UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
Silver Spring, Maryland 20910

MAR 30 2005

Phil Isenberg
Chair
MLPA - Blue Ribbon Task Force
1416 Ninth Street, Suite 1311
Sacramento, California 95814

Dear Chair Isenberg:

We appreciate the opportunity to comment on the Marine Life Protection Act (MLPA) Draft Master Plan. Your staff and the advisory bodies should be complimented for drafting a document that provides a solid framework to meet the rigorous marine resource management challenges ahead. The National Oceanic and Atmospheric Administration's National Marine Sanctuary Program (NMSP) offers the following comments on the Draft Master Plan.

The NMSP sees great potential and opportunity in working closely with the State of California to implement this visionary act in the California national marine sanctuaries. This process could provide a catalyst to further our state-federal partnership for the management of coastal and marine resources off California. We recognize that the MLPA initiative is on a very ambitious schedule and will require an intensive investment of resources and expertise to effectively implement. Under such circumstances we encourage the State to actively reach out and utilize the available resources, expertise, and complementary statutes and authorities from other agencies. The NMSP stands ready to lend its expertise in planning, management, multi-stakeholder public process, and biogeographic and socio-economic information analysis to help you implement the MLPA in and adjacent to our sanctuaries.

As you are aware, three of our four California national marine sanctuaries encompass both federal and state waters. It is critical that we work together, in the early planning stages, to develop a mutually beneficial and complementary resource management regime that provides maximum long-term benefits for the resources and the stakeholders. The NMSP has a long and productive history in working closely with state agencies on resource management issues of mutual concern. Many state agency staff participate in the Sanctuary Advisory Councils, and as you are aware, several other successful partnerships have developed from specific issues or needs. These extensive partnerships involve many departments of the Resources Agency (Fish and Game, Coastal Commission, State Lands Commission, Parks and Recreation), the Environmental Protection Agency (Regional Water Quality Control Boards and State Board), and the Business, Transportation & Housing Agency (CalTrans). As the Draft Master Plan is implemented, the State and NMSP should continue to build upon these partnerships to

develop a mutually beneficial and complementary resource management regime that provides maximum long-term benefits for the resources and the stakeholders

Capitalizing on this state-federal partnership is necessary to meet the biological reality that marine resources and habitats transcend jurisdictional boundaries offshore. The most appropriate decision for a particular area in state waters may be linked to a habitat area, or depend on complementary protection, in adjacent federal waters. We ask that the Draft Master Plan reflect this. The NMSP is prepared to assist the state in achieving its goals within and adjacent to national marine sanctuaries. Education about the new network, signage, monitoring user compliance and monitoring biological effectiveness will all be necessary, and they all represent future tasks where the NMSP could aid the state.

There are other more specific examples where the Draft Master Plan should mention existing and potential partnerships with the NMSP to implement the MLPA. One example is the collaborative state-federal public process led by the Department of Fish and Game (DFG) and the Channel Islands National Marine Sanctuary (CINMS) to consider establishing marine reserves in both state and federal waters around the Channel Islands. The state successfully adopted a network of marine reserves in state waters and CINMS staff continue to work with DFG staff, the Pacific Fisheries Management Council and stakeholders to consider establishing complementary reserves in federal waters.

In addition, the Monterey Bay National Marine Sanctuary (MBNMS) has been engaged in a multi-year process to consider special marine protected areas (MPAs) in that Sanctuary. MBNMS staff have been working closely with a group of stakeholders and experts, many of whom are serving in similar capacities with the current or past MLPA efforts. While the Draft Master Plan does acknowledge the Sanctuary's general authority regarding oil and gas development, disturbing the seabed, and discharges, it does not reference that the MBNMS has an ongoing parallel process, which will consider the need to establish MPAs in the MBNMS. The section on page 38 entitled "Other Programs and Activities Other Than Fishing" could acknowledge the MBNMS's MPA process and formally recognize the opportunity for effective state and federal cooperation, particularly since the MLPA is not considering activities in adjacent federal waters. Likewise the MBNMS MPA process could use the results of the MLPA process to help identify potentially complementary sites.

One other area in the Draft Plan that would benefit from clarification is where the proposals for new MPAs will originate. In some sections of the document it is stated that the Regional Stakeholder Working Group will propose new MPAs, and that the Science Advisory Team will then review those proposals. In Figure #1 on page 12, however, the Science Advisory Team is shown as the origin of MPA proposals. Given the prior experiences of the MLPA initiative concerning stakeholder input, we suggest making this highly visible figure consistent with the text of the plan.

There are many opportunities for collaboration between these state and federal initiatives, and we have begun a dialogue with staff from the Department of Fish and Game, MLPA, and the Resources Agency regarding how best to make our efforts complementary. We look forward to working cooperatively on the implementation of the MLPA initiative in the future. If you have any questions regarding these comments, please contact William J. Douros, Superintendent, Monterey Bay National Marine Sanctuary at 831-647-4201.

Sincerely,

Margo E. Jackson for

Daniel J. Basta
Director

cc: Blue Ribbon Task Force members
John Kirlin, Executive Director, MLPA Initiative
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