 304(a)(5) process to cooperatively develop effective and enforceable fishing regulations that the fishing community could understand and comply with. The Pacific Council's Enforcement Consultant group reviewed the proposed regulations presented in the proposed rule at the September Pacific Council meeting. The Pacific Council recommends the proposed definition of "stowed gear" and the possession regulations with a marine conservation area be modified as follows.

Replace the current definition of "*Stowed and not available for immediate use*" in Section 922.71 with the following list of stowed gear definitions developed by the Enforcement Consultants:

#### **922.71 Definitions.**

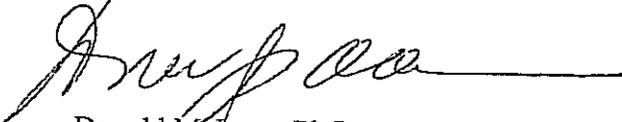
**Stowed Gear Definition.** For the purposes of this regulation,

- (a) *Stowed recreational hook and line fishing gear* is defined as hook and line gear with all line reeled to the reel or rod tip with hooks secured to the rod and not actively fishing.
- (b) *Stowed recreational lobster fishing gear* is defined as un-baited hoop-net gear with all lines detached from the net.
- (c) *Stowed spear guns*: unloaded, or partially disassembled (such as spear shafts being kept separate from spear gun).
- (d) *Stowed Trawl gear* must be stowed either below deck, or if the gear cannot readily be moved, in a secured and covered manner, detached from all towing lines, so that it is rendered unusable for fishing; or remain on deck uncovered if the trawl doors are hung from their stations and the net is disconnected from the doors.
- (e) *Stowed Commercial lobster fishing gear* is defined as an un-baited trap placed on or below a vessel surface and tied to such surface in a manner that would not allow immediate deployment.

Regarding the regulations limiting possession of legally harvested fish in a marine conservation area, Section 922.73(b)(3) prohibits "Possessing any living or dead organism, historical resource, or other Sanctuary resource, except legally harvested fish on board a vessel at anchor or in transit." The Pacific Council does not feel this is the intent of the regulation and recommends the phrase "at anchor or in transit" be removed because limited fishing opportunities are proposed for marine conservation areas with the expectation that fisherman would also possess legally harvested fish while continuing to fish, not only when anchored or in transit.

In conclusion, the Pacific Council looks forward to working with CINMS staff to achieve the goals and objectives of CINMS through the Pacific Council process and MSA and state authorities. If you or your staff have any questions regarding this letter, please contact me or Mr. Mike Burner, the lead Staff Officer on this matter at 503-820-2280.

Sincerely,

  
Donald McIsaac, Ph.D.  
Executive Director

MDB:ckc

c:

Mr. Jack Dunnigan  
Mr. Daniel Basta  
Dr. Rodney Weiher  
Mr. William Douros  
Mr. Sean Hastings

Pacific Council Members  
Ms. Eileen Cooney  
Mr. Judson Feder  
Dr. John Coon  
Mr. Mike Burner  
Regional Fishery Management  
Council Executive Directors

Dr. William Hogarth  
Mr. Jim Balsiger  
Mr. Sam Rauch  
Mr. Joe Scordino

E-26

**Subject:** Adopt Option 1a  
**From:** William McMullin <william@wmcnullin.com>  
**Date:** Fri, 06 Oct 2006 12:54:58 -0400  
**To:** cinmsreserves.deis@noaa.gov

I understand you are considering various protection options released by the Channel Islands National Marine Sanctuary. Please adopt Option 1a and protect the Channel Islands.

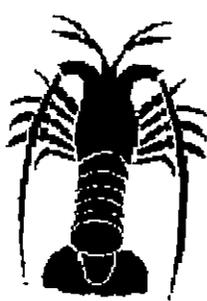
Thank you.

William McMullin  
2139 W. Frances Rd.  
Mt. Morris, MI 48458

E-05

----- Original Message -----

**From** Chris Miller <cjmiller@dock.net>  
**Date** Fri, 08 Sep 2006 10:24:28 -0700  
**To** cinmsreserves.deis@noaa.gov  
F&GC@FGC.CA.gov, COPCpublic@resources.ca.gov,  
Dan.Basta@noaa.gov, 'Marija Vojkovich'  
<mvojkovich@dfg.ca.gov>, Mark.Helvey@noaa.gov, 'Sonke  
**Cc** Mastrup' <SMastrup@dfg.ca.gov>, 'Steve Gaines'  
<gaines@msi.ucsb.edu>, Sean.Hastings@noaa.gov,  
Chris.Mobley@noaa.gov, 'Don Hansen'  
<don@danawharfssportfishing.com>, 'Kathy Fosmark'  
<SwordsTuna@aol.com>  
**Subject** Proposed Marine Reserves in CINMS



Chris Miller, Vice President

California Lobster and Trap Fishermen's  
Association

P.O. Box 1074

Los Alamos, CA 93440

(805) 344-3091

californialobster@yahoo.com

September 8, 2006

Re: The DEIS for proposed marine reserves in Channel Island Marine Sanctuary

To: NMSP Program Director Dan Basta and his CINMS staff

Dear Dan,

Here are my comments on your DEIS for your NEPA process they are based in my involvement in the entire process for developing marine zoning for the state of California while representing fishermen from my port of Santa Barbara in the design process for our pilot project at CINMS.

I have some good news you do not have to continue this process it is an unnecessary exercise in your agencies expansion goals. The over all conservation goals of the Sanctuary Program will be best met by assisting the development of our existing MPA network as a pilot project for ecosystem based management as a supporting partner of the National Marine Fisheries Service.

The recent designations of the Pacific Fisheries Management Council's Essential Fishery Habitat (EFH) now gives us a framework to develop a comprehensive approach to create a whole network design for our bioregion of the California Bight. Channel Islands are now a fishery management unit under EFH and as such the net ecosystem benefits of our CINMS project can be reviewed in light of potential adaptive harvest policies in this framework for the whole bioregion.

My first recommendation is that you abandon your quest for expanding the scope of your authority to implement these federal phase of these reserves. It is obvious to all of us in the fishing community that you have segmented this process by doing a separate management plan where you propose a duplicate of the National Marine Fisheries Authority for regulation of fisheries in federal waters. I sure you will be relieved to know this is also unnecessary. I believe it may be a simple mistake on the part of your staff due

to their lack of technical expertise for assessment of NMFS programs to achieve ecosystem based management goals.

My second recommendation is that you develop a functional Memorandum of Understanding with the Pacific Fisheries Management Council for research. Remember that this is technically phase two of our CINMS project. The only social and economic data you have is five years old and was collected in six weeks for about 30k. Your staff have not been exercising due diligence to act on your commitment to your state partners in the Fish and Game Commission to maintain this data. This data set is the core layer of the biological and economic modeling of the projects ecosystem benefits your commitment was to strengthen the weak samples in both the economic and biological data fields. Several years ago our fishing organizations also recommended that you coordinate the CINMS research activities panel interaction with the NMFS research in the California Bight Bioregion. We would like to reaffirm this recommendation since it has not been acted on. The initiation of our CINMS network was accompanied by assurances that NOAA spoke as one on the issue supporting our pilot project. At various times we have requested that NOAA review the utility of no-take designs for ecosystem based management as a litmus test of the ability of NOS and NMFS speak and act as one to achieve complimentary strategies for conservation benefits. Here is a brief recap of our input too the NOAA councils.

1. An analysis of alternatives for the scale of no-takes that could mitigate mandatory stock rebuilding timelines. Alternatives to the size of reserves at CINMS that would mitigate the size of the California Conservation zone in CINMS as an explicit trade off in stock rebuilding tactics.
2. As a research tool to assess stock rebuilding goals in the event of a water regime change that provided more stability in annual recruitment of depleted fisheries. The logistics of a survey design to explicitly to adaptive management of the design for a whole network in the California bight.
3. Evaluate designs that achieved fully proportionate representative habitat in no-take. This would require exceeding the CINMS boundary to achieve shelf and Slope habitat as a trade off in relaxing regulations in the Cow Cod Conservation zone.
4. Define the combined state and federal management plans contribution to conservation goals at CINMS. Define the status of restricted access in capacity planning and existing zonal harvest regulations at
5. A systems analysis of CINMS monitoring to define its data gaps in phase one and identify its technical needs in data management.

As an elected representative of the fisheries and an advocate for the states ecosystem based management I request that you now address these issues in your DEIS.

My third recommendation is that the CINMS needs a major reform of the Sanctuary Advisory Council system to assume any of the management duties it proposes in which the fisheries are effected parties. In general the Sanctuary Program has made a serious error in utilizing the executive order of President Clinton for MPA's in the Sanctuary. They are asserting a management role but without the technical support for their stakeholder council that is needed to achieve administrative integrity. The Sanctuary Advisory Council does not have true representation its members are appointed by the manager and the manager only utilizes them for consultation.

This is not a well designed process for transparency many fishermen point to the selectivity of the agenda for management directing policy and in some cases slanting it in the favor of stakeholders that have the ability to lobby in Washington. We do not have a well funded political action committee or NGO working to preserve the fisheries as a living cultural resource of the Sanctuary.

As a result there is no social and economic expertise in resource management, social geography, anthropology, fisheries management or community based management on our Sanctuary Council.

It is technically impossible for the CINMS to monitor the goals and objectives of the MPA network without the scientific basis for ecosystem based management.

Reform of the SAC requires a program that allows for real community involvement that is democratic and informed by adaptive learning as a system of communication and information feedback. The current Sanctuary Advisory Council needs major reform in its structure to perform on a level where it can be relevant and contribute to management.

My fourth recommendation is that the CINMS needs to analyze alternative designs that can be integrated with a comprehensive approach to Marine zoning. This requires that we share a mutual vision of management in transition and sustainability as a system that supports fishing communities. Rather than marginalize the fishing community at CINMS by removing the sustainable fisheries goal we should strive to move passed the rhetoric of goals to the reality of results. We would like the precautionary approach to be supported

under the multiple use mandate of the Sanctuary Program. We see no evidence that the current CINMS staff has any goal of intergenerational equity for the Santa Barbara Fishing Community. The proof we offer is that they want to put in more regulations and consolidate more power without being able to assess the cumulative regulatory impact as a baseline to support more regulations.

It is obvious that their perception of the fishing community as a threat to Sanctuary resources is based more in their lack of adequate funding and staff. To suggest adding more administrative authority while failing to address the lack of performance criteria for data synthesis and the systems to manage data in reserve monitoring is a significant weak point underlying all CINMS rationale.

It actually is a significant transgression on the intent of the Sanctuary Act by the Program that is eroding its credibility. Ecosystem integrity should be supported by administrative integrity and social integrity.

We would like to see the CINMS MPA network function as a model program where progressive management is developed. This requires that we create programs that utilize the capability of the fishing community to gather data in their fishing practice and that the utilization of Geographic Information Systems is designed so we can utilize an ecological approach to protecting diversity in harvest planning. In the future it may be that our National Marine Monument in the Biosphere program site designation at CINMS is really the framework for developing new approaches to regional harvest policies as an experimental program for area based management. Currently there is a working example of this with the Point Loma Sea Urchin Fishery in the San Diego region exploring the development of a Territorial Users Rights System (TURF)

Conceptually CINMS could be an experimental station for holistic management. The current NOS approach is severely limiting the potential of this to occur because it does not validate collaborative research programs in its community based management context. There is no dedicated education funding or outreach by the CINMS education program that explains the fishery management plans, marine zoning and restricted access programs as addressing over fishing. CINMS appears to be perpetuating the crisis and conflict drivers of management dysfunction for its own goals of expansion.

Duplicating fishery regulations in the NMSA is not a real net benefit to the ecosystem. It actually creates a form of management chaos and a climate of fear. How can fishermen react rationally to a system that ignores their welfare?

The NOS MPA planning needs to be coordinated with the PFMC council process. Ideally we would have a regional EFH committee for the California Bight that was collaboration between NOS and NMFS and its focus would be the baseline for expanding the NMFS fixed gear survey and Vessel Monitoring program. This would serve as a clearing house to base management on examples of success rather than uncertainty based in failure.

For example in my fishery it would mean a research planning cultural exchange with the heart of the California Spiny Lobster Fishery located in the Vizcaino Biosphere reserve. The coastal region between Cedros Island and Punta Abreojos is the source population of lobster and also progressive cooperative management infrastructure that has rates the fishery sustainable by the Marine Stewardship Council International.

It would also mean cultural exchange with the Ports developing district management approaches and formal co- management around the Georges Bank Cod closures. I am enclosing two alternatives for MPA designs that consider reserves as whole networks and achieve full representation of habitat while adding adaptive management in the state waters to have full replication of the conservation zones as a comparative study for MPA's that would include rotational closures. These designs cut the impacts to us in half at least. I also enclose a reserve design for no-takes for the NEPA process to evaluate in regard to the issue of regulatory flexibility and mitigation of mandatory stock rebuilding timelines with no-takes for research and heritage.

We have put this through both council systems and been ignored and had no formal written response. I hope we can get this done in NEPA where we actually have some administrative accountability. I must say it exhibits a very poor track record for NOAA in our state federal partnership. But I am ever optimistic. If government cannot actually help us at least in the end they may learn enough not to hinder us in reform.

I hope you will appreciate the case of Morro Bay where marine zoning was done without any precautionary concept for cumulative regulatory analysis. The fuel dock is now in danger of closing due lost revenue from fishing and no social planning. The fishing vessels put out of business have been abandoned and are now being seized for failure to pay their slip fees. This means the state tax payers will shoulder the burden of NOAA's ultimate product.

As a theorist in integrated coastal management I hope you will pause to consider this fact.

Sincerely,

Chris Miller VP CLTFA

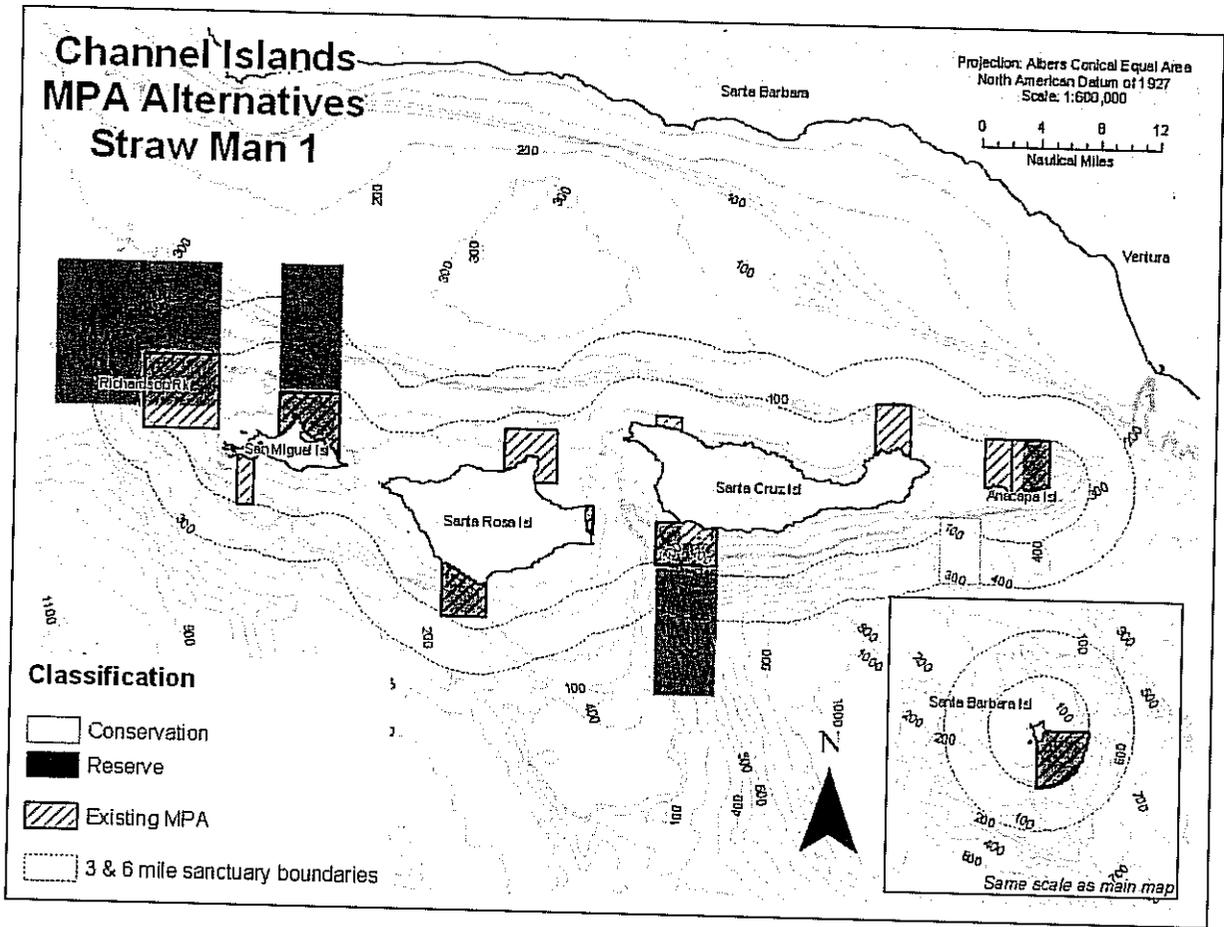
C.c. Fish & Game Commission

California Ocean Protection Council

PFMC director

California Governor Office

Joint Fisheries and Aquaculture Committee California State Legislature



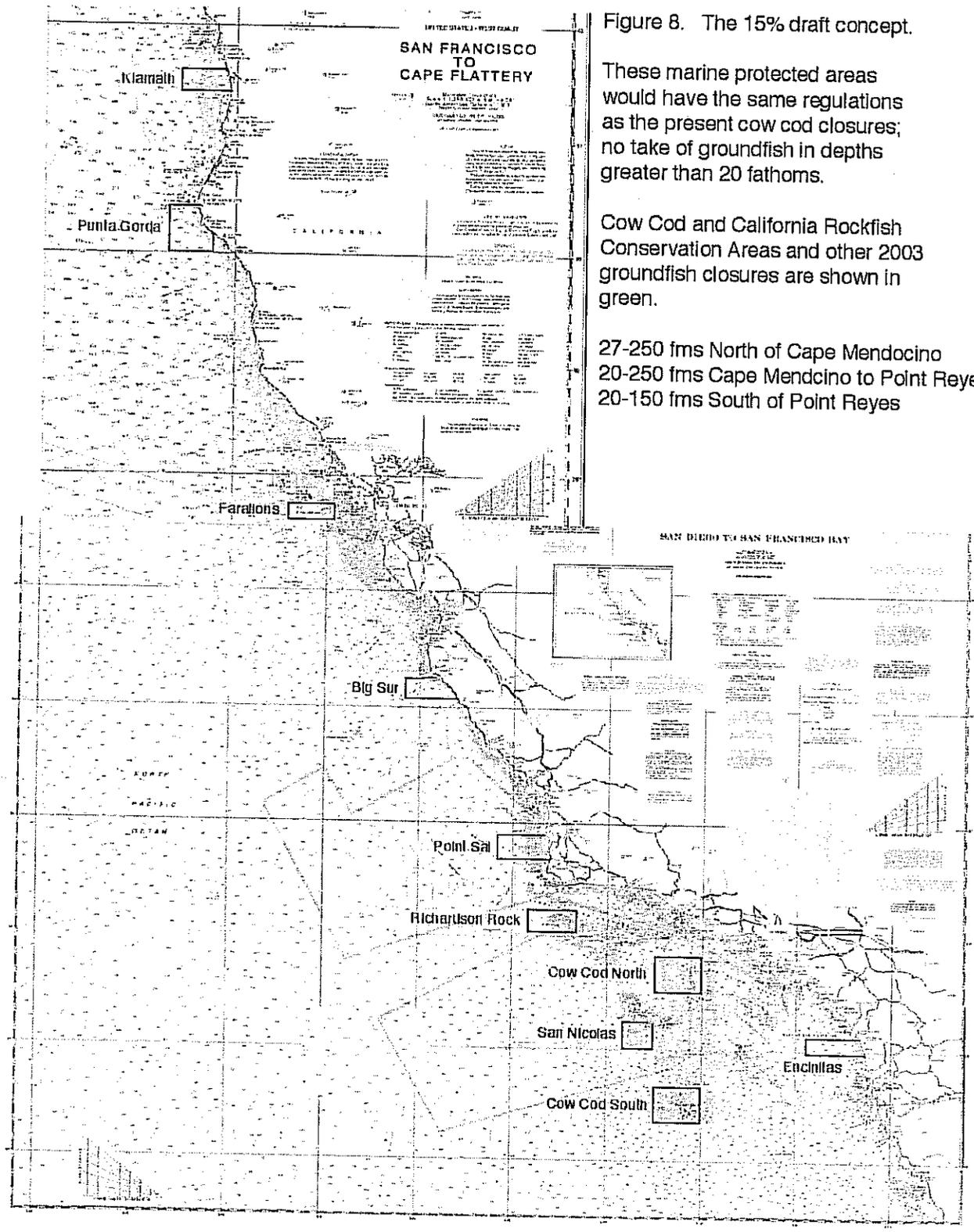


Figure 8. The 15% draft concept.

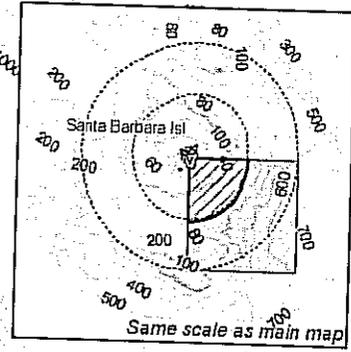
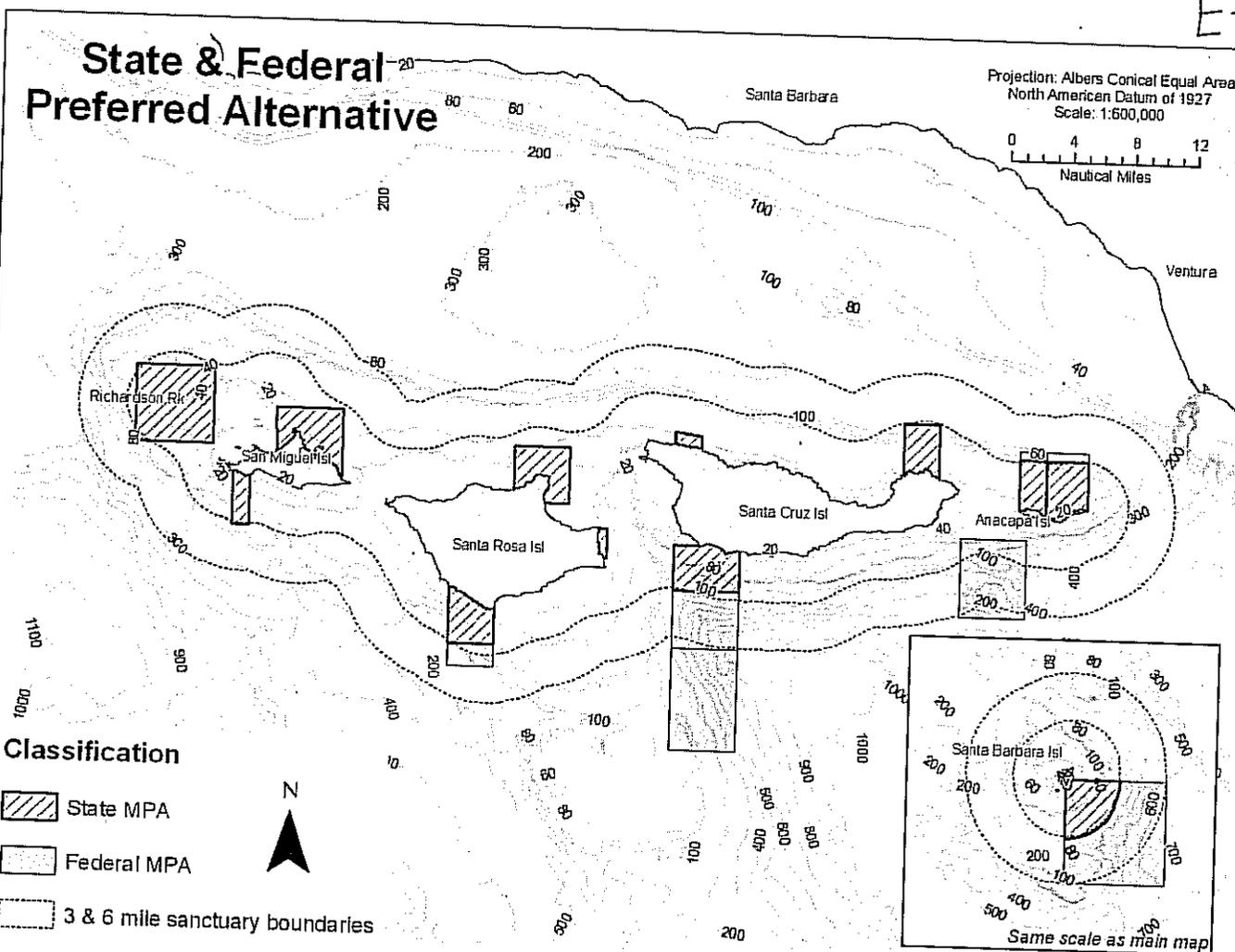
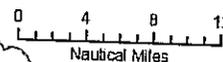
These marine protected areas would have the same regulations as the present cow cod closures; no take of groundfish in depths greater than 20 fathoms.

Cow Cod and California Rockfish Conservation Areas and other 2003 groundfish closures are shown in green.

- 27-250 fms North of Cape Mendocino
- 20-250 fms Cape Mendocino to Point Reyes
- 20-150 fms South of Point Reyes

# State & Federal Preferred Alternative

Projection: Albers Conical Equal Area  
North American Datum of 1927  
Scale: 1:600,000



L-22

**West Coast Seafood Processors Association**

1618 SW 1<sup>st</sup> Ave., Suite 318, Portland, OR 97201

503-227-5076 / 503-227-0237 (fax)

email: seafood@integra.net

*Serving the shore based seafood processing industry in  
California, Oregon and Washington*

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September 22, 2006

Mr. Sean Hastings  
Channel Islands National Marine Sanctuary  
113 Harbor Way  
Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings:

The following comments are submitted on behalf of the West Coast Seafood Processors Association (WCSPA) on the proposed rule for "Consideration of Marine Reserves and Marine Conservation Areas Within the Channel Islands National Marine Sanctuary" published in the August 11, 2006, *Federal Register*. WCSPA represents shore-based seafood processors and associated businesses in Washington, Oregon, and California. Our members harvest, process, transport, distribute, and market various species of fish found within the boundaries of the Channel Islands National Marine Sanctuary (CINMS).

At this time, we have no specific comments on the boundaries of the proposed marine reserves and marine conservation areas, although we reserve the right to comment on this issue in the future. However, we have deep concerns with the proposal to modify the CINMS designation document to allow fishing to be regulated by the Sanctuary under the National Marine Sanctuaries Act and we strongly oppose any such modification.

Section 1434(a)(5) of Title 16, United States Code, provides regional fishery management councils "with the opportunity to prepare draft regulations for fishing within the Exclusive Economic Zone as the Council may deem necessary to implement the proposed designation." A council's opportunity to carry out this function is only denied if the Council declines to act or acts inappropriately.

In the case of CINMS, the Pacific Fishery Management Council has acted positively in response to the Sanctuary's request that some fishing activities be curtailed within certain areas. At the moment, there is some legal uncertainty over the Council's ability to control fishing activity within the water column, but the Council again has acted positively to respond to this grey area by moving forward with an amendment to one of its fishery management plans. In short, the Council has carried out its legal obligations in an open, transparent process - precisely the sort of process that the fishing constituency expects and supports. Given the Council's action, we see no reason to change the designation document to allow the Sanctuary to regulate fishing within any of its boundaries.

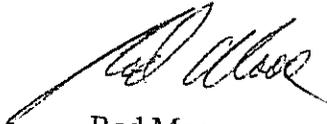
During discussion with the Pacific Fishery Management Council at its September meeting, Sanctuary representatives expressed concern that non-fishing impacts could not be controlled by the Council and that vessels from other areas could fish in marine reserves if the Sanctuary didn't prevent them from doing so via its own regulations.

In regard to the first point, the Sanctuary has ample authority under the National Marine Sanctuaries Act to prohibit removal of Sanctuary resources and in fact contemplates doing so under the proposed rule. However, the Sanctuary should not reference harvesting or any other fishing activity but rather leave this segment of rulemaking up to the Council.

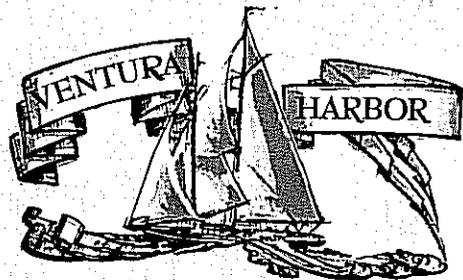
Regarding illegal fishing, the State of California has authority to prohibit its own vessels from fishing within the CINMS boundaries. There is no reason - and given present fuel costs, it would be prohibitively expensive - for a vessel from another state to engage in fishing within CINMS during the period of time necessary for the Council to act. Any foreign vessel fishing within CINMS would automatically be violating the Magnuson Stevens Fishery Conservation and Management Act and no further regulation would be necessary to prevent them. Fish taken for research would be covered under the Sanctuaries own regulations, as scientific research is not defined as fishing for the purposes of the Magnuson Stevens Act. In short, if you simply allow the Council to carry out its stated action, you can achieve Sanctuary goals without modifying the CINMS designation document.

We believe this is the most prudent course to take and one that has been consistently supported in public testimony to the Sanctuary and before the Council. We therefore urge you to suspend efforts to modify the CINMS designation document.

Sincerely,



Rod Moore  
Executive Director



*Sent via electronic mail on 10/10/2006*

To: Channel Islands National Marine Sanctuary  
From: Oscar F. Peña, General Manager  
Date: October 10, 2006

Re: Comments to Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas – August 2006

**Preferred Alternative:**

The Ventura Port District supports the No Action Alternative which would maintain the status quo in the Sanctuary. Additionally, the District does not support NOAA's proposal to amend the Pacific Coast Ground fish Fishery Management Plan.

**Background:**

The current Local Coastal Program places commercial fishing as the highest priority use in the southwest region of the harbor. As a result of this land use designation, many infra-structure improvements such as a 200 ft. commercial fishing pier w/H10 capacity for (off-loading), an ice plant with a 50 ton capacity, a 7,000 sq. ft. fisheries building with loading dock facilities for processing, full service boatyard with 150 ton capacity, commercial fuel dock w/ 30,000 gallon capacity and 132 slip marina. Most of these improvements were constructed in the early 1980's. As a result many of these facilities are in need of replacement and/or renovation. This would be a multi-million dollar capital improvement project. Many of these facilities are operated by the private sector through lease agreements with the Port District. Unfortunately, many of them do not generate enough revenue to support a major renovation or replacement program.

The District owns and operates the commercial fish pier. Unfortunately, this structure will require approximately \$1 million of renovations within the next five (5) years. At this stage, this remains an un-funded project.

With the level of infrastructure improvements that serve commercial fishing, the District supports goals for reserves that achieve sustainable fisheries by integrating marine reserves into fisheries management. Another goal identified by the Marine Reserve Working Group (MRWK) was to maintain long-term socioeconomic viability while minimizing short-term socioeconomic losses to all uses and dependent parties.

Regulatory agencies should promote collaboration between competing interests to accomplish mutual fisheries goals. The Department of Fish and Game (CDFG) has



successfully implemented regulatory policies that have reduced commercial fishing. Existing fisheries management measures are adequate to protect the biodiversity of the existing Channel Islands National Marine Sanctuary.

Based upon CDFG figures for 2001 to 2004, between Port Hueneme, Santa Barbara Harbor, Oxnard and Ventura, the commercial fisheries offload an average of 78 million pounds of fish per year (majority of this is squid). This has an ex vessel value of \$20 million to these communities. When you use generally accepted multipliers for the local community and the state economy, this translates into \$60 to \$100 million per year. This type of socioeconomic data must be factored into any fisheries management plan for it to be effective.

The commercial fishing vessels support the fuel dock operators, boatyards, marina operators and the many services that range from bait sales, chandleries and supermarkets. NOAA should work more cooperatively with this working group to encourage sustainable economic activity in California's ports and harbors.

The implementation of alternatives 1 or 2 would have a negative impact on those fisheries that help support the infrastructure in the Ventura Harbor. There is no need for another layer of regulation.

Table 19, Commercial Fishing, Marine Reserves Study Area Totals – Excessive Value of the DEIS suggests that current regulations have effectively reduced the number of commercial fishing operators and show lower volumes which translate into less fish harvested in the region. As this table outlines, the percentage of vessels reporting catch from CINMS has declined from 79% in 2000 to an average of 47% in subsequent years.

When you compare the information on Table 17 Commercial Fishing: Study area totals ex-vessel value by port to Table 27 – the impacts of Alternative 1 study area, indicate there is a decrease of 86% in the cumulative ex-vessel value for the Ventura Harbor. This is reason enough not to support this alternative.

Table 11 – Local/Regional Economic Dependence on CINMS Baseline Personal Income: This table highlights that Ventura County has a dependency on activities in the CINMS. The total personal income generated over \$60 million per year for all consumptive and non consumptive users. This is the highest of all counties considered in the impact area which extended from Monterey to San Diego County.

There is also a high level of consumptive and non-consumptive recreational activity in the study area. Table 14 and 15 - Baseline Level of Recreational Activity identifies high levels of annual income derived from:

- Charter boat diving           \$5.8 million
- Private boat diving           \$3 million
- Whale watching               \$4.3 million
- Non-consumptive diving       \$1.8 million

Our policy makers need to ensure that these activities are sustainable in the CINMS. How we manage marina reserves and marine conservation area must include balance and promote collaboration between competing interests.

Recently the California Ocean Protection Council announced a proposed resolution supporting innovative approaches to Sustainable Fisheries Management. They recognize the importance of commercial fisheries and working harbors as part of California's rich coastal heritage and how this industry generates tens of millions of dollars per year and provides numerous jobs for people in California's coastal communities.

The California Ocean Protection Council (OPC) seeks to promote innovative approaches to sustainable fisheries that create economic opportunities for fishermen and local communities, ensure the long-term health of fish stock and marine reserves and sustain local fishing harbors.

The Ventura Port District shares the OPC vision that *"In the future, the oceans and coasts are clean, safe, prospering and sustainably managed. A high level of biodiversity and a wide range of critical natural habitats are maintained, that in turn support a thriving economy built on multiple beneficial uses, including fishing, energy development, recreation and transportation. In this future, the coasts are attractive places to live, work and play, with clean water and beaches, easy public access, safe bustling harbors and ports and special protection for sensitive habitats and threatened species..."*

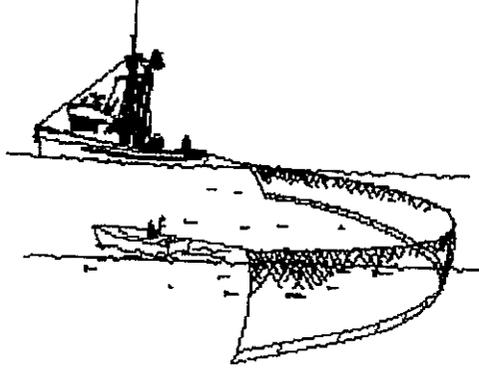
Perhaps the public would be better served if NOAA focused its attention to better educate the public vs. creating additional layers of regulation. To work with local communities on water quality issues such as non-point pollution control programs and others that affect our ocean and coastal habitat. The CDFG should be the lead agency with regulatory functions that manage recreational and commercial fishing.

**Subject:** DEIS Request  
**From:** Jeff Phillips <ljefe@excite.com>  
**Date:** Sun, 08 Oct 2006 08:49:10 -0700  
**To:** cinmsreserves.deis@noaa.gov

Hello,

I support extending the Channel Islands marine reserves as much as possible. At a minimum, I think the reserves should all be extended to the sanctuary boundary, six nautical mile line.

Sincerely,  
Jeff Phillips  
1651 Sycamore Canyon Road  
Santa Barbara, CA 93108  
805-965-9605



**DIANE PLESCHNER-STEELE FOR  
CALIFORNIA WETFISH PRODUCERS ASSOCIATION**

**F A X C O V E R**

Date:	10/10/06
Send to:	
Attention:	SEAN LASTINGS
Office location:	
Fax number:	(805) 569-1582
From:	DIANE PLESCHNER-STEELE
Office location:	
Phone number:	(805) 686-5430

URGENT   
 REPLY ASAP   
 PLEASE COMMENT   
 PLEASE REVIEW   
 FOR YOUR INFORMATION

TOTAL PAGES, INCLUDING COVER:

**Comments:** COMMENTS ON PROPOSED MARINE RESERVES IN CINMS

Hi SEAN,

FOLLOWING IS A BACK-UP COPY OF OUR COMMENTS  
RE: THE DEIS & PROPOSED RULE FOR CINMS.  
I EMAILED THE PDF FILE EARLIER TODAY.

THANK YOU AGAIN FOR ADDRESSING THESE  
POINTS IN THE FINAL ITERATION.

BEST  
@



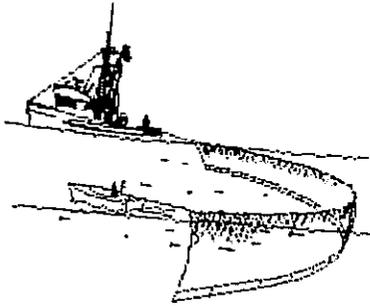
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**CALIFORNIA WETFISH PRODUCERS ASSOCIATION**

Representing California's Historic Fishery

October 9, 2006

Mr. Sean Hastings  
Channel Islands National Marine Sanctuary  
113 Harbor Way Suite 150  
Santa Barbara, CA 93109

RE: Comments on the Draft Environmental Impact Statement and Proposed Regulations for CINMS federal water Marine Reserves and Marine Conservation Areas

Dear Sean:

These comments are submitted on behalf of the California Wetfish Producers Association, which represents the majority of wetfish processors and fishermen in Monterey and southern California. The wetfish complex, including sardines, mackerels, anchovies and market squid, represents, on average, approximately 80 percent of the total volume of seafood harvested commercially in California. Wetfish, and particularly market squid, also comprise the highest volume and value species harvested in the Channel Islands National Marine Sanctuary. These coastal pelagic species resources are healthy and wetfish fisheries are conservatively managed by both state and federal government.

We have reviewed the Draft Environmental Impact Statement and Proposed Regulations for consideration of MPAs in the federal waters of the Sanctuary. We found the DEIS and proposed regulations to be incomplete or incorrect on several counts. For example:

**Purpose and Need**

The purpose and need section incorrectly paints a gloomy picture of continued declines in sanctuary resources, overlooking the fact that most fishery resources are now considered to be healthy and sustainable. One specific example is sardine, which was officially declared fully recovered in 1999. The DEIS fails to acknowledge the substantial progress made in recent years by precautionary state and federal ecosystem-based fishery management policies. Although the DEIS notes that extensive conservation areas implemented by NOAA/NMFS, such as the Cowcod Conservation Area (2001) and Rockfish Conservation Area (2002) overlay Sanctuary waters, this DEIS does not acknowledge the ecosystem benefits provided by these closures. In fact, NMFS scientists have testified on several occasions that overfishing is not occurring in California, and the handful of stocks designated as overfished several years ago are recovering more rapidly than predicted.

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With specific reference to wetfish resources, according to best available science:  
 [1] epipelagic species – such as sardine, mackerel, anchovy and market squid – will not benefit from site-specific marine reserves (PARRISH: MARINE RESERVES FOR FISHERIES MANAGEMENT: WHY NOT. CalCOFI Rep., Vol. 40, 1999).  
 In addition:

[2] "Resulting from precautionary 'ecosystem-based' fishery regulations enforced by both State and Federal fishery management agencies in recent years, there is now no evidence that current fishing practices upset the 'natural' biological diversity of the marine ecosystem."  
 (Peer Review – California Marine Life Protection Act (MLPA) Science Advice and MPA Network Proposals. Ray Hilborn, PhD, Richard Parrish, PhD, Carl J. Walters, PhD, 2006)

Although the DEIS itself has acknowledged that current state and federal ecosystem-based fishery management policies are "consonant" with Sanctuary goals to protect biodiversity, the DEIS and proposed rule still attempt to justify the need to amend the Sanctuary's designation document to manage fisheries within designated MPAs in Sanctuary waters.

Instead of attempting to add another duplicative and costly layer of bureaucracy onto already strictly managed fisheries, we strongly recommend that the Sanctuary work with and support the Pacific Fishery Management Council's efforts to pursue fishery regulations in the water column MPAs proposed for federal waters of the CINMS through the authorities conferred in the Magnuson Act. As discussed in the situation summaries and attachments provided at the September 2006 PFMC meeting, the Magnuson Act authorizes the Council to incorporate relevant state actions in Federal law. The rationale, including the use of MPAs as reference reserves to improve knowledge of fishery resources, is a valid approach that we strongly support.

Re: the broader question: who should manage marine resources in Sanctuary waters, as noted above, the CINMS summary analysis of options provided to the Council in September 2005 acknowledged that the ecosystem protections of the Magnuson Act and ecosystem-based California statutes, e.g. Marine Life Management Act and Marine Life Protection Act, are consonant with Sanctuary goals, including protecting biodiversity.

As we have stated, to avoid unnecessary duplication of bureaucracy and its related costs, we firmly believe that fishery management in federal waters is most effectively and efficiently addressed through the ecosystem-based policies of the federal Magnuson-Stevens Act and in state waters through the ecosystem-based policies of the State of California. The PFMC has acted positively in response to the Sanctuary's request for regulations in the federal waters proposed for MPAs. Given this action, we see no reason to change the Sanctuary's designation document.

**Proposed Action and Alternatives**

As another example of incompleteness and inconsistency in this DEIS: the DEIS paints a glowing picture of the benefits of marine reserves, and fails to acknowledge the fact that the jury is still out on (theoretical) MPA benefits in temperate waters. Empirical evidence is not available for west coast marine ecosystems, although intuitively speaking, based on data from tropical reef ecosystems, marine reserves may benefit a small group of nearshore resident species. However, the California Current ecosystem is dominated by highly migratory and coastal pelagic species, and there is wide acknowledgement in the broader scientific community that these dominant species will not benefit from site-specific marine reserves. These species

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are the major determinants of ecosystem function and biodiversity in the Channel Islands Marine Sanctuary, as part of the California Current system.

Further, although the goals and objectives developed by consensus of the CINMS Marine Reserves Working Group are mentioned in this DEIS, the sustainable fisheries goal adopted by MRWG has been dropped from the project and the purpose and needs statement. Who authorized this substantive change to the project G&O, and why was it dropped?

The National Environmental Policy Act (NEPA) requires a full range of reasonable alternatives, in addition to a preferred alternative. The range of alternatives included in this DEIS consists only of slightly different iterations of the same network design and the no-project alternative. The commercial fishing sector submitted several additional alternatives for the express purpose of expanding the range of alternatives to evaluate various MPA designs, balancing the use of reserves vs. limited-take conservation areas, to meet biological goals and minimize negative impacts. These additional alternatives were discarded without full biological analysis, even though the model was readily available, and were not included in the project. We question why a full range of alternatives, including designs evaluating the biological differences between marine reserves vs. limited-take conservation areas, was excluded from this project.

Best readily available science (developed in the Marine Life Protection Act Initiative process, which includes many of the scientists involved on the CINMS Science Advisory Panel) accords "near-reserve" status to deeper-water conservation areas (outside 50 meters) allowing only the harvest of pelagic species. Yet the closures proposed in federal waters of CINMS expressly overlooked alternatives proposed by the fishing community that would advance the process of evaluating the cost-benefit analysis of the project under NEPA. We hope to find a detailed explanation and justification for this omission in the Sanctuary response to public comment.

#### **Affected Environment**

Again, this section mis-characterizes the state of marine resources in sanctuary waters. Further, it employs outdated and incomplete socio-economic information to assess socio-economic impacts. Moreover, this section again does not account for the considerable labyrinth of existing fishery regulations that affect behavior and use (or nonuse) of the areas proposed for MPAs.

#### **Environmental Impacts**

This section repeats the inconsistencies and inaccuracies found throughout the rest of the document, some key aspects of which are highlighted above and summarized below:

- The DEIS as written provides an inaccurate description of Sanctuary resources both in its justification for the project and in the affected environment section. This description should be expanded to indicate the documented current status of major components of the California Current system, including wetfish such as sardine, mackerel, anchovy and market squid. Further, this DEIS should also acknowledge the prohibition on fishing now in effect for krill, another important species found in abundance at various times in Sanctuary waters.
- The DEIS provides outdated socio-economic information and does not adequately address the socio-economic impacts from potential closures.

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- The DEIS has not addressed the numerous ecosystem benefits of existing fishery management to achieve CINMS goals, including protecting biodiversity, nor acknowledged the efforts to meet sanctuary goals now underway by the ecosystem-based fishery management regulations mounted by the PFMC and State through the authorities vested in the Magnuson Act.
- This DEIS and proposed rule have disregarded the assurances provided by V. Adm. Lautenbacher in his December 30, 2005 letter to the PFMC:

While NOAA plans to move forward with the NMSA process, and has concluded the section 304(a)(5) process, we encourage you to continue your efforts to address fishing activities in the water column under various other Fishery Management Plan authorities. The proposed NMSA regulations will be drafted in such a way that, if your future management measures meet the goals and objectives of the CINMS, the scope of the NMSA regulations could be reduced.

**Proposed Rule**

We note that there is no provision in proposed rules that address V. Adm. Lautenbacher's promise. In fact, Sec. 922.73 provides only "...as of [effective date of final rule], the following activities are prohibited and thus unlawful for any person to conduct or cause to be conducted within a marine reserve..."

This implies a permanency that excludes future authority under the Magnuson Act and Council or NMFS to effect modifications, should science improve or other change be desired. There is no provision for future modification of regulations under the Magnuson Act.

With regard to the proposed revision of designation document, we note that the Sanctuary clearly does not have authority at the present time to regulate fisheries within Sanctuary waters, absent a change of designation document.

We suggest that such a change is unnecessary.

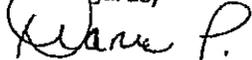
The Pacific Fishery Management Council is developing regulations to achieve sanctuary goals under the Magnuson Act, and this provision must be acknowledged in the DEIS and proposed rules, as stated in V. Adm. Lautenbacher's letter to the PFMC.

As noted above and in prior testimony, we strongly believe that, for a number of reasons, fisheries resources in federal waters - wherever located - should be managed under the Magnuson Act and Council forum, with its broad scientific and fishery expertise and extensive public process.

We again encourage the Sanctuary to cooperate with the Council in its efforts to achieve fishery regulations for the CINMS MPAs under the Magnuson Act.

Thank you very much for your consideration.

Best regards,



Diane Pleschner-Steele  
Executive Director

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Comments – DEIS for CINMS

October 9, 2006

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Cc: Mr. Mike Chrisman, Secretary for Resources  
V.Adm. Conrad Lautenbacher, Undersecretary of Commerce for Oceans & Atmosphere  
Dr. Don McIsaac, Pacific Fishery Management Council

**Subject:** adopt Option 1a and protect the Channel Islands  
**From:** Abe & Amanda Plotsky <aplotsky@msn.com>  
**Date:** Wed, 04 Oct 2006 23:10:54 -1000  
**To:** cinmsreserves.deis@noaa.gov

adopt Option 1a and protect the Channel Islands! 😊



October 10, 2006

Mr. Chris Mobley  
CINMS Superintendent  
NOAA National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109  
email: [Chris.Mobley@NOAA.gov](mailto:Chris.Mobley@NOAA.gov)

**Re: Channel Islands National Marine Sanctuary Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas**

Dear Mr. Mobley:

The following letter represents comments from the Environmental Defense Center (EDC) on the Channel Islands National Marine Sanctuary's (CINMS or Sanctuary) Draft Environmental Impact Statement (DEIS) for the completion of a network of marine zones in Sanctuary waters for the purpose of fisheries restoration, ecosystems management, and resource conservation. EDC is a member of the CINMS Conservation Working Group (CWG), and supports and incorporates by reference the comment letter submitted by the CWG on September 22, 2006.

In summary, EDC supports the Sanctuary's adoption of Alternative 2 of the DEIS including the proposed changes to the designation document, with the modification that all zones included in this alternative be designated as no-take marine reserves, including the deepwater zone currently labeled Anacapa Marine Conservation Area. EDC supports this alternative as the option that will best fulfill CINMS' responsibilities and obligations under the National Marine Sanctuaries Act, and the management goals of the National Marine Sanctuary Program.

This conclusion is based on four core arguments:

- 1) The spatial layout of Alternative 2 best reflects a recognition of the intrinsic value of wild species, habitats and ecosystems— an aspect of these natural assets that has long been neglected in marine environmental management in modern history.
- 2) Establishment of the proposed zones as no-take marine reserves, rather than as marine conservation areas that allow limited take of marine wildlife, will best accomplish the conservation, management and scientific goals of zone network establishment.
- 3) The jurisdictional framework proposed in Alternative 2 (as well as in the preferred alternative) will result in efficient and coherent zone network management, resource monitoring, and enforcement with respect to coordination with the California Department of Fish and Game (DFG). This is a critical component of these alternatives in the context of significant budgetary and staffing constraints among CINMS and DFG and the management needs the zone network demands.
- 4) The spatial arrangement and geographic extent of Alternative 2 maximizes function and performance of the proposed zones both individually and as an interconnected

network of reserves. Alternative 2 includes the most complete habitat representation and provides connectivity not offered by other alternatives, thus providing a uniquely optimal alternative for species restoration and protection against disturbance or disaster.

These four points are elaborated and discussed successively below.

1. The Need to Recognize the Intrinsic Value of Ecosystems

Intrinsic values are defined as those aspects of ecosystems and their constituent parts which have value in their own right, including their biological and genetic diversity; and the essential characteristics that determine an ecosystem's integrity, form, functioning, and resilience. Unfortunately, in the DEIS, nonuse or passive-use values are measured primarily in economic terms, neglecting this array of other fundamental attributes of marine organisms and systems. While putting a monetary value on the "passive" value of the CINMS natural resources is useful to an extent, it is incomplete because it fails to capture these other indispensable qualities of these assets. Arguably, the National Marine Sanctuaries Act (NMSA) itself was formed in part to protect the marine environment from the adverse environmental impacts of the traditional "resource-specific" approach to management,<sup>1</sup> which tends to focus on maximizing the yield that can be extracted from the ocean. Instead, the NMSA aims to provide a "comprehensive" approach to management, by protecting, conserving, enhancing and restoring special marine areas in recognition of the significance of their intrinsic qualities including ecology and esthetic characteristics.<sup>2</sup> This approach begins to formalize the perspective that the ocean and the organisms, communities, habitats, and systems within it are to be appreciated for their own sake irrespective of monetary value, and the DEIS should better reflect this.

EDC therefore echoes the CWG's concern that the DEIS (at section 5.2.6: "Other Potential Benefits") primarily values marine reserves for their monetary and economic value, and fails to adequately incorporate and consider the intrinsic natural value of these places and the communities they harbor, independent of human interaction. Beyond the treatment of "non-use" value (DEIS at p. 125-6), which discusses methods for assigning value to certain forms of appreciation of Sanctuary uses, there exists a host of aesthetic, spiritual and social values that are served by comprehensive resource protection associated with marine reserve designation.

Among these is the unquantifiable sense of responsibility and good-conscience derived from respectful treatment and restoration of living communities for their own sake, the psychological and spiritual benefits of knowing that an ancient and wild system is still present and, through a collective choice to partake in "enlightened disengagement," even recovering from centuries of systematic extraction and appropriation.

Furthermore, DEIS acknowledgment of the intrinsic value and greater incorporation of this value into its analysis would represent an appropriate response to a growing number of people that believe advocates for intact ecosystems be given their fair "allocation"— in the form of fully protected ecosystems— alongside extraction-oriented stakeholders that have dominated decision-making and environmental management during modern history.

These values are well described in the United States Wilderness Act, a valuable model to consider for future management of the internationally significant Channel Islands ecosystem.<sup>3</sup>

<sup>1</sup> 16 U.S.C. 1431 §301(a)(3)  
<sup>2</sup> 16 U.S.C. 1431 §301(a, b)  
<sup>3</sup> 16 U.S.C. 1131-1136, 78 Stat. 890

To resolve this concern, the title of Section 5.2.6.3 should include the word “intrinsic”, changing it to *Scientific, Intrinsic and Educational Values*.

Within this section, the following could be added as potential non-economic benefits:

- ♦ Reserves will protect unique and representative areas of marine life habitat for their intrinsic value.
- ♦ Reserves will protect unique and representative marine life for its intrinsic value.
- ♦ Reserves will protect marine biodiversity and marine ecosystem integrity for its intrinsic value.

In turn, these additional factors must be integrated into the analysis conducted by NOAA to establish an environmentally preferred alternative, and be considered as support for promulgation of that alternative. Accordingly, EDC believes that adoption of Alternative 2 would, among the articulated alternatives, best reflect formal recognition of the intrinsic value of the Sanctuary’s living inhabitants, communities, and systems; though still relatively small in size compared to the total area of CINMS, Alternative 2 would provide the greatest protection for these assets, which have long been overexploited and undervalued.

2. Establishment of Fully Protected Reserves best meets the DEIS Purpose and Need, Community-Developed Goals and Objectives, and Scientific MPA Design Parameters

A predominance of scientific evidence and marine resource policy supports the designation of large marine reserve zones that prohibit all take. Accordingly, this evidence bolsters EDC’s position that CINMS should adopt the reserve network design of Alternative 2, which provides the most protection of natural assets and resources. It also supports the idea of modifying Alternative 2 to reclassify the proposed Anacapa MCA as an additional marine reserve zone.

First, CINMS zone designation should be built on the principles of ecosystem based management, in which all components of a living system, including the full complement of living resources, their habitats, physical and biological processes, and the interactions and interconnections among these elements, are recognized and incorporated into decision making.<sup>4</sup> The community-developed goals and objectives for the reserves network identified during the MRWG process specifically call for inclusion of full ecosystems in reserve networks, in recognition of the importance of this approach.

Completing a zone network in CINMS comprising fully protected reserves best reflects the principals and goals of ecosystem based management, one in which the individual species and populations of traditional human interest are protected and recovered, along with the rest of the contextual, interconnected system on which these particular elements depend. Fully protected reserves also best match the Sanctuary’s Congressional mandate to protect and restore marine resources using a “comprehensive approach,” which strongly suggests management that aims to optimize the health of the indigenous ecosystem *comprehensively*, rather than for a few species of particular value for extraction and liquidation. Marine reserves, by protecting all elements of an area’s living system, are accordant with this mandate.

In contrast, allowing the take of even a few species inevitably affects the entire interdependent ecosystem. This outcome first and foremost impinges on general conservation and restoration goals, as even low levels of take can result in significant system changes. For example, evidence strongly suggests that while pelagic fish do exhibit high mobility, they also tend to aggregate in

<sup>4</sup> Grumbine, E.R. 1994. What is ecosystem management? *Conservation Biology* 8(1): 27–38

discrete areas such as banks or ridges,<sup>5,6,7</sup> at least during certain life cycle stages. These pelagic communities form a critical (and “protectable”) component of the total ecosystem in these areas through direct and indirect interactions with the benthic communities that exist on such features: removal of pelagic, predatory species from these areas will alter the composition and productivity of the system,<sup>8</sup> and may cause profound changes in general community structure. Such “trophic cascades,” in which apparently small changes to the natural community reverberate throughout the food web, can change or weaken the ecosystem as a whole. Similarly, allowing even limited take of benthic species in these areas can result in impacts to even temporarily resident pelagic species that researchers are able to detect and observe.

Allowing limited take in zones demarcated as marine conservation areas also reduces or eliminates the ability of researchers to differentiate the causes of observed changes in ecology and community populations as the results of marine zone establishment, fishing impacts, or from other sources of ecosystem change such as natural disturbance or anthropogenic climate change. As a result, marine conservation areas cannot serve as “research reference areas,” a characteristic of marine reserves that contributes greatly to the scientific value of these areas.

Finally, full “no-take” marine reserves facilitate zone enforcement that is significantly easier, more cost effective, and efficient than that required for zones allowing limited-take. Reserves are more suitable for collaborative, citizen, and inter-agency monitoring and enforcement, are suitable for remote and land-based compliance monitoring and can best be easily enforced using emerging forms of compliance monitoring technology (e.g. VMS, satellite technology). Given the scarcity of resources available for thorough enforcement of both the existing reserve network and the complementary element considered in the DEIS at hand, expediting available enforcement effort could be critical to the overall performance of the marine zones. For example, the allowance of certain forms of fishing gear and effort inside any of the marine zones could easily result in expanded, illicit effort for protected species, resulting in further impact to the ecosystems that the reserve network was designed to protect. The prohibition of all fishing effort in the zones delineated in Alternative 2 would greatly facilitate the elimination of this “slippery slope” of fishing effort in the zones through clear, straightforward enforcement and adjudication.

3. Reserve Networks Managed as a Cohesive Unit Best Meet the Management, Scientific and Conservation Goals of the Sanctuary: Sanctuary Zone Regulations Should Overlay State Designations as per Alternatives 1a and 2.

Jurisdictional coherence for the entire area of the marine reserve network, as proposed in Alternatives 1a and 2, best advances reserve network effectiveness by reducing management gaps, protecting against uneven and inconsistent enforcement, and integrating the full host of management agency responsibilities, technologies and capacities.<sup>9</sup> An “overlay” of Sanctuary Act

<sup>5</sup> Heyman, W.D. 2004. “Conservation of multi-species spawning aggregation sites.” *Proceedings of the Gulf and Caribbean Fisheries Institute*. 55: 521-529.

<sup>6</sup> Hooker, S. K., and L. R. Gerber. 2004. “Marine reserves as a tool for ecosystem-based management: the potential importance of megafauna.” *BioScience*. 54(1): 27-39.

<sup>7</sup> Worm, B., M. Sandow, A. Oschlies, H. K. Lotze, and R. A. Myers. 2005. “Global patterns of predator diversity in the open oceans.” *Science*. 306: 1365-1369.

<sup>8</sup> Sosa-Lopez, A., D. Mouillot, T. D. Chi, and J. Ramos-Miranda. 2005. “Ecological indicators based on fish biomass distribution along trophic levels: an application to the Terminos coastal lagoon, Mexico.” *ICES Journal of Marine Science*. 62(3): 453-458.

<sup>9</sup> Crowder, L.B., G. Osherenko, O. R. Young, S. Airamé, E. A. Norse, N. Baron, J. C. Day, F. Douvère, C. N. Ehler, B. S. Halpern, S. J. Langdon, K. L. McLeod, J. C. Ogden, R. E. Peach, A. A. Rosenberg, J. A. Wilson. 2006. “Resolving Mismatches in U.S. Ocean Governance.” *Science* 313: 617-8.

zone designation will create a unified, coherent regulatory framework that best meets the management needs of the public, the research and monitoring institutions, enforcement officials and management and regulatory agencies by providing a single jurisdictional framework.

EDC echoes the CWG in the following further reasons for adoption of a coherent reserve network jurisdiction:

- An overlain or integrated management framework is best suited to spatial management approaches in which ecological linkages are emphasized.
- An integrated management framework will best foster continued and enhanced management partnerships that extend financial and technical resources, enforcement capabilities and monitoring efforts.
- Overlaying Sanctuary Act zone regulations (e.g. Alternative 1a and 2) is most consistent with MPA policy recommendations such as the U.S. MPA Center recommendations, and the State of California's Marine Managed Areas Improvement Act (AB 1600) which directed the State to consolidate and simplify the range of MPAs within California.<sup>10</sup>
- If CINMS zones do not overlay state MPAs, almost double the number of zonal management units will be created, thereby decreasing efficiency and increasing costs for all jurisdictions (and increasing jurisdictional conflicts).
- Alternative 1C would result in physical and administrative gaps in resource protection, potentially resulting in destructive conflicts in authority, enforcement and management, collectively resulting in outrageous obstacles to compliance.

In addition, implementation of the jurisdictional framework proposed in Alternatives 1a and 2 would allow CINMS to continue to bring the unique assets of the SAC to bear on zone outreach, awareness, research and management. EDC would like to highlight to the NMSP and to NOAA the immense amount of volunteer effort SAC members have provided since 1999 on the issue of reserves network designation, and register our strong support for continued SAC participation. The Sanctuary and SAC have lead the effort to plan and implement a complete network of reserves within current CINMS boundaries; this work began with the areas closest to shore and is now being extended to encompass deeper waters and related features and habitats. The SAC's role in establishing marine reserves throughout the Sanctuary underscores the importance of adopting a jurisdictional framework for the reserve network that rewards community stakeholders for their past work, and secures their future commitment and participation in reserve network management.

In contrast, non-integrated alternatives would reduce and even jeopardize the SAC's valuable contributions to community involvement and management in the CINMS reserves and MCA network.

4. The Spatial Configuration of Alternative 2 Best Meets the Community and Scientific Goals for Resource Protection, Species Sustainability and Restoration and Zone Performance

The size of both individual zones and the sum total zone network are critical considerations in selecting the appropriate alternative presented in the EIS. Fortunately, the selection criteria are quite simple: the larger the total protected area, and the larger and the closer together the individual zones can be, the greater the likelihood that reserve network establishment will accomplish its intended goals and fulfill CINMS resource protection and restoration mandates. Consequently, Alternative 2 clearly represents the superior choice for adoption.

<sup>10</sup> 6, 7, 8, 10 of PRC §36601

Effective reserve design requires zone “networks,” which promote fisheries dispersal, recruitment, and sustainable populations better than singular, isolated zones.<sup>11,12</sup> Sufficient size and spacing of reserves is crucial so that production of larvae and recruitment of adult individuals is maximized through zone connectivity.<sup>13</sup>

Alternative 2 best achieves these scientific design considerations by including larger zones and zones that rationally include all recommended habitat types, and by connecting habitat areas across the range of depth and substrate-types. This is exemplified by the inclusion in Alternative 2 of the Carrington Point area at Santa Rosa, of deepwater areas at Anacapa Island, the South Point area off Santa Rosa, off Judith Rock on San Miguel Island and in the South-east area off Santa Barbara Island. Additionally, Alternative 2 incorporates needed “replicate” reserve areas that achieve the scientific requirement that reserve networks protect against disturbance of one part of the network by including additional areas, further reinforcing the superiority of Alternative 2.<sup>14</sup>

The deepwater reserve proposed for Carrington Point in Alternative 2 is perhaps the most important component exclusive to this alternative, and thus should be considered for designation even if the preferred alternative (1a) is ultimately adopted. The Carrington Point deepwater reserve would represent the only intermediate deepwater reserve on the north side of the islands between San Miguel and the east end of Santa Cruz, thus “bridging” a distance that would otherwise be insurmountable to dispersing rockfish larvae seeking deepwater rocky habitat for recruitment. As a result, the inclusion of Carrington Point will reinforce the performance of the other proposed north side reserves, and is in fact essential for the proposed north side zones to function as a constructive network.

As discussed within the DEIS, the “No Action” Alternative and the variants of Alternative 1 lack critical connected and even contiguous habitat areas, and thus represent suboptimal choices. In contrast, Alternative 2 would provide significant restoration benefit beyond the others. Species of interest whose recovery, protection or restoration would be particularly advanced by the network design in Alternative 2 include: at Carrington Point, mid-water bottom species such as bocaccio, vermillion, olive, yellowtail and canary rockfish; at Judith Rock, thresher shark, thornyhead, spot prawn, mackerel, sablefish and sardine; at Anacapa Island, species such as billfish and halibut; and at South Point, on Santa Rosa, bottom and pelagic species including white sea bass, California and warty sea cucumbers and spot prawn.

### Conclusion

In 2002, the National Marine Fisheries Service determined that about 24% of commercially important fisheries were being fished out faster than they could rebuild, while 31% of fisheries were already overfished. In the Santa Barbara Channel, large no fishing zones such as the Cowcod Conservation Area and the Rockfish Conservation Area have been established because these species have already been so severely fished out.

<sup>11</sup> Botsford, L. W., A. Hastings, and S. D. Gaines. 2001. “Dependence of sustainability on the configuration of marine reserves and larval dispersal distances.” *Ecology Letters* 4: 144–150.

<sup>12</sup> Carr, M.H. and C. Syms. 2006, “Recruitment: The replenishment of demersal fish populations.” Chapter in: *The Ecology of California Marine Fishes*. L. Allen, Ed. University of California Press (in press).

<sup>13</sup> O’Farrell, M. R. and L.W. Botsford. 2006. “Estimating the status of nearshore rockfish (*Sebastes* spp.) populations with length frequency data.” *Ecological Applications* 16:977–986.

<sup>14</sup> Allison, G.W., Gaines, S.D., Lubchenco, J., and Possingham, H.P. 2003. “Measuring persistence of marine reserves: catastrophes require adopting an insurance factor.” *Ecological Applications* 13: 8.

Even more troubling, NMFS acknowledged that the population status of nearly 80% of all fish species is simply unknown, even though such data is essential for the current system of "maximum sustainable yield" fishery management.

This single species management framework has proven to be insufficient for the long term health of all fish species, and, more importantly, for the complex ecosystems and foodwebs of which they are part. The plights of the Channel's rockfish, cowcod, and bocaccio all indicate this, as do those of other once prominent fishes, including wild Pacific blue fin tuna, Atlantic halibut, and Atlantic cod (and, incidentally, the devastated human communities that once depended on them).

The goal of evolving our fisheries management beyond this simplistic approach and into one that considers the entire marine ecosystem is both welcome and long overdue. Fortunately, the framers of the National Marine Sanctuaries Act recognized decades ago that our ocean resources represent far greater and more complex value than can be realized through their immediate liquidation and sale, and established management authority to pursue this goal through the protection and enhancement of the public's marine resources in globally unique places like the Channel Islands.

Alternative 2 of the Marine Reserves DEIS, including the proposed and much needed changes to the Sanctuary's designation document, represents a profound and welcome new embodiment of the National Marine Sanctuaries Act, in accordance with the intent and the legacy of its authors. At the same time, it represents a significant, timely advancement in the management of marine areas held in the public trust, toward a future of wild, healthy, truly sustainable Santa Barbara Channel fisheries and ecosystems.

More specifically, the document relies on a thorough and rigorous examination of existing scientific research for its conclusions, and bases its preferred alternative on an optimal jurisdictional arrangement that best reflects the Sanctuary's resource protection authority and responsibility, and respects the authority of other state and federal agencies, and aims to leverage their complementary management strengths through cooperative partnership.

The coherent, uniform management strategy of the preferred alternative will best facilitate conservation and research outcomes targeted by the reserve network design, regulatory compliance, and effective, efficient enforcement. Accordingly, the Environmental Defense Center strongly supports this aspect of the preferred alternative.

However, EDC finds the spatial component of 1a to be inadequate relative to the existing need for ecosystem protection and restoration at CINMS, and instead support the geographic layout proposed in Alternative 2. The approach embodied in Alternative 2 will much better fulfill the goals of the reserves network and the Congressional mandate of the Sanctuary, and thus should be identified in the EIS as the environmentally preferred Alternative and adopted.

Thank you for the consideration of our comments, and for the release of a thoughtful, thorough DEIS on an initiative whose time has come.

Sincerely,

/s/  
Linda Krop  
Chief Counsel

/s/  
Shiva Polefka,  
Marine Conservation Analyst

**Subject:** CINMS DEIS on MPA expansion into federal waters  
**From:** Randy Potts <randyp@siriustelecom.com>  
**Date:** Wed, 27 Sep 2006 13:06:10 -0700  
**To:** Sean.Hastings@noaa.gov  
**CC:** tahoe@silcom.com, Randy Potts <randyp@siriustelecom.com>

Mr. Hastings,

I have been a recreational fisherman all of my life, born and raised in the Santa Barbara area as was my grandfather who was a fisherman and my granddaughter who is just starting to fish.

My concern is that decisions are being made regarding fish resources that do not have enough studies to make decisions that will fairly effect the future of recreational fishing. We do all want to keep our precious resources, balance has to be an option, more study is required.

I support the " No Action " alternative of this DEIS.

Regards,

Randy Potts  
280 Rosario Park  
Santa Barbara, Ca. 93105  
[tahoe@silcom.com](mailto:tahoe@silcom.com)

"The Sanctuary has done a great job of keeping oil exploration out of the Sanctuary and of making the public aware of what precious resources the Channel Islands are. We support that role. We do not support changes to the Designation Document, we do not support the Sanctuary assuming authority for fisheries management and we do not support expansion of the MPAs as a Sanctuary action. Such action should be under the purview of our knowledgeable and experienced fisheries managers, the Pacific Fisheries Management Council and under the authority of the Magnuson Stevens Act."

With that unified statement we come to a position of strong conviction. We support the "No action" alternative of this DEIS. We will wait for our REAL fisheries managers, the Pacific Fishery Management Council to provide a solution under authority of the Magnuson Steven Act. That solution appears to coming soon enough. We ask the Sanctuary Advisory Council to please support our position by advising the Sanctuary to work through the PFMC to accomplish fishery management goals.

--  
No virus found in this outgoing message.  
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Version: 7.1.407 / Virus Database: 268.12.9/457 - Release Date: 9/26/2006

# CINMS MARINE RESERVES - DEIS COMMENTS

SAC MEMBER: DAN POWELL, EDUCATION ALTERNATE

DATE: SEPTEMBER 22, 2006

## OVERVIEW

This document is submitted in response to request of CINMS Sanctuary Advisory Council members to comment on the Draft Environmental Impact Statement (DEIS) to establish Marine Reserves in the Channel Islands National Marine Sanctuary Federal waters.

The comments enclosed are from my individual review, although were formulated with educational/outreach issues in mind. Some information relayed is based on my work on CINMS California State MPA boundary education, in collaboration with CINMS staff member Natalie Senyk, as well as involvement in the SAC subcommittee formed to evaluate range marker use to delineate where MPA boundaries intersect shorelines.

I personally endorse the Alternative 1a (Preferred Alternative) as described in DEIS Section 3.2.2 [Reference A)]. However, I believe there are issues that need to be addressed regarding the current California Department of Fish and Game (CDFG) official marine zone boundary geographic coordinates stated in §632 CCR Title 14 [Ref. B)].

If the decision is made to go forward with any of the DEIS alternatives that will abut to the existing California State Marine Reserve areas, then I recommend CINMS perform cooperative research with CDFG to refine the boundary geographic coordinates to a higher precision that follows best practices for boundary making in marine managed areas as outlined in Reference C).

## REFERENCES:

- A) *Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas within the Channel Islands National Marine Sanctuary*, dated August 2006
- B) California Code of Regulations, Title 14, Subsection 632: *Marine Protected Areas and Special Closures*
- C) *Marine Managed Areas: Best Practices for Boundary Making*, December 2005 draft, by the Marine Boundary Working Group of the Federal Geographic Data Committee

## CDFG MARINE ZONE BOUNDARY ISSUES

While researching CINMS Marine Reserve boundaries for producing education/outreach products, I discovered several problem areas where the CDFG defined geographic coordinates did not intersect island shoreline at intended spot and/or left open gaps that possibly exclude areas intended to be within Marine Protected Areas (MPA).

The boundaries listed in Reference B have geographic coordinates based on the North American Datum 1983 (NAD83) reference datum, with latitude and longitude expressed in degrees-minutes (with minutes having two decimal place precision). Almost all the other State MPA zones utilize the hundredth minute precision, whereas the CINMS MPA zone definitions are less precise and rounded up to tenths or whole minutes.

Being able to sight an easily identifiable landmark that demarcates an MPA boundary, such as natural features or range markers, would enable a fisherman or CDFG warden with another reference point where they could determine a sight line when knowing their vessel's position. If their vessel was located on a boundary coordinate, then they would be able to tell if other vessels may be fishing inside a restricted zone or not.

Another CINMS Marine Reserve boundary problem area is the Gull Island State Marine Reserve. The 33°-58' N boundary line continues past the 199°-51' W junction without touching land, possibly exposing a bay area to be excluded from protected area (by defined parameters). See Figure 5 below.

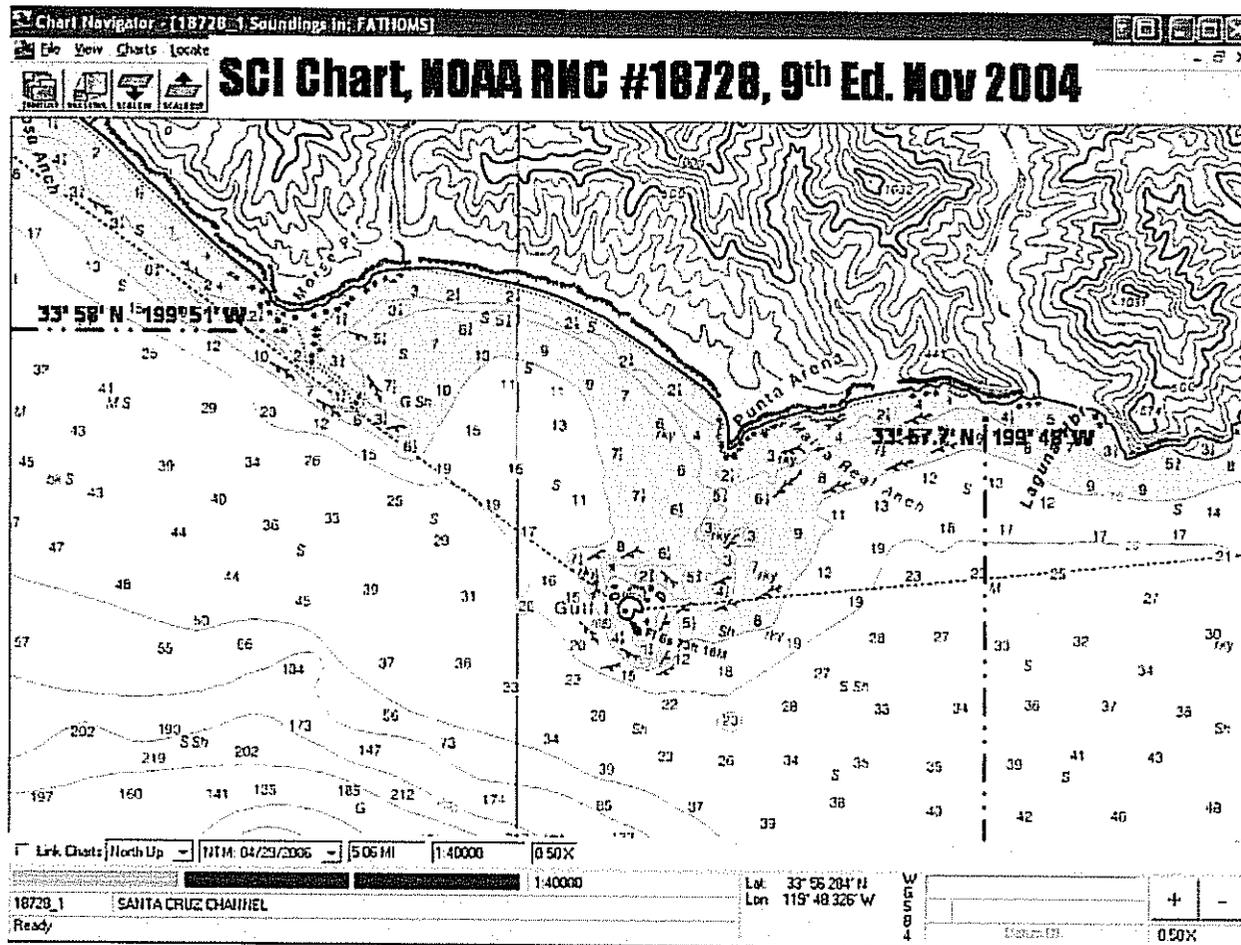


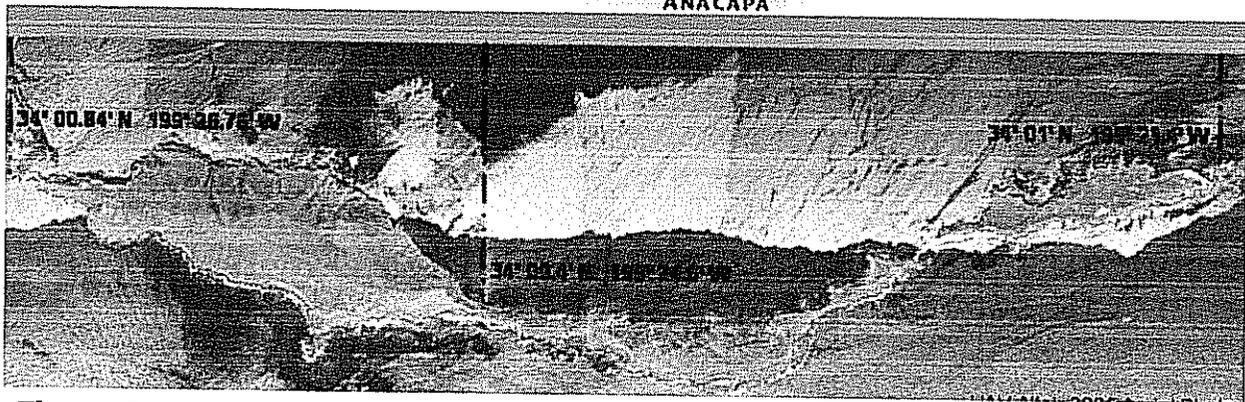
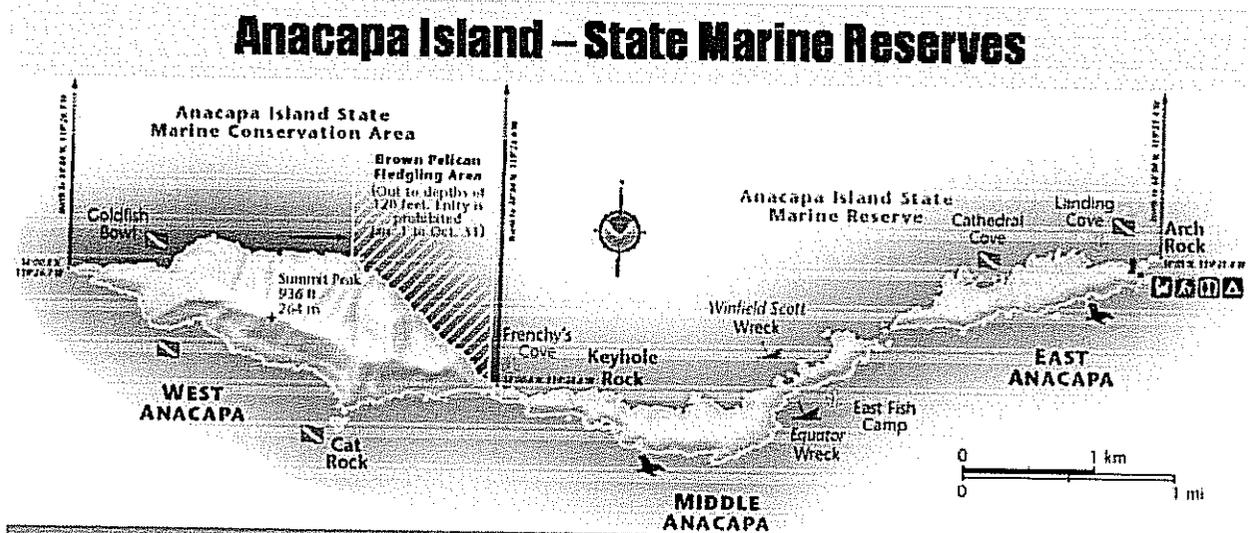
Figure 5 – Gull Island State Marine Reserve

**CONCLUSION/RECOMMENDATION**

There are potential problems with the other CINMS Marine Reserve boundaries as well. Therefore, I recommend further survey research, both with high precision GPS units and photo documentation to determine where the currently defined CDFG State MPA boundaries intersect the island shorelines and if it is possible to redefine the zone geographic coordinates with higher precision that coincides with natural landmarks.

This effort would ideally be coordinated with CDFG for refining their established MPA zones prior to finalization of CINMS Marine Reserves that would abut with State MPA.

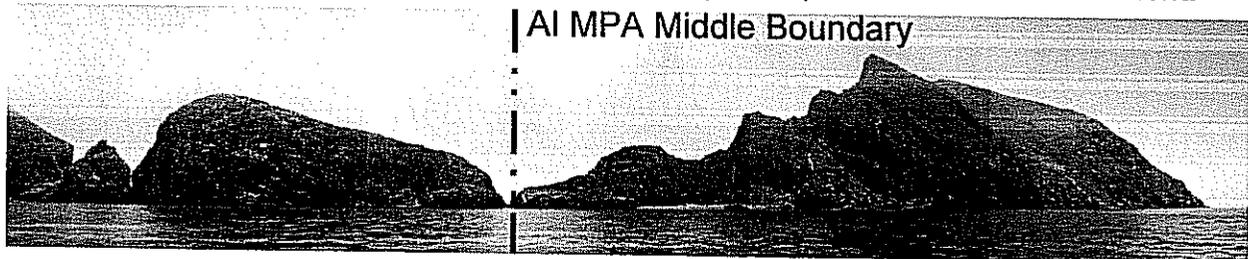
As may be see in Figure 1, the eastern boundary line seems to intersect the tip of the island, where the defined condition "mean high tide line" would be valid with shoreline. However, plotting these coordinates on the latest electronic NOAA chart #18729 (13 Ed) shown in Figure 2 appears to land at western side of Arch Rock, or worse yet, passing through an open water gap without intersecting land (same with western boundary).



**Figure 3 - Anacapa Island MPA Boundaries on Brochure Graphic & Aerial Photo**

The top graphic in Figure 3 is from brochure "Protecting Your Channel Islands" and the lower graphic is a composite mosaic of aerial photos from NASA's UAV Altair (May 2005).

If the MPA zone geographic coordinates are defined to higher precision, then boundary lines may be made to intersect the shoreline at convenient locations with distinct landmarks that would not only help compliance by users, but also with enforcement.



**Figure 4 - Anacapa Island Middle Boundary Shore Intersection**

Natalie Senyk and I performed a survey expedition to Frenchy's Cove with a CINMS high precision GPS portable unit on July 13, 2006. The purpose was to validate MPA boundary intersection with the island and test proof-of-concept range markers. Note how the boundary line's up with an easily identifiable landmark, even from far away.

### EXAMPLE CINMS MPA BOUNDARY PROBLEM AREAS

As stated in Reference B) and the California State Ocean Fishing Regulations Book, Anacapa Island State Marine Reserve is an area bounded by the mean high tide line and the following points:

34° 00.40' N. lat. 119° 24.60' W. long.; 34° 04.00' N. lat. 119° 24.60' W. long.; 34° 04.00' N. lat. 119° 21.40' W. long.; and 34° 01.00' N. lat. 119° 21.40' W. long

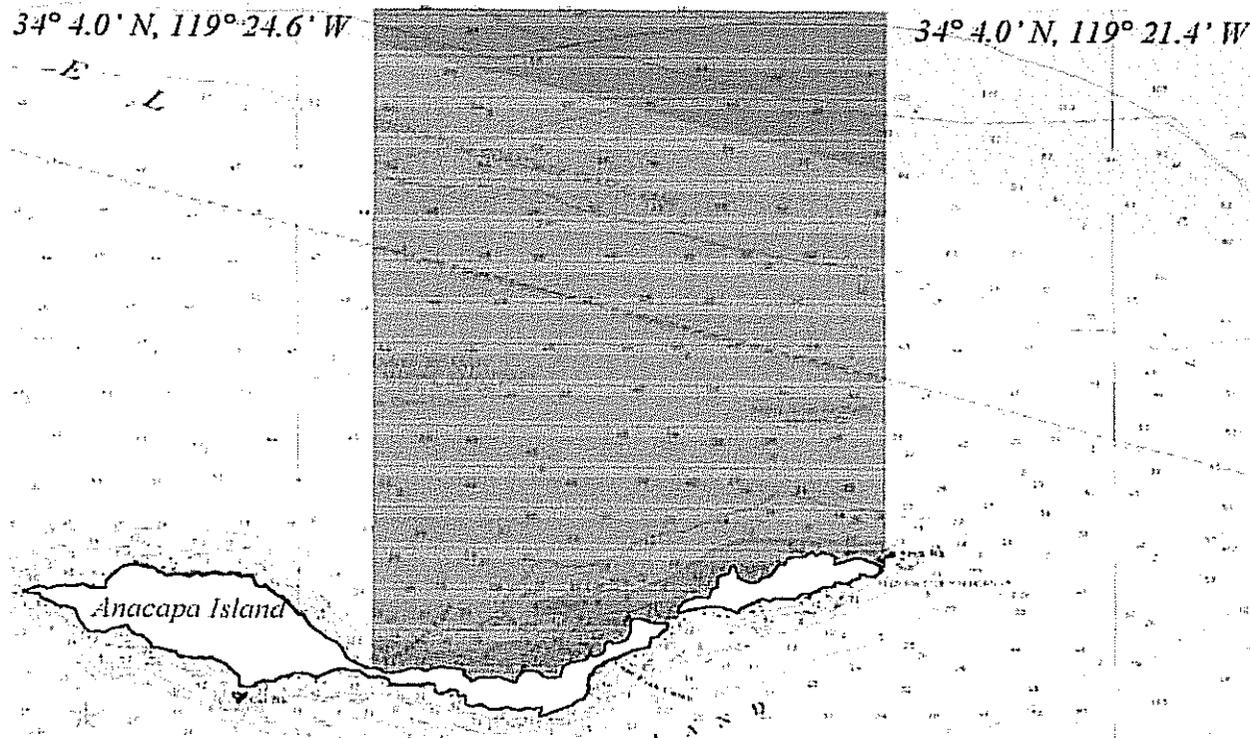


Figure 1 – Anacapa Island State Marine Reserve, Graphic from CDFG

Figure 1 from CDFG web site: [http://www.dfg.ca.gov/mrd/channel\\_islands/maps.html](http://www.dfg.ca.gov/mrd/channel_islands/maps.html)

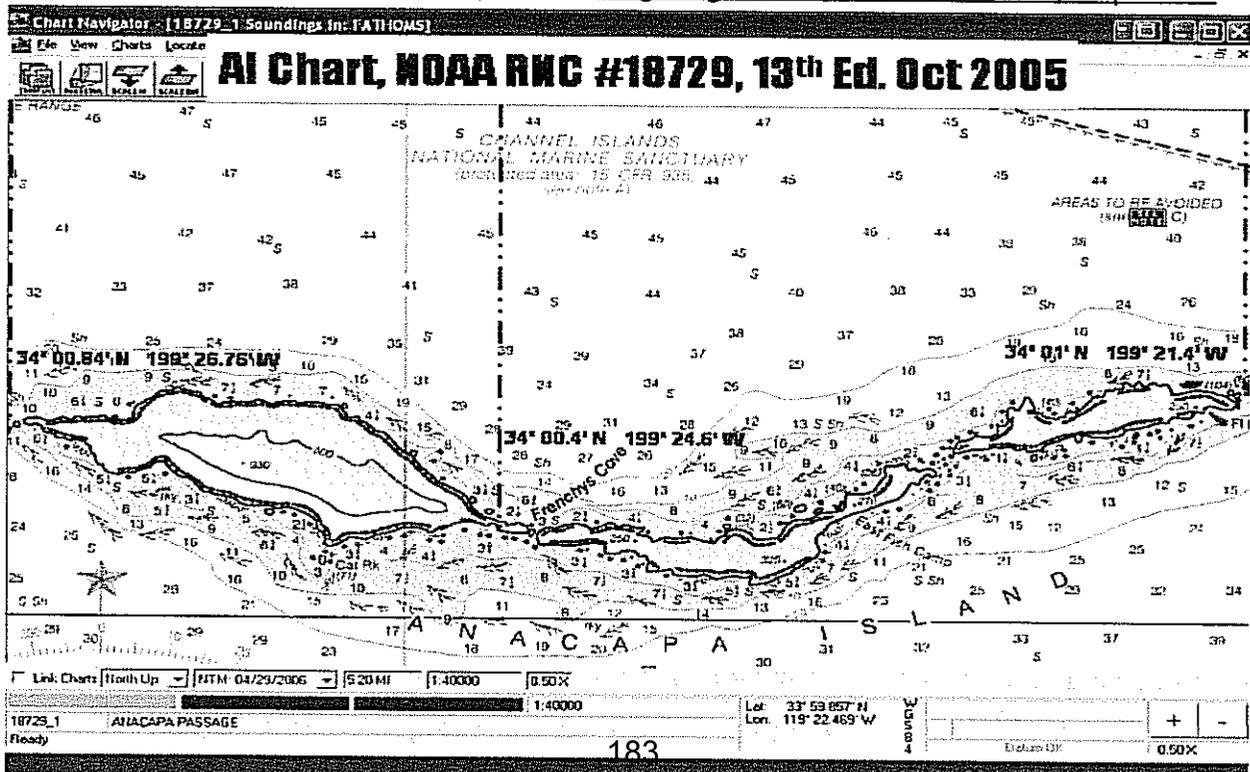


Figure 2 – Anacapa Island MPA Boundaries Lines on NOAA Chart

9 October 2006

Chris Mobley  
CINMS Superintendent, NOAA  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Cc: Rodney F. Weiher, Ph.D.  
NOAA NEPA Coordinator  
NOAA/PPI SSMC3  
Room 15663  
East-West Highway  
Silver Spring, MD 20910

Dear Chris:

As someone who appreciates the value of the Channel Islands and all that they have to offer, I have a few issues I would like to bring up surrounding the Draft Environmental Impact Study for the Channel Islands National Marine Sanctuary (CINMS). I sincerely hope that the most environmentally responsible alternative will be adopted when choosing a management plan for the marine protected areas.

Examining fisheries from an economic standpoint is important, but too often this view overshadows the importance of the ecosystem as a whole. What needs to be considered when making a decision as to the most effective method of management of the CINMS, is how human manipulation of one or more subsets of the food web will effect the functionality of the entire ecosystem. Marine protected areas should be administered sustainably, even if that means that the most environmentally-preferred alternative is a no-take zone (marine reserve). The CINMS should be exactly that; a *sanctuary* where areas important to the conservation of biodiversity will be protected from human disturbance.

Fully protected marine reserves allow several important things to happen. First, they make ecosystem-based management possible. This is due to the fact that patterns in the ecosystem can be more accurately observed without the presence of human interference. Second, although they are highly mobile, scientific research suggests that pelagic species gather in certain spots (usually banks or ridges), particularly during critical life cycle stages. Establishment of marine reserves in these areas is crucial, as the number and size of pelagic animals in the food web dictates what other organisms thrive or decline. In other words, direct pressure on pelagic species causes indirect pressure on other species present in the ecosystem. Third, the CINMS is one of the most biologically diverse areas in the *world*. We are charged with doing everything possible to preserve that.

Concerning the management of these marine reserves, a unified approach should be utilized to avoid the pitfalls and inefficiencies associated with multi-agency

administration. Marine protected areas should be established by the CINMS, under the National Sanctuaries Act. Regulation of these areas, whether in state or federal waters, should be uniform to avoid confusion and subsequent incongruent enforcement. Another positive point of fully-protected marine reserves is that they require fewer resources to enforce than more discerning systems where limited take is allowed.

By viewing the value of species not merely for their economic value, but also for their ecological impact, a sustainable system of management can be created. The more laissez-faire approaches used for fisheries management in the past have not worked. It is time to adopt a strong, unified approach to ensure that future generations will be able to enjoy the rich biological trove present in the waters surrounding the Channel Islands.

Sincerely,

Benjamin T. Preston

----- Original Message -----

**From** Paul Reilly <PREilly@dfg.ca.gov>

**Date** Thu, 24 Aug 2006 11:12:24 -0700

**To** cinmsreserves.deis@noaa.gov

**Cc** John Ugoretz <JUGORETZ.PO\_MRD.DOM\_MRD@dfg.ca.gov>

**Subject** comments on NEPA DEIS for Channel Islands

Chris,

My comments on the fishery socioeconomic impact section are attached.

Thanks

Paul

Paul N. Reilly

Senior Marine Biologist

Calif. Dept. Fish and Game

20 Lower Ragsdale Dr. Suite 100

Monterey CA 93940

phone: (831) 649-2879

fax: (831) 649-2894

preilly@dfg.ca.gov

www.dfg.ca.gov/mrd

Paul Reilly, CDFG Monterey, comments on Channel Islands National Marine Sanctuary Draft Environmental Impact Statement for the Consideration of Marine Reserves and Marine Conservation Areas

August 24, 2006

Page 82, para. 6, sentence 1: The statement is incomplete and needs clarification. The trawl closure for spot prawns was implemented primarily due to concerns of potential damage to high relief habitat from roller gear and from overall levels of bycatch, particularly finfishes, relative to spot prawn catch. Rockfish were a minor component of the finfish bycatch, although the estimated levels of bocaccio bycatch were significant relative to the TAC in 2003 for bocaccio set by PFMC. While it is true that statewide spot prawn landings were in a declining period in the early 2000's, landings in the late 1990's had reached unprecedented high levels due to increased trawler effort. The Commission was more concerned with potential habitat damage and rockfish bycatch issues than with the landings trend.

Section 5.2.2. beginning on page 85.

Parts of this section are confusing, in part due to the use of the term "Ex vessel value of catch and harvest of kelp". Page 86, paragraph 1 sentence 2 states "There are zero additional impacts to kelp harvesters/processors...", yet page 87, sentence 1 states "Although Alternative 1 only potentially impacts 1.18% of the annual ex vessel value of catch and harvest of kelp...", and thus appears contradictory with respect to kelp. If kelp harvest could be treated separately this should avoid the confusion. This comment also applies to page p6, para. 3

Furthermore, it does not seem logical to include potential impacts from the existing Channel Islands state MPAs. This impact should have already occurred. Why are these numbers included in the analysis of the alternatives? The kelp fishery should not even be in this analysis, since no kelp beds occur in the proposed MPAs.

Page 88, Table 26, and page 97, Table 31: These tables are confusing because the column headers say "value" but what the tables depict is actually "impact" to the fisheries. It would also help to add another column just before the last one that lists the total value of each fishery.

If \$24,233,406 is used as the total value of all fisheries (Table 24, Column 2), and \$3,012,974 is the total potential impact (Table 26 bottom of next to last column), then the percent total impact should be 12.43, and not 12.50 as listed at the bottom of the last column in Table 26. For Table 31, a similar problem occurs. I do the math and come up with 12.88%, not 12.95%.

Section 5.2.2.2 page 90, para 1. The last sentence, in stating "this fishery...", makes a weak link to rockfish two sentences previous. There is more than one rockfish fishery (nearshore, shelf, slope). Landings are not continuing "in steep decline". In 2003 to 2005, none of the landings for the port of Santa Barbara in these three fisheries could be

considered as having “steep” declines- shelf rockfish landings increased during this period.

Page 94, para 3, line 6: “Given the open access nature of the fishery...” The nearshore rockfish fishery is a restricted access fishery.

Next paragraph, second sentence (this comment also applies to page 100, para. 1): spot prawn decline stopped in 2003 and has increased in each of the next two years. It is incorrect to speak of “prawn catch” as one fishery- there are two separate fisheries, for ridgeback and spot prawn. Is the analysis about one or both fisheries? It is misleading to state that the spot prawn fishery was in steep decline prior to the ban on trawling; the fishery realized its highest catch ever in 1998, primarily due to significant increases in trawl effort. This catch level was likely not sustainable, and the resultant catch levels in 2002, the last full year of fishing by spot prawn trawlers, was approaching a more sustainable level. It is also misleading to say that trap fishing is replacing trawling; trap fishing has been occurring since the mid 1980’s in southern California. The reality is that the few former spot prawn trawlers who were given conversion permits by the Commission, and have tried to switch to spot prawn traps, are finding it difficult to make a living fishing those traps in what were the former spot prawn trawl grounds.

Last paragraph, line 3: This statement appears to contradict the statement on page 86, which states that “the largest potential impacts are on the harvesters of squid, wetfish, urchins, prawn, and rockfish;”.

p. 91, para. 1, line 1: This statement is misleading, because the regulatory alternative does not include the existing MPAs in state waters; the impact there has already occurred. This impact should be removed from the analysis.

p. 101, last paragraph, line 6: The text incorrectly referenced Table 39; it should reference Table 37. It would really help the reader in this paragraph if the references to Table 37 would include the section of the table where the numbers cited could be found. Same comment for page 108, which incorrectly references Table 39; it should reference Table 40. It is also unclear that the authors have added 4 numbers in each table (Section 1 columns 2 and 4 last line, Section 2, columns 2 and 4 last line) to arrive at their total rounded-off estimate of potential impacts. Without additional explanation, this makes the reader work hard to understand the relationship between the text and the table.

L-20

**Spaniard Fisheries  
806 Coyote Road  
Santa Barbara, CA 93108  
(805) 705-1502**

I am writing to express my concerns about the proposed closures. I am a commercial harpoon swordfish fisherman. The Gull Island and Footprint closure areas will greatly affect me and other harpoon swordfish fishermen and our community.

As you know, the harpoon fishery is past its heyday but there is an important, small fleet that works the areas off San Diego, Santa Catalina Island and Santa Cruz Island. This fishery is the most ecologically sensitive fishery. There is no bycatch. Birds and mammals are not affected. A harpooned fish is a valuable commodity in the local fish markets and restaurants as harpooned swordfish is one of the highest grade of fish and therefore the most valuable. It is limited to a few months a year because of their migration. Your decision to close the Gull Island and Footprint areas severely limits our ability to productively fish.

This fishery needs calm surface conditions. Prevailing northwest winds push us below Bowen Point which limits our fishing days off Gull Island. These winds severely cut our productive waters and force us to fish the Footprint area. During a northwest wind period there is only a few limited hours of the day when there is an eddy that produces calm conditions in the Footprint area. This allows us to fish this area in an already limited condition- limited by weather. To close this area affectively cuts out the Santa Cruz Island zone for harpooning swordfish.

After harpooning a fish it can swim miles. What could we do when the fish swims into a closure zone?

As you know swordfish are palegic. They migrate thousands of miles at depths of up to 1200 feet. They feed only on hakefish and squid. They have little effect on the ecology in one specific area. In an ecosystem-based management system these fish have the smallest effect as they are here today and gone tomorrow.

Add to this a fishery that has no bycatch or effect on birds and mammals, it should not be restricted from any area. Lobster traps have more effect on the habitat than harpooning swordfish.

I think this fishery should be allowed in Marine Reserves.

To summarize, I would like to stress the importance of the Gull Island and Footprint areas to our limited, no bycatch fishery. Closing these areas greatly reduces our zones to fish. We produce high grade product of value to the community. Your consideration is greatly appreciated

Sincerely,



Sean Robertson

**Subject:** Extend Channel Islands MPAs into Federal Waters  
**From:** mary rossi <silverado448-info@yahoo.com>  
**Date:** Fri, 29 Sep 2006 11:55:18 -0500 (CDT)  
**To:** cinmsreserves.deis@noaa.gov

Sep 29, 2006

Sanctuary Program Officials

Dear Program Officials,

I am writing to tell you that I strongly support the Sanctuary extending the Marine Protected Areas of the Channel Islands National Marine Sanctuary into federal waters. Going forward with this bold conservation move will protect important habitat for the globally unique marine species at the Channel Islands. Scientific studies have shown that species in Marine Protected Areas (MPAs) increase rapidly in size, abundance and diversity, and that declining species are given a chance to recover. The Channel Islands are an important part of California's natural history. Extending the reserves into deeper federal waters and ensuring full no-take protection is critical to protect habitats where many animals seek refuge during the summer, to protect seamounts that host feasting whales and mammals, and to protect wide-ranging schools of blue-water fish that forage on baitfish and plankton.

Marine Protected Areas established under the National Marine Sanctuaries Act are needed to protect the entire community of life within the Sanctuary in a way that is comprehensive, durable and timely. For this reason, I urge you to establish these MPAs and marine reserves permanently under the Sanctuaries Act rather than through temporary and incomplete fishery management measures under the Magnuson Stevens Act.

Right now, you are faced with a decision that in great part will help to shape ocean policy in California and the nation. You have the chance to do something bold and visionary. So please act now to extend the MPAs in the Channel Islands National Marine Sanctuary into federal waters.

Sincerely,

Mrs. mary rossi  
10763 Keith St  
Santee, CA 92071-1161

L-18

Dear Mr. Hastings,

Though the one mile boundary around the Channel Islands National Park was a good move to protect sea life around the Park, it is hardly adequate. A wider boundary is needed.

The Channel Islands marine boundary is intended to protect many endangered species including seabirds, various fish, and marine mammals. The one mile limit is not wide enough to protect these species which can easily wander outside this limit. Some species live beyond this boundary altogether like some far-flying birds and whales. A wider boundary will help these wildlife. The ecosystem needs the protection now before it is too late.

From what I have read the wildlife in the Channel Islands National Marine Sanctuary would be best protected by extending the protection out to six nautical miles from the islands' shores. I understand that there is an option 1a which would provide continuous protection for marine life within the sanctuary.

It is time for the sanctuary to live up to its name by providing a safe haven for ocean wildlife. Please move quickly to expand these important marine protected areas.

Sincerely,

Kevin Scanlon

----- Original Message -----

**From** ruston slager <rustonhto@hotmail.com>

**Date** Fri, 01 Sep 2006 13:44:39 +0000

**To** cinmsreserves.deis@noaa.gov

**Subject** Channel Islands Marine Reserves

Please do the following regarding the Channel Islands.

- 1) support the scientific consensus recommending networks of fully-protected (no-take) marine reserves to support biodiversity and special habitats in the sanctuary
- 2) support no-take marine reserves to protect our local economy and maritime community;
- 3) support the establishment of no-take marine reserves because it supports the priority goal of the National Marine Sanctuary Act (to protect marine life), and the state's Marine Life Protection Act.
- 4) support biodiversity protection because it is the ethically right thing to do.

Thanks,

Ruston Slager  
4505 Aragon Dr. #A  
Carpinteria Ca. 93013

**Subject:** Support the expansion of CINMS into Federal waters

**From:** Frank Spada <frank.spada@opl.ucsb.edu>

**Date:** Wed, 27 Sep 2006 10:46:44 -0700

**To:** cinmsreserves.deis@noaa.gov

RE: Channel Islands Marine Reserves

Date: September 27, 2006

From: Frank Spada, Santa Barbara Surfrider member

I fully support the expansion of the Channel Islands Marine Reserves into federal waters, which are controlled by the National Marine Sanctuary. There is abundant evidence and research showing that protecting productive areas of the ocean increases the overall productivity of the ocean. This is beneficial to the overall ocean environment, biodiversity within the ocean, and in turn, beneficial to the fishing industry and the people of this planet.

"We know that in marine reserves -- where removing or harming living things is forbidden -- mother nature's vast productivity explodes in the absence of fishing. Released from the pressure of heavy, industrial fishing, ocean life becomes much more abundant, more diverse and much larger. Larger fish and other critters produce vastly more offspring, making the entire food web richer, more stable and resilient, and able to sustain healthier populations of marine mammals, seabirds and large predators. It's very basic ecology, but setting aside ocean areas in protection is an absolutely revolutionary idea among those who control ocean use and conservation. This revolution is happening right now, and our Channel Islands are in the forefront." (CINMS Action Alert)

Thank you,  
Frank Spada

-----  
Frank W. Spada  
[frank.spada@opl.ucsb.edu](mailto:frank.spada@opl.ucsb.edu)  
Phone: (805) 681-8208  
Fax: (805) 967-5704

L-15-

October 04, 2006

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings,

California adopted its portion of a network of marine protected areas for the Islands in 2002. The Channel Islands National Marine Sanctuary should now finish that network and extend protection out to six nautical miles from the Islands' shores. We support option 1a, which would provide continuous protection for marine life within the sanctuary.

It is time for the sanctuary to live up to its name by providing a safe haven for ocean wildlife. Please move quickly to expand these important marine protected areas.

Thank you from two concerned citizens.

Sincerely,

Elizabeth And Robert B. Stone, M.D.  
PO Box 3237  
Yountville, CA 94599-3237  
USA

**Subject:** Channel Islands  
**From:** Shane.Stopnitzky@sce.com  
**Date:** Tue, 10 Oct 2006 17:24:56 -0700  
**To:** cinmsreserves.deis@noaa.gov

Dear Mr. Hastings,

I have come to expect great things from NOAA, and as a marine scientist and avid diver who has witnessed the decline in health of our coastal areas, I hope you will look to expand and defend the Channel Islands as a sanctuary. Our troubled fisheries, erratically-shifting ecosystems and threatened species are relying on you, as well as the many people who then rely on them for economic, social and spiritual well-being. Let NOAA lead the way in providing MPAs that can show the rest of the world how effective this management strategy can be.

I urge sanctuary officials to adopt regulations that would create marine protected areas to complete the work started at the Channel Islands nearly seven years ago.

California adopted its portion of a network of marine protected areas for the islands in 2002. The Channel Islands National Marine Sanctuary should now finish that network and extend protection out to six nautical miles from the islands' shores. I support option 1a, which would provide continuous protection for marine life within the sanctuary.

With very best wishes,  
Shanee

Shanee Stopnitzky  
Southern California Edison  
Environment, Health & Safety  
Planning & Strategies

2244 Walnut Grove Ave  
Rosemead CA 91770  
626.302.4862  
PAX 24862

**Subject:** DEIS CINMS SAC

**From:** Frank Sullivan <frank.sullivan@adelphia.net>

**Date:** Mon, 25 Sep 2006 10:18:13 -0700

**To:** Sean.Hastings@noaa.gov

We support the "No action" alternative of this DEIS. We will wait for, the Pacific Fishery Management Council to provide a solution under authority of the Magnuson Steven Act. That solution appears to coming soon enough. We ask the Sanctuary Advisory Council to please support our position by advising the Sanctuary to work through the PFMC to accomplish fishery management goals.

**Frank Sullivan**

**Anglers Chair& Director**

**Channel Islands Yacht Club**

October 4, 2006

Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Dear Mr. Hastings:

I am writing you concerning the Draft Environmental Impact Statement on the marine reserve area surrounding the Channel Islands National Marine Sanctuary. I am in favor of the proposed regulatory changes that would protect marine habitats, sensitive species and increase the area in which extraction and injury of marine species would be prohibited.

Since it's inception in 1980 the NOAA's Channel Island National Marine Sanctuary has as it's aim the protection of marine resources surrounding the Channel Islands. Through it's work in 2002, 2003 and 2005 there have been efforts made to protect the seafloor and ground fish; the adoption of the proposed regulations will complete the marine zoning network necessary to protect and conserve not only the overfished rockfish but endangered seabirds and marine mammals.

I applaud the efforts made by, and cooperation between, Channel Islands National Marine Sanctuary Advisory Council, Pacific Fishery Management Council, state and federal agencies to produce the environment impact statement. Also to be noted are your efforts to reduce paper production and waste by offering the report as downloadable or on CD.

In the 1970's through 1980's I lived in Ventura County and know how valuable the Channel Islands are to the State of California, thank you for your attention to the preservation and conservation of these unique areas.

Sincerely,



Deborah Sullivan  
11055 Elderwood Lane  
San Diego, California 92131

dsncahome@yahoo.com

**DEPARTMENT OF BOATING AND WATERWAYS**

2000 EVERGREEN STREET, SUITE 100  
SACRAMENTO, CA 95815-3888  
Tele: (916) 263-4326  
(916) 263-0648  
[dbw.ca.gov](http://dbw.ca.gov)



L-14

September 27, 2006

Rodney F. Weiher, PhD, NOAA NEPA Coordinator  
NOAA/PPL, SSMC3, Room 15603  
1315 East-West Highway  
Silver Spring, MD 20910

Dear Dr. Weiher:

Thank you for the opportunity to comment on the "Draft EIS for the Consideration of Marine Reserves and Marine Conservation Areas."

The Department of Boating and Waterways supports the efforts of NOAA to maintain a rich and diverse range of marine life and habitats, unique and productive oceanographic processes and ecosystems. However, we are concerned that any alternative that greatly expands the marine protected areas could have a long term negative impact on coastal communities.

We have reviewed the proposed alternatives and would like to express our concerns for Alternative 2, which would allow for the expansion of federal marine protected areas.

The Department provides loans to cities, counties, and districts for the construction and improvement of small craft harbors. If federal marine protected areas are significantly expanded, there could be a negative financial impact to coastal communities, recreational and commercial boating, and specifically, the ability of a local agency to repay existing department loans.

Consequently, NOAA should carefully consider the economic and financial impacts caused by any proposed fishery restrictions.

Thank you for the opportunity to offer our comments.

Sincerely,

A handwritten signature in black ink that reads "Raynor Tsuneyoshi".

Raynor Tsuneyoshi  
Director



October 1, 2006

Channel Islands National Marine Sanctuary  
 Resource Protection Coordinator  
 Attn: Chris Mobley  
 113 Harbor Way, Suite 150  
 Santa Barbara, CA 93109

Subject: Draft EIS for the Channel Islands National Marine Sanctuary

Dear Mr. Mobley,

I have been in the seafood business as a processor since 1974, as a market retailer since 1976, and as a restaurateur since 1982. In the 1970's I sat on the Abalone Advisory Committee to the California Department of Fish and Game (DFG). I helped write the resource management language (regarding size restrictions) for the California angel shark fishery, which was subsequently enacted in the DFG Code. I was a founding member of the California Seafood Council and served as a board member for its duration.

With the above-mentioned background, I oppose the DEIS and the proposed expansion to the Channel Islands National Marine Sanctuary (CINMS) for the reasons explained below. I ask that the CINMS remain intact with its current boundaries and restrictions.

First, let me address the issue of non-consumptive recreational users. Throughout the DEIS there are numerous references to increased non-consumptive recreational opportunities if the CINMS is enlarged. This is a false assumption which overlooks two things: first, that most of these recreational activities existed before the CINMS was put into place; and, second, and equally as important, these recreational activities occur near shore. Skin and scuba divers, kayakers, other water sport enthusiasts, and naturalists have long enjoyed the use of the Channel Islands for their sporting pleasure. There is no quantitative evidence to show that these activities increased with the original implementation of the CINMS, nor is there evidence in the DEIS to suggest that these activities would increase if the CINMS was expanded. In addition, skin & scuba divers typically dive in 20 to 60 feet of water. Likewise, kayakers row from within a few yards offshore to approximately 100 yards offshore depending on wind and ocean swells. Expanding the CINMS boundary from 3 miles to 6 miles offshore would allow neither more divers nor kayakers to enjoy the CINMS. Divers will not dive more than 3 miles offshore, the water is too deep; and kayakers will not row more than 3 miles offshore, as this would put them in the open ocean. Therefore, the assumption that an expanded CINMS would

draw more non-consumptive recreational users is inherently flawed, since to participate in these activities in waters more than 3 miles offshore would in fact be dangerous.

Secondly, the DEIS only minimally addresses the effect on production relative to seafood consumers. Seafood consumption in the United States rose to an annual amount of 16.6 pounds per capita in 2004, per National Marine Fisheries Service and coastal residents consume more than the national average. Reducing the viability of domestic commercial seafood production while the demand for seafood is increasing, promotes what is called the "not in my backyard" syndrome. As a seafood server, my livelihood relies on providing seafood for the consumers in my community. Without being able to buy local product, I am instead forced to import seafood. Unfortunately, most of the countries which can supply the US demand for wild-caught seafood do not adhere to resource management rules in effect in this country. The best example of this is the demise of the California tuna industry. The California vessels used an escape port (called the Magnussen Door) in their nets to allow porpoises to escape. Porpoise mortality was reported to be down to 5% when increased regulations and costs forced these vessels to re-flag to foreign nations. When the vessels did so, they were no longer required to use nets with the Magussen door (which also allowed some tuna to escape), and hence the by-catch of porpoises continues unchecked. Another example directly related to our community and my restaurant is the angel shark. We import thousands of pounds of angel shark from South America, and specify minimum size requirements (as would be required by DFG in California) in order to receive only adult fish for our contract. The smaller and immature fish are separated from our order and consumed in Brazil and Mexico. We know our suppliers process fish much smaller than DFG requires, as we have erroneously received smaller fillets than were ordered. The practice of consuming immature fish (unchecked by resource management requirements as would apply in the US) will eventually eliminate the fishery, as the fish is caught before it reproduces.

A third problem not addressed in the DEIS is the loss of area specific to the lobster fishery. We know, and fishery biologists will concur, that the existing lobster grounds produce about the same number of lobster each year, major weather interruptions notwithstanding. Reducing the catch area will result in increased fishery pressure on the remaining areas outside the enlarged CINMS. If the number of lobster fishermen remains constant in a reduced area, then each fisherman will catch less and ultimately the lobster business will become financially unviable. This can result in two unacceptable scenarios: one, the keeping of short lobsters in an effort to increase revenues, which would ultimately kill the fishery; and two, the increased danger to the smaller or less-experienced operator who elects to go all the way to San Nicholas Island (outside the CINMS) which is some 60 miles away from Ventura. Sixty miles of open ocean is far more dangerous to the inexperienced operator than fishing around the Channel Islands National Park where there are leeward inlets and only 15 miles to Ventura to provide safety from storms that come up quickly.

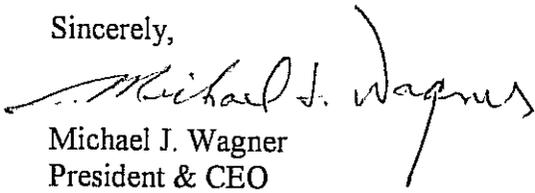
I have two final thoughts that can be verified in discussion with marine biologists. There are many existing reserves up and down our California Coast; so many in fact, that good research is impossible to achieve because we don't have enough biologists for the area available for study. Additionally, extending reserves offshore to 6 miles will do nothing to improve future studies, as the waters in the expanded area (outside 3 miles) is so deep that observational or

counting studies would be too costly (i.e., would require a submarine) to accomplish, with the exception of a plankton tow.

As I have outlined, the assumptions and justifications for expansion described in the DEIS are flawed. The recreational uses of the Channel Islands National Park will not be improved, existing DFG resource management rules are already in place to protect most of our consumable seafood, and the reduced commercial viability would greatly affect the supply of our public's demand and could endanger our fishermen trying to meet that demand. For these reasons, I believe that the DEIS does not present a compelling argument in favor of an increased CINMS and that the existing CINMS should remain as is.

Thank you for allowing time for my written comments.

Sincerely,



Michael J. Wagner  
President & CEO  
Andria's Seafood Specialties

CC:

Vice Admiral Conrad C. Lautenbacher, Jr (USN-Ret)  
Under Secretary of Commerce for Oceans &  
Atmosphere  
USEC EXEC Route A  
U.S. Department of Commerce Building, Room 5128  
14<sup>th</sup> and Constitution Avenue NW  
Washington, DC 20230-0001

Daniel J. Basta  
National Ocean Service  
Office of National Marine Sanctuaries  
SSMC4, 11th Floor  
1305 East-West Highway  
Silver Spring, Maryland 20910

Chris Mobley, Manager  
Channel Islands National Marine Sanctuary  
113 Harbor Way #154  
Santa Barbara, CA 93101

Dr. Rod McInnis, Regional Administrator  
NOAA Fisheries, Southwest Region  
501 W. Ocean Boulevard, Suite 4200  
Long Beach, CA 90802-4213

Mark Helvey, Assistant Regional Administrator  
NOAA Fisheries, Southwest Region  
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Cindy Thompson, Chair  
PFMC SSC  
NOAA Fisheries Southwest Science Center  
111 Schaffer Road  
Santa Cruz, CA 95060

Congresswoman Lois Capps  
1216 State Street, Suite 403  
Santa Barbara, CA 93101

Congressman Elton Gallegly  
1424 Madera Road  
Simi Valley, CA 93065

E-07

**Subject:** RAP comments on Marine Reserves DEIS  
**From:** Robert Warner <warner@lifesci.ucsb.edu>  
**Date:** Fri, 15 Sep 2006 09:32:37 -0400  
**To:** "danielle.lipski" <Danielle.Lipski@noaa.gov>, Michael.Murray@noaa.gov,  
Sean.Hastings@noaa.gov, Chris.Mobley@noaa.gov  
**CC:** warner@lifesci.ucsb.edu, brumba@amnh.org

Dear CINMS staff,

Attached are brief RAP comments on the DEIS. If you need greater detail, or specific comments on particular sections, please let me know.

Minor details:

I did not include comments on typos, omissions, etc., but there are several. Notably, Many of the references cited on pp 5-6 are not in the references section, and Jackson et al., 2001, does not specifically address changes in the SCB as implied in the document. That particular citation is rife with typos, as are many of the citations in the reference section.

While the list of criteria in Table 1 were developed by the MRWG SAP, the actual criteria applied and the justification given for criteria 5 and 6 come from the MLPA process SAT. This should be made clear at the outset, rather than in a footnote. In the end, this makes little difference, because the size and spacing are set mostly by the existing reserves, as we note.

I hope this helps. Thanks for all the work.

Bob

\*\*\*\*\*

Robert Warner  
Dept. Ecology, Evolution, and Marine Biology  
University of California, Santa Barbara  
Santa Barbara, CA 93106 USA  
Voice: 805 8932941  
Fax: 805 8934724

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**Research Activities Panel**  
**A Working Group of the Channel Islands National Marine Sanctuary Advisory Council**

**Comments on the Channel Islands National Marine Sanctuary's Draft Environmental Impact Statement (DEIS) for the Consideration of Marine Reserves and Marine Conservation Areas**

**September 14, 2006**

Compiled by Robert Warner (RAP Chair) from comments solicited from RAP members in August-September, 2006.

In general, the RAP is supportive of the DEIS, and appreciates the effort that has gone into the production of the document.

### **Section 2.0 Purpose and Need**

The RAP notes that the six stated goals for the proposed action differ in some respects from those stated for the establishment of the State portion of the Marine Reserve network; the present goals lack any mention of sustainable fisheries, or the role that marine reserves might play in fisheries management. We are aware of the reasons for this, and will evaluate the DEIS based on the present goals. However, we reaffirm the need of the CINMS to be an active participant in management decisions regarding resources within the Sanctuary.

The present proposal cannot be viewed in a vacuum. To us, the most important aspect of the present proposal is the chance to complete a network of marine reserves within the CINMS, as originally envisioned by the Marine Reserves Working Group, the CINMS staff and SAC, and the California Department of Fish and Game. The political boundaries that forced this vision into two processes make no biological sense, but instead led to the creation in 2003 of a network of reserves that only protect nearshore habitats. The fact that many species utilize adjacent offshore habitats for part of their life cycles places special emphasis on completing plans for their full protection by extending the reserves into Federal waters, as originally envisioned. For this reason, the RAP does not support the no-action alternative.

### **Section 3.0 Alternatives**

Given the recent NMFS rulings prohibiting bottom contact gear in areas corresponding to Alternatives 1 and 2, there is a compelling need for the CINMS to adopt NMSA area-based regulations that overlap with the NMFS rules (as in Alternatives 1 and 2).

The RAP concurs with the DEIS in their analysis of the potential effect of allowing limited (pelagic finfish) take in certain of the proposed reserves by declaring them Marine Conservation Areas rather than Marine Reserves. Given the potential ecological coupling between pelagic fishes and their (sometimes) benthic prey, and given that some important pelagic aggregation sites appear to exist within the proposed zones, it is advisable to limit pelagic take. We also note that enforcement of a reserve that is partially limited take and partially no-take is problematic.

E-07

The RAP supports the adoption of Alternative 2 (chosen because it affords the greatest amount of ecosystem protection). Alternative 1a (chosen over 1b or 1c because of the ease of managing areas with overlaying rules, as opposed to managing two abutting areas with different rules) may also be acceptable. As noted in the comparison of the alternatives, both Alternatives 1 and 2 provide substantial protection for the deeper water habitats that are not currently under protection in the State reserves, and both provide these habitats in areas adjacent to areas currently under protection. However, Alternative 2 provides substantially more protection and habitat representation, especially in the ecologically rich Oregonian biogeographic region, and is therefore more congruent with the stated goals of the proposal. Given that the socioeconomic cost/benefit analysis indicates very little difference in the impact of these two alternatives, it is difficult to comprehend why Alternative 1a is the NMSP's preferred alternative. Some justification for this preference should be provided.

The RAP generally concurs with the criteria outlined in Table 1, as developed by the Science Advisory Panel for the MRWG process and the Science Advisory Team for the MLPA process. Criterion 5, size of marine reserves based on species home range sizes, and criterion 6, spacing between reserves based on larval dispersal, are less well supported than criteria based on habitat and species representation. However, the size and spacing of the reserves in this proposal are determined principally by the location and size of existing State reserves and the CINMS boundary. We note that the combined State and Federal portions of the reserve network will go much further in fulfilling the overall criteria than did the State portion alone.

#### **Section 4.0 Affected Environment**

The RAP found the description of the ecological environment adequate; it had no comment on the socioeconomic environment.

#### **Section 5.0 Environmental Impacts**

The RAP found the description of the general ecological effects of reserve establishment quite well done, and noted that some species will be expected to decline in reserves. The predicted biological responses (impacts) of reserve establishment were reasonable, even cautious. However, we point out that fishing pressure is not great at present in the proposed reserve areas. Just as this indicates that the economic impact of reserve establishment will be minimal, equally it suggests that ecological response to protection will likely be less than that predicted for protection of more heavily fished areas in State reserves.

L-44

October 8, 2006

Mr. Sean Hastings  
Resource Protection Coordinator  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Re: CINMS – Proposed marine reserves

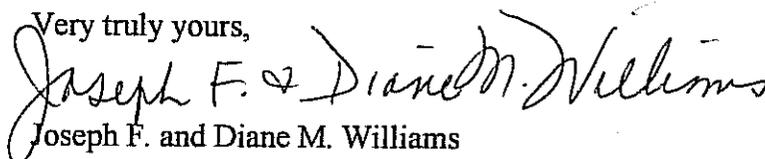
Dear Sir:

We urge you, in your capacity as coordinator, to move quickly to expand these important marine protected areas. This would complete the work already started in the Channel Islands about seven years ago. As you know, these waters are home to numerous endangered birds, fish and mammals.

We know the area is a treasure and understand that it has been designated as a United National Biosphere Reserve – a really important and special designation. We understand that although the area was created in 1980, it has not offered much protection for whales, fish and birds that live there. We don't understand why this would be the case.

We understand there are several options being proposed, and that option 1a would best provide this crucial protection. We look to you to "do the right thing," and make it happen! Thank you.

Very truly yours,



Joseph F. and Diane M. Williams  
3880 Stikes Drive, S.E.  
Lacey, WA 98503



NATURAL RESOURCES DEFENSE COUNCIL

October 10, 2006

Mr. Sean Hastings  
Channel Islands National Marine Sanctuary  
113 Harbor Way, Suite 150  
Santa Barbara, CA 93109

Dear Mr. Hastings,

On behalf of the Natural Resources Defense Council (NRDC) and our more than 650,000 members, we ask NOAA to move quickly and adopt regulations under the National Marine Sanctuary Program to complete the network of marine protected areas (MPAs) at the Channel Islands. We support the changes to the CINMS Designation Document proposed on August 11, 2006 (155 FR 46134) and regulatory package 1a, as described in the DEIS.

We appreciate the dedicated work of NOAA staff in developing the DEIS and the proposed rule, however, we are greatly concerned about the impacts of the lengthy delay in establishing MPAs in federal waters. Development of the CINMS network started more than seven years ago, and the California Fish and Game Commission adopted the state portion of the network in 2002. The MPAs in the network are tailored to the ecology of the region, designed to stretch across depths and habitats to protect the unique natural resources of the area. Leaving the network half-finished compromises the ability of the MPAs to meet their objective. Initially the state had discussed evaluating the reserves five years after their designation; under the current schedule, the network will only just be complete five years after the state's decision and such evaluation would be premature.

Section 922.73 of the proposed rule states: "Unless prohibited by 50 CFR part 660 (Fisheries off West Coast States) as of [effective date of final rule], the following activities are prohibited..." We understand that this is intended to prevent duplication between regulations promulgated under the Magnuson-Stevens Act and those under the Sanctuary Act. However, as written it is not clear if the "effective date of final rule" refers to date of adoption for *this* proposed rule, or for any future rules adopted for "Fisheries off West Coast States." If the intent is to allow constant updating of the Sanctuary regulations to reflect changing MSA regulations, it is not clear to us why NOAA would want to create such an onerous and unpredictable regulatory regime. If

the rule referred to is this CINMS rule, it would freeze MSA prohibitions as they stand on the date of final rulemaking.

As we have stated in our comments to the Pacific Fishery Management Council, we do not believe the Council has the authority to create fully no-take areas through amendments to its current fishery management plans. In his October 19, 2005 letter to the Council, the Under Secretary of Commerce for Oceans and Atmosphere, Admiral Conrad Lautenbacher, makes a similar point, stating that:

“With respect to regulation of fishing throughout the remainder of the water column, however, there is an insufficient factual and scientific basis to support pursuit of this aspect of the Council’s proposal under the MSA.”

The Council prohibited bottom-contact gear within the Channel Islands MPA network as part of its groundfish essential fish habitat process (50 CFR 660.395). The Admiral’s letter invited the Council to propose additional regulations under section 304(a)5 of the Sanctuary Act and the Council chose not to do so, despite numerous discussions of this topic at Council meetings.

Considering the more comprehensive resource protection mandate provided by the Sanctuary Act, we believe the Sanctuary Act is the proper authority under which to proceed in the Channel Islands. If NOAA wishes to emphasize the province of the Council over groundfish and bottom-contact gear, the agency could do so by citing the effective date of this proposed rule in Section 922.73, which would encompass the essential fish habitat closures currently in place. We support comprehensive protection from the water surface to the seafloor under the Sanctuary Act rather than a patchwork of federal regulations, particularly when the network already requires coordination across state and federal jurisdictions. Joint management of the Channel Islands MPAs by NOAA and the State of California—including joint enforcement—is essential and we encourage NOAA to continue to work with the state to develop a management agreement to help that partnership work smoothly.

NRDC was an active participant in the years of scientific evaluation and community discussion that created the network in option 1a. It is time to make that network whole. The wildlife and underwater wilderness of the Channel Islands deserve real protection. We ask NOAA to adopt the proposed rule as soon as possible.

Thank you for considering our comments.

Sincerely,



Kate Wing  
NRDC

**Subject:** Fw: Delivery Status Notification (Failure)  
**From:** NORMANL YISKIS <nlyiskis@msn.com>  
**Date:** Sat, 12 Aug 2006 15:02:13 -0700  
**To:** cinmsreserves.deis@noaa.gov

I obviously misspelled address first time around: I am fully in favor of protecting the Channel Islands, even more so than reported this morning in the article in the Santa Barbara News Press.

nrmy

----- Original Message -----

**From:** postmaster@mail.hotmail.com  
**To:** nlyiskis@msn.com  
**Sent:** Saturday, August 12, 2006 12:46 PM  
**Subject:** Delivery Status Notification (Failure)

This is an automatically generated Delivery Status Notification.

Delivery to the following recipients failed.

cinmsreserves.deis@noaa.vov

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**Subject:** Santa Barbara Channel Island Reerves, etc.  
**From:** "NORMANL YISKIS" <nlyiskis@msn.com>  
**Date:** Sat, 12 Aug 2006 12:46:12 -0700  
**To:** <cinmsreserves.deis@noaa.vov>

I read the article on your current activities in today's Santa Barbara News Press, and in full agreement with your efforts and actions at a minimum.

nrmy

<b>ATT00207.dat</b>	<b>Content-Type:</b> application/octet-stream <b>Content-Encoding:</b> 7bit
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<b>Santa Barbara Channel Island Reerves, etc..email</b>	<b>Content-Type:</b> message/rfc822 <b>Content-Encoding:</b> 7bit
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MARINE CONSERVATION  
BIOLOGY INSTITUTE

L-50

October 6, 2006

Chris Mobley  
Superintendent Channel Islands National Marine Sanctuary  
NOAA National Marine Sanctuary Program  
113 Harbor Way, Suite 150  
Santa Barbara, California 93109

Dear Mr. Mobley,

This letter constitutes the Marine Conservation Biology Institute's (MCBI) comments on the Draft Environmental Impact Statement for Consideration of Marine Reserves and Marine Conservation Areas in the Channel Islands National Marine Sanctuary.<sup>1</sup>

The Channel Islands National Marine Sanctuary (CINMS) encompasses a unique marine environment where a diverse range of marine life, habitats and culturally significant resources can be found. As mandated by the National Marine Sanctuary Act (NMSA), this area must be managed with "comprehensive and coordinated conservation and management" in order to maintain, protect, and where appropriate, restore natural habitats, populations and ecological processes.<sup>2</sup> MCBI applauds the initiative taken by the State of California in 2002 to meet this mandate by designating no-take reserves in state waters within the CINMS. MCBI encourages the implementation of a complimentary network of no-take marine reserves in Federal waters as well.

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<sup>1</sup> 71 Fed. Reg. 46,134 (Aug. 11, 2006).

<sup>2</sup> National Marine Sanctuary Act (NMSA), 16 U.S.C. §1431 (2000).

To carry out the NMSA mandates, it is clear that NOAA must implement no-take zones of substantial size in federal waters. It seems clear that Alternative 2, which includes the largest amount of reserves areas of any Alternative, best meets the ecological criteria listed in the DEIS. We believe that Alternative 2 would provide the greatest protection and conservation of the marine habitat in the CINMS. Throughout the DEIS, Alternative 2 trumps Alternative 1 when ecological criteria are compared. For example, Alternative 2 offers an increase in biogeographic representation, habitat representation, and greater habitat replication. While Alternative 2 has significant ecological benefits over Alternative 1, the socioeconomic consequences of Alternative 1 and 2 are similar. It is not clear in the DEIS why Alternative 2 is not the preferred alternative. MCBI recommends that NOAA clearly state why Alternative 2 is not the preferred alternative.

AH 2

We recognize the importance of the collaborative effort that took place in the drafting of Alternative 1's boundaries. Alternative 1 has gone through an extensive public review process that began in 2001, and involved numerous State and Federal agencies, as well as the public. The marine reserves and marine conservation areas that are proposed in Alternative 1 offer no surprises to state or federal officials, or the public, as they have been aware of these areas being proposed as marine reserves for the past six years. We are confident that through this process NOAA has taken into consideration various viewpoints.

In order to have effective management of the federal and state reserves, MCBI believes that the boundaries of the proposed federal marine zones should completely overlap with the existing State marine zone boundaries as recommended in Alternatives 1a and 2. Both Alternatives would ensure that State and Federal resources are efficiently combined to offer the greatest protection to species and habitats found in the CINMS. This combined effort is superior to a scheme that would maintain separate Federal and State management resources, as would be the case under Alternative 1b and 1c.

copy

One of the purposes of the NMSA is “to provide authority for comprehensive and coordinated conservation and management of these marine areas, and activities affecting them, in a manner which complements existing regulatory authorities.”<sup>3</sup> The NMSA regulations should apply to not only the Federal reserves, but to the State reserves as well. Alternative 1a and Alternative 2 ensure that this occurs. The application of the NMSA to both State and Federal reserves would provide comprehensive and coordinated conservation and management of these areas in a manner that complements other legal authorities. The application of NMSA to manage these areas would ensure that the State and Federal reserves would be managed as a holistic ecosystem, with all living and nonliving elements being taken into consideration. It is of vital importance that the management of the CINMS is not done through a single-species management regime. A single species management regime would not fulfill the goals of the DEIS, nor would it lead to maximum protection of the marine reserves.

The application of the NMSA to the state reserves would afford other benefits as well, such as greater enforcement capabilities. If NMSA regulations apply to state reserves, NOAA would be authorized to issue civil penalties to violators, whereas currently only state criminal penalties can be issued to violators in the state reserves. Civil penalties are preferable to criminal penalties as an enforcement tool because the burden of proving a civil violation is less stringent than the burden of proving a criminal violation. An advantage of having civil penalties available would be that enforcement officials would more likely be successful in ensuring that violators face some penalty for wrongdoing if a criminal conviction was unlikely to be obtained. The consistent issuance of civil penalties to violators would also act as a deterrent to potential violators more effectively than the issuance of sporadic criminal penalties.

In the DEIS, it is not clear why NOAA does not support Alternative 2 over Alternative 1a. MCBI recommends that NOAA’s preference for Alternative 1a be better justified. MCBI

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<sup>3</sup> *Id.*

urges the State and NOAA to move forward with this phase of the joint federal/state reserves process in a timely manner.

Sincerely,

Stephanie Young  
Ocean Policy Analyst

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CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

DRAFT ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARING

TUESDAY, SEPTEMBER 26, 2006

SHERATON FOUR POINTS HOTEL

VENTURA, CALIFORNIA

STAFF PRESENT:

CHRIS MOBLEY, SUPERINTENDENT

MATT BROOKHART, REGIONAL POLICY COORDINATOR

SEAN HASTINGS

JOHN ARMOR

INVOICE NO.: 10625-06

REPORTED BY: SUSAN E. LANSING, C.S.R. #6355

1           MR. MOBLEY: So, first person will be Robert  
2 Rhoads. When you come up, please say your name, and if  
3 you are associated with an organization, give us the  
4 organization you're associated with.

5           So, it will be Robert Rhoads. Looks like he's  
6 a sea urchin and cucumber diver. And after him will be  
7 Michael Wagner. So, Robert Rhoads.

8           ROBERT RHOADS: Obviously I'm Robert Rhoads.  
9 Thank you for the opportunity to be able to share with  
10 you our opinions. Obviously I don't want to end  
11 closures. We are commercial divers, have been fishermen  
12 for the last -- diving for the last 32 years for sea  
13 urchins and sea cucumbers. It is my issue that I can  
14 only speak for.

15           We have visual where we are under water, we see  
16 what's going on. Fifteen, 18 years ago we put  
17 regulations upon ourselves, size limits, closures, you  
18 know, day closures, and if you remember the early '70s  
19 they were giving free air to kill sea urchins which has  
20 become a very marketable product.

21           Through the closures that were put on  
22 previously, it was devastating to at least my fishery,  
23 one that's visualizing and seeing. And I know they're  
24 doing the best they can, however, they don't really do  
25 much with the fisherman. I know that you folks do not

1 spend the time under water as we do 120 to 180 days of  
2 the year. I realize these closures don't affect us  
3 quite as much, but the ones previous have been  
4 devastating to the very minimal amount of us that are  
5 left.

6 At one time there were 1,200 divers, now  
7 there's approximately 300. I would say I believe it's  
8 90 primarily active divers. We don't have the  
9 connection with you folks per se, and I know that you  
10 folks do not spend the time under water as we do. And,  
11 you know, we made closures on ourselves to protect our  
12 industry years and years ago. Our industry is  
13 flourishing except for in the warm water our kelp dies.

14 I can talk about warm water, I can talk about  
15 pollution, those are just my opinions. Facts are facts.  
16 El Nino warm water, our kelp dies so our production goes  
17 down. There's less divers, our production goes down.  
18 But we have a very very good industry. The only way you  
19 can see that is by, say this summer, the El Nino down  
20 south, urchins coming up on the beach because the water  
21 is so warm there's an abundance of sea urchins.

22 The closures that are in effect now, we trim  
23 our industry back and keep the kelp beds flourishing.  
24 If you let urchins run over these areas, your kelp is  
25 going to be eaten anyways. You know, its economically

1 for not just the fishermen but for our processors, our  
2 truck drivers, our, you know, the airlines, the  
3 shipping. It's vast. And as it's been taken away from  
4 us from the first closures, I mean, this is just getting  
5 worse.

6 And we don't have a personal contact with you  
7 folks. My personal opinion is if, you know, you folks  
8 would be in more contact with the people that are  
9 actually under water visualizing instead of people that  
10 are not -- you know, I'm not condescending the work that  
11 you are doing. I believe in what you are doing and the  
12 causes are good, but there is no way that you folks see  
13 what we see under water. You just don't spend the time.  
14 And like I said, I don't want to be condescending in any  
15 way, I'm just very concerned about my industry.

16 We put the regulations on ourselves years ago  
17 and it's worked, and now they want more closures and  
18 it's scary. Like I say, there's no condescending, I'm  
19 very proud of what you are doing for our community and  
20 for our water and our children and myself, which are the  
21 environmentalists.

22 So, thank you very much for your time.

23 MR. MOBLEY: Thank you. So, next is Michael J.  
24 Wagner and following Mike will be Dan Fink.

25 MICHAEL WAGNER: My name is Michael Wagner, a

1 local Ventura resident, and I own a seafood restaurant  
2 in this community, in this harbor, for the last, it will  
3 be my 25th year. And I've been in the fish business  
4 since 1974 buying from commercial operations offshore.  
5 I am against any additions to the reserves. You take  
6 the No Action Plan. It's going to affect the commercial  
7 fishing in this area in which the harbor and the area is  
8 depending on. There's an infrastructure that goes away  
9 when you take away commercial fishing.

10 Another problem with the EIS is that it does  
11 not address public consumption of seafood. Now, seafood  
12 consumption in this country has been going up every  
13 year. Currently, I believe this last year the data  
14 shows that we are at 16.3 pounds per capita. Coastal  
15 communities are far larger than that. The EIS does not  
16 address this. And what happens is, guys like me that  
17 have known that you people, my customers, want seafood,  
18 we import. It's the (inaudible) syndrome not in my  
19 backyard and that's what's happening.

20 I would hazard a guess right now that my  
21 restaurant here, which is a large seafood concern in  
22 this community, I am probably 85 percent import right  
23 now. There are two products that I am dependent on in  
24 this area, both of them are mentioned in your EIS,  
25 halibut and lobster fishery. I am losing California

1 halibut fishermen from this harbor who are migrating to  
2 Oregon and Washington because they cannot make a living  
3 because of the current closures and you're adding more.

4           The second problem is the seal probation and I  
5 realize that's not on this bailiwick but it's a major  
6 problem to my halibut. Now, I can simply state the  
7 problem to the lobster fishery, you're going to allow  
8 commercial fishing of lobster in one area. Well, simply  
9 stated, if you have ten lobster fishermen in a  
10 ten-square-mile area, you are now going to have ten  
11 lobster fishermen in a five-mile area and they are all  
12 going to go broke. They will try to survive as long as  
13 they can.

14           And/or, there's one island left out there that  
15 is 60 miles one way from here and it takes a real  
16 operator and good equipment to get there and that's  
17 Nicholas. And this is not an operation for the average  
18 commercial guy that's not experienced. So, there's  
19 going to be a danger element of these guys trying to  
20 survive making the living that they have.

21           The second problem to me then is, is that I  
22 don't supply names. I am a California product  
23 restaurant. If you want (inaudible), we'll order them  
24 for you. But we supply Pacific spiny lobster. So, when  
25 you take my guys away, you take away the infrastructure

1 in the harbor that supports these guys with the  
2 boatyards and the fuel docks, I'm going to import more  
3 from Mexico. It's the same thing I'm having to do about  
4 California halibut. I do not serve Alaskan, I think  
5 it's second best to California. But the seals are  
6 killing me and the closures are killing me. The guys  
7 can't supply and we are importing about 50 percent of  
8 our halibut through Ensenada.

9 Now, one final point and that is, that recently  
10 there is a study going on that's being issued right now  
11 through the Marine Center at UCSB, that has to do with a  
12 lobster study, which hasn't been done in years. And I  
13 apologize for not remembering the girl's last name but  
14 her first name is Carla. And I asked her during this  
15 interview, because I'm buying lobster since 1974, I  
16 said, "Are there enough marine biologists to do all the  
17 study of all these reserves?" and she says, "No way."  
18 And you're adding more? Her guess is that you won't  
19 have enough marine biologists for 50 years to do all the  
20 wonderful study that you refer to in this EIS.

21 Thank you. I'll send you a written comment  
22 that's better done.

23 MR. MOBLEY: Thank you. Next is Dan Fink and  
24 following Dan will be Steve Clark.

25 DAN FINK: I'm Dan Fink with United Anglers of

1 Southern California. We're a recreational fishing  
2 group, conservation and fishing group, and I represent  
3 40,000 anglers throughout the southern California area  
4 via fishing clubs and other affiliations, okay.

5 First, I'd like to address this work that you  
6 guys have put out. You've had 12 years to work on it  
7 and it reflects it. It shows a lot of hard work. We  
8 have 60 days to respond. United Anglers has closer to  
9 30 days to respond with CINMS' inability to distribute  
10 it beyond its personal hand-picked peer groups. Having  
11 failed to copy the state's largest recreational fishing  
12 conservation group amazes me. We had to go out and come  
13 to you to get a copy. How we keep getting overlooked  
14 and oversighted, I do not know. Why we keep being  
15 excluded from the process overall, I don't know. Okay,  
16 that needs to come to an end. That's number one.

17 Your opening letter, unnumbered page number 1,  
18 your review you go on to say, "Regulations proposed  
19 under this rulemaking would be written in a manner so as  
20 to avoid unnecessary redundancy with regulations  
21 promulgated by NOAA under the Magnuson - Stevens  
22 Fishery Conservation & Management Act." The whole  
23 proposal is redundant. For recreational anglers within  
24 the State of California, since we're not allowed to fish  
25 anywhere south of Pt. Conception below 360 feet, all of

1 this immediately becomes redundant at that point right  
2 there. What are we doing here, okay. We are already  
3 shut out of the waters.

4 Sean, when you put up your little map here and  
5 your PowerPoint presentation and say, well, we flew our  
6 airplane once a week over these waters and counted boats  
7 out in that area, okay, we're not allowed to fish in  
8 those waters. That's why you didn't see any boats out  
9 there. We're not allowed to rockfish out there anyway.  
10 If we found Kelp Bass, Bonito or Yellow Tail we might  
11 stop, but for the most part there's no fish out there  
12 that we are allowed to fish right now.

13 All right, moving right along. You list marine  
14 reserves in marine conservation areas. You're proposing  
15 approximately 138 square nautical miles for marine  
16 reserves. That's no fishing, no take, no nothing.  
17 You're proposing, if I got it correctly, 1.7 nautical  
18 miles of conservation areas? And correct me if I'm  
19 wrong on those numbers. 1.7 compared to 138 nautical  
20 miles.

21 And then you go on in this same document to say  
22 that the reason for that is because you don't have the  
23 resources to enforce in marine conservation areas, you  
24 don't have the resources to cover it. And if you don't  
25 have the money, you can't finance that, so, you are just

1 going to punish us and close off all of it. Right? So,  
2 you're going to give us 1.7 nautical miles that we can  
3 fish versus 138 closed. That makes no sense, because  
4 you don't have the money, yet you claim you have the  
5 money to do various research projects, etc., etc. You  
6 better come up with the money to enforce the laws if you  
7 are going to close it all off.

8 My favorite in this book was Appendix G which  
9 lists habitat and species of interest. That's page 202  
10 and 203. And on page 33, on the second paragraph, it  
11 claims 119 species of interest. My count of species on  
12 page 202 and 203, I get 89. So, I don't know where the  
13 other 30 species are but they're missing. When I look  
14 at this list of 89 species, right off the top of my head  
15 I see a bunch of species I'm aware of that exist in the  
16 area that aren't on there. So, I mean, the Appendix G  
17 is screwy to begin with.

18 Of the 89 species listed as species of  
19 interest, 49 are Finfish, okay. The same paragraph on  
20 page 33 goes on to say, "The list excludes species that  
21 are at the edge of their range," yet it goes on to  
22 include all kinds of fishes that have never been  
23 abundant at Channel Islands, such as, Pacific ocean  
24 perch, dark blotch rockfish, widow rockfish, black  
25 rockfish, canary rockfish, yelloweye rockfish, Pacific

1 cod and Pacific herring. That's eight species that have  
2 never been caught.

3 There's recreational language out there  
4 whenever we encounter these; "Oh, geez, there's a unique  
5 one." That doesn't mean we haven't got them. We have.  
6 But they are unique. So, there's eight of the 49 that  
7 don't belong there. Excuse me, I'm working from notes  
8 because we've had such a short time to go through it.  
9 We'd love to have a year to go through this.

10 Appendix G via footnotes goes on to identify  
11 those species that are fished or -- it just says fished,  
12 yet fails to separate commercial harvesting from  
13 recreational angling.

14 MR. MOBLEY: Excuse me, Dan.

15 MR. FINK: Out of time?

16 MR. MOBLEY: Yeah. Maybe we can go the second  
17 round. Thank you.

18 MR. FINK: My pleasure.

19 MR. MOBLEY: Next is Steve Clark and after that  
20 will be Frank Sullivan.

21 STEVE CLARK: My name is Steve Clark and I'm a  
22 scuba diver diving in this area for about seven years.  
23 I've probably got 400 dives in the Channel Islands.  
24 I've also dove around the world in places like  
25 Indonesia, Papua, New Guinea and the Caribbean and have

1 to say that the underwater ecosystem that we have here  
2 is a match for any of those as far as just ah, beauty,  
3 enrichness and diversity. It's kind of like Yellowstone  
4 or Serengeti, it really is a fantastic underwater  
5 environment.

6 I'm in favor of Alternative 2. I feel that  
7 commercial exploitation of a place so wonderful, just  
8 beautiful environment, diminishes the value of the  
9 reserve for the rest of us. And I think there's a great  
10 need to have some purely wild areas out here that will  
11 stay that way and be protected for all time for our  
12 kids. And I can't say how many times I've been on a  
13 dive boat and had some old-timer act poetic about having  
14 been there 30 years ago and having seen so many more sea  
15 life than there is now.

16 I can also say from personal experience I have  
17 dove the east end of Anacapa Island which I think has  
18 been a no-take zone for 30 years. The difference in  
19 life there, just all-out lushness, is just startling  
20 different than what you see virtually anywhere else in  
21 the Channel Islands. There are lobsters walking around,  
22 the fish are big, they're everywhere you look, the kelp  
23 is healthy. It's as it should be. My feeling is that  
24 there should be designated areas as large as possible.  
25 My apologies to the commercial fishing industry. That

1 should be protected for all time just as Yellowstone,  
2 Yosemite and Denali are protected and hopefully for all  
3 time.

4 And one other thing. I also have one comment  
5 about the squid fishery. I understand it's off Santa  
6 Cruz Island. And I think when you take that much body  
7 mass out of a large area that maybe the entire food  
8 chain feeds off, I think it affects everything and I  
9 think it also diminishes the amount of (inaudible) that  
10 we have in the general area. So, that's it. That's my  
11 comments.

12 MR. MOBLEY: Thank you. Next is Frank Sullivan  
13 and after Frank will be Josh Kaye-Carr.

14 FRANK SULLIVAN: Thank you for your time, Mr.  
15 Mobley and Sanctuary members. My name is Frank  
16 Sullivan. I'm a director at Channel Islands Yacht Club,  
17 also Anglers Chair, founding member of Channel Islands  
18 Anglers and a member of our faith. I've been to several  
19 of these meetings from the beginning so I'm going to  
20 keep my statements real short.

21 Number one, as you may have guessed, my  
22 preference is for No Action Alternative. The Sanctuary,  
23 when it first came into being, in an original  
24 designation document, was being emphatically clear that  
25 the Sanctuary was not to engage in fisheries management.

1 They are not equipped for it and it's a duplication of  
2 other efforts. My understanding is that Pacific Fishers  
3 Management Council is looking into the same closures and  
4 are going to come up with some alternatives or even one  
5 of the ones that you have on the board. I think it's  
6 more appropriate for them to do it.

7 Specifically, if any of these closures come to  
8 fruition, I think they should be in the marine parks so  
9 that the water column above the ground fish area, above  
10 the 360 feet, could be fished for pelagics. There's no  
11 reason why not to. I really strongly object to the  
12 closure of the footprint. That's a very productive area  
13 for pelagic fishing and is also very good for shark and  
14 sometimes you'll even get marlin in there.

15 So, my statements are short. I think No Action  
16 Alternative is appropriate. Thank you.

17 MR. MOBLEY: Thank you. Next is Josh Kaye-Carr  
18 and after that is Greg Helms.

19 JOSH KAYE-CARR: Good evening. My name is Josh  
20 Kaye-Carr. I appreciate the opportunity to be able to  
21 address this forum this evening. In the interest of  
22 full disclosure, I feel obliged to say that I am a  
23 member of Channel Islands Naturalist Corps, but I come  
24 here tonight to speak for myself as a private citizen.  
25 My views should in no way be construed to represent

1 those of the Channel Islands National Marine Sanctuary  
2 or Channel Islands Nation Park or any other institute.  
3 They're strictly my own.

4 I'm here tonight to encourage adoption of  
5 Alternative 2. While I feel that the preferred  
6 alternative, Alternative 1a, is a giant step in the  
7 right direction, it's my belief that we need to  
8 implement the maximum level of protection in this  
9 instance. Let me tell you why.

10 I've been diving in these waters for over 40  
11 years and during that time I've seen a continuous and  
12 every-increasing decline in not only the number of  
13 individuals within a particular species, but in the  
14 number of species size as well. I must admit that at  
15 one time I was part of that decline. As the years  
16 progressed and the evidence mounted that this decline  
17 was a continuing trend, I hung up my spear gun and ab  
18 iron and picked up a camera.

19 Since then, much to my culinary chagrin, my  
20 credo has been take only pictures, leave only bubbles.  
21 Obviously my small contribution of conserving resources  
22 has insignificant impact on the overall picture, and in  
23 the ensuing years the ecosystem continued to show the  
24 effects of over-fishing, pollution, disease, habitat  
25 destruction and other native offense, both natural and

1 man-made. The trend continues and is continuing as we  
2 speak.

3 In my opinion the only logical response to this  
4 decline is to do everything within our power to protect  
5 the resources we have left and encourage the strongest  
6 type of rebound possible. This is why I support  
7 Alternative 2. Of all the alternatives offered,  
8 Alternative 2 provides the maximum amount of protection.  
9 This is what we need.

10 I understand the concerns of the consumptive  
11 stakeholders and agreeing that this alternative will  
12 have some socioeconomic impact. I also understand the  
13 concerns that both the recreational and commercial  
14 fishermen have for their livelihood and their desire to  
15 see this way of life passed down to their children and  
16 grandchildren. But it is my belief that if we continue  
17 to do business as usual, there will be nothing to pass  
18 down. No resource, no livelihood, no inheritance.

19 While I've read the Draft EIS, I don't need  
20 this document to tell me that marine conservation areas  
21 work and work well. Let me give you just one example.  
22 I spend a lot of time on and around the Channel Islands,  
23 whether reading island heights, participating in whale  
24 watch trips or diving. Much of my professional and  
25 recreational time is spent enjoying this extraordinary

1 resource.

2           When I see boats with poles in the water in  
3 areas near the existing marine reserves and conservation  
4 areas, they are invariably anchored up as close as  
5 possible to the boundary lines. Why? Because that is  
6 where the good fishing is. They know that there are  
7 more fish and bigger fish in those areas than in the  
8 rest of the Sanctuary in general. It simply makes sense  
9 to fish as close as you can to the reserves in hopes  
10 that you'll hook an individual who has strayed from the  
11 protected area.

12           To my way of thinking this, in itself, is  
13 evidence that reserves work and work well. Please  
14 consider adopting Alternative 2. Thank you.

15           MR. MOBLEY: Thank you. Next is Greg Helms and  
16 after that will be Oscar Pena.

17           GREG HELMS: Good evening, folks, audience and  
18 Sanctuary representatives. My name is Greg Helms, lived  
19 in this area for 21 years, going on 22. I work for the  
20 Ocean Conservancy, I'm on the Sanctuary Advisory  
21 Council, have an awful lot of above and below the  
22 surface time in the Sanctuary.

23           I want to address one particular issue which is  
24 why I think the Sanctuary should be taking an action to  
25 establish no-take and marine research in conservation

1 areas. If you compare the Sanctuary to other options  
2 that are out there -- well, let's do this. The State of  
3 California and the Sanctuary are special organizations  
4 uniquely capable and able to enact and manage a system  
5 of marine reserves and marine protected areas. Each of  
6 these organizations has an ecosystem management  
7 component. An ecosystem-based management is what we're  
8 headed to and that's very important.

9 Contrast that to other ideas for agencies that  
10 might take some moves towards making marine reserves,  
11 such as Pacific Fishery Management Council, the first  
12 thing you notice when talking about that option is that  
13 the Pacific Fishery Management Council is not a local  
14 agency, it doesn't have locals like you guys working  
15 there. In fact, the nearest office that I'm aware of is  
16 in San Diego which is probably the same distance to the  
17 other nearest office in Monterey.

18 Now, I've been to the Pacific Fishery  
19 Management Council a number of times, probably nearly as  
20 many as anyone in this room with one or two exceptions,  
21 and I've been talking about the conservation of the  
22 Channel Islands in Seattle, in Portland. The closest  
23 time I talked about the Channel Islands National Marine  
24 Sanctuary to the Pacific Fishery Management Council, I  
25 believe was the closest, nearest meeting to here in,

1 well, at least in my memory since about '99 and that was  
2 in San Diego. So, I don't know, 250 miles away, give or  
3 take. Say 200.

4 Now, where would the nearest enforcement  
5 officer for the Pacific Fishery Management Council and  
6 National Fishery Service be? Well, my understanding is  
7 there's two of them for California, for Washington, for  
8 Oregon, and for those crazy aspects of Idaho that they  
9 consider. That's not local enforcement, that's not  
10 connecting with the public. The connection with the  
11 public is extremely important. The Sanctuary has the  
12 ability to connect with the public.

13 I understand there's some folks who haven't yet  
14 connected with the Sanctuary but you've got a Sanctuary  
15 Advisory Council. So, I don't think there can be proper  
16 enforcement under -- outside of the state of the  
17 Sanctuary and it's hugely important. It's hugely  
18 important that there's equity enforcements, that there's  
19 that kind of framework. But Council also has poor  
20 representation.

21 By design the agency or the Council is set up  
22 to represent the fishing industry, that's processors,  
23 recreational and commercial fishing, and the subsets  
24 that those fall into. Now, that's not necessarily a bad  
25 thing for some things like the application of fish

1 between those sectors, but in terms of serving the local  
2 community, the divers, the whale watchers, the bird  
3 watchers, the recreational fishermen, the commercial  
4 fishermen, and the individual subsets they fall into,  
5 that distance, difficult to enforce management structure  
6 doesn't serve this community and certainly doesn't serve  
7 the increase in the ecosystem-based management system  
8 that we're moving towards. And, folks, we are moving.  
9 The State is already there, so, it's a matter of how  
10 long is it going to take us to get there.

11 The traditional fishery management process is a  
12 good one. It's a very limited one. It's blunt and it's  
13 slow and it takes an awful long time, and somebody said  
14 that they were -- somebody said that these closures are  
15 killing us, and I think might have been the same person  
16 that talked about, you know, the huge closures.

17 Well, you know, in '85 and '87 and '89 the  
18 scientific folks that advised the Fishery Management  
19 Council were saying the rockfish are crashing, there's  
20 too much capacity, there's too much harvest pressure,  
21 and it took so long for the Council to react, probably  
22 because it's distributed so far away from the  
23 communities, that what they had to ultimately do was  
24 establish just absolutely massive closures. The Cowcod  
25 Conservation Area is gigantic. It's the biggest marine

1 protected area you can possibly imagine. In combination  
2 with the Rockcod Conservation Area it's most of the  
3 southern California bite. I suggest that that's what's  
4 killing it.

5 MR. MOBLEY: Times up.

6 GREG HELMS: I'll have plenty more in Santa  
7 Barbara but thanks very much for listening.

8 Mr. mobley: Next is Oscar Pena and after Oscar  
9 will be Bob Osborn.

10 OSCAR PENA: Good evening and welcome to the  
11 Ventura harbor. I'm the General Manager of the Ventura  
12 Port District. My name is Oscar Pena. And I'm just  
13 going to give you a little bit of history here.

14 Ventura was approved by the boaters of the  
15 community in 1952 and the District was organized for the  
16 purposes of acquiring, constructing and operating a  
17 commercial and recreational boating harbor. The  
18 District was, is approximately 274 acres in size, and  
19 most of the improvements that were constructed in the  
20 mid '80s were constructed because of the Local Coastal  
21 Plan. And in the Local Coastal Program, which we're  
22 required to follow, it's a mandate that is still in  
23 place, commercial fishing is the highest priority in  
24 this harbor.

25 So, as a result, in the early '80s the District

1 required that our lessees who were building around the  
2 harbor develop commercial fishing slips, fish handling  
3 facilities, boatyards, as you know the Channel Islands  
4 National Park is headquartered here, there are tour and  
5 charter vessels, a hotel, and specialty shops and  
6 services at the Ventura Harbor Village where many of the  
7 ongoing services of our commercial fishermen are  
8 located.

9           So, we're stuck in a little bit of a quandary  
10 here because the Port District wants to, like you,  
11 ensure that the resources are protected, but we have a  
12 land-use mandate that requires that we support the  
13 commercial fishing industry. So, following the  
14 commercial fishing designation, the next priority is  
15 visitor uses as well as residential.

16           So, we're currently working with Dr. Kulber and  
17 John Richards, Professor John Richards with Sea Grant in  
18 Santa Barbara, because we have to, we have to consider  
19 how we're going to invest in our infrastructure. We  
20 know that the commercial fishing pier that we have in  
21 Ventura Harbor Village, which is approximately 200 feet  
22 long by about 100 feet wide, is in need of repairs. We  
23 have about another five to seven years before we have to  
24 implement those repairs, but we're looking at about  
25 three-quarters of a million dollars.

1           And so the question is, for whom do you repair  
2           this and what species will be out there that survives  
3           the regulation or what happens out there naturally with,  
4           you know, a good example was squid fisheries. Off and  
5           on that's probably a majority of the off-loading that we  
6           see in the harbor. There's not much Finfisheries that's  
7           off-loaded anymore because of the near-shore fisheries  
8           regulations and problems that we no longer understand  
9           exist there.

10           The Fish & Game is doing a good job in the  
11           oversight of the regulations that they have. And so, I  
12           think from the Port District's perspective we want to  
13           suggest the No Action Alternative until we can get a  
14           better understanding of what is happening out there with  
15           the different fisheries. Because as we understand from  
16           the commercial fishermen that come to our meetings and  
17           talk to me, for example, spiny lobster that is going to  
18           come into play, the season, real soon. The commercial  
19           fishermen tell me that the regulations that are in place  
20           appear to be working. So, why is there a need for  
21           additional regulation.

22           And so, I think from our perspective we want to  
23           learn more, we want to work with you, but on the same  
24           token we just came back -- I just came back from the  
25           California Oceans Protection, I guess, conference that

1 was in Long Beach, and like many of my colleagues who  
2 also manage other ports and harbors, the District wants  
3 to promote innovative approaches to sustainable fishery  
4 in California to create economic opportunities for  
5 fishermen in local communities, ensure the long-term  
6 health of fish stocks and marine resources and to  
7 sustain local fishing harbors. Thank you.

8 MR. MOBLEY: Thank you. Next is Bob Osborn and  
9 following Bob will be Joel Greenberg.

10 BOB OSBORN: Thank you. My name is Bob Osborn.  
11 I'm a fisherman. I just want to note that we're about  
12 six minutes into an hour and 40 minute public comment  
13 period and it might be nice to address speaker time to  
14 fill up the entire public comment period so people can  
15 finish their comments.

16 I'm a management consultant by trade. I've  
17 been involved with fisheries for over 45 years. I've  
18 been advisor of the Pacific Fishery Management Council  
19 and an advisor to Council on Groundfish.

20 I believe the Sanctuary should stand down and  
21 allow its existing state and federal fishery agencies to  
22 go through and complete this process. This is a  
23 duplication of effort, a duplication of bureaucracy, and  
24 a waste of tax-payer money. For what purpose?

25 I am for the No Action Alternative and I can

1 afford that fully recognizing that no action here is in  
2 any way, shape or form no action for our resources. The  
3 State has already moved to bring reserves to  
4 state-bordered areas. An extensive and expensive  
5 process has been underway moving towards large reserves  
6 in federal waters. Our marine resources are precious.  
7 They are also complex, far more dynamic than land  
8 systems. We can't afford to duplicate bureaucracies.

9           Unfortunately, this process is already  
10 (inaudible) with National Academy of Sciences on such  
11 issues as deep water reserves and the necessity and  
12 advisability of complete no-take throughout the water  
13 colony.

14           Fishery management needs to be responsive and  
15 have flexibility. Our biggest challenge has been to  
16 actually limit economic damage to important commercial  
17 and recreational fisheries. One major failure that  
18 occurs when compared to private enterprise, is it seems  
19 every time the government has a problem they create a  
20 new bureaucracy or appoint a high-level commission,  
21 whereas, private enterprise gathers the facts and puts  
22 boots on the ground. That's where we can use help.  
23 More research and eye witness consultation to existing  
24 fishery processes.

25           I recommend before moving forward let's go

1 back, look at the actual impacts of actions taken to  
2 date, particularly economic impacts. I suggest that you  
3 also take a closer look at the condition of our  
4 resources. There are quite a few stock assessments  
5 complete on species of concern to the Channel Islands  
6 National Marine Sanctuary. Before continuing to  
7 inaccurately characterize the condition of our  
8 resources, you report on a compilation of existing  
9 science and assessments.

10 Again, I support the No Action Alternative in  
11 this process, noting that at this time it is, in fact,  
12 supporting the existing processes which are far from no  
13 action. Thank you.

14 MR. MOBLEY: Thank you. Next is Joel Greenberg  
15 and then it will be Dan Pearson.

16 JOEL GREENBERG: Good evening, gentlemen. I'm  
17 Joel Greenberg. I'm with the southern California  
18 chapter of the Recreational Fishing Alliance and we have  
19 two chapters here in California. We have chapters in  
20 Washington and Oregon. We have members from  
21 Recreational Fishing Alliance that have seats on the  
22 Groundfish Advisory Subpanel, two of them, with the  
23 Pacific Fishery Management Council, and from what I  
24 understand from these gentlemen, you folks went to the  
25 Pacific Fishery Management Council the last time around.

1           They once again repeated their insistence that  
2   you folks should do something else with your charge here  
3   other than seek a change of designation document to  
4   regulate fishing.  It's not that we -- it's like Bob  
5   said, who wants to call this "no action."  Nobody is  
6   proposing no action I don't think, but we are proposing  
7   that the Sanctuary not seek any change in designation  
8   document that will allow regulation fishing within the  
9   boundaries for any reason for all the reasons that have  
10  been stated already.

11           Pacific Fishery Management Council is not just  
12  a bunch of fishermen, it's fishermen, scientists,  
13  representatives of the various Fish & Game departments,  
14  it's a lot of science.  And one of the things I am  
15  requesting of you folks is that you find a way to  
16  incorporate in the final version of this all those  
17  documents, and they need to be there, all the comments  
18  that have been sent to you in the last few years from  
19  the science and statistical community of the Pacific  
20  Fishery Management Council.

21           These are some of the world's best marine  
22  scientists, some of the most knowledgeable.  Their  
23  comments should be in here.  There should be an ability  
24  of the public to be able to compare their comments with  
25  the draft of this document to see if those issues have

1       been addressed.

2               Likewise, there's some other omissions in here.  
3       One of the most glaring one is that every single  
4       proposal -- almost every single proposal. There is the  
5       fishermen's proposal which you reject as being an  
6       alternative. And one of the reasons that was driven  
7       forward was because there was a desire on the behalf of  
8       the fishing community to be able to look at everything  
9       that's changed here since you folks started this  
10       process. This is, what, third, fourth version of the  
11       EIS.

12              Meanwhile, we have fishery management out there  
13       that is massive. We have 4,300 square nautical miles of  
14       the Cowcod Conservation Area. We have what fluctuates  
15       in size from time to time, it's hard to say exactly how  
16       much is in just southern California, but there's a total  
17       of 33,000 square nautical miles of one form of the RCA,  
18       the Rockfish Conservation Areas. These are massive  
19       areas. And as people seek to protect rockfish here at  
20       islands, they're looking at the wrong body to do it.

21              I'm not sure what anybody expects here, but  
22       definitely the FMC is engaged in the ecosystem  
23       management. It's part of the mandate. Definitely they  
24       are engaged in adaptive management, and that's the  
25       problem we have right here is that there's not enough

1 science right now. I was out participating today in a  
2 catch, tag and release program that was financed in part  
3 by the Sanctuary Foundation, and that's the kind of  
4 thing you folks should be doing with your time and  
5 money. Researching what is here and now.

6 And I commend you on those efforts, but we had  
7 more than one individual researcher come before the  
8 California Fish & Game Commission and report and update  
9 each year on the Channel Islands monitoring and  
10 evaluation and they always say the same thing; "We're  
11 unfunded. We don't have enough money. We've been  
12 handed data over data over and there's not enough people  
13 to deal with it." Well, we've got to fix that first  
14 before you start deciding that you have the authority to  
15 do anything else out here.

16 So, in a nutshell, I guess it's action that's  
17 No Action Alternative, I hate to call it that. Guys, do  
18 anything else you can within your charge. You have a  
19 wonderful job to do here. Nobody is opposed to you  
20 guys, to the Sanctuary, to the national park, but the  
21 job of dealing with fish populations and fishery belongs  
22 to people with the staff and expertise. Thank you.

23 MR. MOBLEY: Thank you. Next is Dan Pearson  
24 followed by Randy Janush. What we'll do after Randy,  
25 we'll take a short break, and if anybody wanted to

1 submit another slip either for the first time or the  
2 second time, we'll come back after a brief break and  
3 entertain more comments. So, for now it's Dan Pearson.

4 DAN PEARSON: Hey, guys. You know me. I've  
5 been here, a lot of these meetings. I'm the  
6 unapologetic ecologist from Port Hueneme.

7 Everybody has been coming up here talking about  
8 numbers and science and this and that and that's all  
9 well and good and it's very relevant and it should be  
10 listened to. I hope you're taking all these comments as  
11 seriously as they are proposed on all sides. My side is  
12 a little different.

13 I grew up here, my father was a fisherman on  
14 the St. Peters out of Port Hueneme a long time ago. I  
15 used to go out with him occasionally. I worked for  
16 Island Packers for several years, taking people out,  
17 showing them the islands. All the islands. And working  
18 for the Navy I've been out to Santa Cruz quite a few  
19 times. So, I'm well-acquainted with what is going on in  
20 this area and I think I can speak with a certain amount  
21 of authority.

22 The big picture is what I'm looking at. I was  
23 watching television a few days ago and this NASA  
24 scientist who -- please forgive my age, my senior  
25 moment, I'm forgetting his name right now. He was the

1     guy that presented the global warming paper to the White  
2     House and it was heavily edited and redacted by  
3     bureaucrats in the White House making political  
4     decisions on white water.

5             And he had a chart on TV the other night, said  
6     that if we start doing something about global warming  
7     now, by the year 2050 these 2 or 3 degrees that it's  
8     going to increase hopefully will stabilize right around  
9     the year 2050. I don't think -- I'll be 104, so, I  
10    probably won't even care if I'm here, but if we don't do  
11    anything it's going to go up exponentially and it's just  
12    going to be tragic for the whole planet. It's going to  
13    affect things more than are being affected now; plant  
14    life, animal life and stuff like that.

15            I'm here tonight to ask you to make some hard  
16    decisions that are going to be painful for practically  
17    everyone. Species, plants, animals, things being lost,  
18    krill has already been affected I know, that may be  
19    destroyed in the next few decades, might be just the  
20    ones that we're going to need if this temperature thing,  
21    global warming, gets stabilized by the year 2050. In  
22    order to ensure that, assure that, you are going to have  
23    to make some hard decisions.

24            We are a strange species on this planet. We  
25    have opposing thumbs, a large forebrain, but there are,

1 just, like, too many of us and we're really pushing  
2 resources on this planet. And I'm a firm believer in  
3 diversity. I'm a firm believer in the tipping point.  
4 If you don't know what tipping points are, it's a theory  
5 that I guess was first proposed by physiologists. In  
6 the physical body, how we just go along and all of a  
7 sudden you reach a point, you know, you expire.

8           Sociologists picked it up and found the same  
9 thing happens in neighborhoods and I think ecologists  
10 are going to be picking up on tipping points too. And  
11 there's even a bunch of arguments about are we past the  
12 tipping point. We may have back in the early '70s.  
13 Maybe the tipping point is just a few days away. I  
14 don't know. But we are in bad shape on this planet.

15           So, I'm going to have to ask you to make some  
16 hard decisions that are going to affect everybody,  
17 everybody, and I got to put my weight behind Alternative  
18 2a. Thank you for your time, gentlemen.

19           MR. MOBLEY: Thank you. Next is Randy Janush,  
20 and please announce your affiliation as well. Dan  
21 Pearson wrote on his card "Point Mugu Wildlife Center."

22           RANDY JANUSH: Good evening, everybody. My  
23 name is Randy Janush. I'm here as the owner of Candy  
24 Catchers Squid Jigs. We're a local squid jig  
25 manufacturer, which, here in the industry. I'm here for

1 a couple reasons.

2 I've lived here 30 years. I'm 34 years old.  
3 I've lived in Ventura 30 years. I have two kids, 12 and  
4 6, who I introduced to fishing the last couple years.  
5 And I'm here -- I understand everybody wants to protect  
6 our waters, there's a lot of governing bodies, but I'm  
7 here now because of my kids and my local friends who I  
8 fish with, the clients that I have who make their living  
9 from fishing, whether it's sport boats, private boats,  
10 hook and line boats, so on and so forth.

11 I don't think we need another governing body to  
12 regulate who is watching the fishing in our area. I  
13 know it was already brought up tonight but the contract  
14 that you made with the State of California, with the  
15 County of Ventura and Santa Barbara, the fishermen,  
16 grants you guys authority over the waters surrounding  
17 the Channel Islands for six miles. It was the  
18 designation document. And it forbid you guys from  
19 making fishing regulations. I just don't see why you  
20 want to break that down.

21 You set it up that way. There's other  
22 governing bodies who can regulate the fishing. I  
23 support Sport Fishing Association in California. I  
24 support the hunched white sea bass research. I support  
25 our local Sea Bass research where they release thousands

1 of Sea Bass every year out to the Channel Islands. They  
2 track them, they find out where they're going, where  
3 they're caught, so on and so forth.

4 There are other people managing it and I'm just  
5 here to say, I'm here to support the No Action  
6 Alternative even though I do agree that is not the  
7 proper name for it. But I just, I think there's other  
8 governing bodies who can manage the fisheries. And you  
9 guys are doing a great job but I think you should  
10 continue in other areas. That's pretty much what I have  
11 to say and I think that we should leave it up to other  
12 governing bodies. Thank you.

13 MR. MOBLEY: Thank you.

14 (A recess was taken.)

15 MR. MOBLEY: First up is Dan Fink followed by  
16 Robert Rogers.

17 DAN FINK: Where was I. We were talking about  
18 Appendix G where I counted 89 species and you guys say  
19 there is 119. 30 species missing. I was talking about  
20 the footnotes. Each fish that is fished for, and  
21 abalone and some other species, lobster, etc., it  
22 doesn't separate commercial from recreational.  
23 Comparing commercial and recreational is ridiculous.

24 That's like a guy in his Tupperware boat with  
25 his gossemer thread and a bent piece of metal, little

1 piece of flesh, with his wife and two kids, is not the  
2 same thing as a 100-ton Saynor, okay. So, to put us in  
3 the same category is right there a big major mistake.  
4 You got to separate us out, okay. That doesn't mean we  
5 don't support the commercial fishermen, we do. But what  
6 we do as recreational fishermen is a whole different  
7 thing than what's done commercially out at the islands,  
8 okay. Let me go on.

9 Appendix G; still not content to misrepresent  
10 some of the realities goes on to list species as being  
11 fished for that currently enjoy total protection under  
12 current laws. Appendix F does review the laws but fails  
13 to hook them up with the specific species in G, thus  
14 leaving the reader with many misconceptions.

15 Example: Appendix G lists three types of  
16 abalone; pinks, reds and whites. Oddly, both blacks and  
17 greens, native to the CINMS region are missing from the  
18 same list. Did they all disappear from there? All  
19 three of the listed ab types appearing here are shown as  
20 fished for. The only abalone allowed to be harvested in  
21 California is red and then under very strict, enforced,  
22 season, size and equipment regulations, including  
23 they're not allowed to be taken under any circumstances  
24 anywhere south of San Francisco. So, why do you show  
25 them in your appendix as being fished for?

1           The white ab is on the Federal Endangered  
2 Species list. Why does Appendix G show them fished for?  
3 It's deceiving and it begs the question, did the authors  
4 of this paper just not know the regulation would  
5 certainly challenge their ability to manage the resource  
6 they're requesting control of, or is there an effort to  
7 deceive here by suggesting these totally protected  
8 species are legally fished for within this region and  
9 thus need their attention and protection. I find this  
10 kind of thing rampant throughout this paper.

11           Of the 119 species of interest, 89 by actual  
12 listed count, they show 61 as fished for. An accurate  
13 breakdown is as follows: Five of the species listed  
14 enjoy total statewide no-take protection; one red  
15 abalone is totally protected south of San Francisco;  
16 Giant Sea Bass is totally protected from recreational  
17 take, commercial allowed to take one incidentally per  
18 day.

19           Fourteen of the fishes on the list are the  
20 exclusive target of the commercial fishing industry,  
21 okay. Three of them, market squid, northern anchovy and  
22 Pacific sardine, which are harvested for recreational  
23 fishermen to use for bait, are harvested in absolute  
24 minimal numbers for recreational bait versus how they're  
25 harvested for other parts of the commercial industry,

1     okay.

2             Actual fish species harvested by rod-and-reel  
3     fishermen appearing on this list, out of the 89 listed  
4     species, 39. Of the these 39 fishes, the kelp bass is  
5     the only one that is exclusively allowed to be taken  
6     recreationally. Four of the other fishes fit into the  
7     previously mentioned "never been abundant at the Channel  
8     Islands" category. One fish appearing on the list  
9     that's not listed as fished for but is recreationally  
10    and commercially targeted is the California  
11    scorpionfish. Do you know that that's what we call  
12    "sculpin." For some reason it missed getting tagged as  
13    a fish to be fished for. Is this just an oversight or  
14    just a lack of knowledge of what is going on here?

15            Couple of additional fish listed as not fished  
16    for appearing on this is the leopard shark and soupfin.  
17    While they're not targeted by recreational anglers, they  
18    are sometimes kept when encountered.

19            If we were to list the fishes appearing on the  
20    G list by preference of recreational anglers, we'd  
21    definitely lead off with white sea bass and California  
22    halibut, the two most popular fishes recreational  
23    anglers pursue at the Channel Islands. Also let me say,  
24    they are heavily targeted by commercial fishermen. They  
25    are both carefully protected by size, seasons on the

1 white sea bass, and overall total limits. They are  
2 short of the regular limits.

3 Did I run out of time again, Chris? God-dang.  
4 Okay, I got more to go.

5 MR. MOBLEY: Robert Rogers and then Robert  
6 Rhoads.

7 ROBERT ROGERS: Just for the record, San Diego  
8 is 180 miles from here, it's not 250 miles.

9 My name is Robert Rogers. I'm a native of  
10 southern California. I've lived here for 47 years.  
11 Surfer, scuba diver, recreational sport fishermen,  
12 employer of 60-plus people in the Ventura County area.

13 And it sounds like -- I don't know what -- I  
14 know what NOAA is but what's the other one, CINMS. I  
15 asked the ladies back there. They said that was -- they  
16 were all federal government. And I don't know if you  
17 guys are like me, but I don't really think we need the  
18 federal government telling us what to do here in our  
19 backyard. They are not the best representative of what  
20 we have going on here.

21 In the State of California I employ over 60  
22 people. The federal government doesn't tell us how to  
23 regulate our employees when they work for us. The State  
24 of California does and it takes precedence over the  
25 federal government rules. Additionally, the federal

1 government didn't do a very good job telling us what to  
2 do with the Cayuga tree; is that correct? You guys  
3 aren't allowed to respond?

4 MR. MOBLEY: Sir, we are just here to receive  
5 your comments.

6 MR. ROGERS: Okay. So, naturally our governor  
7 stepped forward and did something that we needed to do.  
8 It doesn't take your studies or even this gentleman here  
9 who's a sport fisherman to tell you that the oceans are  
10 having some problems. Malibu, place that I grew up,  
11 been in the water since I was 2 years old. The kelp  
12 off of Malibu in Paradise Cove is nonexistent. The  
13 fishing is nonexistent. There is little or no fishing  
14 pressure there right now.

15 The two fishing (inaudible) seems to be off the  
16 Malibu pier, they have two boats, Paradise Cove, they  
17 have three boats, they are not there. They haven't been  
18 there for over ten years and the fishing sucks there.  
19 That's the bottom line. People don't catch fish there.  
20 There are all kinds of rules that are in place.  
21 Department of Fish & Game, I think if you guys spent the  
22 money that you spent doing this study and all the things  
23 you are proposing to do and gave it to the Department of  
24 Fish & Game, they could probably manage the situation a  
25 lot better.

1           I don't think we need to do all the things that  
2     you've been talking about doing up here. Asked this  
3     gentleman right here who is a professional fishermen,  
4     probably spends more days on the water than you guys do.  
5     He's a commercial fisherman. I asked him out here in  
6     Channel Islands how many days a year would you fish if  
7     you could. He said he could only fish 140 due to the  
8     weather.

9           When you look at recreational fishermen, I said  
10    how often would you go out, and he said maximum of 80  
11    days he would see people going out there. So, just by  
12    that alone, if you look at the recreational standpoint  
13    for recreational fishermen, the impact they have out  
14    there is going to be relatively minimal.

15           I think you can handle it with the Department  
16    of Fish & Game rules. Any rules that you need to come  
17    up with based upon -- the other gentleman, this guy  
18    right here, he talked about white sea bass being the  
19    number one take of recreational fishermen. I don't know  
20    any commercial fishermen and I don't know if you guys  
21    have put any funds towards rebuilding that fishery. The  
22    only people that have put up any funds towards that is  
23    recreational fishermen. And we have basically  
24    rehabilitated the population here in southern California  
25    on our own without your help.

1           I just don't see what you guys are going to do  
2   that is going to help the situation by adding more onto  
3   it. You are about to wipe this poor guy out of business  
4   completely and he's worried about his family. I think  
5   maybe if you guys got in the water with him and went  
6   down and looked, maybe you can give a really educated  
7   opinion. If what he says is true, that you guys fly  
8   over the islands and looked at the boats in the water  
9   and that's how you did the survey, that's pretty  
10  erroneous. You guys need to get in the water and look  
11  and see what he has to say. Maybe he's right, maybe  
12  he's wrong, but we won't know until you go in the water  
13  with him and look at it.

14           So, I don't know, I think maybe we ought to  
15  take a little further look at what's going on out there.  
16  Maybe we shouldn't just jump to this conclusion of doing  
17  this. And again, if you guys are like me, I don't see  
18  why the federal government needs to tell us what we need  
19  to do in our backyard. Thank you.

20           MR. MOBLEY: Thank you. Next is Robert Rhoads  
21  followed by Joel Greenberg.

22           ROBERT RHOADS: Obviously I'm Robert Rhoads  
23  defending the dive industry. I would comment on the  
24  other fisheries but I'm just concerned with my own  
25  fishery at this time.

1           We are one of the few fisheries, in fact, I  
2           think we are the only commercial fishing industry that  
3           doesn't have a transferable permit and I believe for,  
4           like, ten years in a row we had the No. 1 economic  
5           fishery in the State of California. They spend millions  
6           of dollars on Save The Sea Otter, another one of these,  
7           you know, environmental type things, yet we can't even  
8           transfer our permit. Right now if they give me, you  
9           know, half the money, give the urchin divers half the  
10          money that they spend every year on Save The Sea Otter,  
11          I'm sure we would just leave our business. It's  
12          ridiculous.

13                 Just, unfortunately because you don't have  
14          funding, like I say, I'm not being condescending to what  
15          you are trying to do, I approve of it in some ways and I  
16          disagree in other ways. We do need to save our, you  
17          know, our waters. You know, I'm very proud of what you  
18          folks do. However, you know, we as a fisherman is going  
19          to be put out of business anyways because of politics  
20          and lobbyists and people with massive money. We're just  
21          fishermen. There's very few of us left.

22                 And on my side and for my children's side, it's  
23          sad that I have to tell my children you should be an  
24          environmentalist, and if you are lucky, you'll be able  
25          to be a commercial fishermen part time, but you won't be

1 able to follow my father's footsteps as being a  
2 commercial fisherman because of organizations that don't  
3 have the funding and don't have the education under  
4 water, I'm just speaking from my industry, under water.  
5 And I can't expect you folks to come up with that kind  
6 of money, to spend the time under water to actually  
7 visualize what's going on.

8 California Fish & Game Department tries to work  
9 very close with us to the best of their abilities and  
10 they don't have the funding to do the job that they  
11 would like to do. Yet, the federal government is out  
12 here trying to put sanctions upon things that they just  
13 don't have enough knowledge about.

14 I'm not saying that -- people are trying to do  
15 the best job they can. I'm not with the Surfrider  
16 Foundation, I really appreciate a lot of things that are  
17 going on, but when you are going on just your landlock  
18 statistics, like he was mentioning, flying over looking  
19 at boats is not being in the water. Being on the water,  
20 I'm just saying being on it let alone underneath it.  
21 Our whole livelihoods are based on basically people's  
22 opinions.

23 It's not that I don't believe you're trying to  
24 do a good job. You don't have the money and just keeps  
25 getting taken away year after year, more closures, more

1 closures. And I don't even have a chance to pass my  
2 permit down to my kid if I wanted to. I mean, it's  
3 just, it gets very frustrating, you know, to be in this  
4 position. Kind of being on two sides of the scale, you  
5 know.

6           There has to be a certain balance in life as  
7 general and in our ocean. If you want to balance it  
8 out, if you want to get rid of us, you know, Save The  
9 Sea Otter and all these people, hey, buy us out. Give  
10 me \$100,000 for my permit and let me get on with a  
11 different career. But right now I don't even have that  
12 option. There's only fishing. I don't even have an  
13 option, yet I'm getting pushed out. And it seems sad  
14 that, you know, spend 40 years of my life as a fisherman  
15 and get tossed out like a piece of old tire. You know,  
16 it's just, it's just sad.

17           It's sad for my children, it's sad for me, and  
18 by the way, Jesus was a jeweler. Thank you.

19           MR. MOBLEY: Thank you. Joel Greenberg and  
20 then Rick Macias.

21           JOEL GREENBERG: Thank you again for giving me  
22 another shot at you guys. Joel Greenberg, Recreational  
23 Fishing Alliance.

24           I wanted to just quickly -- Dan Fink made what  
25 I would consider a heroic effort to try to address some

1 of the errors in this document. 208 pages, I'm sure  
2 that at least 180 of them have some kind of glaring  
3 error. This is the fourth version that I read of this I  
4 think and you have a list of meetings in here in one of  
5 the appendices and I was at virtually all of them. I  
6 think only Sean here has that kind history.

7 That said, I'm going to go back to the  
8 designation document issue because one of the keystone  
9 issues with this entire proposal is of course the need  
10 to amend your designation document. Well, nowhere in  
11 this document book nor the federal proposed rules is  
12 there a verbatim copy of the original designation  
13 document. So, the public doesn't really know exactly  
14 what to compare it to.

15 Yes, you mention some language here, this can  
16 be changed, that can be changed, but it's really  
17 important that folks get to see this in its entirety.  
18 It's a contract. It was made -- just because it was  
19 made in 1980 doesn't mean it's right for breaking and so  
20 that should be part of the public record.

21 Also, I mention the science and statistical  
22 committee comments. I think it would also be  
23 appropriate, since you're primarily seeking a change in  
24 the designation document, that we have an opportunity to  
25 see the back-and-forth discussion between you folks and

1 the State of California. I'm sure some of that is right  
2 for public record. What do they really think? You're  
3 supposed to consult. In the same manner the Sanctuary  
4 as created involved the various bodies, the stakeholders  
5 in the region, the state, I would assume agencies in the  
6 County of Ventura and Santa Barbara, and of course the  
7 Pacific Fishery Management Council.

8           And there's a little appendix in here, comments  
9 in the back, but it doesn't really give the full scope  
10 of what your involvement is with the other agencies  
11 within NOAA, the other agencies within the government  
12 and the State of California. That's all pertinent.

13           Except for a gentleman here who is kind enough  
14 to wear a gun and a badge just in case we get violent,  
15 there is nobody in this room from the State of  
16 California that I know or from the Pacific Fishery  
17 Management Council. And when we go to the -- this is  
18 why this is not a robust stake-holding process, because  
19 when we go to the Council those people are all there.  
20 All of them are there. So, we get to see the picture  
21 from several sides. Please document this better.

22           And finally, one more document that I would  
23 like to see in here, I think it belongs in here, your  
24 entire basis of all your proposals is the original  
25 Channel Islands Reserve Process, as adopted by the

1 California Department of Fish & Game Commission. And  
2 there was a peer review journal published postmortem, I  
3 call it postmortem but it was compiled by Mark Elvie of  
4 NOAA, and it certainly gives a slightly different  
5 history than the history you have in here. I think  
6 people are entitled to see it and I think it really  
7 belongs as part of the documents that go into the final  
8 EIS.

9           It's just wrong to hide these things, you know.  
10 It does beg the question is there intent to deceive.  
11 Well now maybe not, but I think it's an overzealous sell  
12 and there has to be an awareness. If there's going to  
13 be a decision higher up somewhere that maybe you guys  
14 could get a change in designation document, the people  
15 making this decision need to be well-informed by all the  
16 various opposition viewpoints and they've all been  
17 submitted to you and properly belong in here.

18           Thank you once again.

19           MR. MOBLEY: Thank you. Rick Macias followed  
20 by Robert Rogers.

21           RICK MACIAS: Good evening, ladies and  
22 gentlemen. I'm not used to speaking in a public forum,  
23 I'll do my best. Something inspired me a few minutes  
24 ago to come up here and speak. I wasn't planning on it.  
25 I don't have any notes or anything like some of the

1 other people do.

2 But I too have been in this area for quite a  
3 while. I've been scuba diving these islands since 1978.  
4 Some of that time I devoted to Ventura County Search and  
5 Rescue Team, Sheriff's Department. And one of the  
6 gentlemen pointed out the issue of the abalone, how the  
7 whites are a protected species, endangered species.  
8 Back in those days I believe we used to dive for about  
9 five species of abalone, it was red, pink, green,  
10 whites, and there were a lot of black abalones, but I  
11 don't know anybody that was taking them because it was,  
12 like, trying to eat tar. It wasn't that good.

13 When they, the abalones started to disappear it  
14 was blamed on commercial over-fishing and sport diving,  
15 just taking too much of the abalone this was out there.  
16 And bottom line is, from my own experience being out  
17 there on the water a lot, it was more of a cyclical  
18 natural cycle. The El Nino came in, the water warmed  
19 up, the kelp died, the abalone got weak because they ate  
20 the kelp and they eventually got a condition called the  
21 shrinking foot disease where the muscle of the abalone  
22 would shrink, it was unable to attach to the rocks, it  
23 would fall off the rock and fish would eat it. So it  
24 was all natural, had nothing to do with over-fishing or  
25 over-taking by sport divers.

1           Then, along came the Save The Sea Otter people  
2           and they decided to bring down a bunch of sea otters  
3           from up north in the interest of bringing them back to  
4           their original habitat. And the sea otter came in and  
5           pretty well finished off whatever abalone didn't get  
6           killed off by the shrinking foot disease and the El Nino  
7           currents. So, it really had very little to do with  
8           over-fishing. Again, it was natural.

9           And I just wonder how much of this data that  
10          you acquire nowadays to compile all these regulations  
11          and closures, how much of that is nothing more than just  
12          natural cycle of the area. Just maybe, you know, none  
13          of us have been here long enough to really see the  
14          turnover where the fish might go down in amounts and  
15          come back up.

16          I understand there's a lot more people in the  
17          area and there's probably quite a bit more fishing  
18          pressure, especially on the nearer islands and nearer  
19          shores closer to the mainland, but I just would caution  
20          the organization to not over-react and close unnecessary  
21          areas that may just simply be a natural cycle of things  
22          happening in nature that none of us have any control of.  
23          Or whether we take out a few commercial guys or a few  
24          sport fishermen out of our islands here, it may not make  
25          much of a difference, certainly not in our lifetime.

1           So, I would ask that Council consider the No  
2           Action Alternative and that's my viewpoint. Thank you  
3           very much.

4           MR. MOBLEY: Thank you. Next is Robert Rogers,  
5           Common Sense Coalition.

6           MR. ROGERS: For the last gentleman that just  
7           spoke, I say you give Bill Clinton a run for his money  
8           in public speaking.

9           Just a few points that I didn't finish up on  
10          due to the time constraints. So, back to my experience  
11          of being on the water, in the water and under the water  
12          off the Malibu coast, which I know we're not completely  
13          talking about that yet, but all the time I've spent in  
14          there from when I was a young child when there was a lot  
15          of kelp and a lot of fish and more fishing pressure than  
16          there is today, and now there's no fishing pressure,  
17          there hasn't been any in ten-plus years, and there's no  
18          kelp and there's no fish. Very few fish.

19          I was talking to this gentleman here, the  
20          commercial fisherman. He was telling me that at County  
21          Line that's another favorite surf spot where Ventura and  
22          L.A. County line meet. He said the reason there's no  
23          kelp there is because there's so many sea urchin there.  
24          So, possibly if you guys get together with this  
25          gentleman and work out some type of take, that would be

1       beneficial.  Maybe we'd have some kelp again off the  
2       Ventura County Line.

3               I was also talking to this gentleman too, I  
4       don't remember his name, but he was telling me that I  
5       think it was one of your organizations that created the  
6       protection program for the sea lions.  And back in the  
7       '70s there was maybe 18 to 20,000 sea lions, now there  
8       is 200,000 of them.  I know up in Monterey they're a  
9       nuisance.  If you own a boat like I do, you can't even  
10      get to the end of the dock because the sea lions protect  
11      it.

12              I think the rules have loosened a little bit  
13      recently, but maybe we should have some restriction on  
14      sea lions, you know, than having free reign out there.  
15      Because he was telling me that his calculator couldn't  
16      even add up to the amount of pounds of seafood that they  
17      eat on a daily basis.  So, maybe they're contributing to  
18      the demise of fishing out there as well.

19              Don't get me wrong, I'm completely for take  
20      limits, size limits and preserving the resource.  I'm an  
21      environmentalist at heart.  But I just think that when  
22      you seriously take a hard look at it, we need some more  
23      data.  And before we just jump to conclusions.

24              And lastly, from an economic standpoint, in the  
25      pursuit of catching fish in my life I probably spent

1 significantly more money per pound as well as all the  
2 other recreational fishermen out there from an economic  
3 standpoint than commercial fishermen spend to collect  
4 the same amount of poundage. And if the State or the  
5 federal government is looking to increase revenues and  
6 economic activity, they would put programs in place that  
7 would preserve recreational fishing opportunities  
8 because it's probably the largest source per capita of a  
9 way to increase revenue with a minimal take of the fish.

10 That's it. Thank you for your time.

11 MR. MOBLEY: Thank you. Dan Fink again.

12 DAN FINK: Where were we. We were talking  
13 about halibut and white sea bass being the number one  
14 and two targeted fish of recreational fishermen off the  
15 Channel Islands. Of which, let me say, as a result of  
16 recreational anglers' efforts with Prop 132 back in 1992  
17 which moves some gears out away from the islands, the  
18 white sea bass and halibut fishing is some of the best  
19 in the world. Some of the best we ever experienced out  
20 at the Channel Islands. This is what is possible  
21 without introducing closures but just introducing method  
22 changes and restricting some of that, okay.

23 We just had the best year ever on white sea  
24 bass. Joel, how many halibut did you catch that day?  
25 Where did Greenberg go. Greenberg called me at home one

1 night to say he got four halibut, none under 30 pounds  
2 one day. The limit is five. Doesn't get any better  
3 than that, okay. We don't need closures to do this. We  
4 can do it by management. You keep talking about  
5 ecological management. All I see that as a buzz word  
6 for closures, okay. Good sales technique to change it  
7 to ecological management. All it is is closures.

8           You're going to what, give us 1.7 square miles  
9 that we can fish for pelagic in and then 130-something  
10 miles closed. Ecological management, okay. We've  
11 already proven. As a matter of fact, if we were to go  
12 out and prove or see who should be in charge of the  
13 fishes at Channel Islands, okay, by who has provided the  
14 most amount of fishes at the Channel Islands, it  
15 shouldn't be CINMS, it should be United Anglers of  
16 Southern California, okay. We've done something. You  
17 haven't accomplished anything except shut down and close  
18 out and hurt the economy in the area and chase out  
19 fishermen, okay.

20           Speaking of fishermen, in 1990 we had 460,000  
21 fishermen bought Ocean Enhancement stamps. Those are  
22 stamps that are required on your fishing license to fish  
23 south of Point Conception to the Mexican border, okay.  
24 We are down to 180,000 last year. All right. We are  
25 losing fishermen faster than we are losing any other

1       critter out there. All right. As a matter of fact, if  
2       you go figure it out, looks like for every seal we gain  
3       we lose another angler. The problem is, seals eat about  
4       30 pounds of fish a day. Okay. About a 300-pounder  
5       does. All right.

6               So, if United Anglers has been responsible for  
7       putting more fish there, what has CINMS and NOAA  
8       accomplished? Well, they've given us 180,000 sea lions  
9       out there. So, those fish that are missing, they're  
10      barking at me from the stern of my boat.

11              All right. We talked about the halibut, etc.  
12      Another fish, the giant sea bass, hey, they're back in  
13      good numbers. Cripe, they might even take the  
14      moratorium off of it. All right. Again, why do you  
15      think they're back in good numbers, without closures I  
16      might add, okay. Because we moved some gear types out  
17      of the way that was over-fishing them. Those same gear  
18      types exist, they are just not allowed within a mile of  
19      the islands. Those same gear types are actually allowed  
20      to catch one per day accidentally, okay.

21              But the giant sea bass, or as we prefer to call  
22      them in the recreational area black sea bass, cripe,  
23      I've been on spots where we had to pick up the anchor  
24      and move because they kept grabbing our baits, okay.  
25      We're talking 80- to 120-pound fish. They are back in

1 good number.

2 Urchin diving, you see a lot of black sea bass?

3 Anybody else dive here? Some of you divers, see a lot

4 of black sea bass? Are they all the over the place?

5 Are they back? Who did that? Anglers did that, yeah.

6 Okay. And you want to take water away from us.

7 Let's see. Oh, hey, next most popular fish,

8 kelp bass, or as we prefer to call them calicos, okay.

9 Over 50 percent of the calicos we catch, we release.

10 The ethic on calicos, most of the fishermen catch them

11 and release them. It's catch and release with the

12 calicos, okay. We're cutting them all lose. Also,

13 there's a movement of recreational fishermen to cut the

14 limit from ten to five, increase the size of them, and

15 put a slot limit on them, okay. Anglers are allowed to

16 keep one big one if he's got a special tag. With all

17 those funds going to the DFG to fund more fish out

18 there, all right.

19 We have successfully managed or own resource,

20 all right. You give it to us to manage, we can show you

21 evidence in fish that we've successfully managed. While

22 targeting calico bass we incidentally catch some

23 Rockfish. If it's one we want to eat we sack it up. As

24 many get thrown back that's not. Yes, we specially do

25 target Rockfish when we can't get other fishes going,

1 but they're low on the priority list.

2 MR. MOBLEY: You're out of time again. Thank  
3 you. I think at this point we recommend if you have  
4 more detailed comments to provide them in writing. We  
5 will stay here till 9:00 o'clock just in case any late  
6 comers come in and want to provide comments for the  
7 first time.

8 So, final speaker, unless it's a new speaker,  
9 will be Robert Rhoads. Thank you.

10 ROBERT RHOADS: I've kind of supported the  
11 Surfrider Foundation. The one thing I haven't brought  
12 up. Has nothing to do with any of these fisheries.  
13 It's an environmental side of our ocean.

14 The pollution that's going on in our ocean is  
15 beyond the charts. We've had a chemical munition  
16 dumping outside of, I believe Point Conception and San  
17 Miguel, another one was between Santa Barbara and Santa  
18 Cruz. That's something that nobody has brought up. You  
19 know, this other man brought up the fact that in Santa  
20 Monica Bay at Malibu there's no kelp there. Very  
21 important as to what is going in, you know, to our  
22 oceans, which is pollution.

23 Our federal government had a dump site that  
24 when the canisters broke annihilated our kelp beds. I  
25 don't have facts on what it did to our abalone industry,

1 I just have my opinions, with numerous other people.  
2 The pollution aspects of what is going on in our oceans  
3 right now are off the charts. These closures are  
4 obviously important, but we should really take a bigger  
5 look at what is going on. Not the declining fisheries,  
6 the kelp beds are gone, a lot of this is because of the  
7 pollution of our waters.

8 Santa Monica Bay has crabs with four claws and  
9 twelve legs. Fish with two tails. This has nothing to  
10 do with over-fishing, this is pollution. This is  
11 something that should really be addressed by our federal  
12 government since they made dumping sites out there that  
13 obviously have affected our islands. They're not  
14 talking about what they put out there. This is  
15 something that, you know, maybe NOAA could investigate  
16 and work on.

17 It's just, there are just so many things in  
18 pollution that we have in our oceans now, I wouldn't  
19 have enough time. It would take months to speak on.  
20 Maybe if we could, you know, work together as a team to  
21 not only, you know, manage these closures through  
22 commercial fishermen, through sport fishermen, through  
23 NOAA, because I know you folks are only looking after  
24 our best interest, but we really got to address this  
25 pollution factor in life too.

1           Our government has made some mistakes, these  
2           were dumped a long time ago, however, our Channel  
3           Islands, you know, took a lot of the brunt of that. And  
4           it's probably not the nicest thing to bring up, but  
5           those things have to be addressed too. It's not just  
6           about over-fishing, you know. Pollution has got a huge  
7           amount of impact on what's going on in our waters in  
8           southern California. I've just visually seen it over  
9           the last 32 years.

10           When we had all that rain, I believe it was in  
11           '94, I watched our kelp patties just die. Just  
12           annihilated. It wasn't because of an El Nino, you know,  
13           the water didn't get warm like it did this summer, but  
14           when we had that massive rain we lost kelp patties that  
15           took years to come back, for no apparent reason, and it  
16           wasn't brought up. The pollution thing is just kind of  
17           swept underneath the carpet. And that's something that  
18           we should be, also hopefully with NOAA we can address  
19           that issue through the federal government and the State  
20           of California. Thank you.

21           MR. MOBLEY: All right, thank you very much.  
22           Again, the comment period closes October 10th.

23           (The proceedings were adjourned at 8:31 p.m.)

24   --oo0oo--

25

1 CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

2

3 DRAFT ENVIRONMENTAL IMPACT STATEMENT

4

5 PUBLIC HEARING

6

7 THURSDAY, SEPTEMBER 28, 2006

8

EARL WARREN SHOWGROUNDS

9

SANTA BARBARA, CALIFORNIA

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13 STAFF PRESENT:

14

CHRIS MOBLEY, SUPERINTENDENT

15

MATT BROOKHART, REGIONAL POLICY COORDINATOR

16

SEAN HASTINGS

17

JOHN ARMOR

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23 INVOICE NO.: 10719-06

24

REPORTED BY: MARIA G. RABATIN, CSR #6821

25

1           MR. MOBLEY: We will go to speakers. The first  
2 speaker is going to be Deane Plaister followed by Daniel  
3 Wilson.

4           Dean Plaister.

5           DEAN PLAISTER: My name is Dean Plaister, and I  
6 appreciate the opportunity to speak today.

7           I'm a 30-year resident of Santa Barbara area  
8 and surf and swim frequently in our local waters, and  
9 I'm very concerned with the state of the Santa Barbara  
10 Channel. Marine life is under heavy pressure from  
11 commercial and recreational fishing and pollution.  
12 This rare environment deserves all the protection it can  
13 get in order to regenerate its former richness. I urge  
14 you to implement Alternative 2 with its noted provision  
15 and joint management by the Sanctuary in the state of  
16 California to provide this highest level of restorative  
17 opportunity.

18          MR. MOBLEY: Thank you.

19          Daniel Wilson to be followed by Cameron  
20 Vincent.

21          DANIEL WILSON: Good evening. I'm Daniel  
22 Wilson. Thanks for the opportunity to speak.

23          I'm third generation Southern California  
24 resident. Been fishing since I was five. Diving since  
25 seven or eight. Several weeks ago I was fishing and

1 skin-diving out in Santa Cruz Island, just skin-diving  
2 inside the reserve and then fishing and skin-diving  
3 outside of the reserve in State waters, and I clearly  
4 observed a significant difference in species and size,  
5 composition, age, class. Pretty much every sort of  
6 ecological index that might be drawn from for drafting  
7 these recommendations for NOAA.

8           And my recommendation, based upon my 30 years  
9 of observing fish, above and below the water in the  
10 channel area and most recently observed from just a  
11 couple of weeks ago, is that contiguous reserves, both  
12 state and federal, so the continuity without gaps in  
13 between them and also larger-size reserves would be much  
14 to the advantage of both the recreational and sport and,  
15 most likely, commercial fishing and diving industries,  
16 not to mention the ecological benefit of the species and  
17 habitats, as well.

18           I, therefore, strongly recommend and urge NOAA  
19 to adopt the Alternative 2. And I think for continuity  
20 and ease of actual enforcement, having any sort of gaps  
21 between state and federal marine-protected areas would  
22 be extremely complex for boaters, fishermen, divers, let  
23 alone the regulatory agencies to enforce.

24           Thank you for your consideration.

25           MR. MOBLEY: Cameron Vincent to be followed by

1 Sheva Polefka.

2 CAMERON VINCENT: Good evening. My name is  
3 Cameron Vincent. I'm a 25-year resident of Santa  
4 Barbara. I'm here tonight on behalf of myself and on  
5 behalf of my almost five-year-old son Josh, who will  
6 turn five on October 23rd, which happens to be the  
7 anniversary of the creation of the state reserves, which  
8 happened on that day, I think, right here in this room.  
9 I want to thank you for holding the hearing tonight and  
10 the opportunity to provide input.

11 I'm a surfer, a diver, a swimmer, a kayaker,  
12 and my son likes to surf and loves to fish, and both of  
13 us love the ocean and are concerned about the health of  
14 the ocean. For the reasons you mentioned in your  
15 presentation, I believe we need to establish effective  
16 marine-protected areas around the Channel Islands to  
17 meet NOAA's stated goals. The reserves will improve  
18 ecosystem health and help restore larger and more  
19 abundant marine life to the sanctuary. I urge you to  
20 act quickly and to adopt large, no-take reserves,  
21 preferably alternative two, that will be jointly managed  
22 by the Sanctuary and the state of California. Thank  
23 you.

24 MR. MOBLEY: Thank you.

25 Sheva Polefka and then Kate Wing.

1           SHEVA POLEFKA: Thank you. My name is Shiva  
2 Polefka. I'm speaking on behalf of the Environmental  
3 Defense Center, a public interest environmental law firm  
4 based in Santa Barbara with more than 2500 members.

5           In 2002, the National Marine Fisheries Service  
6 determined that about 24 percent of commercially  
7 important fisheries were being fished out faster than  
8 they could rebuild, while 31 percent of fisheries were  
9 already overfished. In the Santa Barbara Channel,  
10 large, no-fishing zones, such as the Cowcod Conservation  
11 Area and the Rockfish Conservation Area, have been  
12 established because these species have already been so  
13 severely fished out.

14           Even more troubling, National Marine Fisheries  
15 Service acknowledged that the population status of  
16 nearly 80 percent of all fish species is simply unknown,  
17 even those such data is essential for the current system  
18 of maximum sustainable yield fishery management.

19           This single species management framework is  
20 simply insufficient for the long-term health of all fish  
21 species, and, more importantly, for the complex  
22 ecosystems and food webs of which they are a part. The  
23 plights of the channel's Rockfish, Cowcod, and Boccaccio  
24 all indicate this as do those of Wild Pacific blue fin  
25 tuna, Atlantic halibut, and Atlantic cod, and,

1 incidentally, the human communities that once depended  
2 on them.

3           The goal of evolving our fisheries management  
4 beyond the simplistic approach and into one that  
5 considers the entire marine ecosystem is both welcome  
6 and long overdue. Fortunately, the framers of the  
7 National Marine Sanctuaries Act recognized decades ago  
8 that our ocean resources represent far greater and more  
9 complex value than can be realized through their  
10 immediate liquidation and sale and established  
11 management authority to pursue to this goal through the  
12 protection and enhancement of the public's marine  
13 resources in globally unique places like that of the  
14 Channel Islands.

15           The Marine Reserves DEIS we consider today,  
16 including modifications to the Sanctuary's Designation  
17 Document, represents a profound and welcomed embodiment  
18 of the National Marine Sanctuaries Act in accordance  
19 with the intent and the legacy of its authors. At the  
20 same time, it represents a significant and much-needed  
21 advancement in the management of marine areas within the  
22 public trust, toward a future of wild, healthy, truly  
23 sustainable Santa Barbara Channel fisheries and  
24 ecosystems.

25           More specifically, the document relies on a

1 thorough and rigorous examination of existing scientific  
2 research for its conclusions and bases its preferred  
3 alternative on an optimal jurisdictional arrangement  
4 that best reflects the Sanctuary's resource protection  
5 authority and responsibility and respects the authority  
6 of other state and federal agencies and aims to leverage  
7 their complementary management strengths through  
8 cooperative partnership.

9           The coherent uniform management strategy of the  
10 preferred alternative would best facilitate conservation  
11 and research outcomes targeted by the reserve network  
12 design -- would also facilitate compliance and  
13 effective, efficient enforcement. Accordingly, the  
14 Environmental Defense Center strongly supports this  
15 aspect of the preferred alternative.

16           However, we find the spacial component of 1a to  
17 be lacking, and instead the geographic layout proposed  
18 in Alternative 2 would much better fulfill the goals of  
19 the reserves network and the congressional mandate of  
20 the Sanctuary.

21           For example, the inclusion of deep-water zones  
22 off the existing Carrington Point and South Point state  
23 reserves would provide significant, additional  
24 protection for mid- to high-relief rocky reef substrate  
25 habitats. The deep-water marine reserve at Carrington

1 Point is especially critical to provide habitat linkage  
2 for Rockfish larvae between the deep-water zones on the  
3 north side of the islands. Such constructive  
4 interconnection among the zones is a fundamental goal of  
5 reserve network design. Accordingly, Alternative 2  
6 which proposes a layout that maximizes the potential for  
7 these linkages should be identified as the  
8 environmentally preferred alternative and adopted by  
9 NOAA.

10 In conclusion, congratulations on an excellent  
11 document, and thank you for the opportunity to comment.

12 MR. MOBLEY: Kate Wing, followed by Steve  
13 ^sheriff.

14 KATE WING: Good evening. Thank you very much  
15 for having this hearing. I'm Kate Wing with the  
16 National Resources Defense Council. We have more than  
17 250,000 members and activists nationwide and more than  
18 110,000 of whom are Californians. And you don't have to  
19 get all those numbers down. We will submit our comments  
20 in writing as well.

21 But, for today, I wanted to thank you for  
22 another hearing here in Santa Barbara. As a couple of  
23 people mentioned, the big state decision was held in  
24 this very room, and as someone who has been here through  
25 that whole seven-year process, what I would like to say,

1 with all due respect, to the many people in this room  
2 who I know have been working very hard to get to this  
3 point today is that it's about time that -- it is about  
4 time that we finish the job that was started more than  
5 seven years ago, and the Sanctuary needs to move forward  
6 and take these essential steps of the amended  
7 designation document and creating the federal marine  
8 reserves that we agreed on when that compromise was  
9 adopted here in this very room those many years ago.

10 So we at NRDC, on behalf of our members and  
11 activists, strongly support moving forward with nothing  
12 less than Option 1a.

13 I would just like to say a little bit about  
14 what I think has happened since those marine-protected  
15 areas were put into place, because many of us in this  
16 room have been here through that process in one way or  
17 the other, and we know how much energy, how much of a  
18 fight it was to get that compromise agreed on, to get  
19 that first step taken. And, yet, after those reserves  
20 were adopted, after those marine protective areas were  
21 put into place, they became a part of our landscape.  
22 Just like another park or wilderness, we came to rely on  
23 them. It was as if in some ways they had always been  
24 here. I point to that in some of the other policy work  
25 that I do here on the west coast and ocean fisheries.

1 You put up the Rockfish Conservation Area and the Cowcod  
2 Conservation Area and all the documents that discuss how  
3 those areas could be refused, how they could be struck,  
4 how they would be modified, those documents cite the  
5 reserves at the Channel Islands as the reason for why  
6 you could make changes in these other conservation  
7 areas. They say, "Because we have these protections,  
8 because we have this network at the Channel Islands,  
9 it's okay for us to look at modifying these other area  
10 closures."

11 The same thing as in the abalone restoration  
12 and management plan that the state has, there's a  
13 proposal to open a commercial abalone fishery at San  
14 Miguel Island. The proposal also says, quite clearly,  
15 that the ability to even consider a fishery like that is  
16 based not only on the population of abalone, but on the  
17 fact that they're reserves that will help protect some  
18 of the population of abalone from being over-fished.

19 Similarly, this Market Swift Fishery Management  
20 Plan that was adopted by the state, again, points to the  
21 reserves of the Channel Islands as being essential for  
22 that fishery management plan to function and go forward.

23 So even this half-done piece that we have in  
24 the water right now, even this first step that is not  
25 yet complete, has already become essential to how we

1 manage our oceans in California.

2 This second set, this completion, this making  
3 real the promise that we first started down the road of  
4 almost seven years ago is overdue, and it is about time.  
5 And I'm so glad that we are at this step that we are at  
6 today, that we are finally able to complete the process.

7 We had someone testify earlier that he was out  
8 diving, and he could see some of the benefits already  
9 from what's out there today. Well, just imagine what we  
10 will be able to see once this network is finally  
11 complete. And I look forward to that day coming in  
12 2007. Thank you.

13 MR. MOBLEY: Thank you.

14 Steve Shimek followed by Marti Fallon.

15 STEVE SHIMEK: Hi, everybody. My name is Steve  
16 Shimek, and I am the executive director of The Otter  
17 Project, and Chris and Sean, good to see you again.

18 Head crews [sic] guys, welcome to the West  
19 Coast.

20 Regional guy, welcome down south.

21 First of all, I almost feel like a resident  
22 now, although I'm not. I have to admit, The Otter  
23 Project is based in Monterey, but I dropped off my  
24 daughter at the UCSB dorms for the first time as a  
25 freshman. Oh, happy day.

1           So, I was peripherally involved in the Channel  
2 Islands process, but not intimately involved. And then  
3 I've been intimately involved with the state MLPA  
4 process for the Central Coast. I feel like I qualified  
5 for one of those online degrees in something.

6           But, in summary, here's what I think you should  
7 do: Go big, go bold, go reserve, and do it under the  
8 Sanctuary Act.

9           First of all, go big. Size matters. Basically  
10 the size reflects the suite of species that you are  
11 going to protect. Smaller reserves, you know, protect  
12 kind of those benthic species. The bigger and bigger  
13 you go, the greater suite of species you will protect.  
14 So by adding the federal water component, not only will  
15 you protect those fishes that move in shore/off shore,  
16 but you will also be protecting the greater suite of  
17 species. Go big.

18           Secondly, go bold. I wonder why you are not  
19 going with Option 2 as your preferred alternative. Let  
20 me read you one of the things in your own document. I  
21 know you are aware, but I want you to know that I read  
22 it, too.

23           "The biogeographic provinces are thus better  
24 represented in Alternative 2 than Alternative 1.  
25 Although both alternatives contribute towards the

1 sanctuary's goals, Alternative 2 contributes more to  
2 restoring and enhancing the abundance, density,  
3 population age structure and diversity of the natural  
4 biological communities in all biogeographic regions."

5 I'll stop there. But it continues along in  
6 that vein, talking about the better job that 2 does.  
7 I'm not asking you directly, but why wouldn't you want  
8 to do a better job?

9 Also in habitat replication, it says the same  
10 thing. "Habitat patches of hard substrate within all  
11 depth intervals are not replicated sufficiently in  
12 Alternative 1."

13 To me, that's a failed flaw. Habitat  
14 replication is what this is about. You get that in  
15 package Alternative 2. You don't get that with 1.

16 Go reserve. Only notate marine reserves  
17 protect the entire biological process. We are not  
18 trying to protect squid here. So the argument that you  
19 can fish for these because they move in and out and a  
20 reserve won't protect the squid, that's a shallow  
21 argument, because you are not trying to protect the  
22 squid, you are not trying to protect those fish that  
23 move in and out. You are trying to protect the  
24 biological processes and the forged base that those fish  
25 provide. So go reserve. Go full reserve.

1           Create the reserves under The Sanctuaries Act.  
2     The Magnuson-Stevenson [sic] Act, if that's even an  
3     option on the table, it just doesn't do the same thing.  
4     It doesn't have the same vision that the Sanctuary Act  
5     does. I think that we need to continue to ground  
6     ourselves, and we all know what the purposes of the  
7     marine sanctuaries are, quote, "Maintain the natural  
8     biological communities in national marine sanctuaries  
9     and protect and, where appropriate, restore and enhance  
10    the natural habitats, populations, ecological  
11    processes."

12           This is not about fisheries management. This  
13    is about protection of the biological processes. Do  
14    that the best you can.

15           So, in summary, go big, go bold, go reserve.  
16    Do it under the Sanctuary Act. Go with 2. You don't  
17    have to compromise. These are not going to have a huge,  
18    deleterious impact on the fishing economy in this area.  
19    You have shown that in your document. Go bold.

20           Thank you.

21           MR. MOBLEY: Thank you.

22           Marti Fallon followed by Mike McCorkle.

23           MARTI FALLON: My name is Marti Fallon. I'm  
24    actually just a resident of Santa Barbara for the  
25    last -- little over a year. I was here in August 2005,

1 and I feel totally blessed to be here today. It's an  
2 amazing place. As a Santa Barbaran and stakeholder in  
3 the ecological health of the Channel Islands National  
4 Marine Sanctuary, I strongly support the adoption of  
5 Alternative 2 of the Marine Reserves Draft EIS with the  
6 modification that all zones are established as no-take  
7 reserves. Creation of the Marine Reserve Network  
8 described in Alternative 2 will best achieve the goals  
9 for fisheries recovery and eco-based system management  
10 articulated within the DEIS, and it will thus fulfill  
11 the Sanctuary's congressionally-mandated responsibility  
12 to protect and enhance the public's imperiled marine  
13 resources.

14 Overall, the Sanctuary staff should be  
15 commended for a high-quality DEIS, based on thorough and  
16 rigorous science and for following through on their  
17 commitment to state and federal agency partners and the  
18 public to complete the marine reserve process.

19 Thank you. Go big.

20 MR. MOBLEY: Thank you.

21 Mike McCorkle followed by Carl Gwinn.

22 MICHAEL MCCORKLE: I'm Michael McCorkle, and  
23 I'm speaking tonight representing Pacific Coast Federal  
24 Fisheries Association, which has 16 small associations  
25 in the State of California and one big association.

1 Many of their members fish in these proposed closure  
2 areas.

3 Of all the options on the table, PCFAA, we can  
4 support Option 1a. If pelagic species and migratory  
5 species are allowed to be taken in the glow rock area,  
6 the Footprint area and the Santa Barbara area, we see no  
7 reason why those species should be taken.

8 In my lifetime, I've never seen a problem with  
9 any of those species there. Species being Yellow Tail,  
10 albacore, Yellowfin tuna, swordfish, thresher sharks,  
11 mako sharks. I've caught all those in that area at  
12 certain times.

13 In the Glow Rock and Footprint area, I've  
14 caught over 700 swordfish myself since 1964. If we lose  
15 that area, that's a pretty important area, so there's no  
16 real economic loss, but there is when the fish fuge  
17 that area. I've seen albacore in commercial-quality  
18 quantities one time in my life, 30 years ago, they came  
19 there. Before that, they came there 25 years before  
20 that. It doesn't mean that they won't come next year.  
21 We don't know.

22 The scenario that you can't take anything out  
23 of this area -- all these fish I mentioned are moving  
24 constantly. They don't live in that area. They are  
25 moving in that area. One day you may go to the

1 Footprint area and the water is 66 degrees, and you may  
2 have a good day catch of swordfish. The next day the  
3 water is 64 degrees and there's not a swordfish around  
4 there. You run up toward glow rock, 66 degrees, there's  
5 a swordfish. The next day that water has gone somewhere  
6 else and the swordfish is somewhere else. So to protect  
7 this area from these species that are continuously  
8 moving, to us, makes no sense at all.

9           The one scenario would be, I'm at the Footprint  
10 area; I'm looking for swordfish; I see one finning on  
11 top of the water; I have to check the map and say,  
12 "Ut-oh, I am right in this no-take zone."

13           "I'm not in the zone. Okay. I can harpoon  
14 him." I harpoon him and he swims into the zone. Now  
15 what do I do? Can I go in the zone and get him and pull  
16 him up? No, you can't go in that zone, because you have  
17 to wait for him to come out of the zone. What if he  
18 doesn't come out of the zone and he dies and he just  
19 stays there? Or what if I go to harpoon him, the  
20 swordfish, and before I can get to him, I realize that  
21 he swam into this zone and he's swimming across the top  
22 of the water in the zone. I can't go get him. I have  
23 to wait. He goes down underneath the water and he never  
24 comes up again. It doesn't make any sense to a  
25 fisherman.

1           I heard the last speaker, in my mind, has never  
2       fished these species of fish in this area. He has no  
3       experience. The speaker before the last speaker. I'm  
4       sorry.

5           People that talk like that have no experience  
6       in the area. We have experience in the area, and we  
7       feel that if these species of fish, the pelagic species,  
8       are allowed to be taken there, it's not going to harm  
9       anything, and you will have still your bottom species  
10      protected by 1a.

11           Thank you.

12           MR. MOBLEY: Thank you. Carl Gwinn followed by  
13      Mike Youngdahl.

14           CARL GWINN: I'm Carl Gwinn. I'm a physics  
15      professor at UCSB and recreational scuba diver. I've  
16      experienced the Channel Islands Sanctuary firsthand both  
17      above the water and hundreds of hours underwater. It's  
18      an absolutely unique area worldwide. There's nothing  
19      like it anywhere else. I'm convinced that marine  
20      reserves can help protect and restore it; protect it  
21      from future changes in the environment and restore it to  
22      conditions that some of the old timers tell us it was  
23      even more marvelous in the past than it is now.

24           I'm convinced of that both because of the  
25      scientific arguments, which I think are solid, and

1 because of my experiences in diving in marine reserves  
2 both in the Channel Islands and elsewhere around the  
3 world and also areas adjacent to marine reserves I'm  
4 convinced show a difference.

5 So large reserves in vary diverse undersea  
6 environments and also reserves that are contiguous with  
7 the existing reserves are critical for protecting and  
8 sustaining it. And I think it's also important that as  
9 much as possible the reserves have this high-level of  
10 protection as possible.

11 Those large reserves and contiguous and so  
12 forth diverse environments will actually benefit all of  
13 us when we visit the islands and also benefits others  
14 who have yet to explore them, and I believe the benefits  
15 we will see quite soon.

16 Thank you.

17 MR. MOBLEY: Thank you.

18 For anyone who may have arrived since we  
19 started the speakers, please, if you wish to speak, fill  
20 out a speaker slip and hand it into the back and also  
21 please sign in.

22 Mike Youngdahl followed by Eric Friedman.

23 MIKE YOUNGDAHL: Good evening. My name is Mike  
24 Youngdahl. I'm a long-time resident of Santa Barbara.  
25 I'm just here to lend my voice in support of the vast

1 majority of people you have heard from so far in support  
2 of Alternative Number 2. And I would just urge you  
3 to -- if it turns out you are considering it - doesn't  
4 sound like it, but - if you are considering the  
5 alternative where the sanctuary boundaries are not  
6 contiguous, to reject that, because the regulation will  
7 just be a nightmare. We heard from this one fisherman,  
8 who talked about the swordfish going from one zone to  
9 another. You can just imagine if he had to deal with  
10 three zones, not only would it be difficult for that to  
11 be regulated on a state or federal level, but, likewise,  
12 it would be difficult for the fisherman.

13 So, Alternative 2, is what this button says,  
14 you can see behind me, go big, but, for sure, do not  
15 enact a set of regulations where you end up with three  
16 zones contiguous to each other. If you are going to  
17 have the reserves, make it contiguous.

18 Thank you.

19 MR. MOBLEY: Eric Friedman followed by Monica  
20 Jain.

21 ERIC FRIEDMAN: Good evening. My name is Eric  
22 Freidman, and I've lived in Santa Barbara County since I  
23 was three years old. I'm an active member of the local  
24 Surfrider Chapter and former executive committee member  
25 for the Santa Barbara chapter, and I'm here to support

1 Alternative 2. With Surfrider and, in particular, a lot  
2 of groups around, we have been really pushing for the  
3 enactment of a national ocean policy as recommended by  
4 the Pew Foundation and the U.S. Commission on Ocean  
5 Policy.

6 In 2003, the Pew Foundation conducted a study  
7 and recommendation on the health of our ocean and how  
8 can we manage them. 2004, the U.S. Commission on ocean  
9 policy came out -- these efforts were done independently  
10 of each other. They basically came to the same  
11 conclusions, that our oceans are in deep trouble, and we  
12 need to drastically look at how we manage them from the  
13 local, federal and international levels.

14 So I would ask that, one, that you review both  
15 of those reports and see how marine reserves fit into a  
16 national ocean policy and what the best situation would  
17 be here and how Alternative 2 actually helps us get in  
18 that -- moving towards the national ocean policy. So,  
19 please, review both of those reports since they now are  
20 relevant here.

21 Actually, federally right now there is no talk  
22 about a national ocean policy. However, it is possible  
23 for us at the local level, and that's why I'm here  
24 tonight and we are all here. We are hopeful that the  
25 people can stand up and urge our congressional

1 representatives to institute a national ocean policy,  
2 and that begins with situations like these when we are  
3 faced with do nothing, do something, or do as much as we  
4 can. And that is where Alternative 2 is, as much as we  
5 can. And not only does it protect the ocean ecosystem  
6 here off of our pristine islands, but it also sends a  
7 message that the people of Santa Barbara and the people  
8 of California want a national ocean policy, and we are  
9 willing to come out to meetings like this and say, "We  
10 want the maximum protection," and it sends a message  
11 back to our congressional representatives. So, please,  
12 review those two reports, see how they are relevant and  
13 go big.

14 MR. MOBLEY: Thank you.

15 Monica Jain followed by Bruce Campbell.

16 MONICA JAIN: My name is Monica Jain. I'm a  
17 new resident to the area. I'm a diver, a surfer and a  
18 biologist. And I've had the opportunity, as a  
19 biologist, to see how marine reserves can help boaters,  
20 fishers and divers alike to continue to enjoy their  
21 sports and the environment in which they do them.

22 I recognize the tremendous amount of work that  
23 many government departments and geos and members of the  
24 public have put in to get the -- get us to the point  
25 that we are at today. And I think it would be -- it's

1 important to see that amount of work that has happened  
2 over the last eight years culminate in the establishment  
3 of marine reserves that meet the original goals.

4 I would like to express support for  
5 Alternative 2 due to its inclusion of the deep-water  
6 zones, the overlap of state and federal protection and  
7 the lack of gaps and protection. It's the only  
8 alternative that makes the entire boundary of the  
9 sanctuary meaningful, taking the reserves out to that  
10 point in most cases, and it also makes enforcement  
11 viable and meaningful.

12 I believe that Alternative 2 will allow all the  
13 groups that worked so much on this and all the users in  
14 the area to enjoy the resources there for many years to  
15 come and to maximize the impact of resource protection  
16 that everyone has been trying to achieve.

17 MR. MOBLEY: Thank you.

18 Bruce Campbell followed by Greg Helms.

19 BRUCE CAMPBELL: Good evening. My name is  
20 Bruce Campbell.

21 In your reference to "take," am I to assume  
22 this is the broad endangered species act related term  
23 where it means not only kill one and injure, but harm,  
24 harass, all those things, as well?

25 And I recently read about the biological

1     significance of the Naples Reef area, and, though, the  
2     majority, if not all of this - I haven't seen the extent  
3     of the area - would be closer to the mainland than the  
4     six-mile area, per se. But since, quoting from the  
5     Santa Barbara Ranch EIR Public Draft, quote, "Naples  
6     Reef is an intertitle and subtitle feature of  
7     exceptional local and regional local" -- excuse me,  
8     "regional biological significance. It is considered an  
9     ESH, environmentally significant habitat, by state and  
10    county resource agencies and has submitted scientific  
11    and recreational (fishing, diving and surfing value.)"

12            So, anyway, try to link up the biological and  
13    research importance of the Naples Reef area to the  
14    Channel Islands Marine Reserves as much as you can.

15            Now, since the federal government doesn't seem  
16    to care about pollutants in the channel, heavy metals  
17    and drilling rigs, hydrocarbons related to oil drilling,  
18    and earlier dumping of radioactive waste barrels off  
19    Santa Cruz Island nor rad waste heading into the Pacific  
20    at Diablo Canyon, thus we need to take serious action,  
21    and Alternative 2 would be serious action in this regard  
22    to really protect the species as much as we can since  
23    they are being assaulted on other levels.

24            Now, global climate change will tend to shift  
25    species, so what species are at the Channel Islands now

1 and, perhaps, the old guard, one could call it, anyway,  
2 they need all the protection they can get since certain  
3 global and current weather forces will be somewhat  
4 displacing them, and I think Alternative 2 is better for  
5 that, too.

6 The gaps, especially in -- I guess there's 1c,  
7 were quite disturbing, and the suggestion of a  
8 commercial abalone fishery at San Miguel Island is quite  
9 disturbing, also. Careful of the toxicity from fish  
10 farms. I understand the Bush Administration is pushing  
11 these unhealthy and biologically damning -- damaging  
12 damning, too, for that matter, in certain areas. That  
13 is probably more in the Pacific Northwest, but just to  
14 be careful of those.

15 And, I believe, the Alternative 2 maximizes  
16 ecological linkages and better attains goals maintained  
17 by the reserve network and the congressional mandate for  
18 the establishment of the Channel Islands Marine  
19 Sanctuary, better for rocky reefs and substrates among  
20 other habitats.

21 And the NRDC speaker said sometimes reserves  
22 are used as an excuse to exploit other areas. "There's  
23 a reserve here so we can dig deep or trash or exploit  
24 other areas." And it reminds me of back to -- some  
25 earlier-before situation the U.S. Wildlife Service

1 recently eliminated 90 percent of the critical habitat  
2 and recovery habitat for the Marble Murrelet despite  
3 plummeting numbers, just because there's certain areas  
4 that have better management than the so-called matrix,  
5 and -- anyways, it seems a little odd yanking critical  
6 habitat designation when numbers are plummeting. So  
7 it's sort of an example of -- try to object vehemently  
8 if DOI's trying to do such to some marine creatures when  
9 realizing we need lots of help, not only in your area,  
10 but others areas, and designation can help sometimes.

11           Since certain fishing methods are out of  
12 control, thus one needs Alternative 2 to thoroughly  
13 protect vital areas such as the proposed marine reserves  
14 under Alternative 2. Sympathetic to some fishing folks  
15 living off the Earth and sea, and although I give an  
16 unusual example, but even though I might think the best  
17 fish are within an eighth of a mile of the protective  
18 zone, but I'll try to stay a little further away so we  
19 don't wander into the zone, and I'm definitely very  
20 sympathetic to the fisher folks further north of that  
21 levy that was decimated due to massive deforestation in  
22 the Pacific Northwest and also the showing of how one  
23 decision in Washington related to water a lot, but it's  
24 in the upper Plymouth basins that it's affected salmon  
25 fishing from central Oregon to central California and

1 severe restrictions and, unfortunately, in that same  
2 DOI, which is likely proclaimed Alternative 2 off  
3 limits, despite it being biologically the most sound  
4 course.

5 Best wishes.

6 MR. MOBLEY: Thank you.

7 Greg Helms followed by Jesse Swanhuyser.

8 GREG HELMS: Hi. Good evening, members of the  
9 Sanctuary, audience, my name is Greg Helms. I've been a  
10 user of the sanctuary for recreation, sometimes work,  
11 and I hold a number of posts, volunteer and  
12 professional, having to do with ocean management. I  
13 work for the Ocean Conservatory. I serve on the  
14 Sanctuary Advisory Council. So many of my points have  
15 been made, though. I'll try and touch on the ones that  
16 weren't; maybe embellish on a few others.

17 (Addressing the Court Reporter): I was told I  
18 went to too fast for you last time, and I do tend to do  
19 that, and I'll make every effort to slow down.

20 Kate made this point, but I think it's an  
21 important one, this project, this federal effort by the  
22 Sanctuary proposed is the action that was envisioned  
23 from the beginning. It's not something new. It is not  
24 piling on. Certainly, what it is is completing the  
25 offshore component of the network that was advised, that

1 was the product of the stakeholder process, and it was  
2 envisioned from the beginning that we would be  
3 attempting scientific guidance to get a representative  
4 slice of those offshore, those eco-habitats, to work  
5 together with the inshore habitats. So by no means is  
6 this something new. By no means is this something  
7 extra. It's not extra. This is a critical component of  
8 what we have been envisioning all along. It's just  
9 administratively broken into pieces, the state and the  
10 federal.

11           So this is about extending an ecosystem  
12 protection that was afforded to the near-shore habitats  
13 by the State of California in 2002. It's a critical --  
14 a slice of the critical habitats offshore, pursuant to  
15 an ocean tended by -- in the process of meeting the  
16 goals and objectives that were developed by consensus of  
17 the stakeholder group. And that's a stakeholder group,  
18 of course, that contains representatives from sort of  
19 across the range, including fishers, including large  
20 organizations representing fishers.

21           And, I argue, like a number of speakers have,  
22 this is something that only the Sanctuary can properly  
23 do. We are asking you, for yourselves, to take this  
24 action. Again that is what it was envisioned. I think,  
25 my last count, there was about 9500 comments. They are

1 asking you good folks to take this action.

2 Lots have been made of the Rockfish closures  
3 and Cowcod Conservation Area. There are a lot of  
4 waters. There are thousands of miles of waters close to  
5 the directed fishing for Rockfish. It's important to  
6 remember, number one, that that's for a reason. When  
7 the federal government declares a disaster, a Groundfish  
8 disaster, it's not a small thing. There was a major,  
9 major problem. But we have an opportunity, because of  
10 those closures, and that opportunity is to be able to  
11 sock away a representative slice of the particular  
12 habitats, the deeper, slow and shelf habitats favored by  
13 those species. While in the context of those closures,  
14 they will be relatively little foreseeable economic  
15 impact. We could take advantage of those closures where  
16 no one is able to fish right now and be able to slide  
17 these things in and have that long-term protection.

18 A traditional fishery management approach to do  
19 what you are talking about has already been undertaken  
20 and explored and the Pacific Fishery Management Council  
21 has endorsed twice this program, and they extended their  
22 EFH regulations unanimously where there may have been  
23 one vote against the 20-member board for no-take. And  
24 we are certainly encouraging you to do no-take for the  
25 reasons that we already outlined, but also because we

1 are going to be able to say the reserves had this  
2 effect, and we can show that because of the differences  
3 outside of the reserve. We have to get rid of all the  
4 variables or else we haven't answered the question: Is  
5 it pollution? Is it marine mammals? Is it fishing?  
6 It's crucial to do that.

7 By doing this action we will be ahead of the  
8 curve. This community - and this community has been  
9 responsible for so many firsts in the conservation -  
10 this community will have already made its investment in  
11 spacial management, in ecosystem protection, in habitat  
12 protection while others will be - and they will be,  
13 others around the world, around the country - will be  
14 making in the coming years their first investment, and  
15 we will already be getting a return because we are  
16 three-and-a-half, depending on how you count it, or so  
17 years into ecosystem protection. And these reserves --  
18 does anyone doubt that these reserves will fill up with  
19 larger, more productive, denser fish that will begin to  
20 spill over? We will be well on our way. And if we make  
21 a system that we have done whole by your action, we will  
22 be even more in a better position to take return on that  
23 investment.

24 The overlay, the option to overlay Sanctuary  
25 regulations, throughout is an excellent idea. The best

1 examples of ecosystem management, the most successful  
2 places are like the Florida Keys and places like the  
3 Great Barrier Reef where you do have that unity, you do  
4 have that coherence. It's really a critical part. Both  
5 commission reports refer to that.

6 My last piece was to go to the importance of  
7 preserving our maritime heritage, which is being lost,  
8 to acknowledge that intrinsic values, to let people  
9 know, to demonstrate and act on the fact that we value  
10 our underwater habitats as much as we do on land by  
11 setting some of it aside. That way we bring a whole  
12 community in to sharing the benefits and problems of the  
13 ocean, and not just some.

14 This action, and in particular you take the  
15 largest action, will fundamentally be the right thing to  
16 do, and I remind you, only you can properly do it.

17 Thank you very much.

18 MR. MOBLEY: Thank you.

19 Jesse Swanhuysen followed by Tara Brown.

20 JESSE SWANHUYSER: Good evening. My name is  
21 Jesse Swanhuysen. I'm a local diver, surfer, wildlife  
22 photographer and kayaker. In general, a sanctuary  
23 enthusiast, I suppose. I'm here tonight to offer my  
24 support for Alternative 2. But, I think, potentially  
25 more important than the alternative given that 1a is the

1 preferred alternative at this point, I would beg you to  
2 find a way, given the complexities of state and federal  
3 coordination to find a way to do a coordinated  
4 measurement, collaborative management, co-management,  
5 whatever you want to call it. I think it is essential  
6 to succeeding in the goals that the community set out  
7 during the early process and the goals of many of the  
8 people in this room tonight.

9           Secondly, I think it is essential that what  
10 this process results in is a fully-protected, no-take  
11 marine reserves. I understand the attraction of doing  
12 marine zoning initially. Yet, as you have laid out at  
13 various times in various documents throughout this  
14 process, it also brings a whole host of difficulties.  
15 And, again, I think, that achieving the goals of many of  
16 the people here tonight, certainly myself, depends on  
17 the fact that these are, in fact, fully protected,  
18 no-take marine reserves.

19           While I certainly do support Alternative 2 in  
20 terms of the geography, I think it is more crucial that  
21 regardless of what areas you choose in order for us to  
22 prove this is a success, that those two things be  
23 fulfilled.

24           I appreciate an opportunity to speak. Always  
25 want to thank staff for their dedication to this process

1 over all the years that they have been doing it. I  
2 actually worked at the Sanctuary when this process began  
3 many years ago.

4 And on that note, I do hate to end on a sour  
5 point. I don't mean to harp too much on what Greg and  
6 Kate and others have said, but I feel like I would be  
7 remiss in not expressing some level of frustration that  
8 we are still at the point where we are dealing with a  
9 draft document, not putting things into the water until  
10 next year at some point. While I recognize that is not  
11 the result of decisions made by anybody in this room,  
12 certainly not the four of you, I don't have an  
13 opportunity to speak to those people whose decisions did  
14 result in the fact that we are still at this point in  
15 order to fulfill the goals, the process, the promises  
16 made to this community from the very beginning. I would  
17 just like to see that you establish fully-protected  
18 marine reserves established under the Sanctuary as the  
19 vision we had at the very beginning of the process.

20 Thank you.

21 MR. MOBLEY: Thank you.

22 Tara Brown followed by Lea Akins.

23 TARA BROWN: Hi, my name is Tara Brown. I'm  
24 here just representing myself as Susie Q Public.

25 I moved to Santa Barbara in 1970, and what I

1 remember when I moved here was how there were hundreds  
2 of abalone shells being sold at the end of Stearns  
3 Wharf. People would bring in big fish that they caught  
4 and sold them out there. Over the years all that has  
5 disappeared.

6 I just want to say from a passionate standpoint  
7 for the people of this area that it's so incredibly  
8 important that we adopt Option 2 with full marine  
9 protection. The waters and the fish in this area, they  
10 are at the bottom of the food chain. We are at the top  
11 of the food chain, and the bio-diversity is so  
12 incredibly important to our own survival. 277 square  
13 nautical miles, it's not even a drop in the bucket of  
14 the ocean. I mean, it's just -- I've heard people talk  
15 about completion here. And I look at this as I hope  
16 it's the first step that we take, really, in protecting  
17 our marine environment, which is so incredibly important  
18 to human survival. And I think there are many people  
19 like me that are just sitting back at home thinking,  
20 "What can I do? I read about this. And what can I do?"  
21 And I'm just here to say, do the most we can. And thank  
22 you for your work.

23 MR. MOBLEY: Thank you.

24 Lia Akins followed by Roberta Cordero.

25 LIA AKINS: Good evening, I'm Lia Akins. I'm

1 with, the California Resources Agency. The resource  
2 agency is an umbrella agency containing all the state's  
3 resource departments. And, as you know, I just wanted  
4 to start with the state is dedicated to ocean  
5 protection. We are moving forward with coordinating  
6 ocean protection in California with the California Ocean  
7 Protection Council. We are committed to setting up a  
8 network of marine-protected areas through the Marine  
9 Life Protection Act, which you all have been engaged in  
10 in the past years. We are dedicated to ecosystem based  
11 fisheries management through the Marine Life Management  
12 Act.

13 As you know, the state of California supports  
14 the establishment of marine-protected areas in the  
15 federal waters off the sanctuary, and we are very glad  
16 to see action on this process.

17 We are currently compiling all the comments  
18 from our various resource departments. We have comments  
19 from the Department of Fish & Game, the Department of  
20 Boating Waterways, and the California Coastal  
21 Commission, and we will be submitting our preferred  
22 alternative next week in writing.

23 We look forward to partnering with the  
24 Sanctuary in the management of these marine-protected  
25 areas, continuing co-management, and as always the

1 continued productive partnership with sanctuary program  
2 on various projects.

3 And, lastly, I'm excited to say, personally,  
4 I'm going to go out to the Channel Islands for the first  
5 time tomorrow. I'm going to Anacapa with the marine  
6 program.

7 Thank you, and we will be submitting our  
8 comments next week.

9 MR. MOBLEY: Thank you.

10 Roberta Cordero followed by John Orrock. And  
11 John is the last speaker slip submitted. So if anyone  
12 hasn't gotten in their slip, please submit it in the  
13 back.

14 ROBERTA CORDERO: (Chumash spoken.) I just  
15 said, "I'm acknowledging that we are here together, and  
16 together we are making health, balance and harmony."  
17 And I'm here from the Chumash community.

18 First of all, I want to thank the Sanctuary  
19 staff for bringing this again. I know that it's been  
20 very frustrating for everybody. Thank you.

21 You know, it always kind of bothers me in a  
22 real deep place when I hear people talking about the  
23 creatures of the sea habitats of the seas as resources,  
24 because they are more than resources. They are part of  
25 our community. When we speak about community, we are

1 not speaking only of human beings. We are not the only  
2 creatures here, although we have made ourselves so  
3 versatile that we live everywhere on this Earth. And  
4 so, I think, because we have been able to do that, we  
5 need to give those other creatures a break here and not  
6 only help them to survive, but to really thrive. And so  
7 I support Alternative 2 for that reason. I think that  
8 that's -- it's not enough, but I think it is a really  
9 good step. And I realize that that will require  
10 sacrifices for some people in an economic way, but,  
11 then, again, I want to say, we are really versatile  
12 creatures on this Earth, and we can support each other  
13 in making those changes and those sacrifices.

14 Thank you.

15 MR. MOBLEY: Thank you.

16 John Orrock.

17 JOHN ORROCK: I'm John Orrock. I'm a  
18 post-doctoral researcher in ecology and evolutionary  
19 biology. My speciality is habitat fragmentation and the  
20 detrimental effects that it has on native ecosystems.  
21 I've been in Santa Barbara for a couple of years now  
22 doing my post-doctoral work.

23 And, first of all, I want to commend you on  
24 taking the time to listen to good science and to  
25 implement that as part of your plan and part of your

1 policy. And, along those lines, based upon my research,  
2 I just wanted to speak to a small bit of that good  
3 science. And that is that a well-empirical data and  
4 theoretical data suggests that with the fixed number of  
5 reserves, bigger is always better, and for that reason  
6 and that reason alone. Conserving is the key. Do the  
7 best job that you can possibly to do. You have every  
8 reason scientifically to accept Alternative No. 2.

9 Thank you.

10 MR. MOBLEY: Thank you.

11 We haven't received any more speaker slips.

12 Oh, we have one more.

13 After that, we will probably take a break and  
14 then see after the break if there are more speakers.

15 Gary Burke.

16 GARY BURKE: My name is Gary Burke. I didn't  
17 really intend to speak, but I've been living in Santa  
18 Barbara for 40 years. I've been on the ocean for almost  
19 60. I grew up the first 20 at Catalina visiting the  
20 Channel Islands every year. For the last 35 years, I've  
21 been in fishing, diving urchins and being a diver for a  
22 little abalone. The last 30 of those I've been  
23 harvesting fish with nets in and around the Channel  
24 Islands. I can see why you get ninety-five percent,  
25 99 percent of the people are for the sanctuaries,

1 basically, because it doesn't affect their lives. It's  
2 easy to protect something if you like to just go out  
3 there once a year and you read a bunch of stuff that the  
4 oceans are devastated and empty.

5 Most of the fish that Santa Barbara fisherman  
6 fish for are in good condition and the Fish & Game will  
7 back it. We have been regulated throughout our lives on  
8 what we can take, where we can take, and the Sanctuary  
9 programs have now cut into where we can fish and  
10 huddling us together.

11 If you look around the harbors, the fisheries,  
12 the commercial fisheries, are dying because they are not  
13 allowed to catch the fish that are there. And I think  
14 all of the stuff, except for a few Rockcod, are in great  
15 shape around the islands. People don't realize because,  
16 basically, most of the people in this audience I don't  
17 think ever go there. They are Internet scientists.  
18 They read stuff on the Internet and think that the sky  
19 is falling.

20 The commercial fisherman don't take any of the  
21 fish that they see dying. We fish for thresher shark,  
22 White Sea Bass, swordfish, tunas. Those things pass  
23 through deep waters. We are not allowed as fisherman  
24 now with the sanctuaries to go in half the places  
25 inside. But we do fish outside those waters, and by

1 doing that, if you set a boundary, a lot of our  
2 fisheries are good fisheries where you fish at night and  
3 you drift through those outer areas, and there's a lot  
4 of complications; you can't get your net up or something  
5 happens, you are going through those boundaries and  
6 you'll be in trouble, but those fish out there are fish  
7 that just pass through them. They don't hang out in  
8 that deep water.

9           People also don't realize the Channel Islands  
10 60 percent of the time, if you get away more than a half  
11 mile from those islands, it's rough, and it's a  
12 protection in its own. Small boaters can't even get  
13 there. And it also drops off very deep where you are  
14 going to find -- even two miles out, you are not going  
15 to find anybody fishing there.

16           And another point is that you have one of the  
17 bigger sanctuaries in this channel that's called a  
18 steamer [sic]. Not one of the commercial fisherman can  
19 fish there. You can't do anything, because steamers  
20 [sic] have rights, and you are going to run over and you  
21 are going to get killed. And that is three miles long,  
22 wide by, maybe, the whole length of the channel, and it  
23 continues all the way to San Pedro. That's a huge  
24 sanctuary in its own. So I really don't think we need  
25 any of this personally. But if you have to, I would be

1 in favor of Option 1a.

2 Thank you.

3 MR. MOBLEY: Thank you.

4 With that, I would like to propose a 15-minute  
5 break until about eight o'clock, and then we will  
6 reconvene to see if we have more speakers.

7 Thank you.

8 (Recess.)

9 (The hearing concluded at 8:40 p.m.)

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This list represents the names and locations of people who transmitted the following form fax letter from the National Resources Defense Council Web Site. In addition to background information on the Channel Islands, commentary includes support for:

- The extension of protection for the Channel Islands to six nautical miles.
- The National Marine Sanctuary Program's option "1a"

Copy of form fax:

*Dear Sean Hastings,*

*I urge you to adopt regulations that will protect the Channel Islands National Marine Sanctuary and make this area a safe haven for marine wildlife.*

*The waters around the Channel Islands are home to endangered seabirds, over-fished populations of rockfish and 30 different species of marine mammals. With an area just larger than Yosemite National Park, the Channel Islands National Marine Sanctuary is a national treasure and a United Nations Biosphere Reserve. Even though the sanctuary was created in 1980 to preserve and protect the area's "unique and fragile" community, it has historically offered very little protection to the fish, whales and birds that live there.*

*California adopted its portion of a network of marine protected areas from the islands in 2002. Now, the federal government must finish that network and extend protection out to six nautical miles from the islands' shores. Together, this combined state and federal effort will protect almost a quarter of the Channel Islands' marine wildlife. I support the National Marine Sanctuary Program's option "1a" and ask you to move quickly to create these important marine protected areas.*

*Sincerely,  
Respondent*

Over 900 respondents represent six countries with 99.3% located in the United States or Canada. Forty nine US states are represented, the majority residing in California at 26.5%.

NRDC Fax Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
1	Irene	Abraham	Sedona	AZ	83	Gilbert	Bowen	Haines City	FL
2	Sally	Abrams	San Francisco	CA	84	JC	Bower	Sumner	WA
3	Mary	Achenbach	Glendale	CA	85	Mary Anne	Boxer	La Verne	CA
4	Arnold	Ackerley	Neversink	NY	86	Gary	Braedt	New Orleans	LA
5	Roxanne	Acosta	Miami	FL	87	Shawn	Branch	Mesquite	TX
6	Peter	Adams	Ardmore	PA	88	Elizabeth	Breadon	Brighton	MA
7	Kelly	Adams	Madison	WI	89	Stephanie	Breaux	Whittier	CA
8	Ellen	Adler	Toledo	OH	90	Derek	Brett	Orlando	FL
9	Angie	Affolter	Mundelein	IL	91	John	Brinkman	Brooklyn	NY
10	Angle	Affolter	Mudelein	IL	92	James	Broaddus	Louisville	KY
11	WG	Aguilera	Laguna Woods	CA	93	Eileen	Brokaw	Portland	OR
12	Leo	Ahumada	Flushing	NY	94	James	Brown	Sierra Vista	AZ
13	Larry	Alba	Sunnyvale	CA	95	Lisa	Brown	Lafayette	CA
14	Ross	Alexander	Fanwood	NJ	96	Ayra	Brown	Minneapolis	MN
15	Martha	Algerio	Phoenix	AZ	97	Megan	Brown	Vale	OR
16	Vinit	Allen	San Rafael	CA	98	Jon	Brt	Crete	NE
17	Jay	Allen	San Francisco	CA	99	Nancy	Bruny	Northglenn	CO
18	Danielle	Alvarez	Culver City	CA	100	Billy	Bryant	Pelzer	SC
19	Denise	Alvera	Chicago	IL	101	Joseph	Buchbinder	North Hills	CA
20	T	Amar	Seattle	WA	102	Jennifer	Buck	Malibu	CA
21	Amanda	Amarotico	Perkasie	PA	103	Marian	Buckner	Sheperdstown	WV
22	Margaret	Amato	Wantagh	NY	104	Pat	Bulla	Austin	TX
23	Brennan	Ames	Raleigh	NC	105	Russell	Bunge	San Luis Obispo	CA
24	Erika	Anderson	Granada Hills	CA	106	Joy	Bunton	Oak Park	IL
25	Michelle	Anderson	Woodbury	MN	107	Christian	Burchard	Ashland	OR
26	Kristen	Anderson	Goffstown	NH	108	Erin	Burkett	Berkley	MI
27	Nancy	Anderson	Rio Rancho	NM	109	Donna	Burns	Lake Elsinore	CA
28	Joel	Anderson	Spanish Fork	UT	110	Elizabeth	Burns	Landers	CA
29	Paul	Andrade	Oakland	CA	111	Nancy	Burzynski	Philadelphia	PA
30	Paul	Andrade	Oakland	CA	112	Kyle	Buss	Denver	CO
31	Lane	Andress	Albuquerque	NM	113	Charlotte	Butler	Jordan	NY
32	Nick	Ardinger	Chicago	IL	114	Charles	Byrne	Urbana	IL
33	Edward	Armour	Murray	UT	115	David	Cafford	Santa Rosa	CA
34	Kelly	Armstrong	Chicago	IL	116	Erin	Cain	Stamford	CT
35	Charles	Arnold	Manchester	NH	117	Vivian	Caldera	Monterey Park	CA
36	Jason	Artero	Oxford	MI	118	Alicia	Campbell	Manhattan Beach	CA
37	Leo	Ashton	Sunnyvale	CA	119	Annabel	Caner	Syosset	NY
38	Linda	Askey	Birmingham	AL	120	Mike	Cannon	Long Beach	CA
39	Neil	Asselin	Washington Twp	MI	121	David	Canny	San Francisco	CA
40	Willow	Aureala	Ocean View	HI	122	Jeremy	Carpenter	Latham	NY
41	Thomas	Avrey	Louisville	KY	123	David	Cavagnaro	Decorah	IA
42	John	Backus	Newbury Park	CA	124	David	Cayford	Santa Rosa	CA
43	Joseph	Bail	Clearwater	FL	125	Rob	Caylor	Indianapolis	IN
44	Neal	Baker	Richmond	IN	126	Kayla	Cervantes	Redding	CA
45	Doug	Balcom	Seattle	WA	127	Wallace	Chan	Kankakee	IL
46	Elizabeth	Bales-Stutes	Pacifica	CA	128	Jeff	Charity	South Paris	ME
47	Lynne	Banta	Los Angeles	CA	129	Lisa	Chase	Rio Rancho	NM
48	Ruth	Baranowski	Arvada	CO	130	Kevin	Cheli-Colando	Arcata	CA
49	Robert	Barreca	Santa Rosa	CA	131	Samuel	Child	Contoocook	NH
50	Daniel	Batchelder	Mount Dora	FL	132	Samuel	Child	Contoocook	NH
51	Kimberly	Bates	Stow	OH	133	Jeff	Chitouras	Lexington	MA
52	Bonnie	Baumann	Fayetteville	ME	134	Cynthia	Chovan-Dalton	Jersey City	NJ
53	Bonnie	Baumann	Fayette	ME	135	Jim	Ciha	Aurora	CA
54	Joslyn	Baxter	Chicago	IL	136	Cordelia	Clancy	Capitola	CA
55	Christopher	Beach	Wilmington	NC	137	Jennifer	Clark	Media	PA
56	Russ	Beaudin	Oakland	CA	138	Kristin	Clarke	Falls Church	VA
57	Elayne	Becker	Decatur	GA	139	Micheal	Clementi	San Anselmo	CA
58	Joyce	Becker	Merrick	NY	140	Jamie	Clemons	Aurora	IL
59	Doug	Bennet	Cary	NC	141	Anna	Cleveland	Tallahassee	FL
60	Richard	Benson	Ventura	CA	142	Ramona	Clifton	Brooklyn	NY
61	Marc	Berens	Atlanta	GA	143	Celena	Cline	Palm Coast	FL
62	Beth	Berghofer	Medford	OR	144	Jennifer	Closson	Granville	OH
63	Kay	Bernard	Mountain View	CA	145	Jerry	Clymo	Union City	CA
64	Beth	Berry	Santa Monica	CA	146	Joanne	Cockerill	Silver City	NM
65	Grace	Best	Beverly Hills	CA	147	Rachel	Coleman	Redlands	CA
66	Donna	Betteridge	Frederick	MD	148	Jeannine	Coleman	Easley	SC
67	Gina	Bilwin	Los Osos	CA	149	John	Combs	Lodi	CA
68	James	Biser	Provo	UT	150	Frances	Cone	Pawleys Island	SC
69	Melissa	Bishop	Deposit	NY	151	Christine	Conley	Raleigh	NC
70	Forrest	Black	Salinas	MI	152	Pamela	Connolly	Aptos	CA
71	Phoebe	Blanchford	Decatur	GA	153	Liam	Connolly	Aptos	CA
72	Thomas	Blaney	Oklahoma City	OK	154	Kelly	Cooper	Coatesville	PA
73	Skip	Blecker	Mt Pleasant	MI	155	Melissa	Copeland	Las Cruces	NM
74	Robin	Blier	Saugerties	NY	156	Dave	Coppedge	Encinitas	CA
75	Eric	Blomstrom	New Britain	CT	157	F	Corr	Montague	MA
76	Debbie	Bolsky	Santa Monica	CA	158	Richard	Corso	Providence	RI
77	Joseph	Bond	Moore	SC	159	Francisco	Costa	Cathedral City	CA
78	Duncan	Bond	Seattle	WA	160	Karl	Costenbader	Wilton	CA
79	Adam	Boretz	New York	NY	161	Patrick	Coulson	Bandon	OR
80	Belinda	Bothwick	Fayette	ME	162	Vita	Cox	Ormond Beach	FL
81	Tasha	Boucher	Los Angeles	CA	163	John	Cox	Portland	OR
82	Eric	Bourgeois	Cambridge	MA	164	Barbara	Cozzens	Arlington	VA

NRDC Fax Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
165	Eugene	Craig	San Jose	CA	247	Jeff	Fellinger	Burlington	VT
166	Eugene	Craig	San Jose	CA	248	Penny	Felton	Arlington	TX
167	Jessica	Cresseveur	New Albany	IN	249	Rick	Fencl	Albuquerque	NM
168	Kathy	Crist	Walnut Creek	CA	250	Maristela	Ferrari	Haines City	FL
169	William	Cromwick	Somerville	MA	251	Ronald	Field	Alexandria	VA
170	William	Cromwick	Somerville	MA	252	Carolyn	Fielding	Genoa	OH
171	Dennis	Crumb	Liberty Lake	WA	253	Brian	Fink	University Heights	OH
172	Beata	Csanadi	San Diego	CA	254	Mark	Fiorini	Blandon	PA
173	Jason	Cunningham	Largo	FL	255	Richard	Firmin	Brooklyn	NY
174	Sylvia	Cuolahan	Pompano Beach	FL	256	Joseph	Firsch	Los Angeles	CA
175	Irene	Curtis	Bodega Bay	CA	257	Robyn	Firth	Tuckerton	NJ
176	Cigy	Cyriac	Draper	UT	258	Robin	Firth	Tuckerton	NJ
177	Alan	Dahi	Davenport	FL	259	Joseph	Fisch	Los Angeles	CA
178	Kenan	Dalley	Amarillo	TX	260	Jonathan	Fisch	Los Angeles	CA
179	John	Dambra	Butler	NJ	261	Thomas	Fitch	Citrus Heights	CA
180	Elizabeth	Daniel	Littleton	CO	262	Sonia	Fletcher	Mount Shasta	CA
181	Jacinta	Daniel	Littleton	CO	263	David	Folk-Williams	San Francisco	CA
182	Katherine	Daniel	Littleton	CO	264	Brenda	Ford	Socorro	NM
183	Christopher	Daniel	Littleton	CO	265	Jillian	Forschner	Clarks Summit	PA
184	Mark	Daniels	Flagstaff	AZ	266	Kim	Fortin	Minneapolis	MN
185	Renee	Daniels	Gilbert	AZ	267	Kari	Fosse	Portland	OR
186	Joan	Daniels	Stevensville	MT	268	Kariann	Fosse	Seattle	WA
187	Jacqueline	Davidow	Santa Cruz	CA	269	Elizabeth	Fowler	Richmond	CA
188	Robert	Davis	San Diego	CA	270	Christopher	Fox	Corvallis	OR
189	Ann	Davis	Springfield	VA	271	Shannon	Franco	Lakeland	FL
190	Paul	Deauville	Fresno	CA	272	Harriette	Frank	Durham	NC
191	Joe	DeBin	Portland	OR	273	Jeff	Franklin	Louisville	KY
192	Neil	Decker	Midlothian	VA	274	Janeille	Franzenburg	Fern Park	FL
193	Marc	Deleon	Woodland Hills	CA	275	Alan	Franzman	La Puente	CA
194	Christi	DeMark	Hoboken	NJ	276	Tom	Fray	Huntington Beach	CA
195	Kate	Demong	New York	NY	277	Nita	Frazier	Plainview	TX
196	Grant	Denn	Denver	CO	278	Vicki	Fredenburg	Pacifica	CA
197	Tami	DeNoel	Columbus	OH	279	Mathew	Freimuth	Manchester	TN
198	Kristi	Dickey	Merritt Island	FL	280	Jeremy	Friedman	Brooklyn	NY
199	Judy	Dietel	South Hadley	MA	281	Janet	Frigstad	Duluth	MN
200	Paul	DiMarco	Virginia Beach	VA	282	Karen	Frutchey	Honolulu	HI
201	Michele	DiMeo	Corvallis	OR	283	Pamela	Fuller	Kennesaw	GA
202	Marilyn	Dinger	Kaysville	UT	284	Elora	Gabriel	Asheville	NC
203	Jim	Ditton	Dearborn Heights	MI	285	Erin	Gall	Wilton	CA
204	Elizabeth	Dodd	Boca Raton	FL	286	Paula	Galle	San Francisco	CA
205	Steven	Dodson	Kneeland	CA	287	Carmine	Gallichio	Roselle Park	NJ
206	David	Dolotta	Santa Barbara	CA	288	Janel	Galvanek	Irwin	PA
207	Cheryl	Donakowski	Suttons Bay	MI	289	Jeff	Gammon	Oakland	CA
208	Dominique	Donovan	Sherman Oaks	CA	290	Haydee	Garcia	Miami	FL
209	Stephan	Donovon	Chicago	IL	291	Gabriel	Gardner	Fort Wayne	IN
210	Valerie	Dorn	Folcroft	PA	292	William	Gardner	Central Lake	MI
211	Jiri	Drapal	Prague	Czech Republic	293	Sandra	Garrett	Elizabethton	TN
212	Tim	Duda	San Antonio	CA	294	Michele	Garrison	Danville	VA
213	Timothy	Duda	San Antonio	TX	295	James	Gavin	Joplin	MO
214	Susan	Duffy	Hoboken	NJ	296	Dale	Gelfand	Specertown	NY
215	Larry	Duncan	Cypress	CA	297	Christine	Georgiou	Bronx	NY
216	Janice	Duncan	Cypress	CA	298	Jesse	Gildesgame	Arlington	MA
217	David	Dunkleberger	Doylestown	PA	299	Jeanne	Glaser	Park City	UT
218	Jeffrey	Dupee	Brooklyn	NY	300	Angie	Glasgow	Davis	CA
219	Christopher	Duran	Portland	OR	301	Fred	Goebel	Sheboygan	WI
220	Gene	Duval	Tucson	AZ	302	Charles	Goff	Claremont	CA
221	Kristin	Dykstra	Bloomington	IL	303	David	Goldsmith	Los Angeles	CA
222	Timothy	Earnes	Phoenix	AZ	304	Steven	Goldstone	New York	NY
223	Dave	Eckelkamp	New Haven	MO	305	Timothy	Goodrich	Hawthore	CA
224	Kristin	Ede	Milwaukee	WI	306	April	Gow	Appleton	VT
225	Rebecca	Edwards	Los Angeles	CA	307	Stephen	Goyon	Bethpage	NY
226	Kathleen	Edwards	Albuquerque	NM	308	Al	Graf	Saratoga	CA
227	Mark	Ehrlich	West Hollywood	CA	309	Jeanne	Greene	Houston	TX
228	Peter	Ellenstein	Independence	KS	310	Thomas	Greenwell	Newport Beach	CA
229	Vicky	Enox	Atlanta	GA	311	Reiko	Gregory	San Diego	CA
230	Bob	Epstein	Berkeley	CA	312	Michael	Gregory	Santa Fe	NM
231	Donald	Erway	South Pasadena	CA	313	Diane	Gribschaw	Santa Cruz	CA
232	Rhea	Esposito	Boulder Creek	CO	314	Bill	Groll	Austin	TX
233	Susan	Esterby	Healdsburg	CA	315	Martin	Gross	Los Gatos	CA
234	Gregory	Esteve	Lake Wales	FL	316	Janet	Gross	Great Neck	NY
235	George	Everett	Edmonds	WA	317	Ravi	Grover	Chicago	IL
236	Susan	Evisizer	Elyria	OH	318	John	Gurvitch	Springfield	MA
237	Vivian	Fahlgren	Hayward	CA	319	Ralph	Gutmann	Baltimore	MD
238	Peter	Falcon	Jersey City	NJ	320	Robert	Gwin	Union City	MO
239	John	Farina	Stamford	CT	321	Joe	Hagg	Santa Monica	CA
240	Lisa	Farnan	Queensbury	NY	322	Robin	Haine	Saratoga Springs	NY
241	Elizabeth	Farnham	Belmont	CA	323	James	Halbkat	Tryon	NC
242	Abdelwahab	Fassi-Fihri	Chandler	AZ	324	Patrice	Hall	Los Angeles	CA
243	Andy	Fedewa	Portland	MI	325	Janice	Hallahan	Hebron	IN
244	Kenneth	Feinour III	Los Angeles	CA	326	Ross	Hammersley	East Lansing	MI
245	Leslie	Feldman	San Rafael	CA	327	Bryan	Hansel	Grand Marais	MN
246	Andrea	Felix	Albuquerque	NM	328	Jan	Hansen	Petaluma	CA

NRDC Fax Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
329	Marianne	Hansen	Cardiff By The Sea	CA	411	Robert	Johnston	Ithaca	NY
330	Nick	Hardy	Clearwater	FL	412	Andrew	Jones	Gladstone	MI
331	Lynne	Harkins	Cambria	CA	413	Nicole	Jordan	Somerville	MA
332	Kevin	Haro	Milwaukee	WI	414	James	Jorgensen	Ames	IA
333	Jenita	Harris	Wichita	KS	415	Miale	Jose	Seattle	WA
334	John	Harris	Norwood	MA	416	Stephanie	Joyner	Eldersberg	MD
335	Laura	Harris	Murphy	NC	417	Caroline	Jurovic	Arcata	CA
336	Paul	Harris	Wolfboro	NH	418	Gilbert	Kachmar	Oxford	MI
337	Lisa	Harrison	New York	NY	419	Kathleen	Kaeding Turner	Green Bay	WI
338	Randy	Harrison	Eugene	OR	420	John	Kaiser	Huntington Beach	CA
339	Laurie	Harsh	Bemidji	MN	421	Thomas	Kanwischer	Chicago	IL
340	John	Hartman	Tulsa	OK	422	Josh	Kaye-Carr	Ventura	CA
341	Nicholas	Hartman	Tulsa	OK	423	Staci	Kaye-Carr	Ventura	CA
342	Roseanne	Hartman	Tulsa	OK	424	Scott	Kaymen	Pinellas Park	FL
343	Gretchen	Hart-Vonkeller	Trinidad	CO	425	Mary	Kearney	Yorba Linda	CA
344	Matthew	Haskett	Turlock	CA	426	Geoffrey	Keezer	Petaluma	CA
345	Earl	Hatieberg	Chichester	NY	427	Tess	Keith	Portland	OR
346	Juliet	Hayes	Davis	CA	428	Stacey	Kellenbeck	Grants Pass	OR
347	Sara	Hayes	Long Beach	CA	429	Victoria	Keller	Boonville	CA
348	Joseph	Hayes	Grand Junction	CO	430	Molly	Keller	Portland	OR
349	Cherie	Haymes	Santa Fe	NM	431	Theresa	Kelly	New York	NY
350	Elisabeth	Haynes	Grafton	MA	432	Wayne	Kelly	Ashland	OR
351	Jim	Head	Berkley	MI	433	Jack	Kenton	El Segundo	CA
352	P.J.	Heart	Middletown	CA	434	Janis	Keske	Golden	CO
353	Jennifer	Heavilin	Gainesville	FL	435	Dale	Kesler	Birmingham	MI
354	John	Hebert	New Berlin	WI	436	Sheree	Kesler	Birmingham	MI
355	Jon	Heck	Millville	NJ	437	Dawn	Keur	Sandpoint	ID
356	Susan	Heckler	Jamaica	NY	438	Mha Atma	Khalsa	Los Angeles	CA
357	Angela	Heid	Denver	CO	439	Richard	Khanlian	Santa Fe	NM
358	Rob	Hemmick	Saint Petersburg	FL	440	Christina	Kim	Los Angeles	CA
359	Steve	Henry	Santa Monica	CA	441	Owen	King	Athens	GA
360	Sandra	Henry	Brooklyn Park	MN	442	Ken	Kiplen	Ashfield	MA
361	Beth	Herbert	San Francisco	CA	443	Laurence	Kirby	Woodstock	NY
362	Tim	Herbstrith	Minneapolis	MN	444	Shannon	Kitlas	Alexandria	VA
363	Nicke	Hetzel	Plano	TX	445	Jonathan	Klein	West Hollywood	CA
364	Jim	Highfill	Winnetka	CA	446	Basey	Klopp	Hermosa Beach	CA
365	Bertie	Hill	Austin	TX	447	John	Koenig	Eugene	OR
366	Kathy	Himmer	Lawrence	KS	448	Ari	Kohn	Seattle	WA
367	Jimmy	Hines	Winnsboro	LA	449	Danielle	Kovach	Charleston	SC
368	Brant	Hinrichs	Springfield	MO	450	Summer	Kozisek	Milwaukee	WI
369	Danielle	Hipworth	Orlando	FL	451	David	Kozlowski	Santa Fe	NM
370	Walter	Hoke	Parks	AZ	452	Gavin	Kramer	Lawrenceville	NJ
371	William	Holley	Redding	CA	453	Phil	Kreiger	Mill Valley	CA
372	Gerald	Holmes	Annandale	VA	454	Don	Kurz	Jefferson City	MO
373	Steven	Hooper	Cupertino	CA	455	Vince	L	Oviedo	FL
374	Lynne	Horst	Ponte Vedra	FL	456	Doug	La Follette	Madison	WI
375	Brian	Horstman	Cerrillos	NM	457	Renee	La Rue	Hope Mills	NC
376	Cliff	Hoskins	Oakland	CA	458	Mailie	La Zarr	Modesto	CA
377	Richard	Hoskins	Olympia	WA	459	Betsy	Lambert	Long Beach	CA
378	John	Hotchkiss	Stateline	NY	460	Deborah	Lambert	Baltimore	MD
379	Keith	Houser	Bellevue	WA	461	Eric	Lambert	Baltimore	MD
380	Lynn	Houston	Nantucket	MA	462	Larry	Lambeth	Springfield	MO
381	Clifford	Hritz	Philadelphia	PA	463	Chad	Landers	Stuido City	CA
382	Charles	Hughes	Arkadelphia	AR	464	Karen	Landers	Winter Haven	FL
383	Michelle	Hughes	Mountain View	AR	465	Sofie	Landner	Sebastopol	CA
384	Chuck	Hughes	Mountain View	AR	466	Ron	Landskroner	Oakland	CA
385	Michael	Hughes	Hacienda Heights	CA	467	Marcus	Lanskey	Eugene	OR
386	Kalinke	Hulzen	Wieringerwerf	Netherlands	468	Sarah	Lanzman	Afton	VA
387	Jennifer	Humowiecki	Chicago	IL	469	Gloria	Larkin	Los Angeles	CA
388	John	Humphreys	Downingtown	PA	470	Erika	Larsson	Berkeley	CA
389	Heather	Hundt	Las Vegas	NV	471	Renee	LaRue	Hope Mills	NC
390	Craig	Hunt	Gilroy	CA	472	Steve	Latsch	Sylvania	OH
391	Elizabeth	Hunt	Brunswick	ME	473	Cindy	Lattanzio	Dallas	TX
392	Lee	Hutchings	Palacios	TX	474	Angela	Lawson	Hamilton	Canada
393	Mikhail	Ibragimov	Rego Park	NY	475	Chuck	Layton	Edina	MN
394	Henry	Ickes	Arlington	VA	476	Dennis	Ledden	Rancho Murieta	CA
395	Maya	Jacobs	Boulder	CO	477	Rose	Lehman	Los Angeles	CA
396	Colette	Jacquet	Greenwich	CT	478	Chad	Lent	San Francisco	CA
397	Robert	Janusko	West Milford	NJ	479	A.R.	Leonard	New Orleans	LA
398	B	Jay	Santa Monica	CA	480	Wayne	Lessard	Windsor	Canada
399	Lynne	Jeffries	Laguna Niguel	CA	481	Jerry	Leventer	Sunnyvale	CA
400	Lynne	Jeffries	Laguna Niguel	CA	482	Raymond	Lewis	Signal Mtn	TN
401	Lynne	Jeffries	Laguna Niguel	CA	483	David	Liewehr	Silver Spring	MD
402	Jon	Jenkins	Howard	CO	484	Eric	Lind	Sudbury	MA
403	Michael	Jewett	Jacksonville	FL	485	Erik	Lindberg	Denver	CO
404	Annelisa	Johnson	Pennant Hills	Australia	486	Mark	Linkhorst	Tamaqua	PA
405	Carla	Johnson	Flagstaff	AZ	487	Steve	Lipson	Washington	DC
406	Molly	Johnson	Templeton	CA	488	Bill	Little	Denver	CO
407	Candace	Johnson	San Diego	CA	489	Ryan	Little	Pittsburgh	PA
408	Sandi	Johnson	Pensacola Beach	FL	490	Merlin	Littlefield	Glenburn	ME
409	Gregory	Johnson	Oxford	MS	491	Ching	Liu	Los Angeles	CA
410	Kim	Johnson	Wilson	WY	492	Nancy	Lizotte	Fall River	MA

NRDC Fax Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
493	Dale	Lloyd	Post Falls	ID	575	Mark	Morrison	Nederland	CO
494	Penny	Logan	Englewood	CO	576	Karen	Moser	Capitol Heights	MD
495	Jennifer	Lohse	Portland	OR	577	Barbara	Moses	San Luis Obispo	CA
496	Sara	Lotfi	Indianapolis	IN	578	Jim	Mosser	Pembroke Pines	FL
497	Sarah	Lotfi	Indianapolis	IN	579	Paul	Moulton	Tallahassee	FL
498	Jonathan	Lotz	Independence	MO	580	Lesley	Mowat	Philadelphia	PA
499	Ann	Lourie	Prescott	AZ	581	Joseph	Moye	Tallahassee	FL
500	John	Lowell	San Francisco	CA	582	Ken	Mrnak	Sioux Falls	SD
501	Vincent	Lucas	Naples	FL	583	Sharon	Mullane	Los Angeles	CA
502	Jeff	Luhrs	Reading	PA	584	Marc	Mullendore	Laguna Hills	CA
503	Keth	Luke	New Port Richey	FL	585	Joseph	Multhauf	Greenfield	WI
504	Robert	Lutman	Ottawa Lake	MI	586	Kurt	Munkacs	New York	NY
505	David	Luxem	Seattle	WA	587	Brandon	Munson	Rocky Hill	CT
506	Richard	Lynch	San Francisco	CA	588	Molly	Murrah	Kirkland	WA
507	Grayson	Lynn	Homosassa	FL	589	Sonia	Murray	Sarasota	FL
508	Martha	Lynne	Newport	NC	590	Nancy	Nathan	Los Angeles	CA
509	Michael	Lyons	Tucson	AZ	591	Bonnie	Nelson	Los Angeles	CA
510	DF	Magee	Atlanta	GA	592	Cyndi	Nelson	Niwot	CO
511	Jeanine	Maguire	Janesville	WI	593	Amy	Nesler	Fort Collins	CO
512	Sameer	Maihotra	Fremont	CA	594	Kevin	Nesnow	Honolulu	HI
513	Constance	Mancuso	Waltham	MA	595	Kathleen	Neuenschwander	Elizabeth	CO
514	Mitchell	Maness	Dallas	TX	596	Rolf	Neuschaefer	Irvine	CA
515	Jack	Maret	Chino Valley	AZ	597	Landon	Neustadt	Santa Barbara	CA
516	Jackie	Maret	Chino Valley	AZ	598	Mark	Newlon	Seneca	IL
517	Bonnie	Margay Burke	San Diego	CA	599	James	Nimmo	Oklahoma City	OK
518	Jason	Margulis	Ashland	OR	600	Chava	Noe	Rochester	NY
519	Sophia	Mariette	Los Angeles	CA	601	Michelle	Nordi Hern	Brooklyn	NY
520	Christina	Maris	Albuquerque	NM	602	Ambre	Nulph	Clinton	AR
521	John	Marks	Portland	OR	603	Todd	O'Buckley	Durham	NC
522	Jordan	Markwell	Norman	OK	604	Maeve	Odum	Sun Valley	CA
523	Robin	Marlowe	Cambridge	MA	605	Descendents	Of The Earth	Ventura	CA
524	Gillian	Maruice	Guelph	Canada	606	Rochelle	Ohman	Springfield	OR
525	Deborah	Maufer	Menlo Park	CA	607	Brad	Oldfather	Lafayette	IN
526	Karolyn	Mauro	San Diego	CA	608	Jean	Oliphant	Marblehead	MA
527	Barbara	May	Panama City	FL	609	Karen	Olson-Knowles	Arvada	CO
528	Bobby	McCanne	Claremont	CA	610	Megan	O'Neal	Marshall	VA
529	Barb	McCarthy	Tonowanda	NY	611	Robert	O'Neill	Tuckahoe	NY
530	O	McCarthy	Portland	OR	612	Gerald	Orchoiski	Pasadena	CA
531	Michael	McCarty	Plain City	OH	613	D	Orrick	Tallahassee	FL
532	Michael	McCarty	Plain City	OH	614	Jay	Osguthorpe	Calgary	Canada
533	Liz	McCormack	Costa Mesa	CA	615	Gordon	Osse	Cottonwood	AZ
534	Shawn	McCrohan	Chatsworth	CA	616	Tanya	Ott	Arlington	MA
535	Patricia	McCullor	Tupelo	MS	617	Chris	Ottinger	Pacific Palisades	CA
536	Michael	McDowell	Bloomington	IN	618	Mark	Owens	Sebastopol	CA
537	Jamie	McHugh	San Francisco	CA	619	Jim	Oxyer	Louisville	KY
538	Edward	McKenna	North Arlington	NJ	620	Jim	Oxyer	Louisville	KY
539	Vera	McLean	Lafayette	CA	621	Dogan	Ozkan	Washington	DC
540	Forest	McMullen	Seattle	WA	622	Dogan	Ozken	Washington	DC
541	Terri	McShane	Ramsey	MN	623	Rodney	Palmer	Sacramento	CA
542	Melissa	McTague	Long Island City	NY	624	Rodney	Palmer	Sacramento	CA
543	Lisa	Meacham	Austin	TX	625	Victor	Palmer	Cordova	TN
544	Susan	Meiers	Macomb	IL	626	Jennifer	Parisi	Westfield	NJ
545	Giancarlo	Melosi	Pescia	Italy	627	Erika	Parker	Conroe	TX
546	Arthur	Mensor	Palm Springs	CA	628	Elaine	Partlow	Pahoa	HI
547	Mark	Messing	Traverse City	MI	629	Roshan	Patel	Macon	GA
548	Ken	Metz	North Richland Hills	TX	630	Mertie	Pateros	Gaithersburg	MD
549	Chris	Meyer	Berlin	CT	631	Marla	Patrick	Lindsborg	KS
550	Alexandra	Miehrbradt	Sedalia	CO	632	Steven	Patterson	Sundbury	PA
551	Michael	Mihok	Bayville	NJ	633	Judy	Peng	South El Monte	CA
552	John	Miksa	Milwaukee	WI	634	Vicki	Peoples	Coeur D'Alene	ID
553	Bill	Miller	Valencia	CA	635	Doug	Perlich	Belmont	CA
554	David	Miller	Irvine	CA	636	Rickey	Perna	Irving	TX
555	Clyde	Miller	Tampa	FL	637	Brenda	Peterson	Seattle	WA
556	Richard	Miller	Meriden	NH	638	Alna	Pfeifer	Rowley	MA
557	Susan	Miniman	Califon	NJ	639	Mark	Phillips	Sunnyvale	CA
558	Aimee	Miter	San Diego	CA	640	MGC	Pickel	Pigeon Forge	TN
559	Michael	Mix	Berwyn	IL	641	Koa	Pickering	San Anselmo	CA
560	Joseph	Mohan	Butler	PA	642	James	Pierson	Charleston	SC
561	Jairo	Molina	Decorah	IA	643	Lisa	Piner	Costa Mesa	CA
562	Melody	Monk	Tahoe City	CA	644	Phyllis	Pircher	La Canada	CA
563	Vickie	Monson	Ogden	UT	645	Brent	Pitts	Boise	ID
564	Mark	Moody	Seattle	WA	646	Gina	Plaitakis	South Orange	NJ
565	Collin	Moon	La Crosse	WI	647	Michael	Pojanowski	Lynhurst	NJ
566	Victor	Moore	Cathedral City	CA	648	Louis	Pontillo	Central Islip	NY
567	Robert	Moore	Cathedral City	CA	649	David	Pope	Colorado Springs	CO
568	Avery	Moore	New Canaan	CT	650	Kevin	Porras	Miami	FL
569	Joan	Moore	Stuart	FL	651	Kevin	Porras	Miami	FL
570	Cyndi	Moorman	Okolona	AR	652	William	Porter	San Marcos	CA
571	Patricia	Morgan	Novato	GA	653	David	Potocnik	Bowling Green	OH
572	Kay	Morgan	Evanston	IL	654	Cheryl	Powers	Toledo	WA
573	Rufus	Morison	Bristol	TN	655	Don	Pratt	Lexington	KY
574	John	Morris	Grants Pass	OR	656	Lynn	Price	Tallahassee	FL

NRDC Fax Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
657	Grace	Pritchard	New Haven	CT	739	Kimberly	Simi	Pacific Palisades	CA
658	Lynn	Proenza	Tampa	FL	740	Karen	Simmons	Fresno	CA
659	Barbara	Prudic	Carson City	NV	741	Scott	Simpson	Golden	CO
660	Adam	Quinn	Clearwater	FL	742	Sally	Simpson	Garland	TX
661	Skip	Radau	Tucson	AZ	743	Jessica	Sjobeck	Portland	OR
662	John	Ranck	Dorchester Center	MA	744	Jason	Sjobeck	Portland	OR
663	Neville Sue	Rapp	St. Louis	MO	745	Alexandra	Sjobeck	Portland	OR
664	Izak	Rappaport	Miami Beach	FL	746	Joan	Skarda	Florence	OR
665	Mark	Reback	Los Angeles	CA	747	John	Skarda	Florence	OR
666	Phillip	Reed	Norman	OK	748	John	Skarda	Eugene	OR
667	Amy	Reese	Los Angeles	CA	749	Andrew	Sleff	Fayetteville	AR
668	Kelli	Reese	Kalispell	MT	750	Jeffery	Slutz	Cincinnati	OH
669	Phil	Regas	Arvada	CO	751	Douglas	Smith	Los Angeles	CA
670	Jeanette	Reilly	Sag Harbor	NY	752	Sarah	Smith	Princeville	HI
671	Josef	Reiter	Astoria	NY	753	Elena	Smith	Dayton	OH
672	Kathy	Reiter	Hawley	PA	754	Tess	Smith	Portland	OR
673	Richard	Renaldi	Los Angeles	CA	755	Barbara	Smolinski	Seibyville	DE
674	Brandon	Renner	Santa Ana	CA	756	Vincent	Smolinski	Seibyville	DE
675	Vivian	Riffelrnacher	New York	NY	757	Daniel	Solomons	Seattle	WA
676	Kelly	Riley	Hummelstown	PA	758	Catherine	Sommer	San Francisco	CA
677	Kevin	Riley	Austin	TX	759	Alex	Sonneborn	Syracuse	NY
678	Gary	Robertson	Clinton	CT	760	Lee	Soper	Greenwich	CT
679	Melissa	Robertson	Metairie	LA	761	Neil	Sorensen	Golden Valley	MN
680	Carol	Rosskam	Santa Monica	CA	762	Justin	Southwick	Brentwood	TN
681	Cara	Rosson	Peoria	IL	763	Nancy	Spears	Bossier City	LA
682	David	Roth	Arlington	VA	764	Paul	Speck	University Park	MD
683	Elizabeth	Rotter	San Francisco	CA	765	Karen	Spencer	New York	NY
684	Robert	Rovin	Fairfax	CA	766	Richard	Spotts	St. George	UT
685	Dennis	Roy	Alameda	CA	767	John	Spragens	Eugene	OR
686	Bill	Rubin	Suwanee	GA	768	Michele	Sprague	North Las Vegas	NV
687	Robert	Rutkowski	Topeka	KS	769	Jerilyn	Spring	Eugene	OR
688	Austin	Sachs	Middletown	PA	770	Kartik	Srinivas	Portland	OR
689	Roger	Sadler	Highland	CA	771	Dayaian	Srinivasan	New York	NY
690	Joe	Salazar	Santa Rosa	CA	772	Nathaniel	Stafford	Stafford Springs	CO
691	Susan	Salo	Warren	OH	773	Susan	Stanfield	Escondido	CA
692	Gary	Sanders	Palo Alto	CA	774	Claudia	Stark	Gainesville	FL
693	Catherine	Sanders	Reno	NV	775	Richard	Steele	Ridgway	CO
694	Diana	Sankey	Azusa	CA	776	Howard	Steffens	Tujunga	CA
695	Lisa	Sarinelli	Charlotte	NC	777	Andy	Steinberg	South Hadley	MA
696	Darlene	Sarver	Cincinnati	OH	778	Joyce	Stephen	St Charles	IL
697	John	Savage	Northwood	NH	779	Elizabeth	Sterner	York	PA
698	Patricia	Savage	Northwood	NH	780	Jack	Stevens	Los Angeles	CA
699	Judie	Scaffano	Ancram	NY	781	Karen	Stevens	Montevideo	MN
700	Harold	Schall	Stow	OH	782	Janet	Stewart	Henderson	NV
701	Mirjam	Schenk	Amsterdam	Netherlands	783	Deanna	Stillings	Carlisle	MA
702	Judith	Schlacter	Eugene	OR	784	Spencer	Stillman	Beverly Hills	CA
703	Laurie	Schlueter	Appleton	WI	785	Rondi	Stires	Verona	NJ
704	Erik	Schmid	Swedeseboro	NJ	786	Alice	Stolfa	Austin	TX
705	Danielle	Schneider	Deerfield	IL	787	John	Stoltenberg	Elkhart Lake	WI
706	Tom	Schreckengast	Williamsport	PA	788	Elizabeth	Stone	Yountville	CA
707	Lindon	Schultz	Los Angeles	CA	789	Robert	Stone	Yountville	CA
708	Ted	Schultz	Denver	CO	790	Peter	Stone	Bethlehem	PA
709	Bob	Schultz	Woodinville	WA	791	Eric	Stordahl	Marquette	MI
710	Carol	Scott	Glendora	CA	792	Matthew	Stroh	San Diego	CA
711	Carol	Scott	Glendora	CA	793	Richard	Strook	Littleton	CO
712	Erik	Scott	Coral Gables	FL	794	Rebecca	Summer	Silver City	NM
713	Tena	Scruggs	Escondido	CA	795	Daniel	Sumrall	New Haven	CT
714	Bob	Segal	Tucson	AZ	796	Jay	Sweeney	Dalton	PA
715	Ruth	Seroussi	Studio City	CA	797	Cynthia	Takahrt	Garfield Heights	OH
716	Noel	Serra	Miami	FL	798	Kelly	Tanguay	Bend	OR
717	William	Seyfried Jr	Las Vegas	NV	799	Jack	Tasoff	San Pedro	CA
718	Robert	Shannon	Weatherford	TX	800	Steve	Taylor	Algonquin	IL
719	Mike	Shannon	Salt Lake City	UT	801	Kalinke	Ten Helzen	Wieringerwerf	Netherlands
720	Michael	Shapiro	Richmond	VA	802	Lee	Terbott	Cave City	AR
721	Skip	Shaputnic	San Diego	CA	803	Charlotte	Terbott	Cave City	AR
722	Michael	Shasky	Fort Lauderdale	FL	804	Karen	Thomas	Stone Mountain	GA
723	Joel	Shaw	Flushing	NY	805	Sue	Thompson	Pacifica	CA
724	Allison	Shearer	Bellevue	WA	806	Ann	Thryft	Boulder Creek	CA
725	Sher	Sheldon	Novato	CA	807	Maureen	Timmeny	King of Prussia	PA
726	Pamela	Shepard	Safety Harbor	FL	808	Michael	Toobert	Grass Valley	CA
727	Kathy	Sherrard	Franklin	NC	809	Anne	Tooley	Efland	NC
728	Jonathan	Shields	Seattle	WA	810	Alex	Torralbas	Stamford	CT
729	Jason	Shipley	Falls Church	VA	811	Gene	Trapp	Davis	CA
730	Starla	Sholl	Chicago	IL	812	Alton	Travland	Salt Lake City	UT
731	Robbie	Short	Greeley	CO	813	Indi	Trehan	Cincinnati	OH
732	H	Shukla	Concord	CA	814	Gabriella	Turek	Pasadena	CA
733	David	Shumacher	New York	NY	815	Lloyd	Tyler	Cockeysville	MD
734	Derek	Shumate	Houston	TX	816	Eva	Valencia	Phoenix	AZ
735	Derek	Shumate	Houston	TX	817	Richard	Valencia	Pasadena	CA
736	Anne	Shure	Huntertown	IN	818	Dona	Van Bloemen	Santa Monica	CA
737	Ben	Sikes	Lafayette	LA	819	John	Varley	Chapel Hill	NC
738	Alexander	Silverio	San Jose	CA	820	Patrick	Vaughn	Las Vegas	NV

NRDC Fax Respondents

#	First Name	Last Name	City	State
821	Diana	Veronski	Kelowna	Canada
822	Gerald	Vertrees	Golden Valley	AZ
823	Keith	Vigiletta	La Grange Park	IL
824	Louise	Vista Michael	Sonoita	AZ
825	George	Viveiros	North Kingstown	RI
826	Emily	Vogt	Lombard	IL
827	Vincent	Vohnout	Columbus	OH
828	David	Volimers	Whitefish Bay	WI
829	Gracie	Wade	San Jose	CA
830	Jim	Wagner	Westerville	OH
831	Virginia	Wagner	Westerville	OH
832	Michael	Wagner	Hegins	PA
833	Jenifer	Wald Morgan	Redondo Beach	CA
834	Stephen	Wallace	Venice	FL
835	Sandra	Walters	Enterprise	FL
836	Wendy	Walters	Brooklyn	NY
837	Marcus	Walther	Virginia Beach	VA
838	Chad	Ward	Leadville	CO
839	David	Warkentin	Nicasio	CA
840	Bethany	Warner	Traverse City	MI
841	Nan	Warshaw	Chicago	IL
842	Michael	Webb	Louisberg	KS
843	Nancy	Webber	Tyngsboro	MA
844	Robin	Weber	Belleair	FL
845	Christian	Wedemeyer	Chicago	IL
846	Christopher	Weedall	River Halls	WI
847	Jason	Weingartner	Nutley	NJ
848	Michael	Weinzweig	Crystal Bay	NV
849	Harold	Weisbecker	Chicago	IL
850	Gerald	Weller	Metairie	LA
851	Susan	Wells	Winnetka	CA
852	Bob	Welsh	Salem	OR
853	Joseph	Werzinski	New Hope	PA
854	Autumn	West	Petersham	MA
855	Joanna	Westerfeld	Palo Alto	CA
856	Carrie	Westfall	Saint Paul	MN
857	Michael	Wherley	Eugene	OR
858	Brian	White	Bradenton	FL
859	Glenn	Whiteside	Monument	CO
860	Sandra	Whitten	Cave Junction	OR
861	Sean	Wiedel	Waukegan	IL
862	Mary	Wiener	Carpinteria	CA
863	Todd	Wiggins	New York	NY
864	Faith	Wilcox	Westport	ME
865	Tom	Wilkes	Pioneertown	CA
866	Rick	Willets	Henderson	NV
867	Greg	Willey	Fair Oaks	CA
868	Charlie	Williams	Holland	MI
869	Terrie	Williams	Vidor	TX
870	Lisa	Williamson	Pasadena	CA
871	Thomas	Wilson	Baltimore	MD
872	Anita	Winfough	Titusville	FL
873	Judith	Winston	Santa Monica	CA
874	Charley	Wittman	Allentown	PA
875	Robert	Wolf	Sound Beach	NY
876	Alexander	Won	San Francisco	CA
877	Erik	Wood	Brooklyn	NY
878	Steve	Wood	Summerville	SC
879	Randy	Wood	Seattle	WA
880	Jean	Woodman	Evanston	IL
881	Shauna	Woodward	North Hollywood	CA
882	Jack	Woodward	Clayton	GA
883	Patti	Wright	Hutchinson	KS
884	Craig	Wyatt	Washington	DC
885	Peter	Xebic	San Francisco	CA
886	Richard	Yarnell	Beavercreek	OR
887	Caryl	Yenny	Odessa	FL
888	Kay	Yeuell	Maitland	FL
889	Ana	Yong Soler	El Paso	TX
890	Geoffrey	Yost	Goshen	IN
891	Ana	Young Soler	El Paso	TX
892	Wesley	Younger	Atlanta	GA
893	Sandra	Zahn	Milwaukee	WI
894	Paul	Zarchin	Phoenix	AZ
895	Bernie	Zelazny	Alpine	TX
896	Mary	Zell	Saint Louis	MO
897	Lyn	Zerin	Largo	FL
898	Karolyn	Zimmerman	Klamath Falls	OR
899	Kevin	Znosko	Cheswick	PA
900	Patti	Zussman	Portola Valley	CA
901	John	Zussman	Portola Valley	CA

This list represents the names and locations of people who transmitted the following form letter via e-mail from the Ocean Conservancy. In addition to background information on the Channel Islands, commentary includes support for:

- The extension of Marine Protected Areas of the Channel Islands National Marine Sanctuary into federal waters.
- The permanent establishment of Marine Protected Areas and marine reserves under the Sanctuaries Act rather than the Magnuson Stevens Act.

Copy of E-mail Form:

*Dear Program Officials,*

*I am writing to tell you that I strongly support the Sanctuary extending the Marine Protected Areas of the Channel Islands National Marine Sanctuary into federal waters. Going forward with this bold conservation move will protect important habitat for the globally unique marine species at the Channel Islands. Scientific studies have shown that species in Marine Protected Areas (MPAs) increase rapidly in size, abundance and diversity, and that declining species are given a chance to recover. The Channel Islands are an important part of California's natural history. Extending the reserves into deeper federal waters and ensuring full no-take protection is critical to protect habitats where many animals seek refuge during the summer, to protect seamounts that host feasting whales and mammals, and to protect wide-ranging schools of blue-water fish that forage on baitfish and plankton.*

*Marine Protected Areas established under the National Marine Sanctuaries Act are needed to protect the entire community of life within the Sanctuary in a way that is comprehensive, durable and timely. For this reason, I urge you to establish these MPAs and marine reserves permanently under the Sanctuaries Act rather than through temporary and incomplete fishery management measures under the Magnuson Steven Act.*

*Right now, you are faced with a decision that in great part will help to shape ocean policy in California and the nation. You have the chance to do something bold and visionary. So please act now to extend the MPAs in the Channel Islands National Marine Sanctuary into federal waters.*

*Sincerely,  
Respondent*

Over 1,500 respondents represent nine countries with 99.4% located in the United States. Forty three US states are represented, the majority residing in California at 85.8%.

## Ocean Conservancy Email Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
1	Relf	A Star	Claremont	CA	83	Jim	Bell	Rancho Cucamonga	CA
2	Julie	A. Smith	Los Osos	CA	84	Jim	Bell	San Diego	CA
3	Frank	Aaron	Frisco	TX	85	Sharon	Bell	Pomona	CA
4	Shannon	Abernathy	Santa Cruz	CA	86	Leslie	Bell	Bakersfield	CA
5	Beverly	Ackerman	Santa Rosa	CA	87	Olivia	Beltran	San Anselmo	CA
6	Margaret	Adams	Sherman Oaks	CA	88	Bonnie	Benard	Berkeley	CA
7	Jessica	Adejobi	Oakland	CA	89	Sherry	Bendall	Aliso Viejo	CA
8	Steve	Aderhold	Fallbrook	CA	90	Carol	Bender	Chula Vista	CA
9	Jane	Adler	Santa Monica	CA	91	Erica	Bender	Los Angeles	CA
10	Marco	Aguilera	Carlsbad	CA	92	Nancy	Beningo	Los Angeles	CA
11	Ed	Aiken	Sunnyvale	CA	93	James	Benjamin	Half Moon Bay	CA
12	Joel	Ainger	Sacramento	CA	94	Ricki	Bennett	San Francisco	CA
13	James	Albrigtsen	Palenville	NY	95	Bruce	Bennett	Sausalito	CA
14	Francisco	Alderete Jr	Laredo	TX	96	Barbara	Bennigson	Palo Alto	CA
15	Abby	Alderson	Santa Monica	CA	97	Erika	Beqaj	Kill Devil Hills	NC
16	Tom	Aldridge	San Jose	CA	98	Bernard	Berauer	Seminole	FL
17	Thomas	Alexander	Quincy	CA	99	Ricardo U.	Berg	Los Angeles	CA
18	Bridget	Allen	Los Angeles	CA	100	Christine	Berger	Oakland	CA
19	Deanna	Allen	Laguna Niguel	CA	101	Beth	Beringer	Encinitas	CA
20	Frances	Allred	El Prado	NM	102	Scott	Beringer	San Francisco	CA
21	Javier	Alvarez	Castroville	CA	103	Paula	Berkeley	Sebastopol	CA
22	Maytee	Alvarez	Cypress	CA	104	Steve	Berman	Glendale	CA
23	Linda	Alvarez	Temecula	CA	105	Mark	Berman	San Francisco	CA
24	Rachael	Alvarez-Jett	Torrance	CA	106	Annie	Bernstein	Alameda	CA
25	Kate	Amon	Fremont	CA	107	Maureen	Besancon	Woodland Hills	CA
26	Dale	Anania	Berkeley	CA	108	Kathryn	Bevington	Pewaukee	WI
27	Kristine	Andarmani	Mountain View	CA	109	Larry	Bibayoff	Sacramento	CA
28	Hannah	Andersen	Laguna Niguel	CA	110	Jennifer	Bible	Union City	CA
29	Corina	Anderson	Bakersfield	CA	111	Nicole	Bickel	Pittsburg	CA
30	Roberta	Andrade	Hawaiian Gardens	CA	112	Barbara	Bickley	Thousand Oaks	CA
31	Paul	Andrade	Oakland	CA	113	Colleen	Billin	Simi Valley	CA
32	Joayne	Andrews	Barona Rancheria	CA	114	Nicola	Bird	Bermuda	
33	Darla	Anelli	San Jose	CA	115	Candice	Birkenhauer	St. Petersburg	FL
34	Ray	Apodaca	San Francisco	CA	116	Jo	Birns	Santa Cruz	CA
35	Amber	Archangel	Carmel	CA	117	Shirley	Biscotti	Fairfield	CA
36	Eliana	Ardila	Miami	FL	118	Rick	Black	Redondo Beach	CA
37	Andrea	Arena	Pacific Palisades	CA	119	Byron	Black	Houston	TX
38	Amin	Arikat	Hercules	CA	120	Tracy	Blair	Los Angeles	CA
39	Frank	Arnold	San Jose	CA	121	Jill	Blaisdell	La Canada	CA
40	Dan	Arnold	Los Angeles	CA	122	Carmen	Blakely	Lutz	FL
41	Diane	Arrieta	Spring	TX	123	Sharon	Blaziek	Pacific Grove	CA
42	Chris	Ashton	La Mesa	CA	124	Dana	Bleckinger	Portland	OR
43	Francisca	Astengo	Morenci	AZ	125	Naomi	Blinick	Sunnyvale	CA
44	William	Athan	Redwood Valley	CA	126	Malcolm	Blue	Valencia	CA
45	Michelle	Auchtertonie	Sherman Oaks	CA	127	John	Boeschen	San Rafael	CA
46	William	Avellino	Aptos	CA	128	Georgette	Bogiatzidis	Melbourne	FL
47	Lynne	Avilla	Sacramento	CA	129	Ronald	Bogin	El Cerrito	CA
48	Russ	Avison	Fillmore	CA	130	Stephen	Bohac	Twain Harte	CA
49	William	Babcock	San Diego	CA	131	Jill	Boivin	Hermosa Beach	CA
50	Christina	Babst	West Hollywood	CA	132	Deniz	Bolbol	Redwood City	CA
51	John	Bader	Wilton	CA	133	Patricia	Bolt	Burbank	CA
52	Terry	Badger	Paso Robles	CA	134	Jose Ricardo	Bondoc	San Francisco	CA
53	Frank	Baele	Playa Del Rey	CA	135	A	Bonvouloir	Sunnyvale	CA
54	Katherine	Bailey	Sacramento	CA	136	Bonnie	Bora	Laguna Niguel	CA
55	Charmaine	Bailey	San Francisco	CA	137	Michael	Bordenave	Houston	CA
56	Arlene	Baker	Berkeley	CA	138	Caroline	Borino	Houston	TX
57	Nancy	Bakerink	San Rafael	CA	139	Annette	Bork	Irvine	CA
58	Andrea	Balcavage	Sacramento	CA	140	Gilberto	Bosques	San Ysidro	CA
59	Patricia	Baldwin	Red Mountain	CA	141	Tasha	Boucher	Los Angeles	CA
60	Jeff	Ball	Sacramento	CA	142	Becky	Bounds	Merriam	KS
61	Ranko	Balog	Irvine	CA	143	Sin~ Demetrius	Boyce	Providence	RI
62	Jennifer	Banoczy	Los Angeles	CA	144	Jennifer	Bradley	Santa Monica	CA
63	Philip	Barbour	Laguna Beach	CA	145	Sylvie	Braitman	San Francisco	CA
64	Ryan	Barbour	Temecula	OR	146	Ryan	Branciforte	San Rafael	CA
65	Dan	Barkley	Albuquerque	NM	147	Ramna	Brandt	San Francisco	CA
66	Laura	Barnard	Temecula	CA	148	Susan	Bredau	N Hollywood	CA
67	Lynn	Barnes	Detroit	MI	149	Mark	Brehmer	Shingle Springs	CA
68	Glenn	Barr	Venice	CA	150	Luke	Breit, Chair	Sacramento	CA
69	Christina	Barraza	Temecula	CA	151	John	Brennan	Oakdale	CA
70	Tim	Barrington	Sunnyvale	CA	152	Eleanor	Brennan	San Diego	CA
71	Sarah	Barrs	San Francisco	CA	153	Lisa	Breslauer	San Jose	CA
72	Janice	Basch	Ventura	CA	154	Scott	Brian	Tampa	FL
73	A.M.	Batchelor	San Francisco	CA	155	Bill	Briggs	Hermosa Beach	CA
74	Krista	Bauer	Oakland	CA	156	Gillian	Briley	Pacifica	CA
75	Kim	Bauer	Lancaster	CA	157	Rita	Brinkman	Los Alamitos	CA
76	Brandwynne	Baumgartner	Turlock	CA	158	Dan	Bristol	Berkeley	CA
77	Hannah	Beadman	Los Angeles	CA	159	Kathy	Britt	Yorba Linda	CA
78	Douglas	Beck	Pacific Grove	CA	160	John	Bronson	Fremont	CA
79	Candace	Beck	Whittier	CA	161	Melissa	Broshears	San Diego	CA
80	Katie	Becker	Orlando	FL	162	Katie	Brown	Davis	CA
81	Chifuyu	Beckett	Wellington	FL	163	Lori	Brown	Los Angeles	CA
82	Lynn	Bedri	Rescue	CA	164	Richard	Brown	Long Beach	CA

## Ocean Conservancy Email Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
165	Catherine	Bruington	Riverside	CA	247	Morgan	Coffey	Summerland	CA
166	Yemel	Bryan	Palm Beach Gardens	FL	248	Lawrence	Coffey	Santa Maria	CA
167	Brooke	Bryant	Los Angeles	CA	249	Brian	Cohen	Fresno	CA
168	Dede	Buckley	South San Francisco	CA	250	Rita	Cohen	Fresno	CA
169	Alison	Buckley	San Diego	CA	251	Susan	Cohen Stuart	Oakland	CA
170	J. Scott	Bull	Isla Vista	CA	252	Courtany	Coker	Temecula	CA
171	Randy	Buness	Paradise Valley	AZ	253	Jordan	Colley	Los Angeles	CA
172	Cynthia	Buness	Paradise Valley	AZ	254	Carol	Collins	Dover	DE
173	Karen	Burchett	Burbank	CA	255	Vira	Confectioner	Sunol	CA
174	Trey	Burger	Cookville	TN	256	Erin	Conklin	Orchard Park	NY
175	Eleanor	Burian-Mohr	Los Angeles	CA	257	Roy	Conli	Los Angeles	CA
176	Laurel	Burik	Los Angeles	CA	258	William	Constantine	Santa Cruz	CA
177	Morgan	Burkey	Atascadero	CA	259	Mitzi	Coons	Los Angeles	CA
178	Valerie	Burkholder	Calabasas	CA	260	Richard	Cooper	Oakland	CA
179	Deborah	Burnett	Goldsboro	NC	261	Harvey	Corales	Pittsburgh	CA
180	Vicki	Burns	San Francisco	CA	262	Yasmine	Cordoba	Pasadena	CA
181	Michael	Burtch	Turlock	CA	263	Margarida Mac	Cormick	San Francisco	CA
182	Joan	Bush	Thousand Oaks	CA	264	Ronnel	Corre	San Jose	CA
183	Paula	Butler	Santa Cruz	CA	265	Melanie	Corrigan	San Anselmo	CA
184	Suzanne	Butman	Costa Mesa	CA	266	Francisco	Costa	Cathedral City	CA
185	Thomas	Butt	San Francisco	CA	267	Kanit	Cottrell	San Francisco	CA
186	James	Butts	San Bernardino	CA	268	Jules	Cowan	London	UK
187	John	Byl	Chino Hills	CA	269	Joseph S.	Cox	Lake Forest	CA
188	Brendan	Cadam	Santa Cruz	CA	270	Catherine	Cox	San Jose	CA
189	Leigh	Cagan	San Jose	CA	271	Gwen	Crader	Carmel	CA
190	Bob	Caletti	Menlo Park	CA	272	Mary Ann	Cramer	San Francisco	CA
191	Donna	Calvao	San Diego	CA	273	H	Crane	Indpls	IN
192	Megan	Camarena	Santa Rosa	CA	274	Shea	Craver	San Jose	CA
193	Norma	Campbell	Campbell	CA	275	Christine	Crawford	San Jose	CA
194	Frank	Cannon	South Lake Tahoe	CA	276	Brian Mc	Credie	Thousand Oaks	CA
195	Jeanette	Capotorto	Commack	NY	277	Jessica	Cresseveur	New Albany	IN
196	Richard G.	Cardella	Hydesville	CA	278	Teresa	Crosscup	Norton	MA
197	Sylvia	Cardella	Hydesville	CA	279	Marian	Cruz	Hollister	CA
198	Ramona	Cardon	San Jose	CA	280	Dan	Cunningham	Pasadena	CA
199	Patricia	Carlson	Los Angeles	CA	281	Leflora	Cunningham-Walsh	Aromas	CA
200	Judy	Carlson	Redondo Beach	CA	282	James	Currier	Webbers Falls	OK
201	Diane	Carney	Sacramento	CA	283	Carol	Curtis	Salt Lake City	UT
202	Annie	Carpenter	Venice	CA	284	Megan	Cutler	San Francisco	CA
203	Laurie	Carr	Los Angeles	CA	285	Pat	Cuviello	Rwc	CA
204	James	Carr	Berkeley	CA	286	Vicki	Cyr	San Jose	CA
205	Gaile	Carr	Mt Shasta	CA	287	Jenny	Dabbs	Fallbrook	CA
206	Maggie	Carroll	Walnut Creek	CA	288	Michael	Daligdig	San Diego	CA
207	Charlene	Carter	Fort Bragg	CA	289	Wendy	Dapore	Auburn	CA
208	Jean	Cassilagio	San Mateo	CA	290	Gaylen	Davidson	Carpinteria	CA
209	Leigh	Castellon	San Pablo	CA	291	Dennis	Davie	Capitola	CA
210	Sandra	Castro-Nguyen	Milpitas	CA	292	Nancy	Davies	Los Angeles	CA
211	Carol	Celic	Ventura	CA	293	Dorothy	Davies	San Francisco	CA
212	Joel	Chaban	Gualala	CA	294	Jill	Davine	Culver City	CA
213	Paula	Chadbourne	Santa Clarita	CA	295	Sarah	Davis	Salton City	CA
214	Rhonda	Chaikin	Lafayette	CA	296	Danielle	Davis	Beverly Hills	CA
215	Joseph	Chaiklin	Concord	CA	297	Sam	Davis Funk	Rancho P.V.	CA
216	Nancy	Chamberlin	Sylmar	CA	298	RuthAnne	Vacaton	Vacaville	CA
217	Toni	Chan	Vacaville	CA	299	Morgaine	Dayton	Davis	CA
218	Corey	Chan	Santa Cruz	CA	300	Alicia	De Dios	Duarte	CA
219	Wennie	Chang	Alhambra	CA	301	Rayline	Dean	Ridgecrest	CA
220	Julie	Chapin	Aptos	CA	302	Anthony	Dean	Rancho Palos Verdes	CA
221	Michele	Chartier	Warwick	RI	303	Therese	Debing	Ventura	CA
222	Jan	Charvat	Alpine	CA	304	Dave	Decot	Santa Clara	CA
223	charlene	chauvaux	Cambria	CA	305	Martha A.	Del Rio	Berkeley	CA
224	Bonnie	Chavarría	Santa Barbara	CA	306	Apryl	Delancey	Los Angeles	CA
225	Raquel	Chavez	Temecula	CA	307	Daniel	Delaney	Sacramento	CA
226	Bill	Checco	Anaheim	CA	308	Prof. John	Delevoryas	San Jose	CA
227	Dana	Cheit	San Francisco	CA	309	Logan	DeLey	Alameda	CA
228	Kani	Chen	San Leandro	CA	310	Audrey	DeLong	Big Bear Lake	CA
229	Frank	Chesek	Palm Springs	CA	311	Jennifer	Deming	San Francisco	CA
230	Megan	Chilcutt	San Diego	CA	312	Steven	Dennis	Carmel	CA
231	Mark	Chiu	Huntington Beach	CA	313	Suzanne	Dennis-Martineau	Concord	CA
232	Amy	Christenson	Seaside	CA	314	Rachael	Denny	Bradley	CA
233	Kacey	Christie	San Diego	CA	315	Susan	Deo	Rancho Palos Verdes	CA
234	Tom	Church	Oceanside	CA	316	Jolie	Depauw	San Rafael	CA
235	Susan	Ciaramella	Sylmar	CA	317	Star	Derosé	La Crescenta	CA
236	Susan	Ciaramella	Sylmar	CA	318	Rick	Dertinger	Capistrano Beach	CA
237	Dennis	Clark	Escondido	CA	319	Dave	Desbien	San Jose	CA
238	Jan	Clark	Lenexa	KS	320	Dawn	Desimone	Cherry Hill	NJ
239	Louise	Clark	Lafayette	CA	321	Linda	Deutsch	Pebble Beach	CA
240	Cindy	Clark	Port Charlotte	FL	322	Gita	Dev	Woodside	CA
241	Dawne	Clarke	San Clemente	CA	323	Kathleen	Devitt	Newcastle	CA
242	Stacie	Clary	Capitola	CA	324	Patricia	Dexter	Mill Valley	CA
243	Mary E.	Clausing	Patchogue	NY	325	David	Dexter	Mill Valley	CA
244	Penny	Clifton	San Francisco	CA	326	Faaraz	Deyhim	Glendale	CA
245	R	Cloutier	Lawndale	CA	327	Dayna	Diamond	Woodland Hills	CA
246	Nan & Tom	Clute	Forest Ranch	CA	328	Kerri	Diener	Castro Valley	CA

Ocean Conservancy Email Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
329	Richard	Dimatteo	San Diego	CA	411	Sol	Fdez-Val	Oxnard	CA
330	Brigitte	Dinaberg	Sacramento	CA	412	Mark	Feldman	Santa Rosa	CA
331	George	Dionisiou	Irvine	CA	413	William	Fernandez	Los Angeles	CA
332	Peter	Dix	Kassoon	MN	414	Rita	Ferreira	San Francisco	CA
333	George	Dobosh	Sierra Madre	CA	415	Steve	Ferry	Venice	CA
334	Denise	Doetsch	Campbell	CA	416	Rebecca	Field	Los Gatos	CA
335	Jennifer	Dohrmann	Santa Cruz	CA	417	Krista	Finlay	Santa Barbara	CA
336	Stephan	Dokus	Lincoln	VT	418	Mary Lou	Finley	San Diego	CA
337	Cody	Dolnick	San Diego	CA	419	Mark J.	Fiore	San Francisco	CA
338	Jennifer	Donovan	Rocklin	CA	420	John	Fischer	Pacific Grove	CA
339	Mary	Donovan	Santa Monica	CA	421	Lori	Fisher	Daly City	CA
340	James	Dorsey	Culver City	CA	422	Marlene	Fisher	Los Angeles	CA
341	Sharon	Dougherty	Wrightwood	CA	423	Ted	Fishman	San Jose	CA
342	Joseph C	Dovala	Thousand Oaks	CA	424	Stephen	Fitch	Cardiff by the Sea	CA
343	Daniel	Dowdle	Santa Rosa	CA	425	Chuck	Flacks	San Diego	CA
344	Mike	Dowler	San Jose	CA	426	Donna	Flade	Beverly Hills	CA
345	Connie	Dowler	San Jose	CA	427	Mark	Flahan	San Diego	CA
346	Jay	Drake	San Francisco	CA	428	Dan	Fleischman	Torrance	CA
347	Kerry	Drehobl	Antelope	CA	429	Claire	Flewitt	San Lorenzo	CA
348	Mathew	Driscoll	Roseville	CA	430	Jennifer	Flores	Riverdale	UT
349	Irene	Driss	Key West	FL	431	Linda	Flores-Cierzan	Santa Clarita	CA
350	Mary	Drobny	Long Beach	CA	432	Melissa	Flower	Daly City	CA
351	Julie	du Bois	West Hills	CA	433	Jeanne	Fobes	Newport Beach	CA
352	M.	DuBose	San Francisco	CA	434	Adelheid	Fogel	Redwood City	CA
353	Russell	Ducosin	Kapolei	HI	435	Marah	Fogler	Tucson	AZ
354	Rose	Dudak	Santa Monica	CA	436	Ron	Fonstad	Murrieta	CA
355	Robert	Dueben	Pinellas Park	FL	437	Wilder	Foote	Aliso Viejo	CA
356	Paula K.	Dueweke	Santa Rosa	CA	438	Julie	Ford	Huntington Beach	CA
357	Judy	Dunn	Raceland	LA	439	Matt	Forrest	Moss Landing	CA
358	Dee	Dunseith	Sacramento	CA	440	Suzanne	Fortner	Scotts Valley	CA
359	Vincent	Durbin	Santa Barbara	CA	441	Maryanna	Foskett	Arlington	MA
360	Gail	Dutto	San Bruno	CA	442	Janice	Foss	El Cerrito	CA
361	Greg	Dyer	Hermosa Beach	CA	443	Andrea	Fowler	Menifee	CA
362	Hank	Dyer	Troy	MI	444	Joe	Fowler	Menifee	CA
363	Henry	Dyer	Troy	MI	445	Alan	Fox	Oakland	CA
364	Susan	Dzienius	San Diego	CA	446	Darren	Frade	Los Angeles	CA
365	Roberta	E. Newman	Mill Valley	CA	447	Mary	Frances Lyans	Los Angeles	CA
366	Karen	E. Steele	Pleasanton	CA	448	Ben	Frاندzel	Emeryville	CA
367	John	Earl	Tuscaloosa	AL	449	Sarah	Franklin	Buena Park	CA
368	Julia	Earl	Larkspur	CA	450	Karl	Franzen	Palo Alto	CA
369	Michele	Easel	Riverside	CA	451	Hannah	Freed	Los Angeles	CA
370	Carol	Easton	Aptos	CA	452	Cecily	French	San Dimas	CA
371	Mary Pat	Eberle	Escondido	CA	453	Neil	Freson	Henrietta	NY
372	Leilani	Echols	Dublin	CA	454	Michelle	Frey	Washington	DC
373	Dr. Daniel V.	Eck	Jaumal	CA	455	Leanne	Friedman	Davis	CA
374	Monique	Eden	Culpeper	VA	456	Mitchell	Friedman		CA
375	Dennis	Edmonds	North Hollywood	CA	457	Marianna	Friedrichs	San Diego	CA
376	Gregory	Edward Koch	Fullerton	CA	458	Ted	Friedrichs	San Diego	CA
377	Monnie	Efross	Pinole	CA	459	Liz	Friend	Sacramento	CA
378	Amy M.	Elbert	Fremont	CA	460	Jack B.	Frost	Calimesa	CA
379	Karen	Eller	San Francisco	CA	461	Lori	Frost	Sacramento	CA
380	Susie	Ellis	Newbury Park	CA	462	Karne	Frost	Sacramento	CA
381	Eve	Elly	San Diego	CA	463	Valinda	Frost	Sacramento	CA
382	Eve	Elly	San Diego	CA	464	Jessica	Fu	El Monte	CA
383	Laurie	Elms	San Diego	CA	465	Morgan	Furrow	South San Francisco	CA
384	Stephanie	Embrey	Long Beach	CA	466	Debbie	Gadbois	Ventura	CA
385	Arlene	Encell	Los Angeles	CA	467	Jennifer	Gaillard	Los Angeles	CA
386	Paul	Engstrom	Los Altos	CA	468	Ronald J.	Galiati	San Diego	CA
387	Anne	Erikson	Santa Barbara	CA	469	Krystin	Gallegos	Loyalton	CA
388	Katie	Ersbak	South Pasadena	CA	470	James	Galsterer	Sebastopol	CA
389	Donald	Erway	South Pasadena	CA	471	Stefanie	Gandolfi	Oakland	CA
390	Agustin	Esquivel	South Gate	CA	472	Jack	Garabito	Rocklin	CA
391	Neal	Esterly	San Diego	CA	473	Paula	Garcia	Blythe	CA
392	Douglas C.	Estes	San Francisco	CA	474	Yolanda	Garcia	New York	NY
393	Jesse	Esteves	Modesto	CA	475	Jeffery	Garcia	Mendocino	CA
394	Christine	Etana	Mission Viejo	CA	476	Mary	Garcia	Los Angeles	CA
395	Piper	Eubank	Irvine	CA	477	Debbie	Gardinier	Santa Ana	CA
396	Michael W	Evans	Santa Monica	CA	478	DJ	Gardner	Glendale	CA
397	Marilyn	Evenson	Tacoma	WA	479	Lauren	Gargano	Los Angeles	CA
398	Theresa	Everett	Tarrytown	NY	480	Erica	Garrett	Temecula	CA
399	Clyde	Everton	Boise	ID	481	Courtney	Gartin	San Jose	CA
400	Sandy	Fagin	Fair oaks	CA	482	Catherine	Gauthier-Campbell	San Diego	CA
401	Vivian	Fahlgren	Hayward	CA	483	Annelies	Gengel	Santa Cruz	CA
402	John	Fairfield	San Francisco	CA	484	Melody	George	Simi Valley	CA
403	Mary Eaton	Fairfield	Oakland	CA	485	Rich	Georg	Seaside	CA
404	Greg	Falberg	Huntington Beach	CA	486	Cristin	George	Pacific Grove	CA
405	Horan	Family	Lake Los Angeles	CA	487	Chris	Gibson	Bodega Bay	CA
406	John	Faris	Saratoga	CA	488	J. William	Gibson	Los Angeles	CA
407	Nolan	Farkas	Northridge	CA	489	Caitlin	Gielen	Glendora	CA
408	Vanessa	Farmer	Vista	CA	490	Marcella	Gielis	Hooqe Mierde	Nether
409	Richard	Farmer	Vista	CA	491	Kenna	Gillette	Valencia	CA
410	Monique	Farquharson	Temecula	CA	492	George	Gilsinan	Petaluma	CA

## Ocean Conservancy Email Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
493	Mark A.	Giordani	Van Nuys	CA	575	Ryan	Hartnett	San Francisco	CA
494	Deborah	Giordano	Castro Valley	CA	576	Reed	Harwood	Boulder	CO
495	Myriam	Giovannini	Woodland Hills	CA	577	Matthew	Haskett	Turlock	CA
496	Janet	Girard	Riverside	CA	578	Ashley	Hassler	San Diego	CA
497	Tullio	Giudici	Glendale	CA	579	Marea	Hawes	Burke	VA
498	R.	Gladish	Oceanside	CA	580	George	Haye	Los Gatos	CA
499	Janice	Gloe	Oakland	CA	581	TI	Haynes	Bakersfield	CA
500	Jon	Goens	Santa Cruz	CA	582	Chris	Haynes	Temecula	CA
501	Sally	Gogin	Torrance	CA	583	Chris	Haynes	Temecula	CA
502	Natasha	Gogin-Moses	Hawthorne	CA	584	Bob	Hazard	Gaviota	CA
503	Peter J.	Golbetz	San Francisco	CA	585	Judith	Hazelton	Bennington	VT
504	Warren	Gold	Mill Valley	CA	586	Laurie	Headrick	San Clemente	CA
505	Justin	Golde	Alameda	CA	587	Naomi	Headrick	San Clemente	CA
506	Jay'me	Golden	Lakeside	CA	588	Tammy	Hebert	Lydia	LA
507	Carol Ann	Goldstein	San Diego	CA	589	Ken	Hedges	Lemon Grove	CA
508	Sani	Golriz	Simi Valley	CA	590	Bernadette	Hedges	Corona	CA
509	Ana	Goncalves	Temecula	CA	591	Julie	Heffington	Santa Cruz	CA
510	Nancy	Gonzalez	Belmot	CA	592	Joshua	Heffron	New York	NY
511	Gabriel	Gonzalez	La Canada Flt	CA	593	Christian	Heinold	Oakland	CA
512	Mari	Gonzalez	San Francisco	CA	594	Chris	Heldorfer	Santa Barbara	CA
513	Maria	Gonzalez	Santa Monica	CA	595	Kathleen	Helmer	Woodland Hills	CA
514	Teresa	Gonzalez	Temecula	CA	596	Robert	Hender King	London	UK
515	Jayne	Goocher	Lomita	CA	597	Kristin	Henderson	Visalia	CA
516	Krista	Gorby	Livermore	CA	598	Julie	Henderson	Tampa	FL
517	Bradley	Gordon	Sebastopol	CA	599	Rachelle	Henderson	Los Angeles	CA
518	David	Gordon	San Diego	CA	600	Rose	Henley	Duarte	CA
519	Jill	Gordon	Mountain View	CA	601	Anna	Henry	Wauwatosa	WI
520	Gretchen	Gossett	Santa Cruz	CA	602	Max and Mary	Herink	Tustin	CA
521	Maryka	Gottlieb	Tel Aviv	Israel	603	Aaron	Hern	San Diego	CA
522	Flynn	Gourley	Oakland	CA	604	Cathy	Hernandez	San Gabriel	CA
523	Kimberley	Graham	Coronado	CA	605	Laura	Herndon	Burbank	CA
524	Tisha	Grande	Temecula	CA	606	Norma	Hescheles	Woodland Hills	CA
525	Gretchen	Grani	Oakland	CA	607	Joan	Hewett	South Pasadena	CA
526	A. Joan	Gravel	Oceanside	CA	608	Danelle	Hickman	Irvine	CA
527	Sharon	Graves	Westwood	CA	609	Robert	Hicks	Long Beach	CA
528	Dan	Greaney	Redding	CA	610	Lisa	Hills	Culver City	CA
529	Theresa	Green	San Diego	CA	611	Kathy	Himenes	Kelseyville	CA
530	Karen	Greene	Los Angeles	CA	612	Georgia	Hinton	Corona	CA
531	Mark	Greenwood	McMinnville	OR	613	Deborah	Hirsch	Sacramento	CA
532	Barbara	Gregorio	San Diego	CA	614	Katie	Hlis	Western Springs	IL
533	Probyn	Gregory	Los Angeles	CA	615	Irene T.	Hodge	Danville	CA
534	Scott	Gregory	San Francisco	CA	616	Donna	Hodsdon-Trips	New Plymouth	ID
535	Caryn	Gregory	Newhall	CA	617	Tom	Hoemig	San Francisco	CA
536	Dianne	Grenland	Vacaville	CA	618	Rebecca	Hoeschler	El Segundo	CA
537	Eva Marie	Grey	Sacramento	CA	619	Eva	Hofberg	Newport Beach	CA
538	Malcolm	Groome	Topanga	CA	620	Rebecca	Hoff	Ridgecrest	CA
539	Martin	Gross	Los Gatos	CA	621	Wendy	Hoffman	Mountain View	CA
540	Peter	Guerrero	Berkeley	CA	622	Valerie	Hoffman	Long Beach	CA
541	Darryl	Gunderson	Ventura	CA	623	Bethany	Hoke	Hollis	ME
542	Joanne	Gura	Naples	FL	624	Daniel	Holeman	San Rafael	CA
543	Gilda	Gustafson	Weed	CA	625	Emily	Hollander	Los Angeles	CA
544	Alicia	Guzman	Highland	CA	626	William	Holley Jr	Redding	CA
545	Danielle	Gwiazdon	Cameron Park	CA	627	Howard	Holmes	Los Angeles	CA
546	Jeffrey	Haas	Huntington Beach	CA	628	Christine	Holmes	San Francisco	CA
547	Eugene	Haberman	Marina Del Rey	CA	629	Jocelyn	Hopkins	Malibu	CA
548	Leah	Hackenson-Allers	Santa Monica	CA	630	Melyssa	Howe	Saugus	CA
549	Jim	Hacker	Pioneer	CA	631	Elaine	Howes	Land O' Lakes	FL
550	Carola	Hakkert	San Jose	CA	632	Brenda	Hoyle	Larkspur	CA
551	Candace	Hale	San Anselmo	CA	633	Clifford	Hritz	Philadelphia	PA
552	Jessica	Hales	Temecula	CA	634	Sharon	Hsu	Rch Palos Vrd	CA
553	Rody	Halili	Glendale	CA	635	Mary	Hubbard	Calabasas	CA
554	Sarah Jane	Hall	Burbank	CA	636	Jonathan	Hubbell	Laguna Niguel	CA
555	Pamela	Hall	La Mesa	CA	637	Barbara	Huggins	Aurora	CO
556	Thomas	Hall	Bakersfield	CA	638	Kelly	Hughart	Farmersville	CA
557	Todd	Hallenbeck	San jose	CA	639	Kenneth	Hughes	Los Angeles	CA
558	Kai	Hally-Rosendahl	Irvine	CA	640	Victoria	Humphrey	West Branch	MI
559	Healy	Hamilton	San Rafael	CA	641	Otto J	Hunt	Oceanside	CA
560	Robert	Hamilton	San Diego	CA	642	Erik	Husoe	San Juan Capistrano	CA
561	Marcella	Hammond	San Diego	CA	643	Dusti	Hutchings	Palmdale	CA
562	Lillian	Hanahan	Novato	CA	644	Kelly	Hutchinson	Los Angeles	CA
563	Sidney	Haney	Lexington	KY	645	Kristi	Hutchison	Fresno	CA
564	Brittany	Hanna	Hollywood	FL	646	Reed	Huyette	San Clemente	CA
565	Roberta	Hannibal	Berkeley	CA	647	Jessy	Hyde	Temecula	CA
566	Linda	Harlow	Santa Rosa	CA	648	Jinx	Hydeman	Portola Hills	CA
567	Anna	Harlowe	Los Angeles	CA	649	Jocelyn	Hyers	Blackshear	GA
568	Susan	Harman	Oakland	CA	650	Greg	Ice	Santa Rosa	CA
569	Lisa	Harper Henderson	Morro Bay	CA	651	Hayley	Immel	Thousand Oaks	CA
570	Peter T	Harrell	Yreka	CA	652	Katherine	Iosif	San Francisco	CA
571	Martin	Harriman	Aptos	CA	653	Sue	Iri	Los Angeles	CA
572	Ed	Harris	Orlando	FL	654	Sue	Ivanjack	Woodland Hills	CA
573	Laurie	Harris	Irving	TX	655	Sheryl	Iversen	Murrieta	CA
574	Victoria	Harris	Los Angeles	CA	656	Marika	J Kamimura	New York	NY

Ocean Conservancy Email Respondents

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657	Wendy	Jaccard	Maurertown	VA	739	Leslie	Klein	Los Angeles	CA
658	Alicia	Jackson	Vallejo	CA	740	Karin	Klein	Valley Village	CA
659	Amy	Jamadar	San Diego	CA	741	Steven	Klein	Los Angeles	CA
660	Nabil	Jamil	Northridge	CA	742	Amre	Klimchak	Brooklyn	NY
661	Mary	Jane Dodd	Neptune	NJ	743	Basey	Klopp	Hermosa Beach	CA
662	Dani	Janssen	N. Fort Myers	FL	744	Regina	Knapp	Santa Ana	CA
663	Theresa	Jaquess	Huntington Beach	CA	745	Robert	Knourek	Los Altos	CA
664	Briah	Jardin	Los Angeles	CA	746	John	Knox	Costa Mesa	CA
665	James	Jeffrey	Virginia Beach	VA	747	Bill	Kobau	Hollywood	FL
666	Alexander	Jelinek	San Jose	CA	748	Jan	Koch	Grass Valley	CA
667	Cheryl	Jenkins	Penn Valley	CA	749	Susan	Kofnovec	Gilroy	CA
668	Harold	Jesse	Palos Verdes Estates	CA	750	John	Kohler	Agoura Hills	CA
669	Darynne	Jessler	Valley Village	CA	751	Doret	Kollerer	Occidental	CA
670	Theresa	Johansen	Bloomington	MN	752	H. Kenn	Kollerer	Clearlake	CA
671	Bartholemew	Johansen	San Rafael	CA	753	David	Koolhoven	Santa Rosa	CA
672	Julia	Johns	McMurray	PA	754	Robert	Kopp	Simi Valley	CA
673	Jeffrey	Johnsen	Carmel	CA	755	Summer	Kozisek	Milwaukee	WI
674	Paul	Johnson	Modesto	CA	756	Julie	Kramer	San Francisco	CA
675	Kara	Johnson	Portland	OR	757	Lawrence	Krause	San Jose	CA
676	Audrey	Johnson	Azusa	CA	758	Steve	Kreider	San Francisco	CA
677	Martha	Johnson	Concord	CA	759	Chantal	Krey	San Anselmo	CA
678	Debra	Johnson	New London	WI	760	Diane	Krieger	Tahome	CA
679	Susan	Johnson	Minneapolis	MN	761	Penny	Krieger	Sebastopol	CA
680	Kevin	Johnson	Forest Ranch	CA	762	Bruce	Kronberger	Sacramento	CA
681	Shaina	Johnson	Oakland	CA	763	Kathy Lou	Kronenberger	Novato	CA
682	Melissa	Johnson	Goleta	CA	764	Marcia	Krull	Idyllwild	CA
683	Stephen P.	Johnson	Los Angeles	CA	765	Doug	Kufus	Palos Verdes Est	CA
684	Sarah	Jones	Richmond	CA	766	Stephanie	Kuhns	La Mesa	CA
685	Mark	Jones	Fremont	CA	767	Suzy	Kurinsky	Newark	CA
686	Laurel	Jones	Los Angeles	CA	768	Pamela	Kurp	Fountain Valley	CA
687	May	Jones	Benicia	CA	769	Dana	Kurtzman	San Francisco	CA
688	Jennie	Jones	Portland	OR	770	James	LGrizzell	Venice	CA
689	Hali	Jones	Carmel	CA	771	Quinn	Labadie	San Diego	CA
690	Pamela	Jones	Encino	CA	772	Delfin	Labao	Los Angeles	CA
691	jeri	Jones	San Francisco	CA	773	Denise	Laberee	San Lorenzo	CA
692	Michelle	Jordan	Castro Valley	CA	774	Mary	Laforce	Sunland	CA
693	Michelle	Jordan	Castro Valley	CA	775	Rochelle	Lafrinere	San Diego	CA
694	Belinda	Joyce	Hesperia	CA	776	Nate	Lahue	Aptos	CA
695	Jennifer	Jungwirth	Yucca Valley	CA	777	Gerry	Laird	Livermore	CA
696	Veronika	Jurisch	Cottonwood	AZ	778	Scott	Lamb	San Diego	CA
697	Susan	K Federighi	San Rafael Ca	CA	779	Betsy	Lambert	Long Beach	CA
698	Daedra	Kaehler	New York	NY	780	Kelley	Lamke	Rohnert Park	CA
699	Stephanie	Kainer	Weimar	TX	781	William	Lamond	Palm Springs	CA
700	Aarti	Kalyani	Orange	CA	782	Juliet	Lamont	Berkeley	CA
701	Amish	Kalyani	Orange	CA	783	Deborah	Lancman	San Diego	CA
702	Caroline	Kane	North Hollywood	CA	784	Jennifer	Lane	Orange	CA
703	Lisa	Kane	Burbank	CA	785	Kenton	Lane	Alhambra	CA
704	Phil	Kaplan	Soquel	CA	786	Kurt	Langenfeld	Jacksonville	FL
705	Susie	Kaplan	Soquel	CA	787	Bethany	Langer	El Dorado Hills	CA
706	Sarah	Kaplan	Oakland	CA	788	Cheri	Langlois	Mendocino	CA
707	Howard	Kastan	Cameron Park	CA	789	Linda	Lapetino	Los Angeles	CA
708	Sherri	Katich	Temple City	CA	790	Audrey	Lareau	Redwood City	CA
709	Scott	Kattengell	Newport Beach	CA	791	Edmond	Lareau	Redwood City	CA
710	adene	Katzenmeyer	Weed	CA	792	Erin	Lareau	Los Angeles	CA
711	George B.	Kauffman	Fresno	CA	793	Joseph	Larsen	San Francisco	CA
712	Barbara	Keating	Los Angeles	CA	794	Orlin	Larsen	Yreka	CA
713	Sarah	Keech	Long Beach	CA	795	Julie	Larson	San Leandro	CA
714	Katie	Keller	Raleigh	NC	796	Jacqueline	Lasahn	Richmond	CA
715	Shirley	Kellerman	Goleta	CA	797	Trev	Lattin	Laguna Niguel	CA
716	Ken	Kelley	Santa Barbara	CA	798	Barbara	Lau	San Francisco	CA
717	Nanette	Kelley	Mckinleyville	CA	799	Patti	Laurson	Los Angeles	CA
718	Doreen	Kelley	Menifee	CA	800	NSA	Lawal	Sacramento	CA
719	Barbara	Kelly	Moraga	CA	801	Elaine	Lawless Baker	San Leandro	CA
720	Alice	Kelly	Felton	CA	802	Kathleen	Lawton	Sonoma	CA
721	Bev	Kelly	Long Beach	CA	803	Mailie	Lazarr	Modesto	CA
722	Michael	Kemper	San Francisco	CA	804	John	Lazzareschi	South San Francisco	CA
723	William	Kennedy	Salinas	CA	805	Diane Kim	Lazzareschi	Fremont	CA
724	Sharon J.	Kennedy	Laurel	MD	806	Kathlyn	Lazzareschi	San Mateo	CA
725	Michael	Kennedy	Los Angeles	CA	807	Sara	Lear	White Bear Lake	MN
726	Meredith	Kennedy	El Cajon	CA	808	Karin	Lease	Graton	CA
727	Charlene	Kerchevall	Oceanside	CA	809	Olivia Teanna	Leavitt	Garden Grove	CA
728	Christa	Kermode	Moorpark	CA	810	Benjamin	Lee	Oceanside	CA
729	Lynda	Key	Fresno	CA	811	Mary	Lee	Hollister	CA
730	Geri	Kidawski	Fort Collins	CO	812	Anna	Lee	Alameda	CA
731	Alexa	Kielty	San Francisco	CA	813	Kris	Leeseekamp	Cedar Rapids	IA
732	Elizabeth	Kiely	Winnetka	CA	814	Elizabeth	Leite	Walnut Creek	CA
733	Tera	Killip	Pacifica	CA	815	John D.	Leith	Auburndale	MA
734	Lori	King	Nuevo	CA	816	Jon Warren	Lentz	Carlsbad	CA
735	Stephen	King	Oakland	CA	817	Anica	Leon-Weil	Aptos	CA
736	Thomas E.	King	Treasure Island	CA	818	Michael	Lepisto	San Jose	CA
737	James	Kirks	Chico	CA	819	Karen	Lerman	Simi Valley	CA
738	Saran	Kirschbaum	Los Angeles	CA	820	Stephanie	Lessard	Derry	NH

## Ocean Conservancy Email Respondents

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821	Susan	Leuck	Salem	CT	903	Jessica	Matt	San Diego	CA
822	Bobbi	Leung	Los Angeles	CA	904	Sherry	Matt	San Diego	CA
823	Virginia	Levasseur	Norwich	CT	905	Greg	Mattics	Pine Bluff	AR
824	Harriet	Levenson	Tarzana	CA	906	M	Mc Kinney	Cutten	CA
825	Alissa	Levine	Studio City	CA	907	Melinda	Mcbride	Topanga	CA
826	Ellen	Levine	Castro Valley	CA	908	Diana	Mcbride	Sunnyvale	CA
827	Lacey	Levitt	Los Angeles	CA	909	Louis	Mccarten	Glendale	CA
828	Donna	Lewis	Van Nuys	CA	910	John	McCarthy	Manhattan Beach	CA
829	Nancy	Lilienthal	Los Angeles	CA	911	Bob	McCarty	San Diego	CA
830	Keri	Lindberg	Rockport	ME	912	Donna	Mccaskey	Alameda	CA
831	Astrid	Lindell	San Leandro	CA	913	David	McClellan	Hollywood	CA
832	Spencer	Lindsay	Pacific Grove	CA	914	Sudi	McCollum	Glendale	CA
833	Elaine	Lipinsky	San Diego	CA	915	Douglas	Mccormick	Coto De Caza	CA
834	Timothy	Lippert	Martinez	CA	916	T.	Mccowan	Norwalk	CA
835	Emilie	Litsinger	San Francisco	CA	917	Adrienne	Mccrumb	San Diego	CA
836	amy	lloyd	West Hollywood	CA	918	Stephen	McDaniel	Hacienda hts.	CA
837	Hedvig	Lockwood	Arcata	CA	919	Susan	McDonald	Bridgewater	NJ
838	Stephanie	Looper	Capistrano Beach	CA	920	Sharon	McErlane	Laguna Beach	CA
839	Leeann	Lopez	Winnetka	CA	921	Martina	McGlynn	Huntington Beach	CA
840	Virginia	Loupe	Oxnard	CA	922	Sunny	McGowan	Beaufort	SC
841	GUinnevere	Lowe	Assonet	MA	923	RobRoy	McGregor	Lake View Terrace	CA
842	John	Lowell	San Francisco	CA	924	Catherine	Mcgroarty	Los Angeles	CA
843	Steven	Lucas	Austin	TX	925	Myle	MCguinness	Oceanside	CA
844	Gary	Ludi	Roswell	GA	926	Michael D.	McGuire	Mission Viejo	CA
845	Amanda	Lukas	Allison Park	PA	927	Debbie	McGuire	Costa Mesa	CA
846	Leilani	Luna	Antelope	CA	928	Linda	Mckenzie	Bakersfield	CA
847	Roger	Lundgren Jr.	San Jose	CA	929	Darcy	Mckibbin-Burke	San Diego	CA
848	Jamie	Lurtz	Anaheim	CA	930	William	Mclarty	Pacifica	CA
849	Linda	Lyerly	Encinitas	CA	931	Andrew	Mcleod	Fallbrook	CA
850	Ashleigh	Lyman	Santa Cruz	CA	932	DJ	Mcloren	Hayward	CA
851	Sandy	Lynn	St. Louis	MO	933	Kim	McMullen	Oceanside	CA
852	Crystal	M	Trevor	WI	934	Shawn	McMurdo	Santa Cruz	CA
853	Naila	M. Sanchez	Sacramento	CA	935	Kenneth	McMurray	San Francisco	CA
854	Melinda	Mabray	Huntington Beach	CA	936	Libby	Mcquiston	San Rafael	CA
855	robin	maca	Austin	TX	937	Andrea	Medina	Oak Park	CA
856	Taylor	MacDonald	Thousand Oaks	CA	938	Ronnie	Melin	Torrance	CA
857	Steve	Macias	Mojave	CA	939	Maira	Memmi	Carlsbad	CA
858	Virginia	Macy	Fontana	CA	940	Gael	Meraud	Lafayette	CA
859	Natalie	Mades	Lake Mary	FL	941	Matthew	Merina	Burbank	CA
860	Jeffrey	Magenheimer	Los Angeles	CA	942	Carol	Merrill	Sacramento	CA
861	Karen	Magruder	Alta Loma	CA	943	Mila	Mertens	Burlingame	CA
862	Jack	Mahrt	Coalinga	CA	944	Lee	Mewichella	Santa Barbara	CA
863	Amanda	Mainzer	Pasadena	CA	945	Kara	Meyers	Pacific Palisades	CA
864	Priscilla	Makhmaltchi	Middle Village	NY	946	Dana	Michaels	Sacramento	CA
865	Nanette	Malan Lake	Pleasant Hill	CA	947	Kalen	Mickey	Naples	FL
866	Ken	Maloney	Huntington Beach	CA	948	Margie	Middleton	San Diego	CA
867	Ann	Malte	San Clemente	CA	949	Pilvi	Mikkola	Hämeenlinna	Finland
868	Peter	Mandell	San Francisco	CA	950	Douglas	Milburn	Wrightwood	CA
869	Pearl	Manion	Anaheim	CA	951	Blair	Miller	Carlsbad	CA
870	Roger	Manley	Monterey	CA	952	Stephanie	Miller	Santa Rosa	CA
871	Kathy	Marble	Fontana	CA	953	Harriet	Miller	Redding	CA
872	Natalia	Marchesini	Huntington Beach	CA	954	Nancy	Miller	Santa Maria	CA
873	Monica	Marciniak	Arlington Heights	IL	955	Alison	Miller	Portland	OR
874	Michelle Ide	Margules	Encino	CA	956	Lorene	Milligan	Valley Village	CA
875	Karen	Maria Shoop	Downey	CA	957	Bob	Minekheim	Novato	CA
876	Sylvia	Marie	Sebastopol	CA	958	Sarah	Minert	Buena Park	CA
877	David	Marinsik	Santa Rosa	CA	959	Tammy	Minion	Redondo Beach	CA
878	Marie	Mark	Santa Barbara	CA	960	Robby	Minkler	Fremont	CA
879	Saul	Markowitz	Burbank	CA	961	Ginger	Mira	Los Angeles	CA
880	Rose	Markowitz	Burbank	CA	962	Mark	Mirabella	Tampa	FL
881	Lisa	Marks	Laguna Beach	CA	963	Maria	Miranda	Manteca	CA
882	Joan	Marks	Tehachapi	CA	964	Joyce	Mitchell	Santa Cruz	CA
883	Mary Martha	Markus	Garden Grove	CA	965	James	Mitchell	Los Angeles	CA
884	Theresa	Marsh	San Mateo	CA	966	Carol	Mitchell	Sausalito	CA
885	Sherry	Marsh	Oceanside	CA	967	Deborah	Mitchell	Santa Monica	CA
886	Lisa	Marshall	Houston	TX	968	Theresa	Moell	Chico	CA
887	Sherry	Marshall	Riverside	CA	969	Salena	Moffett	Temecula	CA
888	Jack Preston	Marshall	Barstow	CA	970	Carol	Moffett	Temecula	CA
889	Rebecca	Marshall	Grover Beach	CA	971	Richard	Mogford	Redwood City	CA
890	Elaina	Martin	Concord	CA	972	Rebecca	Mohn	La Mesa	CA
891	Cheryl	Martin	Redding	CA	973	Erin	Moilanen	Santa Rosa	CA
892	Steven	Martin	Pleasant Hill	CA	974	Tiffany	Moldenhauer	Colorado Springs	CO
893	Judith	Martin	Imperial Beach	CA	975	Luis	Mon	Riverside	CA
894	Kathleen	Martin	San Pedro	CA	976	Annette	Monge	Fresno	CA
895	Victoria	Martinez	Sherman Oaks	CA	977	Dean	Monroe	Des Moines	IA
896	Mesha	Martinez	Temecula	CA	978	Chris	Montalbano	Long Beach	CA
897	Sean	Maschue	La Jolla	CA	979	Juanita	Montano	Waukegan	IL
898	Kris	Mashburn	Ojai	CA	980	Erin	Montgomery	San Francisco	CA
899	Barbara	Mason	Campbell	CA	981	Tess	Moon	Poway	CA
900	Eileen	Massey	Oakland	CA	982	Eric T.	Moore	Reseda	CA
901	Gloeta	Massie	Monterey	CA	983	Lorna	Moore	Santa Barbara	CA
902	KL	Matlock	San Jose	CA	984	Kathryn	Moore	Cobb	CA

## Ocean Conservancy Email Respondents

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986	Jennifer	Moorhead	Los Angeles	CA	1068	Ingrid	Overgard	San Francisco	CA
987	Vicente	Moretti	Mountain View	CA	1069	Yvonne	Packard	Diamond Bar	CA
988	John	Morgan	Escondido	CA	1070	Diane	Palacio	San Francisco	CA
989	Pamela	Morgan	Felton	CA	1071	David	Palinsky	Bakersfield	CA
990	Samantha	Morgan	Lexington	MA	1072	Michelle	Palladine	Palm Springs	CA
991	John B.	Morgen	La Quinta	CA	1073	Pinky Jain	Pan	Sebastopol	CA
992	Ed	Morin	Santa Barbara	CA	1074	Ray	Paquette	Santa Rosa	CA
993	Melinda	Moros	Concord	CA	1075	James	Park	San Diego	CA
994	Katie	Morris	San Rafael	CA	1076	Jason	Park	Arcadia	CA
995	Kent	Morris	fullerton	CA	1077	Lance	Parr	Vista	CA
996	Ray	Morris	Bakersfield	CA	1078	Amber	Parry	San Francisco	CA
997	Kathy	Morris	Corona	CA	1079	Connie	Paterson	Ferndale	MI
998	Debbie	Morris	Oakland	CA	1080	Tatjana	Patitz	Malibu	CA
999	Kat	Morris	Portsmouth	NH	1081	Barbara	Patton	Sunland	CA
1000	Harry	Morris	Fairfax	VA	1082	Randy	Paynter	Belmont	CA
1001	Richard	Morrison	Lafayette	CA	1083	Allyson	Pease	Austin	TX
1002	Jill	Morrison	Manhattan Beach	CA	1084	Sarah	Peck	La Selva Beach	CA
1003	Lisa	Morrison	Oakland	CA	1085	Lisa	Pelikan	Alpharetta	GA
1004	Gloria	Morrison	Pecos	TX	1086	Royal	Pelkey	Pioneer	CA
1005	Arlena	Morton	Petersburg	IN	1087	Valentino	Pellizzer	Berkeley	CA
1006	Marci	Moss	Highland Park	IL	1088	Debra	Pena	San Diego	CA
1007	Afsaneh	Mostajab	Irvine	CA	1089	Jay	Pennock	Santa Cruz	CA
1008	Sharon	Mullane	Los Angeles	CA	1090	Annette	Pennock	Santa Cruz	CA
1009	Bryan	Mulvaney	Glendale	AZ	1091	Kris	Penyak	Rancho Cucamonga	CA
1010	Kenneth	Mundy	Los Angeles	CA	1092	Sarah	Perez	Torrance	CA
1011	Sunny	Murchison	Pasadena	CA	1093	Dr Deborah	Perlman	Sacramento	CA
1012	Lance	Murray	Las Vegas	NV	1094	Felicia	Peters	Petaluma	CA
1013	Janet	Murtha	Oxnard	CA	1095	Stephen	Petersen	Claremont	CA
1014	Catherine	Murty	San Francisco	CA	1096	Nancy	Petersen	Claremont	CA
1015	Raymond	Myer	Atlanta	GA	1097	John	Petersen	Ventura	CA
1016	Martha	Myles	Lodi	CA	1098	Kimberly	Peterson	Cloverdale	CA
1017	Tsukasa	Nakagawa	Tokyo	Japan	1099	Megan	Peterson	San Dimas	CA
1018	Suzanne	narducy	San Juan Capistrano	CA	1100	Phil	Peterson	Temecula	CA
1019	Janyece	Narducy	San Jose	CA	1101	Kira	Petersons	San Francisco	CA
1020	Paul	Naser	Downey	CA	1102	Jason	Pfister	Clayton	CA
1021	Judith	Naughton	Los Gatos	CA	1103	Anthony	Pfohl	Haymarket	VA
1022	David	Naurath	Bakersfield	CA	1104	John	Pham	San Diego	CA
1023	Jennifer Shaw	Navarrete	Oakland	CA	1105	Jayne	Phelps	Lancaster	CA
1024	Sandra	Nealon	Laguna Beach	CA	1106	Tricia	Philipson	Danville	CA
1025	C	Neber	Los Angeles	CA	1107	Rochelle	Phillips	Costa Mesa	CA
1026	Lillie K.	Nelligan	Wheat Ridge	CO	1108	Nuri	Pierce	La Mesa	CA
1027	Ashley	Nelsom	Temecula	CA	1109	Allison	Pierce	Murfreesboro	TN
1028	Norman	Nelson	Sherman Oaks	CA	1110	Susan	Piercy	San Diego	CA
1029	Tamra	Nelson	Sherman Oaks	CA	1111	Don	Pilgrim	Eureka	CA
1030	Stacey	Nemour	Los Angeles	CA	1112	Marc	Piisuk	Berkeley	CA
1031	Shannon	Nesbitt	Kapaa	HI	1113	Tracy	Pinckard	Orange	CA
1032	Mara	Neuron	Ojai	CA	1114	Paula	Pine	Livermore	CA
1033	David	Newlon	North Hollywood	CA	1115	Annalee	Pineda	San Francisco	CA
1034	David	Newsom	Los Angeles	CA	1116	Lisa	Piner	Costa Mesa	CA
1035	Carol	Newton	Los Angeles	CA	1117	Deb	Pintacura	Milpitas	CA
1036	Lindsay	Nichols	San Francisco	CA	1118	Nancy	Piotrowski	San Francisco	CA
1037	Erin	Nieto-Salinas	Laredo	TX	1119	Gina	Pippin	Santa Rosa	CA
1038	Jessica	Nikolai	Valencia	CA	1120	Lisa	Pisanic	Columbia	MD
1039	Sandra	Noah	Los Angeles	CA	1121	Lamar	Pittman	Los Angeles	CA
1040	Sandra	Noah	Los Angeles	CA	1122	Barbara	Pizzini	Fort Myers	FL
1041	Ian	Noah	Los Angeles	CA	1123	Kimberly	Platt	Valley Center	CA
1042	Donna	Noe-Murdock	Santa Rosa	CA	1124	Kaela	Plyler	Pala	CA
1043	Susan	Nogare	Fremont	CA	1125	Alice	Polesky	San Francisco	CA
1044	Amoena	Norcross	Pendleton	SC	1126	Holly	Polhill	Temecula	CA
1045	Masha	Nordbye	Los Angeles	CA	1127	Alan	Pollack	Woodland Hills	CA
1046	Linda	Noriega	Lake Elsinore	CA	1128	Jeri	Pollock	Tujunga	CA
1047	Jill	North	Jackson	CA	1129	Jackie	Pomies	San Francisco	CA
1048	Annette	Novak	Los Altos	CA	1130	Chris	Pook	Plymouth	NH
1049	Dawn	O	Greenfield	NY	1131	Megan	Poole	Rohnert Park	CA
1050	Nance	O	Carlotta	CA	1132	Audrey	Popoff	Riverside	CA
1051	James	O'Ahern	Fairfax	CA	1133	Melissa	Posod	P	CA
1052	Anthony	Ocone	Ojai	CA	1134	Brandon	Potter	Wexford	PA
1053	Kelly	O'Donnell	Pasadena	CA	1135	Judi	Poulson	Fairmont	MN
1054	Julie	O'Donnell	Seattle	WA	1136	Robert	Pousman	Malibu	CA
1055	Tim	Okabayashi	Temecula	CA	1137	Jon	Povill	Topanga	CA
1056	Kim	Okamura	Los Angeles	CA	1138	A.	Pranger	Bonita Springs	FL
1057	Erin	Oleno	San Diego	CA	1139	L. Darlene	Pratt	Berkeley	CA
1058	Christopher	Olin	Woodland Hills	CA	1140	Parvati	Premananda	Santa Monica	CA
1059	Beah	Oneal	Ft. Lauderdale	FL	1141	Jerami	Prendiville	Thousand Oaks	CA
1060	Gerald	Orcholski	Pasadena	CA	1142	Roland	Press	Hermosa Beach	CA
1061	Angel	Orona Rodriguez	Alhambra	CA	1143	Joyce	Presseau	Laguna Beach	CA
1062	Barbara	Orr	Northridge	CA	1144	Milo	Price	Los Alamitos	CA
1063	Susanna	Orr	Austin	TX	1145	Glenda	Price	Mount Vernon	OH
1064	Mindy	Orris	Huntington Beach	CA	1146	Menkit	Prince	Carmichael	CA
1065	Kristen	Osman	Upland	CA	1147	James	Provenzano	Los Angeles	CA
1066	Julie A.	Ostoich	Sacramento	CA	1148	Shirley	Puga	Encinitas	CA

Ocean Conservancy Email Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
1149	Amy	Purpura	Los Angeles	CA	1231	Richard	Ryon	Livermore	CA
1150	Lauren	Quinn	Riverside	CA	1232	Stephanie	S	San Francisco	CA
1151	Lizzie	R	Ventura	CA	1233	Michael	Sabor	Culver City	CA
1152	Caitlin	R.	Costa Mesa	CA	1234	Donald	Sachs	Yucca Valley	CA
1153	Dima	Raber	Portland	OR	1235	Susan	sadler	Goleta	CA
1154	Shyla	Raghav	Irvine	CA	1236	Zehra	Sak Brody	San Francisco	CA
1155	Gail	Rains	Sacramento	CA	1237	Meranda	Saldana	Symar	CA
1156	Mark	Ralston	San Diego	CA	1238	Marie	Salerno	Novato	CA
1157	Sindney	Ramsden Scott	Carmel	CA	1239	Grace	Salinas-Chase	Ventura	CA
1158	Chelsea	Ranche	Whinchester	CA	1240	Barry	Saltzman	Los Angeles	CA
1159	Channing	Ratkowski	Temecula	CA	1241	Jessie	Samrady	Sun City	CA
1160	Ron	Rattner	San Francisco	CA	1242	Debbie	Samrady	EScondido	CA
1161	Tristan	Raymond	Novato	CA	1243	Christina	Sanchez	Union City	CA
1162	Audrianna	Reddick	San Francisco	CA	1244	David	Sanders	Glendora	CA
1163	Maryellen	Redish	Palm Springs	CA	1245	Dennis	Sanders	Encinitas	CA
1164	Kristin	Reed	San Francisco	CA	1246	Gustavo	Sandoval	San Mateo	CA
1165	Gary	Reese	San Clemente	CA	1247	Dagny	Sanmiguel	San Diego	CA
1166	Sandy	Regan	San Clemente	CA	1248	Karin	Santi	Diablo	CA
1167	Catherine	Regan	San Francisco	CA	1249	Gitte	Santini	Jaegerspris	Denmark
1168	Andrew	Reich	Los Angeles	CA	1250	Deborah	Santone	San Ramon	CA
1169	Richard	Reinhardt	Los Angeles	CA	1251	Joe	Santone	San Ramon	CA
1170	Jennifer	Reinish	Santa Barbara	CA	1252	Joann	Santos	Brooklyn	NY
1171	S	Reitz	Austin	TX	1253	David	Saperia	Santa Monica	CA
1172	Geoff	Relf	San Diego	CA	1254	Catz	Sapp	Concord	CA
1173	Angie	Remedi	Thousand Oaks	CA	1255	Nancy	Sato	Belmont	CA
1174	Michael	Remski	Simi Valley	CA	1256	Jamie	Sawtell	Grass Valley	CA
1175	Kim	Ren	Valley Village	CA	1257	James	Schacher	Carlsbad	CA
1176	Kathy	Renner	Sacramento	CA	1258	Jillian	Schamp	Livermore	CA
1177	Kristen	Renton	North Hollywood	CA	1259	Lori	Schary	Valley Center	CA
1178	Gloria	Resa	Chula Vista	CA	1260	Steve	Schatzberg	Ventura	CA
1179	Heather	Resnick	San Diego	CA	1261	Patricia	Scheppler	Burlingame	CA
1180	Cynthia	Reyes	Westlake Village	CA	1262	Barbara	Schiano	New York	NY
1181	Eve	Reynolds	North Hollywood	CA	1263	George	Schmid	Belmont	CA
1182	Kim	Rice	Fairfield	CA	1264	Linda	Schmidt	Las Vegas	NV
1183	Sharon	Richard	Ventura	CA	1265	roger	schmidt	San Francisco	CA
1184	Kay	Richeson	Sacramento	CA	1266	Ursula	Schnicke	Los Angeles	CA
1185	Morgan	Richie	San Diego	CA	1267	Helen and John	Scholfield	Dana Point	CA
1186	Robert	Rickun	West Hollywood	CA	1268	Stephen	Schon	Chula Vista	CA
1187	John	Riddell	Chino	CA	1269	Susan	Schrader	Chico	CA
1188	Heather	Rider	Santa Monica	CA	1270	Theodore	Schram	Emerald Hills	CA
1189	Holly	Rielly	Sarasota	FL	1271	Gregg	Schulze	San Francisco	CA
1190	Mara	Rigge	Trinidad	CA	1272	John	Schumacher	Clearwater	FL
1191	Linda	Riggle	Warsaw	IN	1273	Patricia	Schuppert	Santa Cruz	CA
1192	Brent	Riggs	Santa Monica	CA	1274	Davd	Seaman	Temecula	CA
1193	Margaret	Roberts	San Francisco	CA	1275	Janet	Sears	Palm Harbor	FL
1194	A.	Roberts	Manhattan Beach	CA	1276	John	Sefton	Trabuco Canyon	CA
1195	Kris	Robinson	Pasadena	CA	1277	Susan	Segee	San Clemente	CA
1196	Patricia	Robinson	Garden Grove	CA	1278	Peter	Seidman	Berkeley	CA
1197	Nancy	Robles	San Jose	CA	1279	Andy	Sekara	San Francisco	CA
1198	Candace	Rocha	Los Angeles	CA	1280	Leslie	Seki	Los Angeles	CA
1199	Arthur	Rochester	Studio City	CA	1281	Rob	Seltzer	Beverly Hills	CA
1200	Mark	Rochon	Martinez	CA	1282	Gayle	Senatore	Fairfield	CA
1201	Jenny S K	Rockwell	Sacramento	CA	1283	Laura	Seraso	Altadena	CA
1202	Lenore	Rodah	South Pasadena	CA	1284	Michele	Sevilla	Solvang	CA
1203	Nancy	Rodlun	Apopka	FL	1285	Gordon	Seyfarth	Manhattan Beach	CA
1204	Bernie	Rodriguez	Pembroke Pines	FL	1286	Nancy L.	Shannon	Cathedral City	CA
1205	David	Rodriguez	Temecula	CA	1287	Donna	Sharee	San Francisco	CA
1206	Pamela	Roe	Turlock	CA	1288	Caitlin	Shaw	Long Beach	CA
1207	Marla	Rogozin	Martinez	CA	1289	Chris	Shaw	Sierra Madre	CA
1208	Mary	Rohde	Loveland	CO	1290	Emma	Sherer	Austin	TX
1209	Monika	Romero	San Francisco	CA	1291	Lauri	Sherman	Ventura	CA
1210	Hillary	Roney	Los Angeles	CA	1292	Renee	Sherman	Concord	CA
1211	Diane	Rooney	San Francisco	CA	1293	Lydia	Sherwood	Bham	WA
1212	Chad	Root	Sun City	CA	1294	Mary	Sherwood	Los Angeles	CA
1213	Erik	Roper	San Francisco	CA	1295	John	Shinn	Panorama City	CA
1214	Lisa	Rosales	Chillicothe	OH	1296	Elizabeth	Shirey	Sacramento	CA
1215	Greg	Rosas	Castro Valley	CA	1297	Kenneth	Shrum	Concord	CA
1216	Z'Ava	Rosen	La Verne	CA	1298	Joseph	Shulman	San Diego	CA
1217	Susan	Rosenfeld	Riverside	CA	1299	G	Shute	Santa Barbara	CA
1218	Mary	Rossi	Santee	CA	1300	Jill	Siegel	Sunrise	FL
1219	Lorenzo	Rota	Santa Cruz	CA	1301	Rae Ann	Siewert	Tiburon	CA
1220	Michael	Rotcher	Mission Viejo	CA	1302	Lydia	Silva	Whittier	CA
1221	Michael	Rubin	San Rafael	CA	1303	Margaret	Silver	Atlantic Beach	FL
1222	Jeff	Rubinstein	Chatsworth	CA	1304	Ronald H.	Silver	Atlantic Beach	FL
1223	Gail	Rubio	Brea	CA	1305	Daniel	Silver	Los Angeles	CA
1224	Tom	Rudholm	Modesto	CA	1306	Alex	Silverio	San Jose	CA
1225	Linda	Rudin	Daly City	CA	1307	Shoshana Anne	Simon	San Bernardino	CA
1226	Ana	Rudolph	Brisbane	CA	1308	Philip	Simon	San Rafael	CA
1227	James	Rudoy	santa clara	CA	1309	Torunn	Sivesind	Lafayette	CA
1228	Elaine	Russell	Alhambra	CA	1310	David G.	Skaugerud	Topanga	CA
1229	Debra	Russell	Alhambra	CA	1311	Camly	Slawson	San Francisco	CA
1230	Sharon	Russick	Boca Raton	FL	1312	Teri	Slingerland	Granite Bay	CA

Ocean Conservancy Email Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
1313	Jeanne	Sloane	Penngrove	CA	1395	Janice	Tarr	Los Angeles	CA
1314	Karen	Smallwood	South Lake Tahoe	CA	1396	Randy	Tashjian	Glendale	CA
1315	Sandra	Smallwood-Beltran	Miami	FL	1397	Tamara	Taunt	Oceanside	CA
1316	Joey	Smith	Santa Cruz	CA	1398	Chris	Taunt	Oceanside	CA
1317	Joann	Smith	Torrance	CA	1399	Marissa	Taylor	Roseville	CA
1318	Pam	Smith	Creston	CA	1400	LauraMarie	Taylor	Sacramento	CA
1319	Rebecca	Smith	Akron	OH	1401	Peter	Taylor	Los Gatos	CA
1320	Judith	Smith	Oakland	CA	1402	John	Teevan	Chula Vista	CA
1321	Bernice	Smith	Sunrise	FL	1403	Laurel	Temple	Milwaukie	OR
1322	Greg	Smith	Morro Bay	CA	1404	Marcia	Terry	Los Angeles	CA
1323	Richard	Smith	Dayton	NV	1405	Carol	Thacker	Redondo Beach	CA
1324	Barry	Smith	Brooklyn	NY	1406	Michael	Theodore	Woodland Hills	CA
1325	Brittany	Smith	Novato	CA	1407	John	Thielen	San Francisco	CA
1326	Stacey	Smith	Long Beach	CA	1408	Maria	Thomas	Alameda	CA
1327	Kimberly	Smith	Sacramento	CA	1409	Dennis	Thomas	Pleasant Hill	CA
1328	Judith L.	Snyder	San Jose	CA	1410	Michelle	Thomas	North Hollywood	CA
1329	Shaun	Snyder	Santa Barbara	CA	1411	Lynn	Thomas	Thousand Oaks	CA
1330	Selcuk	Sofular	Istanbul	Turkey	1412	Penelope	Thomason	Los Angeles	CA
1331	Timmi	Sommer	Dana Point	CA	1413	Karen	Thompson	Richmond	CA
1332	Rachel	Sonnenblick	Santa Cruz	CA	1414	Doug	Thompson	Morongo Valley	CA
1333	Mark	Sorensen	Upland	CA	1415	Susan	Thompson	Philadelphia	PA
1334	Susanna	Sorin	Stkn	CA	1416	Zack	Thomsen	Fremont	CA
1335	Cynthia	Southworth	Modesto	CA	1417	John	Thomson	San Francisco	CA
1336	Jill	Spangenberg	San Francisco	CA	1418	Nan	Thurgate	Aptos	CA
1337	Dawnel	Spangler	Phoenix	AZ	1419	Gina	Tomaselli	Berkeley	CA
1338	Richard	Spaur Sr.	Camarillo	CA	1420	Michael	Tomczyszyn	San Francisco	CA
1339	Kathryn	Spence	San Francisco	CA	1421	Maryvonne	Tompkins	Denver	CO
1340	Andrew	St Laurent	San Juan Capistrano	CA	1422	Andy	Tomsky	San Diego	CA
1341	Sally	Stafford	Austin	TX	1423	Jaci	Tomulonis	Monterey	CA
1342	Lesley	Stansfield	San Francisco	CA	1424	Marchelle	Tosdal	Long Beach	CA
1343	Tracie	Stark	Huntington Beach	CA	1425	Sara	Townsend	Santa Monica	CA
1344	Paul	Statman	Santa Monica	CA	1426	Meghan	Tracy	Costa Mesa	CA
1345	Becky	Statman	Santa Monica	CA	1427	Ariane	Trelaun	San Rafael	CA
1346	Lori	Stayton	Sherman Oaks	CA	1428	Toni	Friest	Fairfax	CA
1347	Alandi	Stec	Clayton	CA	1429	Tia	Triplett	Los Angeles	CA
1348	Adam	Steckley	Santa Cruz	CA	1430	Yael	Trock	Reseda	CA
1349	Howard J.	Steffens	Tujunga	CA	1431	Joyann	Troutman	Beverly Hills	CA
1350	Julia	Stege	Sebastopol	CA	1432	Wayne	Truax	Tucson	AZ
1351	Ann H.	Steinbach	San Diego	CA	1433	Hal	Trufan	Atlanta	GA
1352	Tracey	Steneck	Los Angeles	CA	1434	Yolanda	Trujillo	Anaheim	CA
1353	Kathleen R.	Stevens	Victorville	CA	1435	Steen	Trump	Santa Cruz	CA
1354	Rebekah	Stern	Albany	CA	1436	Trish	Tuley	Idyllwild	CA
1355	Carla	Stern	San Marcos	CA	1437	Vicky	Tuorto	Tiburon	CA
1356	K.	Stevenson	Santa Barbara	CA	1438	Suzanne	Turek	Redding	CA
1357	Richard	Stewart	Westminster	CA	1439	Gabriella	Turek	Pasadena	CA
1358	Dana	Stewart	La Mesa	CA	1440	Pamela	Turner	Orinda	CA
1359	Susan	Stienstra	Monterey	CA	1441	Tom	Turney	Los Angeles	CA
1360	Wendy	Stilwell	Portland	OR	1442	Steve	Tyler	Orange	CA
1361	Margaret	Stone	Oakland	CA	1443	Uriel	Ulam	Clovis	CA
1362	Angela	Stone	Reseda	CA	1444	Brian	Ulm	Monrovia	CA
1363	Lynn	Storrie	Wildomar	CA	1445	Gene	Ulmer	Fort Bragg	CA
1364	Sandor	Straus	Lafayette	CA	1446	Monica	Ulmer	San Diego	CA
1365	Arthur	Strauss	Irvine	CA	1447	Luci	Ungar	Petaluma	CA
1366	Richard	Streett	Columbia	SC	1448	Bonny	Upton	Menlo Park	CA
1367	Jeanine	Strobel	San Francisco	CA	1449	Maggie	Urton	Kansas City	MO
1368	David	Strong	Gardner	MA	1450	Xochil	Usher	Santa Barbara	CA
1369	Robert	Stuart	Oakland	CA	1451	Pavla	Ustinov	Los Angeles	CA
1370	Bruce	Stubbs	Carlsbad	CA	1452	Sakura	V	Oakland	CA
1371	Rene	Succa	Westlake Village	CA	1453	Paloma	Vachon	Ben Lomond	CA
1372	Joanna	Suchman	San Diego	CA	1454	Angelina S.	Valles	Jersey City	NJ
1373	Jimmy	Sugahara	South San Francisco	CA	1455	Vanessa	Van	Temecula	CA
1374	Michael	Sullivan	San Diego	CA	1456	Dirk	Van Putten	Felton	CA
1375	Paula	Summers	Fair Oaks	CA	1457	Eddie	Van Surksun	Los Angeles	CA
1376	Aaron	Sunshine	Los Angeles	CA	1458	Fabienne	Van Wambeke	New York	NY
1377	Luci	Surtees	Calabasas	CA	1459	Laurie	VanDe Werforst	Goleta	CA
1378	Madelaine	Sutphin	Studio City	CA	1460	Kristina	Vandergriff	San Diego	CA
1379	Lorraine	Suzuki	Los Angeles	CA	1461	Roy	Vanderleelie	Joshua Tree	CA
1380	Jon	Swailles	Long Beach	CA	1462	Jason	Varvas	Dove Canyon	CA
1381	June	Swan	Corte Madera	CA	1463	Paul	Vatistas	Tahoe City	CA
1382	Greg	Sweel	Santa Monica	CA	1464	Marsha	Vaughn	Richmond	CA
1383	Jonni	Swensen	Los Angeles	CA	1465	Ronald	Vaught	Sa	CA
1384	Charles H	Swift	Redlands	CA	1466	Gill	Verner	Playa Del Rey	CA
1385	Joseph	Szabo	Los Angeles	CA	1467	Gloria	Victor	San Francisco	CA
1386	Marcin	Sztiwertnia	Ustro	Germany	1468	Viktoria	Vidali	Scotts Valley	CA
1387	Deb	Szymanski	Gilbert	AZ	1469	Lorenzo	Vidali	Goleta	CA
1388	Mike	Taaffe	Lompoc	CA	1470	Barbara	Viken	San Francisco	CA
1389	Jimy	Tallal	Malibu	CA	1471	Michele	Vinz	san diego	CA
1390	Mike	Tallmadge	Santa Clara	CA	1472	Beatrice	Virga	Tracy	CA
1391	Dana	Tankell	San Diego	CA	1473	Nicole	Volchok	Beverly Hills	CA
1392	Michael	Tankenson	Los Angeles	CA	1474	John	Vollbrecht	Santa Monica	CA
1393	Ethel	Tankenson	Los Angeles	CA	1475	Mary	Vought	Salinas	CA
1394	Sharon Julie	Tankenson	Los Angeles	CA	1476	James	Wachter	Hollywood	CA

Ocean Conservancy Email Respondents

#	First Name	Last Name	City	State	#	First Name	Last Name	City	State
1477	John	Wade	Huntsville	AL	1559	Erika	Wu	Beverly Hills	CA
1478	Mark	Wagner	Pacific Palisades	CA	1560	Michael	Wuesthoff	Concord	CA
1479	Robert	Wagner	Lawrenceville	GA	1561	Dana	Wullenwaber	Redding	CA
1480	Jana	Wahlstrom	Thousand Oaks	CA	1562	Lorali	Wyant	San Diego	CA
1481	Grace	Walker	San Francisco	CA	1563	Tina	Wynn	San Diego	CA
1482	Tatjana	Walker	San Antonio	TX	1564	H	Yacobian	Westminster	CA
1483	Craig	Walker	Santa Monica	CA	1565	Sissy	Yates	Long Beach	CA
1484	Jeanne	Walker	Oxnard	CA	1566	Larissa	Yeager	Philadelphia	PA
1485	David	Walker	Atlanta	GA	1567	Elizabeth	Yeatts	Granite Bay	CA
1486	Jennifer	Wallace	Edmonds	WA	1568	Sophia	Yen	Newbury Park	CA
1487	Sara	Wallace	Pasadena	CA	1569	Michael	Yordy	Aliso Viejo	CA
1488	Stephanie	Wally	Santa Rosa	CA	1570	Shannon	York	Chico	CA
1489	Molly	Walsh	Marshfield	MA	1571	Michael	Young	Arroyo Grande	CA
1490	Theresa	Walson	Simi Valley	CA	1572	Susan	Young	Arroyo Grande	CA
1491	John	Walton	Santa Rosa	CA	1573	Julie	Zack	Fresno	CA
1492	Scott	Waltz	Marina	CA	1574	Haley	Zandstra	Temecula	CA
1493	Martin J.	Ward	San Pedro	CA	1575	Wveimar	Zapata	Central Falls	RI
1494	Meagan	Ward	Walnut Creek	CA	1576	Natalie	Zarchin	El Cerrito	CA
1495	Colin	Wardman	San Jose	CA	1577	Jennifer	Zarro	Santa Cruz	CA
1496	Dawn	Wareing	Martinez	CA	1578	John	Zarro	Troy	MI
1497	Christin	Wasson	Topeka	KS	1579	David	Zolan	North Hollywood	CA
1498	Maria	Watkins	Santa Cruz	CA	1580	Ivan		Santa Barbara	CA
1499	Walt	Watman	Emeryville	CA					
1500	Ron	Watson	El Portal	CA					
1501	Claire	Watson	Pittsburg	CA					
1502	Diane Wolcott	Watson	Laguna Beach	CA					
1503	Pat	Weaver	Redway	CA					
1504	Rita	Webber	Bakersfield	CA					
1505	Frank	Wegscheider	Placentia	CA					
1506	marge	weimer	San Mateo	CA					
1507	Maury	Weiner	Tarzana	CA					
1508	Dotty	Weisheit	Monterey	CA					
1509	Christopher	Weiss	San Francisco	CA					
1510	Kathie	Weiss	Atlanta	GA					
1511	Karl	Weiss	Pacific Beach	CA					
1512	Mark	Weissman	Rancho Palos Verdes	CA					
1513	Erin	Welch	Susanville	CA					
1514	Ralph	Werner	Escondido	CA					
1515	Angela	West	San Diego	CA					
1516	Heidi	West	Sebastopol	CA					
1517	Michael	Wheeler	Ft. Bragg	CA					
1518	S	Whitaker	Burbank	CA					
1519	Ms. Lyndell	Whitcomb	Rocklin	CA					
1520	Harry	White	Sunnyvale	CA					
1521	Laura	White	El Paso	TX					
1522	Michael	White	Long Beach	CA					
1523	Mindi	White	Los Angeles	CA					
1524	Mary	Whitney	Carmel	CA					
1525	Adena	Why	Riverside	CA					
1526	Bruce	Wicklund	Avalon	CA					
1527	Charles	Wieland	San Ramon	CA					
1528	Devon H.	Wiens	Arroyo Grande	CA					
1529	Marjorie	Williams	Valley Center	CA					
1530	Judi	Williams	Davis	CA					
1531	Gwyn	Williams-Stanton	Sonoma	CA					
1532	Rick	Wilson	Aliso Viejo	CA					
1533	Mary Ann	Wilson	Los Angeles	CA					
1534	George	Wilson	Pebble Beach	CA					
1535	Chris	Wise	San Francisco	CA					
1536	Debra	Witte	Pleasant Hill	CA					
1537	Christiana	Wittmaack	Yuba City	CA					
1538	Rachel	Wolf	Santa Cruz	CA					
1539	Elisabeth	Wolf-Di Lella	San Diego	CA					
1540	Mark	Wolfe	Pittsburgh	PA					
1541	Michael	Wollman	San Luis Obispo	CA					
1542	Karen	Wolowicz	San Francisco	CA					
1543	Alex	Won	San Francisco	CA					
1544	Teresa	Wong	San Gabriel	CA					
1545	Dana	Wong	Plano	TX					
1546	Larry	Wood	Rancho Dominguez	CA					
1547	Stacey	Wood	San Francisco	CA					
1548	Cara	Woodard	Torrance	CA					
1549	Nicole	Woodward	Poway	CA					
1550	Dee	Woodward	Los Gatos	CA					
1551	Linda	Woodward	Old Orchard Beach	ME					
1552	America	Worden	Healdsburg	CA					
1553	Jo-Ann	Work	Walnut Creek	CA					
1554	Barbara	Workman	Brevard	NC					
1555	Nina	Wouk	Menlo Park	CA					
1556	Sharon	Wright	Santa Ana	CA					
1557	Kim	Wright	San Diego	CA					
1558	Carol	Wright Kaiser	Stinesville	IN					