

and national coordination among existing sites. Data in the MMA Inventory eventually will be used to assess whether or not specific sites meet the definitions and criteria to be placed on the List of MPAs. In order to use existing mapping data, maps for sites with upland components will depict the entire area (i.e., the marine area constitutes the MMA by these proposed definitions/criteria; however, the maps in the MMA Inventory also will show any upland component of the national park, national estuarine research reserve, etc.).

NOAA and DOI propose to collect, use, and make available to the public the following information (listed below and found on the web site <http://www.mpa.gov>) for each site in the MMA Inventory. The agencies request public comments on these data fields to determine what information will be most useful for managers, scientists, user-groups, and other members of the public.

**Proposed data fields:**

MMA Name (name of the site protected); Type of Area (national marine sanctuary, national park, etc.); Level of Government Managing Site (Federal, state, local, tribal); Management Organizations (government agency/department responsible for site management); Purpose of Protections (explanation of what the site was established to protect or manage); Site Description (brief description of site including general features and most prominent, noteworthy, and unique features); Information Web Reference (primary informational web home page address); Location (nearest state, territory or commonwealth); Site Boundaries (if available provide: text description, latitude/longitude coordinates, digital coverage of site boundary, and digital or hard-copy map); Size of Area (number of square miles of surface of both water and land areas within site); Additional Location/Size Information (approximate shoreline length, overlap with other protected areas, connectivity with other protected areas); Marine Components (oceans, bays, estuaries, intertidal areas, Great Lakes, submerged lands, and/or other); Natural Features (biological and geological features); Cultural Features (archaeological remains, historic shipwrecks, subsistence uses); Legal Basis for Establishment (name, citation, and summary of legal authority for creating MMA); Date Established (date initial protection afforded to marine natural or submerged cultural resources, other important dates of increasing protection or expansion of site); Primary Restrictions (brief summary of primary

restrictions in MMA); Legal Basis for Implementation (citation to regulations or other legal basis for implementing MMA); Expiration Date of Protections (date, if any, of expiration of regulations or other authority); Site Programs and Plans (types of management programs and plans developed for the MMA); Enforcement (government agencies/departments responsible for enforcing restrictions on site); Effectiveness (measures used to determine management effectiveness); Zone Information (if management of the site is zoned: general zone information, zone purposes, zone boundary delineation, zone resource protections, zone activity and use restrictions); and Information Sources (site staff/contact, publications, web sites, other sources).

**Process**

An initial and partial MMA Inventory comprised primarily of Federal sites, such as fisheries management zones, national parks, national wildlife refuges, and national marine sanctuaries, has been assembled and published on the MPA web site, <http://www.mpa.gov>. This initial MMA Inventory also includes state-federal national estuarine research reserves and some state sites in the Gulf of Maine and Western Pacific regions. More sites will be added to the MMA Inventory in the future.

The MMA Inventory will not contain all currently protected or managed sites in the marine environment. For example, sites developed by Regional Fishery Management Councils, in conjunction with the National Marine Fisheries Service (NMFS), NOAA, that provide less than three-months' protection or afford only annual restrictions would not appear in the MMA Inventory on the basis of the proposed working criteria.

Some MMA Inventory sites presumably will not meet all of the criteria necessary for placement on the List of MPAs during Phase II of this process. However, these sites will be maintained as part of the MMA Inventory to provide managers, analysts, and other interested parties with a comprehensive database of U.S. MMAs, including sites that may be considered for the List of MPAs, sites on the List of MPAs, and sites determined not to meet the criteria for the List of MPAs. Additional information will be added to the MMA Inventory as it becomes available.

**Consultation and Public Comment**

E.O. 13158 requires NOAA and DOI to develop the national MPA system in consultation with the Department of Defense, the Department of State, the

United States Agency for International Development, the Department of Transportation, the Environmental Protection Agency, the National Science Foundation, and other pertinent Federal agencies. NOAA and DOI are also to consult with states and territories that contain portions of the marine environment, tribes, Regional Fishery Management Councils, and other entities, as appropriate, to promote coordination of Federal, state, territorial, and tribal actions to establish and manage MPAs. NOAA and DOI actively solicit comments from these entities and from the general public on any aspect of this notice of proposed MMA Inventory criteria, definitions, and data fields. Preliminary draft definitions and criteria, as well as inventory data fields, were first released to the public on December 21, 2000, when NOAA and DOI unveiled their MPA web site at <http://www.mpa.gov>. The public was invited informally to comment on any aspect of the web site including the definitions and criteria. For purposes of developing a final notice, comments made in response to the web site invitation will be considered as well as those made in response to this notice. Following review of comments received, NOAA and DOI will publish a final notice of MMA Inventory criteria, definitions, and data fields in the **Federal Register** and <http://www.mpa.gov>.

**Classification**

*Regulatory Planning and Review*

This action is not a regulatory action subject to E.O. 12866 (58 FR 51735, October 4, 1993). This notice would not impose a compliance burden on the economy generally because the proposed definitions and MMA Inventory criteria provided here are only designed to collect data that may later be used to implement E.O. 13158.

*Energy Effects*

NOAA and DOI have determined that this action will have no effect on energy supply, distribution, or use as required by Executive Order 13211 (66 FR 28355).

*Administrative Procedure Act*

Pursuant to authority at 5 U.S.C. 553(b)(A), prior notice and an opportunity for public comment are not required to be given, as this is a document concerning agency procedure or practice. Nevertheless, NOAA and DOI want the benefit of the public's comment and are voluntarily giving prior notice and opportunity for public comment.