



Designating New National Marine Sanctuaries

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Summary of SEL in Regulations; History

- The Site Evaluation List (SEL) is *“a comprehensive list of marine sites with high natural resource values and with historical qualities of special national significance that are highly qualified for further evaluation for possible designation as National Marine Sanctuaries.”*
- The SEL was deactivated by the ONMS Director in 1995.
- ONMS regulations (15 CFR 922.10) require:
 1. The ONMS Director to issue criteria for inclusion of marine sites on a revised SEL, with public notice and opportunity to comment, when he determines that the SEL should be reactivated; and
 2. Only sites on the SEL may be considered for subsequent review as active candidates for designation.

NMSA “Limitation” on Designations

Inserted in 2000 NMSA Reauthorization

- (f) **LIMITATION ON DESIGNATION OF NEW SANCTUARIES.—**
- (1) **FINDING REQUIRED.—**The Secretary may not publish in the Federal Register any sanctuary designation notice or regulations proposing to designate a new sanctuary, unless the Secretary has published a finding that—
 - (A) the addition of a new sanctuary will not have a negative impact on the System; and
 - (B) sufficient resources were available in the fiscal year in which the finding is made to —
 - (i) effectively implement sanctuary management plans for each sanctuary in the System; and
 - (ii) complete site characterization studies and inventory known sanctuary resources, including cultural resources, for each sanctuary in the System within 10 years after the date that the finding is made if the resources available for those activities are maintained at the same level for each fiscal year in that 10 year period.
 - (2) **DEADLINE.—**If the Secretary does not submit the findings required by paragraph (1) before February 1, 2004, the Secretary shall submit to the Congress before October 1, 2004, a finding with respect to whether the requirements of subparagraphs (A) and (B) of paragraph (1) have been met by all existing sanctuaries.
 - (3) **LIMITATION ON APPLICATION.—**Paragraph (1) does not apply to any sanctuary designation documents for—
 - (A) a Thunder Bay National Marine Sanctuary; or
 - (B) a Northwestern Hawaiian Islands National Marine Sanctuary.

NMSA “Limitation” on Designations

- Before proposing a new sanctuary, the NMSA requires a finding that **the addition** will not impact existing system and sufficient funds to **effectively implement** management plans.
- Reactivating the SEL allows NOAA to begin making that finding, but is not restricted by that language in NMSA.

Proposed Sites on Old SEL

Southeast Region Sites in Red

1983 SEL (48 FR 35568; Aug 4, 1983)

1. Mid-Coastal Maine
2. Stellwagen Bank, Massachusetts
3. Nantucket Sound/Shoals, Massachusetts
4. Virginia/Assateague Island, VA/MD
5. Big Rock-Ten Fathom Ledge, North Carolina
6. Port Royal Sound, South Carolina
7. Florida Coral Grounds
8. Cordillera Reefs, Puerto Rico
9. Southeast St. Thomas, U.S. Virgin Islands
10. East End, St. Croix, U.S. Virgin Islands
11. Big Bend Seagrass Beds, Florida
12. Eastern Chandeleur Sound, Louisiana
13. Flower Garden Banks, Texas – Now the FGBNMS
14. Baffin Bay, Texas
15. Washington State Nearshore (NW Straits)
16. Western Washington Outer Coast (Olympic Coast)
17. Heceta-Stonewall Banks, Oregon
18. Morro Bay/ Central California Coast
19. Cortes-Tanner Banks, California
20. Northern Mariana Islands
21. Southern Mariana Islands
22. Cocos Lagoon, Guam
23. Façi Point to Fort Santo Angel, Guam
24. Papaloloa Point, American Samoa
25. Cape Vincent (L. Ontario), New York
26. Western Lake Erie Islands, Ohio
27. Thunder Bay (Lake Huron)
28. Green Bay (L Michigan), Wisconsin

29. Apostle Islands/Isle Royale (L Superior), MI/WI

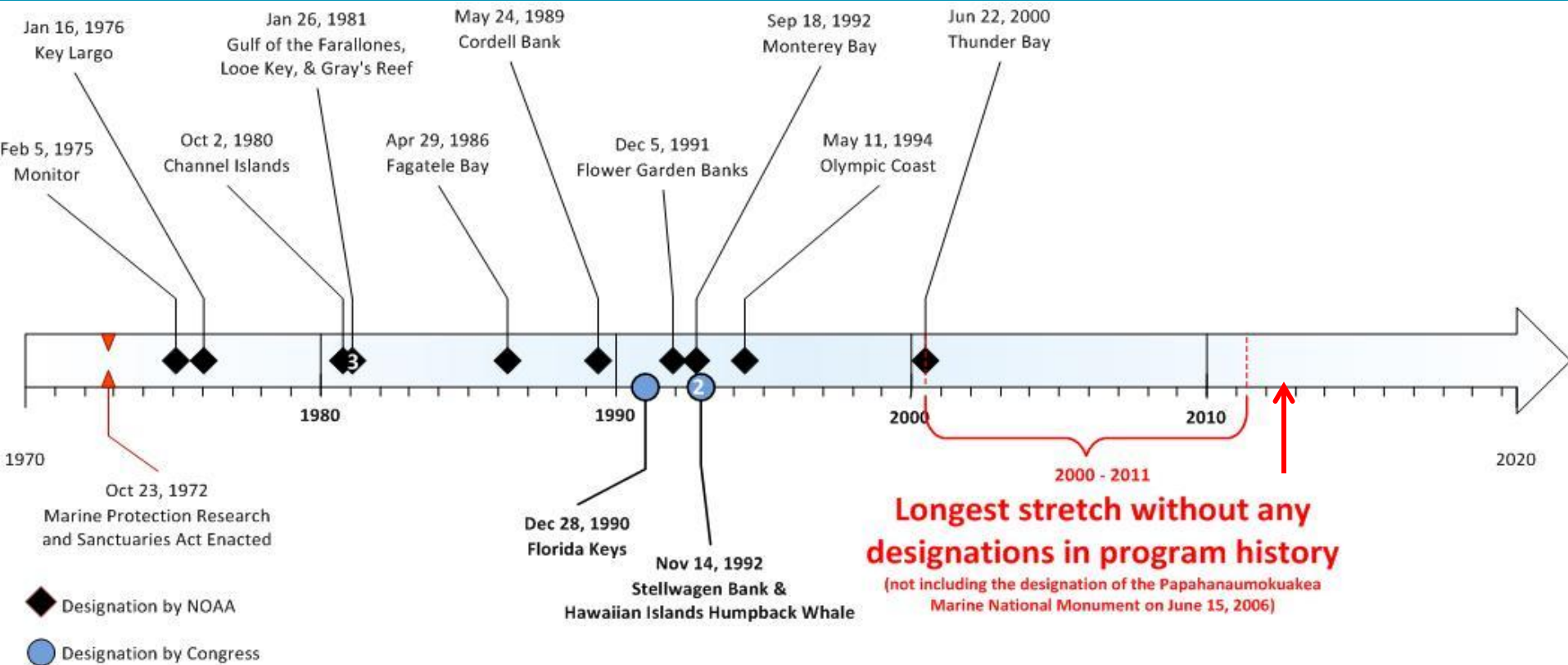
Additions to 1983 SEL in 1989 FR notice (54 FR 53432; Dec. 28, 1989)

30. Norfolk Canyon, Virginia
 31. Monterey Bay, California
 32. American Shoal, Florida
 33. Sombrero Key, Florida
 34. Alligator Reef, Florida
 35. Santa Monica Bay, California
- } Now part of FKNMS

Cultural Resource Sites Considered for addition in 1992/1993

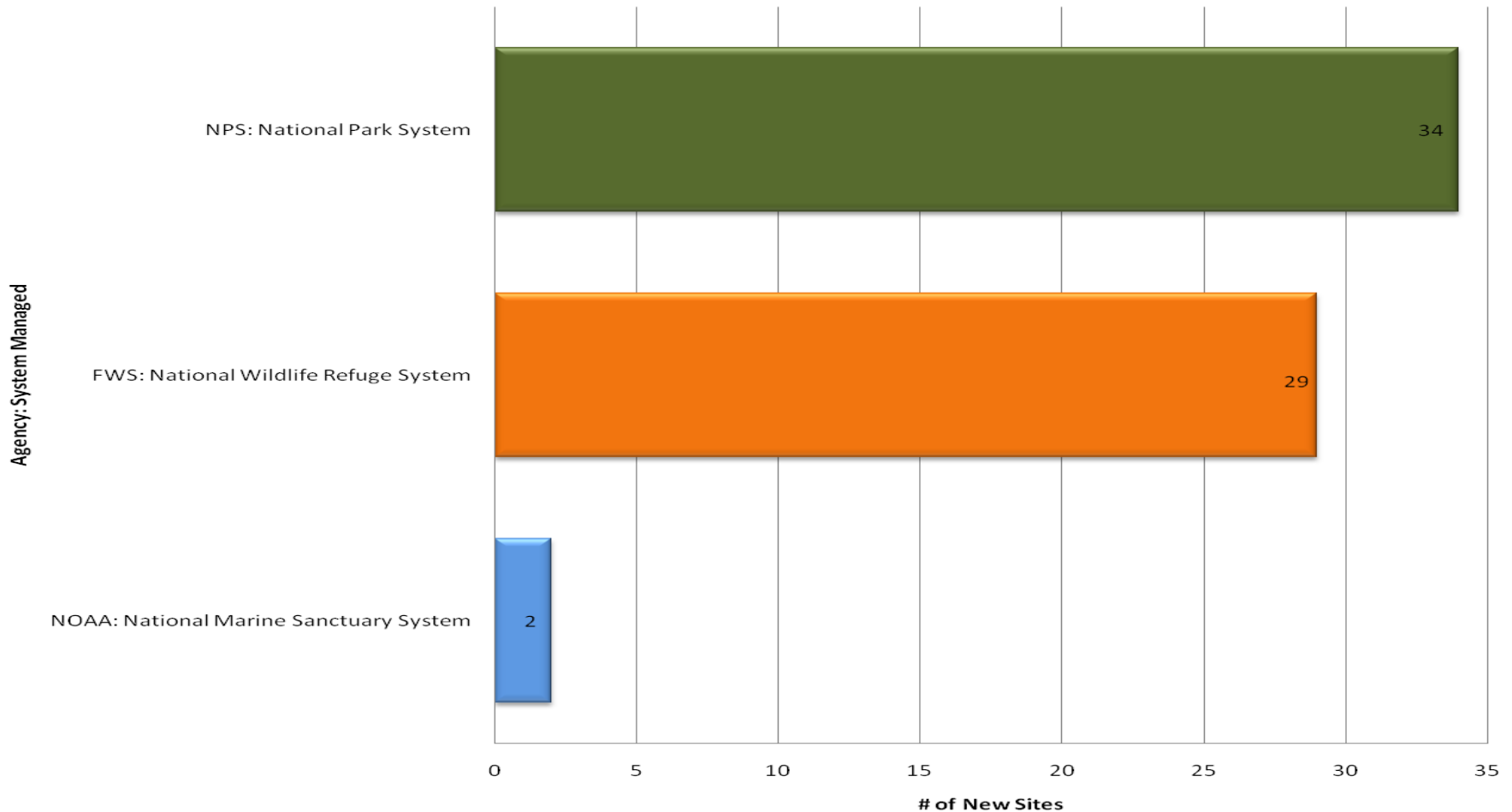
36. Whitefish Point/Bay (L. Superior), Michigan
37. Manitou Passage (L. Michigan), Michigan
38. Narragansett Bay, Rhode Island'
39. Yorktown Fleet, York River, Virginia
40. Battle of the Atlantic, Cape Hatteras, NC
41. Douglas Beach, Florida
42. Tampa Bay, Florida
43. Apalachee Bay, Florida*
44. U.S.S. Tecumseh/Battle of Mobile Bay, Alabama
45. Westernmost Aleutians, Alaska

Site Designation Timeline



Context: Interesting Comparisons

Designations of New Protected Areas (2000-2010)



Recent Terrestrial Progress

- On November 10, 2011 DOI released a report identifying 18 areas in nine Western states that deserve protection as wilderness, national conservation areas, or other congressional designations
- Nov 8, 2011: DOI designates a new National Park on the New Jersey's Passaic River--Great Falls
- Sept 7, 2011: DOI proposes new Headwaters National Wildlife Refuge in Florida

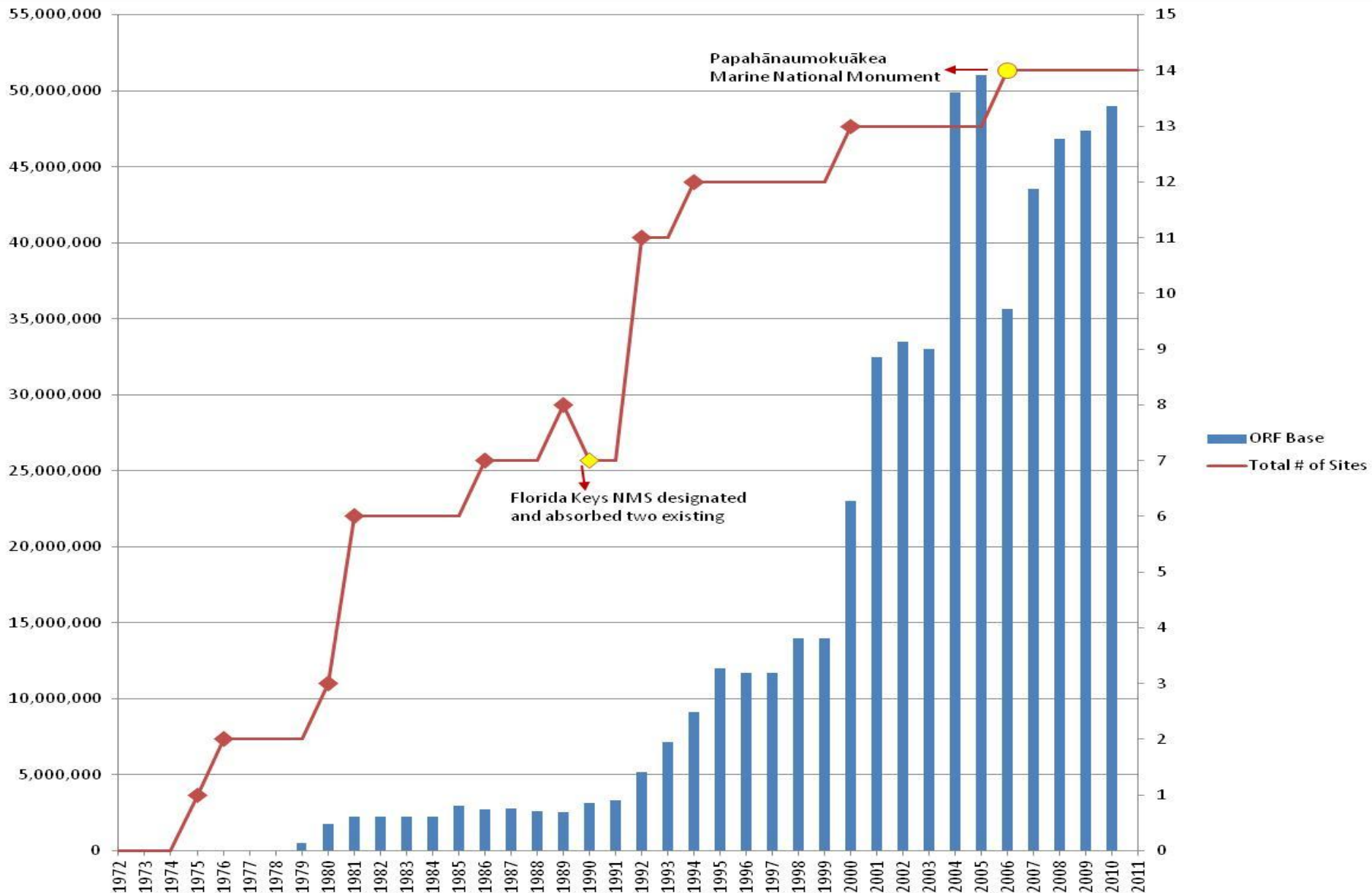
Why Reinitiate SEL

- NMSA commands Secretary of Commerce to identify and designate the most significant areas as NMSies
- Recent push to improve federal and state efforts to better plan marine waters has identified the need for areas where greater protection is needed
- NMSies offer only comprehensive federal tool to conserve special places in US waters
- Communities around the country are clamoring for new sanctuaries to be designated

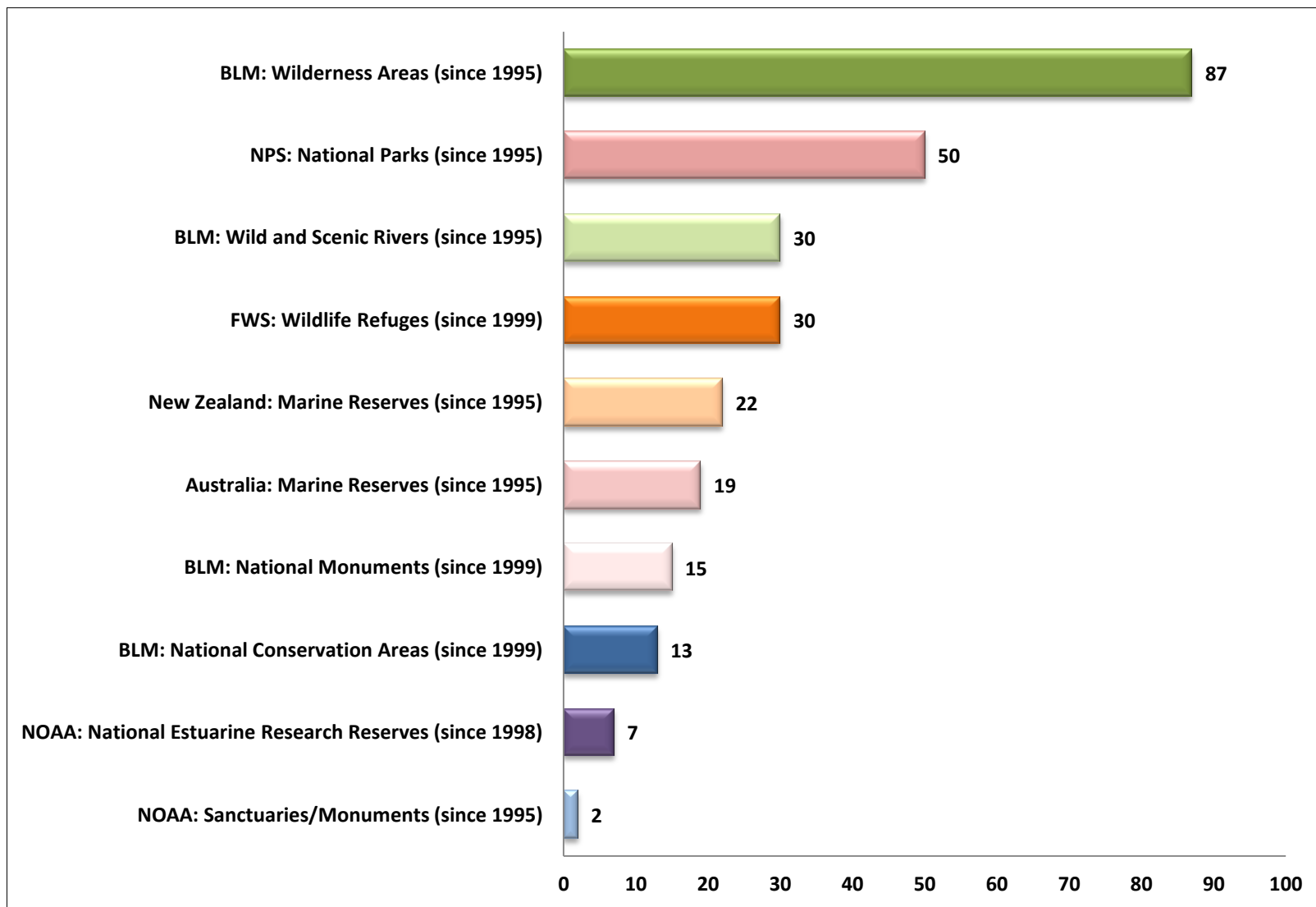
Proposals for New & Expanded Sanctuaries

- 16 distinct proposed new areas submitted to NOAA, Secretary of Commerce, or President in the last five years
- Proposed sites are on both coasts, Gulf Mexico, Great Lakes, Arctic, and Western Pacific
- Proponents include members of Congress, tribes, scientists, sanctuary advisory councils

Site Designation & Funding

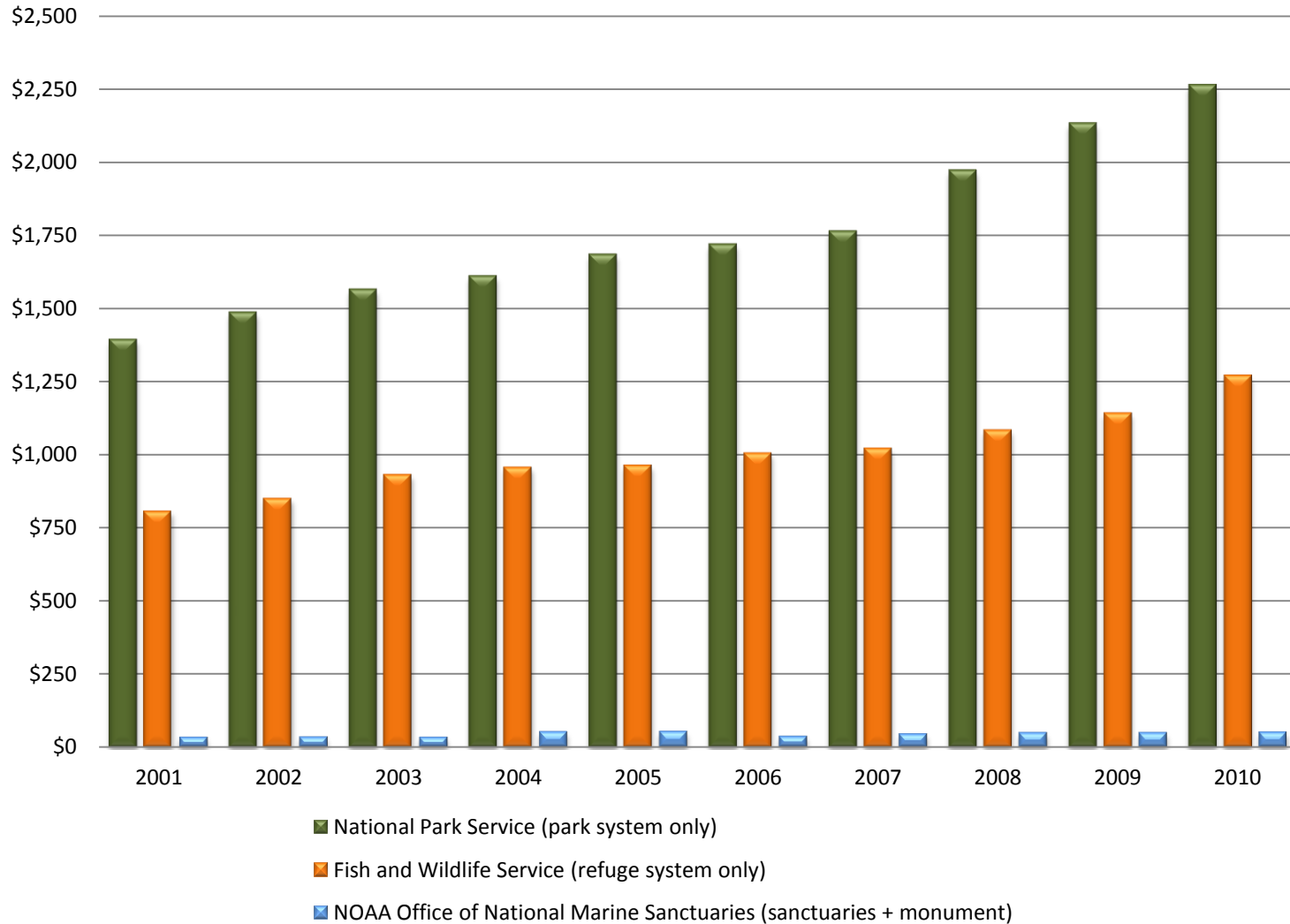


Select Protected Area Designations, 1995-2011



The Funding Story

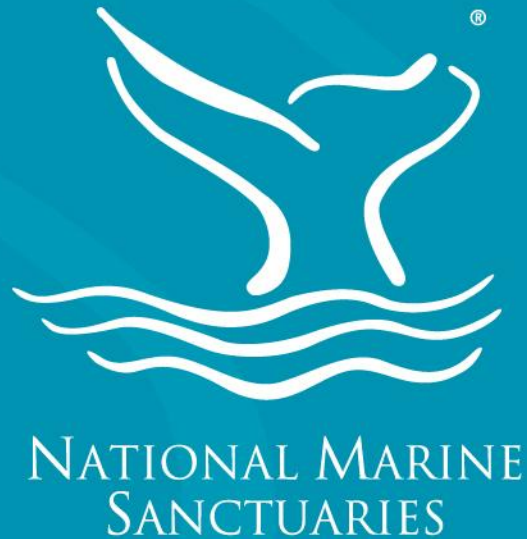
Comparison of Enacted Funds by Agency, FY01-10



Closing Thoughts

- The administrative process to designate new NMSies takes many years, begins with SEL
- Limitation in NMSA deals with designations not consideration of new sites; budget decisions are therefore years away
- Are all the best, most significant, special marine places in America protected?

National Marine Sanctuaries
National Oceanic and Atmospheric Administration



<http://sanctuaries.noaa.gov>