


Public Testimony Sign-Up Sheet

Agenda Item D-3 Staff Tasking

	NAME (PLEASE PRINT)	AFFILIATION
1	Kenny Wilson	Myself
2	Frank Wood	BRNA.-
3	Frank Logusak	
4	Jon Warrick	Ocean
5	John GAUVIN + Lori Swanson	H+G WORK group / GFF
6	Dave Fraser	Adak Fisheries / ACDC
7	Heather McCarty	Island Safety
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

MEMORANDUM

TO: Council, SSC and AP Members
FROM: Chris Oliver 
Executive Director
DATE: September 12, 2008
SUBJECT: Staff Tasking

ESTIMATED TIME 3 HOURS

ACTION REQUIRED

- (a) Review tasking and committees and provide direction.
- (b) Receive report from AI Ecosystem Team.

BACKGROUND

- (a) Committees and Tasking.

The list of Council committees is attached as Item D-3(a)(1). Item D-3(a)(2) is the three meeting outlook, and Item D-3(a)(3) and Item D-3(a)(4) respectively are the summary of current projects and tasking. In addition, an updated workplan for implementing the programmatic groundfish management policy is attached Item D-3(a)(5). The Council may wish to discuss tasking priorities to address these projects, as well as potential additions discussed at this meeting, given the resources necessary to complete existing priority projects.

At the June Council meeting, there was some discussion of issues associated with the staff tasking agenda item, specifically, the process, public notice, and appropriate role of this agenda item. The Council tasked its Executive Director to work with NOAA GC on this and report back in October about recommendations on what we should or should not do within this agenda item, and consider putting this guidance in the Council's Statement of Organization, Practices, and Procedures (SOPPs).

The primary purposes of the staff tasking agenda item are as follows:

- To review the list of ad hoc committees and membership on those committees, and revise as needed to add or eliminate committees, fill vacancies on committees, etc.
- To review the list of projects and analyses that have previously been tasked to staff, and reprioritize as needed.
- Set priorities and indicate preferred timelines for completion of projects or analyses tasked at the current meeting, relative to the list of previously tasked projects.
- To review the 3 meeting outlook and recommend priorities relative to timing of Council action, subject to the Executive Directors discretion relative to staff workloads.
- To review briefing papers as they relate to staff workloads or special projects, such as improving stakeholder participation, communication and outreach plans, changes to the SOPPs; etc.
- To review progress on the Council's groundfish management policy workplan to achieve the priority objectives.

The staff tasking item has also been used to:

- Initiate new analyses or discussion papers based on public input, a call for proposals, or Council initiative.
- Revise problem statements and alternatives for analyses that have been previously tasked, but that issue for analysis was not listed as an action item on the meeting agenda.
- Although this has not occurred in recent years, and was an infrequent occurrence, a member would raise a vote taken earlier in the meeting for reconsideration during staff tasking.

There was a specific concern raised in June with regards to modifying problem statements and alternatives for a previously tasked item (but one not on the current agenda) during the staff tasking agenda item. The concern was about the public notice that the Council was taking action on something not listed on the agenda, and the Council wanted to know if it was a legal requirement or was this something the Council would want to address as a policy. NOAA GC advised that Council Action as described in the Magnuson Act means more than just taking a "council vote" on staff tasking issues (i.e., initiating analyses or discussion papers, etc.), and meant when the Council was taking action on a recommendation to the Secretary, i.e., fishery management plans, fishery management plan amendments, and regulatory amendments. In other words, the Council could legally change the alternatives and problem statement for a previously tasked item, even if it was not specifically listed on the agenda. Additionally the Council also receives numerous unsolicited proposals from the public, either in writing and/or during public testimony. Occasionally the Council initiates analyses based on these proposals, which is also a legally allowable use of this agenda item.

So then the question is: Does the Council want to adopt a specific policy that either allows or disallows the modification of alternatives or problem statements during the staff tasking agenda item, or clarifies the treatment of unsolicited proposals? And if so, would this be a formal policy that would be included in the SOPPs, or just as an informal policy (which could allow changes made in extraordinary situations)?

Item D-3(a)(6) is a series of letters and information we received last week, requesting Council action (plan amendment) to close the nearshore Bristol Bay trawl area. This is a follow up from an earlier inquiry from the Qayassiq Walrus Commission.

(b) Aleutian Islands Ecosystem Team.

The Council's Aleutian Islands Ecosystem Team met September 9-10, 2008, in Seattle. The Team reviewed the AI FEP, and the FEP interactions and indicators. The most recent data on the available FEP indicators will be presented to the Council as part of the annual Ecosystem Considerations report, in December, along with the SAFE reports. The Team suggested revisions to the indicators and other parts of the document, and intends to write an addendum to the FEP that will be presented to the Council in 2009. The Team identified some intermediary research proposals, which could help to provide information necessary for the Council to monitor some of the FEP's important interactions for which no information is currently available. Additionally, the Team provided some guidance to the Ecosystem Committee and the Council about ways to continue implementation of the FEP. The Team's report is attached as Item D-3(b)(1). The Ecosystem Committee will meet on September 30 to discuss the Team's report, and minutes will be available at the Council meeting.

NPFMC Committees & Workgroups
(Revised September 22, 2008)

AGENDA D-3(a)(1)
OCTOBER 2008

Council/Board of Fisheries Joint Protocol Committee

Updated: 8/10/07	Council: Dave Benson Ed Dersham Eric Olson	Board: Larry Edfelt John Jensen Mel Morris
Staff: Jane DiCosimo		

Council Coordination Committee

[Designated and renamed by Magnuson Act reauthorization April 2007]

Appointed: 4/05 Updated: 8/10/07	CFMC: C: Eugenio Pinerio ED: Miguel Rolon	NPFMC: C: Eric Olson ED: Chris Oliver
	GMFMC: C: Tom McIlwain ED: Wayne Swingle	PFMC: C: Donald Hansen ED: Don McIsaac
	MAFMC: C: W. Peter Jensen ED: Dan Furlong	SAFMC: C: George J. Geiger ED: Robert Mahood
Staff: Chris Oliver	NEFMC: C: John Pappalardo ED: Paul Howard	WPFMC: C: Sean Martin ED: Kitty Simonds

Council Executive/Finance Committee

Updated: 8/10/07	Eric Olson (Chair) Doug Mecum (NMFS) Alt. Sue Salveson Dave Hanson Denby Lloyd (ADFG) Alt. Dave Bedford Roy Hyder Jeff Koenings (WDF), Alt. Bill Tweit
<u>Status:</u> Meet as necessary	
Staff: Chris Oliver/Dave Witherell/Gail Bendixen	

Bering Sea Crab Advisory Committee

Appointed 4/25/07	Sam Cotten (Chair)	Lenny Herzog
Revised 11/15/07	Jerry Bongen	Kevin Kaldestad
	Steve Branson	Frank Kelty
	Florence Colburn	John Moller
	Linda Freed	Rob Rogers
	Dave Hambleton	Simeon Swetzof
	Phil Hanson	Ernest Weiss
Staff: Mark Fina	Tim Henkel	

NPFMC Committees & Workgroups

(Revised September 22, 2008)

Bering Sea Salmon Bycatch Workgroup

<p>Appointed: 3/07</p> <p>Staff: Diana Stram</p>	<p>Stephanie Madsen (Co-chair) Eric Olson (Co-chair) John Gruver Karl Haflinger Jennifer Hooper</p>	<p>Paul Peyton Becca Robbins Gisclair Mike Smith Vincent Webster (BOF)</p>
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Crab Interim Action Committee

[Required under BSAI Crab FMP]

<p>Doug Mecum, NMFS Denby Lloyd, ADF&G Jeff Koenings, WDF</p>

Ecosystem Committee

<p>Updated: 8/10/07</p> <p><u>Status</u>: Active</p> <p>Staff: Diana Evans</p>	<p>Stephanie Madsen (Chair) Jim Ayers Jon Kurland Dave Benton Doug DeMaster/Bill Karp Dave Fluharty John Iani</p>
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Enforcement Committee

<p>Updated: 7/03</p> <p><u>Status</u>: Active</p> <p>Staff: Jon McCracken</p>	<p>Roy Hyder (Chair) LCDR Lisa Ragone, USCG Major Steve Bear, AK F&W Protection Bill Karp, NMFS Herman Savikko, ADF&G Lisa Lindeman/Garland Walker, NOAA-GC Matt Brown/Ken Hansen, NMFS-Enforcement Sue Salveson, NMFS</p>
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Fur Seal Committee

<p>Updated: 8/10/07</p> <p><u>Status</u>: Active</p> <p>Staff: Bill Wilson</p>	<p>David Benson (Chair) Larry Cotter Aquilina Lestenkof Paul MacGregor Heather McCarty Anthony Merculief</p>
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NPFMC Committees & Workgroups

(Revised September 22, 2008)

GOA Groundfish Rationalization Community Committee

Appointed: 11/04 Staff: Nicole Kimball	Hazel Nelson (Chair) Julie Bonney Duncan Fields Chuck McCallum	Patrick Norman Joe Sullivan Chuck Totemoff Ernie Weiss
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Halibut Charter Stakeholder Committee

Appointed: 1/06 Revised: 11/5/07 Staff: Jane DiCosimo	Dave Hanson (Chair) Seth Bone Robert Candopoulos Ricky Gease John Goodhand Kathy Hansen Dan Hull	Chuck McCallum Larry McQuarrie Rex Murphy Peggy Parker Charles "Chaco" Pearman Greg Sutter
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IFQ Implementation Committee

Reconstituted: 7/31/03 Updated: 8/10/07 Staff: Jane DiCosimo	Jeff Stephan (Chair) Bob Alverson Julianne Curry Tim Henkel Dennis Hicks Don Iverson	Don Lane Kris Norosz Paul Peyton <i>Vacancy (1)</i>
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Non-Target Species Committee

Appointed: 7/03 Updated: 8/10/07 Staff: Jane DiCosimo, NPFMC/ Olav Ormseth, AFSC	Dave Benson (Chair) Julie Bonney John Gauvin Ken Goldman Karl Haflinger Simon Kinneen	Michelle Ridgway Janet Smoker Paul Spencer Lori Swanson Jon Warrenchuk
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Observer Advisory Committee

Reconstituted: 1/06 Updated: 12/07 <u>Status</u> : Active Staff: Chris Oliver/ Nicole Kimball	Joe Kyle (Chair) Bob Alverson Christian Asay Jerry Bongen Julie Bonney Kenny Down Todd Loomis	Paul MacGregor Tracey Mayhew Brent Paine Peter Risse Kathy Robinson <i>Vacancy (1)</i>
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NPFMC Committees & Workgroups
(Revised September 22, 2008)

Pacific Northwest Crab Industry Advisory Committee

Appointed: 2/07 Staff: Diana Stram	Steve Minor (Chair) Keith Colburn Lance Farr Phil Hanson Kevin Kaldestad Garry Loncon Gary Painter	Rob Rogers Vic Sheibert Gary Stewart Tom Suryan Arni Thomson, Secretary (non-voting)
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Socioeconomic Data Collection Committee

Appointed: 12/07 Staff: Mark Fina	Glenn Reed (Chair) Bruce Berg Michael Catsi Dave Colpo Paula Cullenberg	Brett Reasor Ed Richardson Mike Szymanski Gale Vick
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Steller Sea Lion Mitigation Committee

Appointed: 2/01 Updated: 8/10/07 [formerly SSL RPA Committee; renamed February 2002] Staff: Bill Wilson	Larry Cotter (Chair) Jerry Bongen Julie Bonney Mel Morris John Gauvin John Henderschedt Daniel Hennen Sue Hills	Frank Kelty Terry Leitzell Dave Little Steve MacLean Stephanie Madsen Max Malavansky, Jr Art Nelson Beth Stewart
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VMS Committee

Appointed: 6/02 <u>Status</u> : Idle, pending direction Staff: Jane DiCosimo	Roy Hyder (Chair) Al Burch Guy Holt Ed Page LCDR Lisa Ragone Lori Swanson
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DRAFT NPFMC THREE-YEAR MEETING OUTLOOK - updated 9/10/08

September 29, 2008 Anchorage, AK Sheraton Hotel	December 8, 2008 Anchorage, AK Hilton Hotel	February 2, 2009 Seattle, WA
Council/BOF Joint Protocol Committee Report SSL draft status quo BiOp&EIS: Report on Schedule SSL Recovery Plan: Report on Implementation	Report on MPA Nomination Process EFH 5 Year Review: Discuss Draft Plan & Schedule	
BSAI Fixed Gear Parallel Fisheries: Discussion Paper	GOA fixed gear LLP recency: Initial Review GOA P cod sector split: Initial Review Am 80 Cooperative Formation: Initial Review GOA sideboards re Am 80 PSC: Final Action	Am 80 Cooperative Formation: Final Action
GOA sideboards for BSAI crab vessels: Final Action GOA sideboards re Am 80 PSC: Initial Review GOA sideboards re GOA rockfish: Final Action GOA sideboards for AFA CVs: Discussion paper	GOA sideboards for AFA CVs: Initial Review (T)	GOA Rockfish Program Changes: Discussion Paper GOA sideboards for AFA CVs: Final Action (T)
AI Cod Processor Sideboards: Discussion Paper AI POP/Mackerel Processing Sideboards: Discussion Paper	CDQ regulations: update	
BSAI Crab Regional Delivery Emergency Relief: Discussion Paper BSAI Crab Committee/Crew Proposals: Report/Action as necessary BSAI Crab 3-year Review: Receive report BSAI Crab 90/10 Amendment: Prelim. Review BSAI Crab St. George Protection Measures: Final Action BSAI Crab EDR: Metadata & PNCIAC Report	BSAI Crab 90/10 Amendment: Preliminary Review Observer Program Restructuring: Discussion Paper Comprehensive Data Collection: Committee Report	BSAI Crab 90/10 Amendment: Initial Review (T)
Charter Halibut Catch Sharing Plan: Final Action Halibut 3A GHL: Final Action on management measures		
BSAI Chum Salmon Bycatch: Discussion Paper BSAI Chinook Salmon Bycatch: Review ICA Report	BSAI Chinook Salmon: Review ICA (T)	BSAI Chum Salmon Bycatch: Initial Review (T)
Arctic FMP: Initial Review BS Bottom Trawl Sweeps: Discussion Paper P.cod area split (BS/AI): Update and Action as necessary	Arctic FMP: Final Action BS Bottom Trawl Sweeps: Initial Review	BS Bottom Trawl Sweeps: Final Action
BSAI Crab SAFE Report: Review and Approve	GOA Tanner & Chinook Bycatch: Discussion Paper	
5 Year Research Priorities: Review and Approve Groundfish Specifications: Initial Action	BSAI Skates Complex: Initial Review (T) Groundfish Specifications: Final Action AK Native/Community Outreach: Report & Action as nec (T)	BSAI Skates Complex: Final Action (T) HAPC Review Criteria: SSC Recommendations

AI - Aleutian Islands
GOA - Gulf of Alaska
SSL - Steller Sea Lion
BOF - Board of Fisheries
FEP - Fishery Ecosystem Plan
CDQ - Community Development Quota
VMS - Vessel Monitoring System
NOI - Notice of Intent
(T) Tentatively scheduled

TAC - Total Allowable Catch
BSAI - Bering Sea and Aleutian Islands
IFQ - Individual Fishing Quota
GHL - Guideline Harvest Level
EIS - Environmental Impact Statement
LLP - License Limitation Program
SAFE - Stock Assessment and Fishery Evaluation
PSC - Prohibited Species Catch
HAPC - Habitat Areas of Particular Concern

Future Meeting Dates and Locations

September 29- , 2008 in Anchorage
December 8- , 2008 in Anchorage
February 2 - , 2009 in Seattle
March 30 - , 2009 in Anchorage
June 1-, 2009 in Dutch Harbor
October 1-, 2009 in Anchorage (AP, SSC start on THURSDAY)
(Council on Saturday)

AGENDA D-3(a)(2)
OCTOBER 2008

Council Project Summary October 2008

Council Projects	Projected Weeks	Council/ NMFS %	Comments
Groundfish Fishery Issues			
GOA P. cod Sector Splits	2	70/30	Initial review in December (Jeannie/NMFS)
GOA fixed gear recency	2	90/10	Initial review in December (Jeannie)
GOA Sideboards for BSAI crab vessels	2	90/10	Final Action in October (Jon)
GOA Sideboards for AFA CVs	6	90/10	Discussion paper in October (Jeannie)
GOA Sideboards for Am 80 vessels	4	90/10	Initial review in October (Jon)
GOA Sideboards for CGOA rockfish	2	90/10	Final Action in October (Diana E)
Break out BSAI Skate complex	6	40/60	Initial Review in December (Jane)
Observer Program (changes to existing program)	2	80/20	Being prepared for Secretarial Review (NMFS/Nicole).
Observer Program Restructuring	6	50/50	Discussion paper in December (Nicole)
Trawl LLP Recency	0	90/10	Submitted to NMFS for Secretarial Review (NMFS/Nicole).
Pacific cod BS and AI split	?	90/10	Summary in October (Jane/Jon/Nicole/NMFS)
Comprehensive economic data collection	?	10/90	Workgroup report in October (NMFS/Mark)
Am 80 cooperative formation	4	80/20	Initial Review in December (NMFS/Jon).
BSAI Fixed Gear Parallel fisheries	3	80/20	Discussion paper in October (Jeannie/NMFS).
AI cod processor sideboards	4	90/10	Discussion paper in October (Nicole).
AI POP/mackerel processor sideboards	4	90/10	Discussion paper in October (Nicole).
Groundfish SAFE Reports	2	10/90	Review in December (Diana S./Jane)
CGOA Rockfish pilot program changes	?	80/20	Discuss in February (Mark/NMFS)

Halibut Fishery Issues

Halibut Charter Moratorium	0	90/10	Being prepared for Secretarial Review (Jane/Nicole/NMFS/contractor)
Halibut Charter Catch Sharing Plan	2	90/10	Final Action in October (Jane/contractor/NMFS)
Halibut Charter 2C GHL Measures	0	90/10	pending (NMFS)
Halibut Charter 3A GHL Measures	2	90/10	Final Action in October 2008 (Jane/contractor/NMFS)
Halibut Subsistence Eligibility	0	90/10	Being prepared for Secretarial Review (Jane/NMFS)

Crab Fishery Issues

Crab SAFE Report	1	50/50	Review in October (NMFS/ADF&G/Diana S)
BSAI Crab Regional Delivery Emergency Relief	1	90/10	Discussion paper in October (Mark)
BSAI Crab Crew proposals	?	90/10	Report in October (Mark/NMFS)
BSAI Crab Economic Data Reporting	?	20/80	Discuss in October (NMFS/Mark)
BSAI Crab Arbitration issues	0	80/20	Being prepared for SOC (Mark/NMFS)
BSAI Crab Loan Program Fees	0	80/20	Being prepared for SOC (Mark/NMFS)
BSAI Crab St. George Protection Measures	2	80/20	Final Action in October (Mark/NMFS)
BSAI Crab Rationalization Program 3-year review	0	80/20	Review in October 2008 (Mark/NMFS/contractor)
BSAI Crab 90/10 Evaluation	12	90/10	Review alternatives in October (Mark/NMFS/contractor)
BSAI Crab Advisory Committee	?	90/10	Report in October (Mark/NMFS)

CDQ Issues

CDQ Cost-Recovery	?	10/90	Discuss in future meeting (NMFS/Nicole)
CDQ Amendment 71/22 (remaining MSA provisions)	?	50/50	Discuss in future meeting (Nicole/NMFS)
CDQ: Regulation of harvest (MSA provision)	0	10/90	Being Prepared for Secretarial Review (Nicole/NMFS)

Bycatch Issues

GOA Salmon and Crab Bycatch Controls	?	80/20	Discussion paper in December (Diana E.)
BSAI Chum salmon bycatch	?	70/30	Discussion paper in October (Diana S)
BSAI Chinook Salmon Bycatch EIS	12	70/30	DEIS in preparation; Final Action in April (Diana S./other)

Ecosystem Issues

BS bottom trawl sweep modifications	6	50/50	Discussion paper in October (Diana E/NMFS)
Relax VMS requirement for vessels fishing dinglebar gear	1	20/80	Being prepared for SOC review (NMFS)
Ecosystem-based Management	?	90/10	Alaska Marine Ecosystem Forum meeting report in Oct (Diana E)
Aleutian Islands Fishery Ecosystem Plan	0	90/10	Summary brochure produced (Diana E.)
Arctic Fishery Management Plan	4	90/10	Initial Review in October (Bill/NMFS)
SSL BiOp	?	30/70	Review schedule in October (Bill/NMFS)

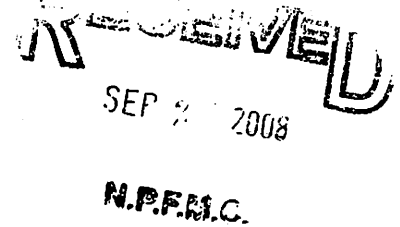
Project timeline and major tasking for Council analytical staff. Updated 9/10/08							
Analytical Staff	October	November	December	January	February	March	April
Mark Fina, Sr. Economist CGOA Rockfish Program changes BSAI Crab Regional Delivery Relief BSAI crab 3 yr review BSAI Crab 90/10 package BSAI crab St George protection measures	Discussion Report review alternatives Final Action		Prelim review		Discussion Initial Review (T)		Final Action (T)
Jon McCracken, Economist BS&AI Pcod area split GOA sideboards for BSAI crab vessels GOA Sideboards: Am80	Final Action Initial Review		Final Action (T)				
Jeannie Heltzel, Fishery Analyst GOA P.cod sector split GOA fixed gear recency BSAI Fixed Gear Parallel Fisheries GOA sideboards for AFA CVs Fishery analyses assistance	Discussion Discussion		Initial Review Initial Review Initial Review (T)				
Jane DiCosimo, Sr. Plan Coord Halibut Charter allocation/compensation Halibut Area 3A GHl Groundfish Plan Team Other Species- BSAI Skates	Final Action Final Action	PT meetings	SAFE Report Initial Review (T)		Final Action (T)		
Diana Stram, Plan Coordinator BSAI Chinook Salmon bycatch EIS BSAI Chum Salmon bycatch Groundfish Plan Team Crab Overfishing Def./Management Scallop Management	outreach meetings discussion paper SAFE Report	PT meetings	SAFE Report		Plan Team meeting		Final Action SAFE Report
Bill Wilson, Protected Species Arctic FMP Marine Mammal issues FMP Consultation	Initial Review Review BiOp schedule		Final Action				
Diana Evans, Fishery Analyst EAM and AI FEP GOA crab and salmon bycatch GOA Sideboards: Rockfish Program BS bottom trawl sweeps	Final Action Discussion paper		Discussion paper Initial Review		Final Action		
Nicole Kimball, Fishery Analyst CDQ Projects AI Processor Sideboards Observer Program Community & Stakeholder policy Community issues/assistance/EDR	Discussion salmon outreach meetings		Discussion paper Report				

Groundfish Workplan

Priority actions revised in February 2007, status updated to current

General Priority (in no particular order)	Specific priority actions	Related to management objective:	Status (updated 9-16-08)	2008		2009				2010					
				Oct	Dec	Feb	Apr	Jun	Oct	Dec	Feb	Apr	Jun	Oct	Dec
Reduce and Avoid Impacts to Seabirds and Marine Mammals	a. continue to participate in development of mitigation measures to protect SSL through the MSA process including participation in the FMP-level consultation under the ESA	23	NMFS is preparing a Biological Opinion (late 2009), revising SSL recovery plan; SSL committee will make recommendations on proposals for revised mitigation measures												
	b. recommend to NOAA Fisheries and participate in reconsideration of SSL critical habitat	23													
	c. monitor fur seal status and management issues, and convene committee as appropriate	24, 25													
	d. adaptively manage seabird avoidance measures program	22	<i>final action seabird avoidance measures in 4E in Jun 08</i>												
Reduce and Avoid Impacts to Habitat	a. evaluate effectiveness of existing closures	26	NMFS researching GOA closed areas (Sanak & Albatross), Council review in 2011												
	b. consider Bering Sea EFH mitigation measures	27	<i>Council action on measures in June 07</i> BS flatfish trawl sweep mods, init review Dec 08 develop Northern BS Research Plan by 2009												
	c. consider call for HAPC proposals on 3-year cycle	27	next HAPC process scheduled for 2009; SSC to review HAPC criteria before then												
	d. request NMFS to develop and implement a research design on the effects of trawling in previously untrawled areas	27	<i>Part of research priorities, adopted in June 2007</i>												
Promote Equitable and Efficient Use of Fishery Resources	a. explore eliminating latent licenses in BSAI and GOA	32	<i>Council action on trawl LLP recency in Apr 08</i> GOA fixed gear latent licenses initial review Dec 08												
	b. consider sector allocations in GOA fisheries	32, 34	Initial review GOA Pcod sector allocations Dec 08												
Increase Alaska Native and Community Consultation	a. Develop a protocol or strategy for improving the Alaska Native and community consultation process	37	protocol presented in Jun 08, committee to be appointed, protocol to be reviewed annually												
	b. Develop a method for systematic documentation of Alaska Native and community participation in the development of management actions	37	protocol presented in Jun 08, committee to be appointed, protocol to be reviewed annually												
Improve Data Quality, Monitoring and Enforcement	a. expand or modify observer coverage and sampling methods based on scientific data and compliance needs	38, 39	<i>Council action in April 2008 improving existing program</i> discussion paper on restructuring program, Dec 08												
	b. explore development programs for economic data collection that aggregate data	40	comprehensive data committee report in Oct 08, action in Dec 08 <i>partially addressed in BSAI Amd 80</i>												
	c. modify VMS to incorporate new technology and system providers	41	<i>final action on VMS exemption for dinglebar gear, Jun 08</i>												

Qayassiq Walrus Commission
c/o: Bristol Bay Native Association
P.O. Box 310
Dillingham, AK 99576
Phone: 907-842-5257
Fax: 907-842-5932
QWC Chair Phone: 907-493-5003



August 28, 2008

Chris Oliver, Executive Director
North Pacific Fishery Management Council
605 West Fourth, Suite 306
Anchorage, AK 99501

Re: Proposals Regarding Bristol Bay Trawl Fishery

Dear Mr. Oliver:

The Qayassiq Walrus Commission (QWC) wishes to make the following proposals to the NPFMC related to the yellowfin sole fishery that operates seasonally in the Nearshore Bristol Bay Trawl Area (BBTA), defined at Figure 12 in the groundfish regulations at 50 CFR 679.

There have been recent incidents of vessels trawling within state waters, specifically adjacent to the west shore of Cape Constantine. We believe that walrus habitat needs additional protection, beyond the existing 12 mile exclusionary zone around the Walrus Islands, and more generally that the trawl fishery disrupts clam habitat, which an essential food source for walrus, and herring, halibut and salmon fisheries that are relied upon by coastal residents.

Our first two proposals are intended as alternatives.

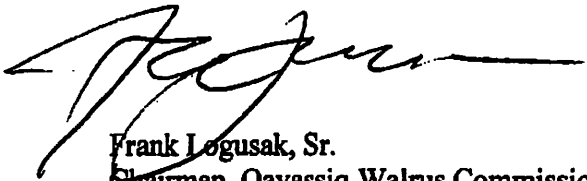
1. Create a 25-mile marine and fish habitat exclusionary zone, extending from the shoreline beginning at Cape Newenham and extending eastward through the Togiak Bay area, the Walrus Islands, the Kulukuk and Metervik Bay areas, and including Cape Constantine and the western shore of the Nushagak Peninsula.
2. Eliminate the NBBTA, in other words close all of Bristol Bay to the trawl fishery.
3. Close state waters within the NBBTA to non-pelagic trawl gear.

In regard to #3, it has long been the belief among local residents and fishermen that state waters were closed to bottom trawling by state regulation. However, it has recently come to our attention that there is a conflict in state regulations such that state waters within the NBBTA are not closed. While 5 AAC 39.165 provides that trawl gear is unlawful within the state waters of Bristol Bay, 5 AAC 39.164 (b), at subparagraph (7) creates an exception for state waters within the NBBTA. This has the effect of allowing bottom trawling very close to the shore off Cape Constantine.

We intend to pursue a regulatory change at the Alaska Board of Fisheries, but believe it would be prudent to exclude state waters from the NBBTA as a matter of federal regulation as well.

We intend to provide additional information in support of these proposals.

Sincerely,



Frank Logusak, Sr.
Chairman, Qayassiq Walrus Commission

cc: Senator Ted Stevens
Senator Lisa Murkowski
Representative Don Young
Eskimo Walrus Commission
Director of Committee on Indian Affairs
Bristol Bay Economic Development Corporation
Village Councils
Bristol Bay Native Association
ADF&G Local Advisory Committees
Alaska Department of Fish & Game
U.S. Fish & Wildlife Service
Muriel Morse, Alaska Marine Conservation Council
Amanda Crook, Special Agent, NMFS Enforcement

**Qayassiq Walrus Commission
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Fax: 907-842-5932
QWC Chair Phone: 907-493-5003**

My name is Frank Logusak, Sr., Chairman of the Qayassiq Walrus Commission (QWC). I am an Alaska Native of Yup'ik Eskimo lineage. I was born in Togiak, Alaska and part of our traditional way of life includes harvesting year-round food resources from the land (large land animals-moose, caribou, bear), marine food resources: harbor, spotted, bearded seals, walrus, clams, ice seals, other marine mammals if they migrate to our area, beluga whales. We also harvest all salmon species (chinook, sockeye, silver, chums, pinks), herring and herring roe, seabirds, migratory waterfowl, gather eggs, clams, shellfish, halibut, and other edible marine food resources in the Togiak Bay, Cape Newenham, Cape Peirce, Walrus Islands including our traditional prime walrus hunting site, Round Island, Metervik Bay, Kulukak Bay, down to the Nushagak Bay area. I have been involved in reviving the traditional Alaska Native walrus hunt at Qayassiq (Round Island). Since time immemorial, Alaska Natives have traditionally harvested walrus at Qayassiq in the Spring and Fall season. As a result of Togiak Traditional Council working with the Bristol Bay Native Association, nine QWC communities are able to harvest up to 20 walrus. The traditional Round Island harvest is co-managed by the Qayassiq Walrus Commission, the Eskimo Walrus Commission, the Alaska Department of Fish & Game, and the U.S. Fish & Wildlife Service. For several years, I have been involved in co-managing our traditional food resources with federal and state agencies through participation in local fish and game board meetings, testifying at various fish, marine mammal, and related meetings.

Our main livelihood in small rural communities is seasonal commercial fishing for halibut, salmon (kings, sockeyes, silvers, chums, pinks), herring and herring roe. We

live a subsistence cash economy traditional way of life. We would like to continue this way of life and preserve our culture of traditionally harvesting all marine food resources in the Bristol Bay area.

Since the seasonal trawl fishery opened in the Bristol Bay area, primarily near my village of Togiak, and neighbor village of Twin Hills, we have noticed a decrease of halibut, walrus, seals, clams, herring and herring roe we traditionally harvest. We have observed illegal trawl fishing when we are herring, halibut, and salmon fishing in the Togiak Bay area in our 32-foot commercial fishing boats or commercial set gillnet boats or skiffs.

As traditional hunters, there is concern of walrus, and seal haulout disturbance in the Bristol Bay area, primarily in the walrus haulout areas of Round Island, Hagemeister Island, Cape Peirce, Cape Newenham, and Cape Senavian sites due to big trawl fishing boat interference. Trawl fishing boats have been observed travelling west of Hagemeister Islands, to Crooked Islands, by Round Island, and going out towards Cape Constantine shorelines, as well as fishing in the Nushagak Bay areas. These areas are closed to trawl fishing. Local Bristol Bay residents are concerned that their traditional marine mammals and marine food species are becoming depleted due to the bycatch interception of trawl fishermen sweeping the bay.

As a result of continued illegal trawl fishing in the Togiak Bay, Walrus Islands, Nushagak Bay, Cape Constantine areas, the Qayassiq Walrus Commission would like to establish a 25-mile walrus, and all marine species traditional harvest protection boundaries beginning at the shoreline of Cape Newenham, Cape Pierce, Togiak Bay, 25 miles out from the tip of Hagemeister Island, 25 miles out from the farthest tip of Round Island, including shorelines of Kulukak Bay, Metervik Bay, Cape Constantine, Nushagak Bay, all along the Kvichak Bay, Naknek Bay, Egegik Bay, Cape Senivian walrus haulout down to the North Aleutian Basin.

We still would like to continue our seasonal livelihood of commercial fishing for halibut, salmon, herring, and herring roe in the Cape Peirce, Cape Newenham, Togiak Bay,

Kulukak Bay, Metervik Bay, Nushagak Bay, and all other Bristol Bay salmon gillnet commercial fishing districts down to Ugashik District. We use 32-foot gillnet commercial fishing boats, as well as commercial set net boats or skiffs to harvest fish during the seasonal fishing season.

These are some of our concerns, and if there is any more, I will verbally testify at the North Pacific Fishery Management Council meeting on the Bristol Bay Salmon By Catch section on the meeting agenda item.

Thank you.

Subject: Reg status involving Bristol Bay waters closed to NPT trawling

From: "kenneth.hansen@noaa.gov" <Kenneth.Hansen@noaa.gov>

Date: Thu, 24 Jul 2008 10:05:12 -0800

To: Robin Samuelsen <sockeye1@nushtel.net>, Roy & Holly Hyder <hyderrh@madras.net>, Chris Oliver <chris.oliver@noaa.gov>, tim_sands@fishgame.state.ak.us, "Eric A. Olson" <eolson@gci.net>, Jason Anderson <jasonanderson@seanet.com>, Lori Swanson <loriswanson@seanet.com>, tradcouncilTogiak@starband.net, bbaltar@bbna.com, paul.bbdc@alaska.com, Roy & Holly Hyder <hyderrh@madras.net>, Lori Swanson <loriswanson@seanet.com>, John Gauvin <gauvin@seanet.com>, Fritz Johnson <fritz@bbdc.com>
CC: Mathew Brown <Matthew.Brown@noaa.gov>, Mike Adams <Mike.Adams@noaa.gov>, Jeff Passer <Jeff.Passer@noaa.gov>

Over the past couple years, NOAA OLE was been collaborating with the Bristol Bay fishing community regarding alleged closed waters trawling in Bristol Bay. During the 2008 trawl season, investigations were opened regarding two alleged closed waters fishing incidents. The attached brief describes the findings of a review of regulations enforcing waters closed to trawling in Bristol Bay. NOAA OLE will continue to keep the Bristol Bay fishing community updated of developments with the issues described in the brief.

Bristol Bay closed waters regs.doc	Content-Type: application/msword Content-Encoding: base64
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Update on status of regulations regarding waters closed to fishing
with non-pelagic trawl gear within Bristol Bay

NOAA Office of Law Enforcement

Under both state and federal fisheries regulations, the waters of Bristol Bay east of 162-00W are closed to trawling for groundfish. At 50 CFR 679.22(a)(9), an exception to this trawl ban exists for a groundfish trawl fishery in the Nearshore Bristol Bay Trawl Area (NBBTA), defined at Figure 12 in the groundfish regulations at 50 CR 679. This area is open to trawling April 1 to June 15 annually, and occurs within a "box" defined by 58-00N, 58-43N, 159-00W and 160-00W. This lawful trawl fishing area includes both federal and state waters.

During 2007, several reports alleging trawl vessels fishing in closed waters of Bristol Bay were forwarded to the NOAA Office of Law Enforcement (OLE). These allegations involved vessels fishing outside of the lawful NBBTA "box", as well as within the state waters of the NBBTA. During this period, it was the common understanding by the fishing community at large that the state waters within the "box" were closed to fishing with non-pelagic trawl gear. Prior to the 2008 trawl fishery, OLE staff collaborated with the Bristol Bay area fishing community to educate the community on the specifics of this lawful fishery, as well as focus attention on these allegations of closed area fishing. Assistance was solicited from the local fishing community in forwarding information involving alleged closed waters fishing to OLE.

During the 2008 trawl fishery, information was received alleging two vessels were trawling in state waters of the NBBTA, specifically adjacent to the west shore of Cape Constantine. Fishing in these state waters was regarded to be a violation of state law, and was being investigated by NOAA OLE as potential Lacey Act offenses. While researching the statutory basis of the alleged violations, a defect was discovered in the underlying state regulations.

State regulations at 5 AAC 39.165 read:

5 AAC 39.165 TRAWL GEAR UNLAWFUL. A person may not use any type of trawl gear for any commercial fishing purpose in the following areas:

(3) the state waters of Bristol Bay, described in 5 AAC 06.100.

State regulations at 5 AAC 06.100 read:

5 AAC 06.100. Description of area

The Bristol Bay area includes all waters of Alaska in Bristol Bay east of a line from Cape Newenham at 58-38.88 N. lat, 162-10.51 W long. To Cape Menshikof at 57-28.34 N lat., 157-55.84 W. long.

However, a conflicting regulation exists at 5 AAC 39.164, which reads:

5 AAC 39.164. (b), Non-pelagic trawl gear may not be operated in waters of Alaska as follows:

(7) the waters of Alaska of the Bering Sea east of 162 degrees W. long, except that the waters bounded by 159 degrees W. long to 160 degrees W. long and 58 degrees N lat. to 58-43 degrees N. lat are open to fishing with non-pelagic trawl gear from April 1 through June 15.

Notwithstanding the language at 5 AAC 39.165, a reading of 5 AAC 39.164 (b) would seem to indicate the state waters inside the "box" were not closed to non-pelagic trawl gear between April 1 and June 15 (although, interestingly, remaining closed to pelagic trawl gear).

In June 2008, this perceived conflict in regulations was discussed with ADFG officials, who concurred with this position. The State of Alaska Dept. of Law was asked to research and comment on this issue. In July, attorneys with the State Dept. of Law, Natural Resources section concluded that while the intent may have been to prohibit trawling in the state waters encompassed in the "box", these conflicts in the regulations effectively invalidated the regulation, and precluded taking any enforcement action in this instance.

ADFG and Dept. of Law personnel have advised that this issue has been brought to the attention of the Board of Fisheries, with a request to expedite review and clarification of this regulatory confusion. It is anticipated that this issue will be resolved prior to the 2009 fishing season, with the expectation that the state waters contained within the "box" will be closed to non-pelagic trawling. NOAA OLE wants to reiterate there is no regulatory confusion regarding the year-round prohibition of any trawling within all of Bristol Bay with the exception of the period trawling is allowed in the NBBTA.

NOAA OLE will insure the Bristol Bay fishing community is informed regarding the status of this issue prior to the beginning of lawful trawl fishing in the NBBTA in April 2009. NOAA OLE appreciates the collaborative efforts of the Bristol Bay fishing community in enforcing applicable fishing and marine mammal regulations, and we remain keenly interested in hearing about and responding to any enforcement concerns of the Bristol Bay fishing community.

Ken Hansen
Assistant Special Agent in Charge
(907) 486 3298

Qayassiq Walrus Commission-Background, History and Overview

Background and History

Members of the Alaska Native tribes in Bristol Bay, Alaska continue to practice a traditional way of life passed down from many past generations. The traditional walrus hunt at Round Island has customarily occurred in the early Spring and Fall seasons. Round Island, since time immemorial, has been a traditional hunting and camping area for walrus harvesting.

In 1960, the State of Alaska designated the cluster of islands outside of Togiak as a state game sanctuary. Included in the Walrus Islands Game Sanctuary was Round Island (or "Qayassiq" in Yupik). For over 30 years, Alaska Natives were unable to hunt walrus from this favored location. In the early 1990's hunters from Togiak and other Bristol Bay area villages successfully petitioned the Board of Game to reinstate subsistence access to hunt walrus on Round Island. After a long, four-year crusade Togiak and other Bristol Bay villages were successful in reinstating access to the Round Island traditional hunting grounds.

As a result, the Qayassiq Walrus Commission (QWC) was formed after the Board of Game gave permission for a limited subsistence walrus hunt on Round Island. The Qayassiq Walrus Commission with the cooperation of the Round Island Cooperators set the harvest season and harvest limits for the traditional annual Fall walrus hunt to Qayassiq. The Board of Game only has authority for access to Round Island, and authorizes access during set dates for the traditional walrus hunt. All other regulations are developed through the cooperative agreement by the four signatories. The Eskimo Walrus Commission, the Alaska Department of Fish & Game, the U.S. Fish and Wildlife Service, and the QWC completed and signed a cooperative agreement in September 1995. The agreement outlines the hunt regulations and designates the responsibilities of each party involved.

In March 1995 the Qayassiq Walrus Commission (QWC) formed to oversee walrus harvest activities for the Bristol Bay area. The Qayassiq Walrus Commission has the authority to add new villages, determine walrus harvest allocation for each village and monitor harvest activities, and other factors related to the hunt. Originally, the QWC included seven area villages who were invited to co-manage the annual walrus hunt. Since that time, the membership has increased to nine villages. Currently, the QWC village representatives include nine villages of Togiak, Twin Hills, Manokotak, Aleknagik, Dillingham, Clarks Point, Ekuk, Ekwok, and New Stuyahok.

The tribal councils select a QWC Commissioner and an Alternate Commissioner who represents the QWC villages at a Fall QWC Pre-Hunt Meeting, and a QWC Post Hunt Meeting. At the meetings, the Commissioners are granted one vote in issues up for debate or election. The QWC Hunt Captains also participate at the QWC Commissioners meetings.

Current Harvest Guidelines:

After two successful harvest seasons, the Round Island walrus hunters proposed a few changes to the original cooperative agreement. In 1997, the QWC proposed to change the harvest season from October 31 to September 20 – October 20 and to increase the walrus harvest limit. The original harvest season increased the risk of personal injury and loss to the hunters, since Bristol Bay weather is extremely unpredictable during the Fall and early Winter season. Fierce storms often threaten the hunting parties and prevent villages from approaching Round Island, because in the past, skiffs, outboard and other hunting equipment have been lost by the storms.

The current QWC Round Island walrus hunting harvest season opens on September 10 and closes on October 20. During the harvest season, **ADF&F Round Island Access Permits** and **QWC Hunt Permits** are issued to allow hunting parties from member villages access to Round Island waters and beaches for the specific activity of walrus hunting. All access to Round Island and waters within three (3) miles of Round Island requires an Access Permit from the State of Alaska, Department of Fish & Game. Round Island is part of the Walrus Islands State Game Sanctuary managed by the State. During the rest of the year, visitors to Round Island are prohibited from accessing beach except when arriving or leaving the Island. **Both permits are required and must be issued before departure to Round Island.**

The QWC Commissioners know that the QWC villages have traditionally hunted walrus each year when they are able to, and sometimes, there is the flexibility that walrus will not always be hunted each year due to unforeseeable circumstances. Nevertheless, the Native tradition of walrus hunting will continue on for many generations at Round Island. Generally, the permits are issued at the QWC Pre-Hunt Meeting, but may be completed any time before travelling to Round Island. Jim Woolington (Dillingham ADF&G) issues the Round Island Access Permits and BBNA Natural Resources Department issues the QWC Hunt Permits. The QWC hunt captains are required to have both permits on-hand while hunting on Round Island.

A maximum of 20 walrus may be taken **including** any walrus “struck and lost.” This means that any struck and lost will be subtracted from the total number allotted for the villages. During the QWC Pre-Hunt Meeting, the QWC Commissioners and hunters decide the allocation for each village.

In the 2001 QWC Pre-Hunt Meeting, the Qayassiq Walrus Commissioners drafted a proposal to the QWC Cooperators and the Board of Game for an earlier walrus hunt in the Eastside (Nushagak drainage villages) from September 10 –October 31 each year, but the Togiak and Twin Hills hunting dates would be unchanged.

The extreme weather conditions have prevented the Nushagak area villages and Togiak and Twin Hills from participating in the Round Island walrus hunt. BBNA presented the draft proposal to the QWC Cooperators for a Round Island walrus hunt extension in the event that bad weather prevents QWC communities from harvesting walrus.

At the March 2003 Board of Game meetings, the Board adopted an amended proposal revising the hunting period for walrus hunting on Round Island in the Walrus Islands State Game Sanctuary. The newly adopted hunting period for hunting begins September 10th and ends October 20th every year. Since the walrus hunt in the sanctuary is governed by a cooperative agreement and the changes adopted by the Board of Game required the cooperators to modify the Round Island Cooperative Agreement. In April 22, 2003, the four signatories to the cooperative agreement began updating this document. A final cooperative agreement was signed with the hunt date changes by September 3, 2003. Every time any walrus hunt issues need to be taken care of and proposals have to be drafted for the QWC Cooperators, they have to go through this process. The Qayassiq Walrus Commissioners are the primary one's responsible for drafting any proposals to change the annual Qayassiq (Round Island) subsistence walrus hunt date changes or take action on any walrus related issues. If the issue will make a significant change to the QWC Round Island Cooperative Agreement, then the four Cooperators consisting of QWC, EWC, ADF&G, and USFWS met and come to a consensus prior to signing off on the agreement amendments.

Harvest Monitoring

In 1992, with the cooperation of the U.S. Fish & Wildlife Service, ADF&G, and BBNA, the QWC selected an Alaska Native to monitor the harvest for each village. The Monitor traveled to Round Island with each hunting party, documented the events, measured the length and girth of the walrus, tagged ivory tusks and prepared a summary report of the harvest season. For the past several years, BBNA upon approval of the QWC Commissioners have successfully employed a Round Island Harvest Monitor to monitor the walrus hunt.

From 2003 to 2005, the QWC approved to have Mary Cody, U.S. Fish & Wildlife Service of Anchorage, and Helen Chythlook, QWC Executive Director and BBNA Staff to monitor the annual Qayassiq (Round Island) subsistence walrus hunt from September 7th to 22st. Other hunt monitor participants have included ADF&G biologist staff Marian Snively who mentored Michelle Snyder, Fall Monitor intern of Dillingham. They monitored the walrus hunt in 2006. After September 22nd until October 20th, the QWC Commissioners authorized BBNA Natural Resources Department staff to hire Round Island Monitor's as needed for the walrus hunts. The Togiak and Twin Hills hunt crew shared a Round Island Harvest Monitor to monitor their walrus hunts. Generally, if no QWC Hunt Monitor is hired, the QWC Hunt Captain can be designated as the monitor during the Round Island hunt.

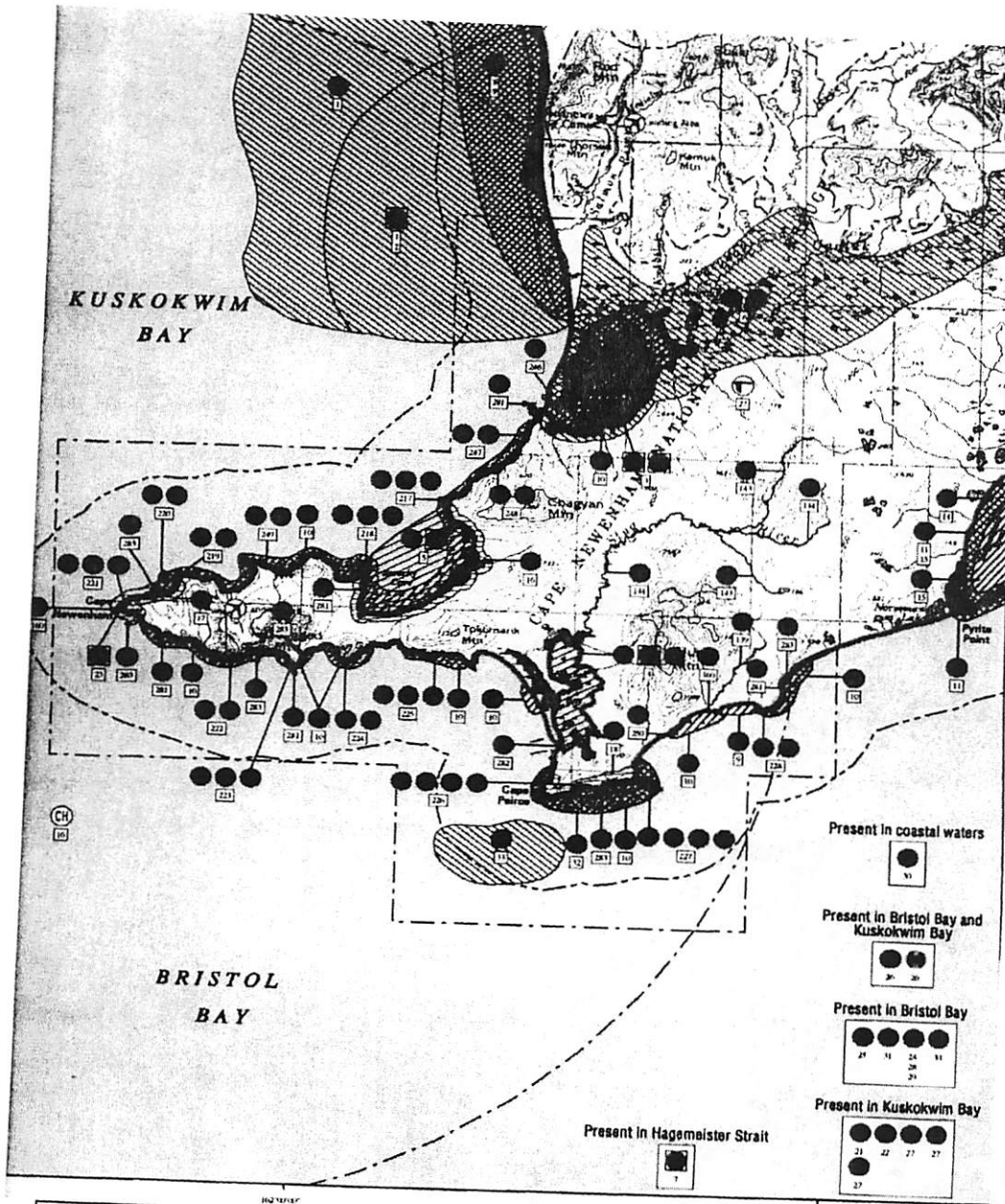
The staff conduct daily walrus counts, record weather conditions, conduct seabird counts, and if time allows count the Steller sea lions at Eastcape side of the Island. Having a

monitor on site has been helpful to the QWC Hunt Captains and crew. They call Round Island via VHF radio, the monitor lets the hunt captains know the number of walrus currently on Main Beach of Round Island, the weather conditions (wind direction, kilometers, wave conditions, visibility conditions, etc), and answer any walrus population and monitor related questions. During the hunt, the monitor(s) are picked up at Boat Cove by the hunt captain/crew via outboat motor skiffs to the Main Beach designated walrus hunting site. The monitors collect data as mentioned earlier. A hunt monitor report is prepared prior to the Qayassiq Walrus Commission's Post Hunt meeting. The QWC Commissioners and QWC Hunt Captains attend the meetings and give a hunt report from their community and present any concerns to the Commission.

The QWC is proud to take an active role in harvest monitoring and hope to continue this project in the future years. The progress and some struggles of recent years shows Alaska Natives can co-manage and successfully manage their own Natural Resources. This, itself is a testament to all the hard work and dedication of the original walrus hunters who petitioned for the Round Island harvest. We as Alaska Natives are moving forward and will continue to do so with our Ancestors guiding us along the way of positive changes around our world.

After eleven successful harvest seasons, the QWC is proud to demonstrate the positive result of cooperation between the USFWS, the ADF&G, and the Eskimo Walrus Commission. Now that the walrus hunt has been established, the villages look forward to hunting walrus where their ancestors hunted, and sharing fresh walrus every Fall. The QWC also strives to assume greater responsibility for each harvest.

2008 Qayassiq Walrus Commission Map Depicting Marine Food Resources Harvested in the
 Bristol Bay, Alaska Area-Cape Newenham Area-Source Bristol Bay Coastal Resource Area
 Maps 2004







LEGENDS: MARINE FOOD RESOURCES IN BRISTOL BAY

BIRDS

-  Diving Birds
-  Gulls and Terns
-  Raptors
-  Seabirds
-  Shorebirds
-  Waterfowl

MARINE MAMMALS

-  Dolphins
-  Pinnipeds
-  Sea Otters
-  Whales

FISH

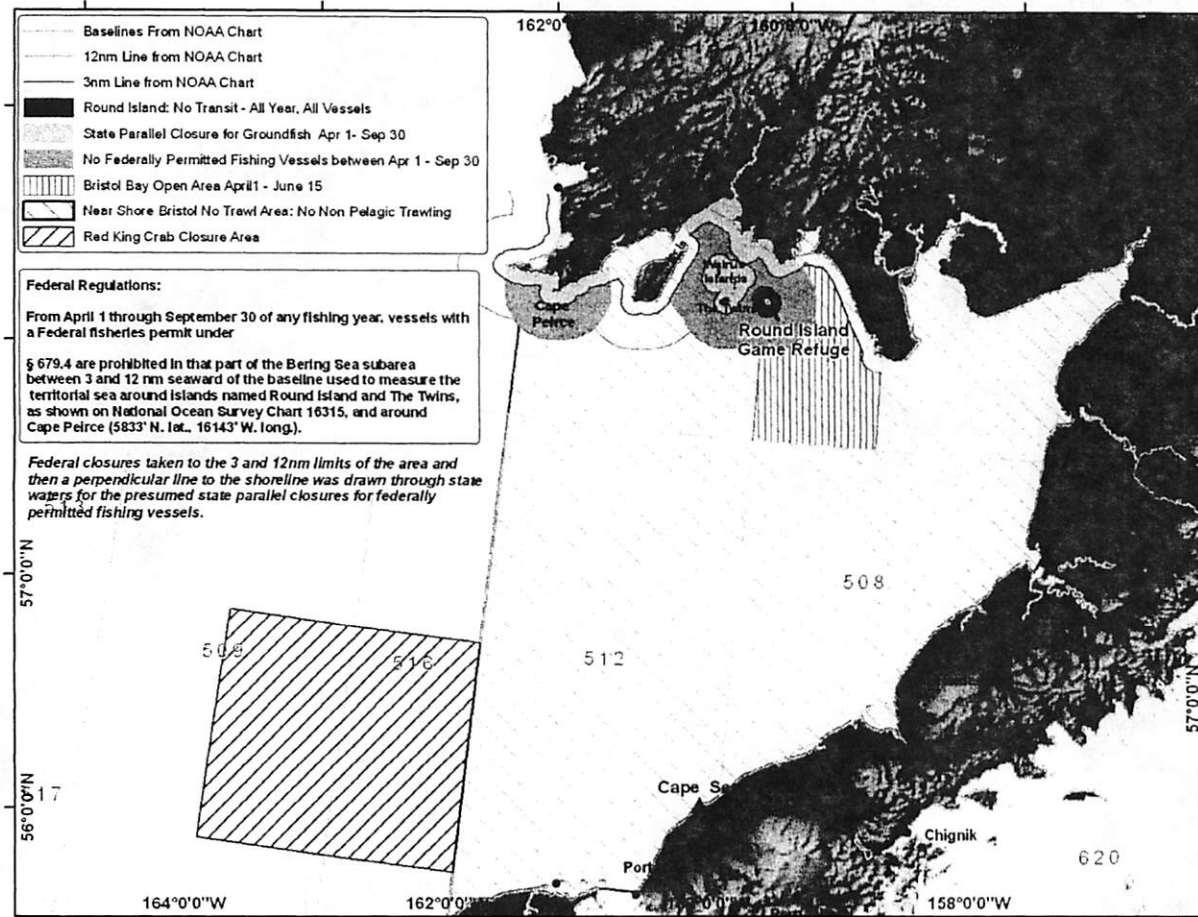
-  Fish

INVERTEBRATES

-  Bivalves

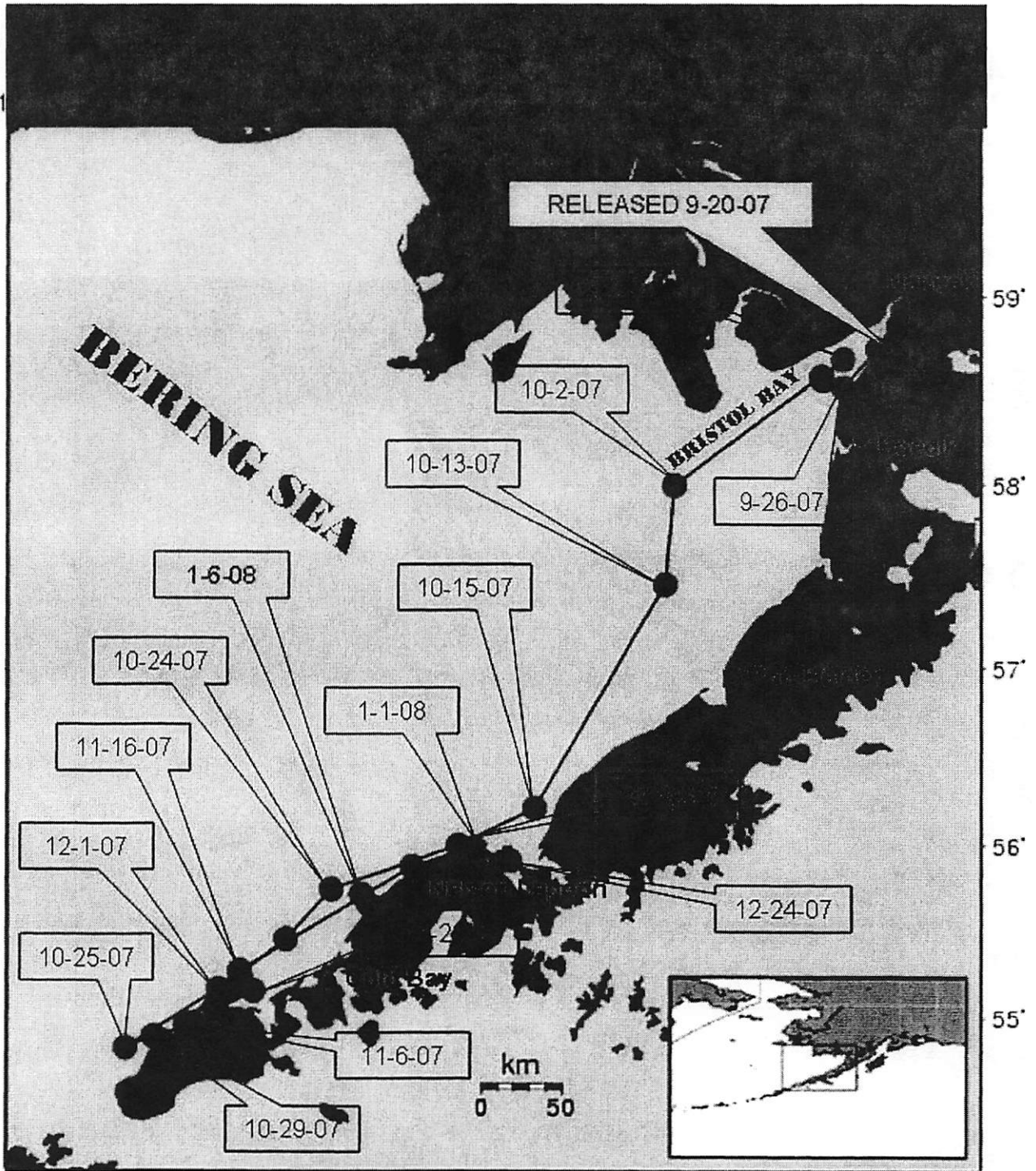
2008 QWC Request NPFMC to develop a 25-mile Walrus and all Marine species protection boundary zone from trawl fishery.

QWC Boundaries Request 25 miles marine mammals and marine resource protection zone start 25 miles from shoreline of Cape Newenham, Cape Peirce, all Togiak Bay shorelines, 25 miles out from the SW tip end of Hagemeister Island, and 25 miles out from outer tip of Round Island, 25 miles out from the shorelines of Cape Constantine Point, Nushagak Bay, 25 miles protection zone all the way to Port Moller. Protection of walrus, seals, halibut, herring, all salmon species, shellfish including clambeds, habitats of waterfowl is requested for future traditional subsistence harvest. QWC requests local seasonal commercial fishery and harvest of seasonal salmon, herring, halibut fishery continue with 32-foot commercial fishing boats or commercial set net skiffs.



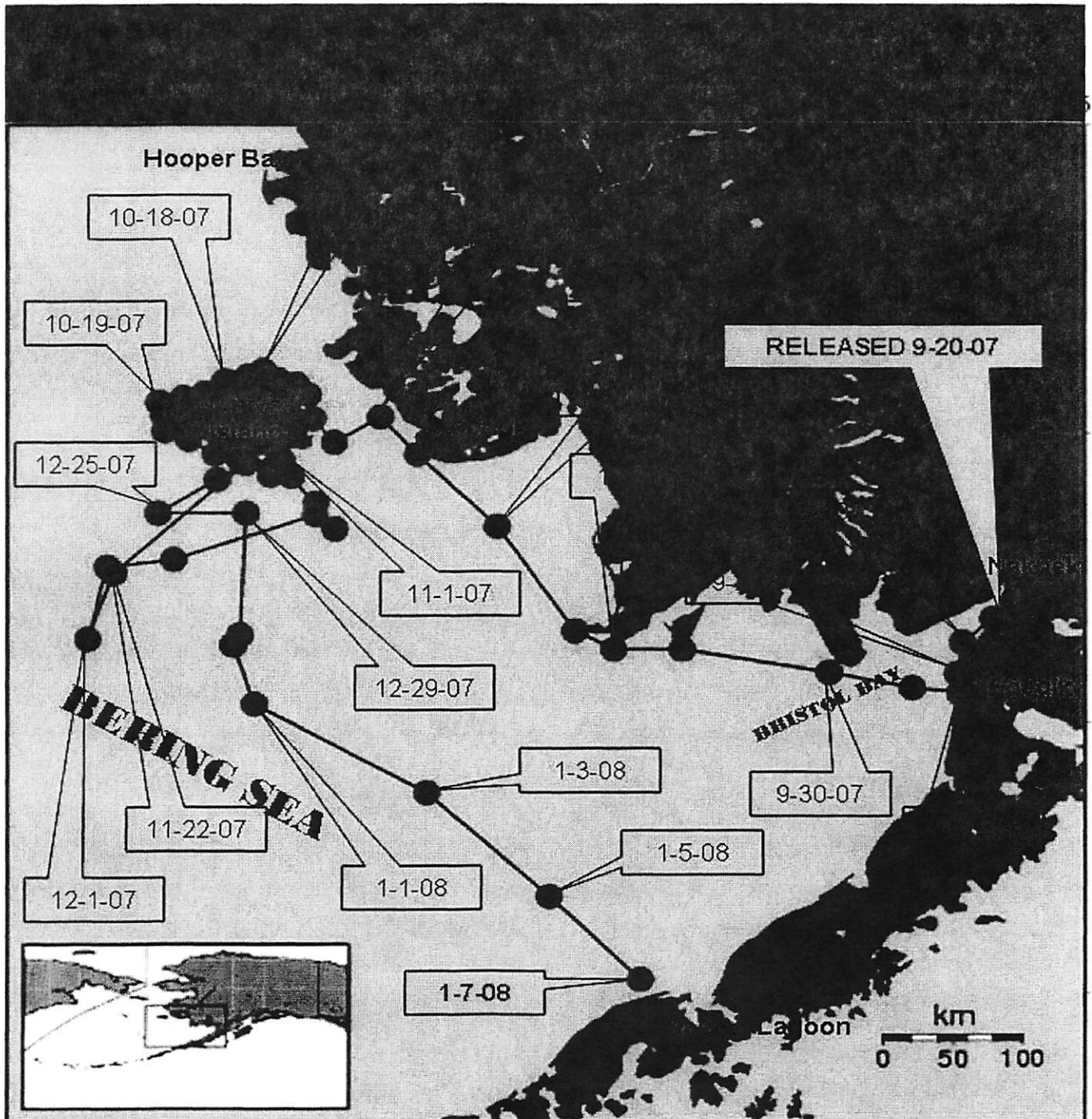
Frank Logusak, Sr., Chairman of the Qayassiq Walrus Commission may be testifying in person, but BBNA Marine Mammal Program is submitting written electronic copies for the NPFMC board on the Bristol Bay Salmon By Catch agenda item re: Illegal Trawl fishery issues in Bristol Bay. If you have any questions, call Helen Chythlook, BBNA Marine Mammal Coordinator at (907)-842-6240.

2007 collaboration of Bristol Bay Marine Mammal Council, SeaLife Center, Naknek Village Council of harbor seal release. Movements same as feeding per local Alaska Native knowledge.



The ASLC wish to acknowledge use of the Maptool program for analysis and graphics in this paper. Maptool is a product of SEATURTLE.ORG. (Information is available at www.seaturtle.org)

2007 collaborative effort of Bristol Bay Marine Mammal Council, Alaska Sealife Center, Naknek Village Council. Seal movements same as feeding in Alaska Native knowledge.



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September 24, 2008

Bill Wilson
NPFMC
605 W 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Mr. Wilson:

I would like to comment on what I have been hearing on the bycatch of salmon and other fish around Togiak Bay.

Apparently the yellow fin trawlers have been observed by some local halibut fishermen trawling in closed areas. I don't have all the details of who saw what and where but it will be or has been told in your current meeting already. I did witness a lot of trawlers between Cape Constantine and Round Island when I was going home from Dillingham to Togiak in 2007. I had some boat work done by a local company in Dillingham boat harbor. I didn't think anything of it then but that was a lot of big boats congregated in one small area.

Anyway, I remember before the 200 mile limit act when we were hardly getting anymore fish in Togiak during the 1970s because of foreign fleets and their long nets and if these trawlers and their bycatch are not kept in check, I am afraid that they may catch too much of what they are not suppose to be catching.

If the law departments keep a close eye on the little guy (like within minutes of open and close periods and clicks in open and closed areas) they should do the same for the big boats.

Thank you,

Walter Kanulie

AI Ecosystem Team
September 9-10, 2008
AFSC, Seattle, WA

DRAFT MINUTES

Team members: Steve Barbeaux Carol Ladd
Forrest Bowers Sandra Lowe
Vern Byrd John Olson
Diana Evans Paul Spencer
Sarah Gaichas

Absent: Kerim Aydin, Jennifer Sepez, Francis Wiese

Others participating: Jennifer Boldt, Ivonne Ortiz, Jon Warrenchuk, Tori O'Connell

The meeting began with a review of progress with the Aleutian Islands FEP since last the Team met. The glossy overview brochure has been widely distributed, and met with much interest on a national as well as a local level. The Ecosystem Committee has also met a couple of times this year, and begun to discuss ways to move the FEP forward. The Team also reviewed the workshop objectives, which are listed in the 'Discussion items' handout attached as Appendix 1.

The Team members then each took an opportunity to update the group on any new information, activities, or projects relative to the Aleutian Islands that may have relevance for the FEP. The items raised at the round table discussion are described in Appendix 2 to this report.

Review of FEP Interactions

A full day was then spent on reviewing the FEP interactions. As part of the review, the Team evaluated whether each interaction was still accurate and appropriate, and what indicators are now available in the Ecosystem SAFE to track the interaction. Jennifer Boldt has incorporated many of the FEP's suggestions for including new indicator data or breaking out existing data to focus specifically on the Aleutian Islands. The Team also reviewed indicators that are not yet available, and made further changes and suggestions for gathering monitoring data. For each interaction, the Team tried to frame the indicators to be used as a metric to rate the interaction, so that they would be useful to the Council. In the majority of cases, we are not yet at the stage where it is possible to define thresholds for the indicators in question, although the Team recognizes that as the goal. A number of edits were proposed for each interaction.

The Team decided to produce an **addendum to the FEP**, to make the proposed changes, and other edits that have been suggested. The addendum will be presented to the Council, but in fact the changes will be made directly to the document, and a revised draft will be posted on the website. The Team does not believe that the glossy brochure needs to be updated at this time. The timeframe for completing the addendum is the spring of 2009.

The Team's specific notes from the meeting on the individual interactions will be captured in Appendix 3 to these minutes. There were some overall comments on the FEP that are summarized below, however.

- **Aleutian Islands bottom trawl survey.** In reviewing the indicators for the FEP, it was noted that so much of the AI information comes from the AI bottom trawl survey, which was not conducted

on schedule this year. The Team reiterates that this survey is crucial to monitoring of the AI ecosystem, and recommends that NMFS and the Council continue their strong support of this survey.

- **Cooperative research opportunities.** Particularly with respect to the physical oceanography interactions, the Team noted that much of the missing data for monitoring the interactions will be very expensive to obtain, and may not be forthcoming. The Team suggested that a coordinated strategy of putting oceanographic sensor instrumentation on vessels, for example in the Pacific cod longline fleet and the golden king crab fleet, might be an interim step to filling in some of these data gaps. Although these would be ships of opportunity, they still fish in parts of the Aleutian Islands for which very little data is otherwise available. The Team noted that NPRB has included funding for ecosystem indicators in their request for proposals, which might cover some part of the cost of the equipment. The Team wondered whether the Council could play a role in encouraging fishermen to participate in such opportunities. Similar work has been done in the GOA by adding instrumentation to the Alaska ferry system vessels.
- **Development versus maintenance of indicators.** The Team noted that new indicators, to monitor particular ecosystem interactions, can be developed, for example through research project funding, but that such funding generally only lasts for a specified period. These indicators then need to be maintained, which generally requires a long-term funding source, for example through a government department. This is important to remember when looking for new ways to develop indicators.
- **Include a volcanic activity ecosystem interaction?** The Team originally included an interaction dealing with volcanic activity in the FEP, but subsequently removed it, because the effects of volcanic activity are generally localized, and do not impact the ecosystem as a whole. The Team discussed this issue again at this meeting, given the amount of volcanic activity that occurred in the Aleutians this summer, but again came to the same conclusion.
- **Harmful algal blooms and human health issues.** The FEP does not currently discuss much in the way of algal blooms or human health issues in general. The interaction that deals with coastal development does include these issues to some extent. The Team noted that this is an issue, but did not add an interaction to address this at this time.
- **Combine the habitat interactions.** There are currently two interactions in the FEP that address habitat: K, which looks at the impact of a fishery on another fishery's habitat, and L, which looks at the impact of a fishery on other (non-managed) biota. Available indicators for monitoring this change are the same, although ideal indicators would be different. The Team decided that while these are two distinct aspects of the habitat interaction, it is more in keeping with the approach of the rest of the interactions to combine the discussion of these two aspects within one interaction. K has been retitled "Indirect effects of fisheries on living things through habitat change." The Team also noted that, if appropriate, the section should include pelagic habitat as well as benthic habitat.
- **Cumulative effects section.** The Team identified a number of linkages between interactions that should be highlighted in the cumulative effects section (for example, the close linkage between bottom up change in ecosystem productivity and the physical oceanography interactions). These edits will be made as part of the addendum/ revisions to the FEP.
- **Effect of management on spatial dynamics of fisheries and bycatch patterns.** It was noted that it would be interesting for the FEP to amplify the discussion of how management actions affect spatial patterns (for example, the Atka mackerel spatial allocations, or Federal allocation programs resulting in increased use of State water fisheries), and also bycatch patterns (changes

in required gear types, or retention requirements). This might be something to include in the revisions to the FEP.

- **Formalize incorporation of predation mortality information into stock assessments.** It was noted that not all assessment authors request predation mortality information for their stock assessments. The information is available, but it is requested on an ad hoc basis. The Team noted that formalizing the process for including such information would be helpful. It was suggested that if the diet information could be made available on a website, this would be an easy way for stock assessment authors to access the information.

Team membership

The Team was not successful in getting a marine mammal expert to join the Team in time for this meeting, but will still pursue this addition. It would be timely to have someone available who could at least review the FEP from a marine mammal perspective, prior to the upcoming revisions.

The Team also discussed the need for an economist on the Team, and the Ecosystem Committee's reservations on this point. The Team definitely supports the need for an economist. The purpose of the Team is to bring a balanced perspective to the consideration of the ecosystem interactions, and while Jennifer Sepez is able to provide some social science perspective, she does not feel qualified to represent the economic viewpoint. Because the Team relies on discussion and consensus, the presence of someone who brings that expertise to the discussion is particularly important. The FEP is only a guidance tool and resource for the Council, and its recommendations still need to feed through the regular Council process to be implemented, so there is no allocative role that an economist on the Team would play that would supersede a Council role. The Team highlighted that the economic component of the risk assessment is an important counterpart perspective to the ecological component, but that the Team does not currently feel confident about retaining it in the FEP. The section was reviewed by an AFSC economist, and some of his comments illustrated issues that need to be further discussed by the Team. Lacking a qualified economist to lead that discussion, the Team suggests that this section be dropped from the FEP, supplemented with a disclaimer or caveats, or highlighted as a gap to be investigated further, but not described in detail.

Implementation of the FEP

The Team discussed the issue of further implementation, and how the Council can better use the information collected in the FEP. The group discussed how to formalize the process for incorporating ecosystem considerations, such as those in the FEP, into the harvest specifications process. The current process is ad hoc, and while it works well for some species, does not represent a consistent approach to addressing ecosystem considerations. For example, the process worked effectively for the evaluation of Bering Sea pollock during last year's assessment cycle, when ecosystem factors were explicitly considered in the setting of final specifications. There are other species, however, which may represent critical nodes in the ecosystem, but, for whatever reason, do not receive as much attention. This may also be exacerbated for Aleutian Islands species, which are grouped in with the BSAI as a whole.

The issue that is raised in the FEP is that ideally there ought to be a formal step in the process, occurring after the evaluation of single species assessments, but before final ABCs and OFLs are set, where species interactions and ecosystem interactions are evaluated. Understanding the ecosystem context would then feed into final harvest specifications. As part of this process, the responsible party would inform the decision-making body of the ecosystem considerations in the year in which they are making decisions, and provide an indication of the quality of the system – whether the signs indicate a declining or a productive system for certain species. In the FEP context, this would involve looking at the FEP

interaction indicators to assess these signs. Based on current information, this evaluation would be mostly qualitative. Additionally, the group would look for cumulative interactions between species. Under the groundfish management system, this step could be the responsibility of the Groundfish Plan Teams, the SSC, or a different group; there are pros and cons to each option. The Plan Teams are the most knowledgeable about the individual species, as they spend the most time reading through and evaluating the assessments. To the extent that predation mortality or other ecosystem factors are addressed in the individual assessments, they also have the opportunity to incorporate those evaluations or consider the linkages between managed species. The Plan Team's main task is stock assessment of managed species, however, and the evaluation of the overall quality of the ecosystem is a separate and added responsibility. Additionally, the ecosystem perspective would also inform how fishery management is affecting non-target species, particularly those that are important ecosystem nodes. The Plan Team is already severely constrained for time – they have difficulty as it is completing their assessment evaluations within the one week time frame of their meeting. The November Plan Team meeting is generally closely preceding the December Council meeting, and thus there is little or no leeway for extending this meeting.

Asking another group to take the Plan Team's work product, and evaluate it specifically through an Aleutian Islands (or other) ecosystem perspective, would be another approach. This would separate the ecosystem task and assign it as a specific responsibility to a particular group (which would then also report to the SSC and Council). This would work very well if there were ecosystem models available that could provide quantifiable data on the state of the ecosystem; this is not currently the case. A disadvantage would be getting a new group of people up to speed on the assessments. There is also the logistical question, of the fact that there is very little time for a group to meet between the Plan Team meeting and the Council meeting. However, it is possible that this AI group may not need to meet annually; for example, perhaps they might meet in years where there is an AI survey.

The third option is the current default, that the SSC has final scientific responsibility for integrating stock assessment information, tradeoffs among fisheries, and ecosystem information in setting biological harvest specifications. Time is also a factor here, as the SSC also has limited time to evaluate all of the stock assessment information within their three day meeting. Because of the severe time limitations, there is often limited discussion of impacts on non-target species. On an ad hoc basis, the current system can be effective for managed species, and improvements in the process are continually being implemented. However, the Aleutian Islands species are generally lower profile, and one of the main reasons the FEP was initiated was to provide a resource for a more proactive and holistic process in order to prevent situations where problems are not apparent until after the fact.

Based on this discussion, the Team recommends that the Council consider this issue further, and discuss how to institute a systematic process for evaluating ecosystem considerations. Some of the possible options are discussed above. The Council would naturally also want to get Plan Team input into how such changes could be instituted.

The Team also discussed the FEP's interaction with the Crab Plan Team, and how to improve the flow of ecosystem information into crab assessments. Forrest Bowers (the Crab Plan Team chair) noted that the team does not discuss ecosystem considerations and habitat at all in discussing harvest specifications. Now that the process for setting overfishing levels has recently changed, however, it might be a good opportunity, perhaps at the May meetings, to begin to improve this part of the process. Jennifer Boldt indicated that she would be willing to attend the May meetings and present the ecosystem SAFE, as she does at the Groundfish Plan Team meetings.

Ecosystem policy and evaluating tradeoffs

One of the tasks the Ecosystem Committee has been considering is how to better define the parts of the goal statement that address 'ecosystem health and vibrant communities'. The FEP suggested that the Council define desirable and undesirable states of the ecosystem as an approach to defining ecosystem health. The FEP also raises the issue that the Council could provide its scientific advisors (Plan Teams, SSC, etc.) with more information about how to evaluate risk and trade-offs, as the acceptability of risk is really a policy decision. Ivonne Ortiz described the Australian model for looking at ecosystem policy, which is visualized using star diagrams (for example, five axes radiating out from the center). Each axis of the star is a category (e.g., conservation, commercial fishery, etc.), the axis is divided into measurements, and the Council would pick a particular point on the scale for each axis. Then you would draw a figure connecting the dots. The resultant shape gives an indication of relative tradeoffs. The Team thought this approach might have application to the FEP, and for the Council to develop an ecosystem policy that represents tradeoffs. By comparing alternate scenarios, visualized through different shape figures, the Council could come up with the appropriate tradeoff scenario.

The team briefly discussed the possibility of using the FEP interactions as the axes for the star diagram, and decided that further exploration of this idea may be useful for the Council or the Ecosystem Committee. The approach is an easy way to visualize balancing multiple objectives.

Future meeting

The Team indicated that at the next meeting, it would be helpful to invite a couple of experts from different fields to help the Team, the Committee, and the Council move forward with some of the challenges of ecosystem-based management. For example, someone from the Forest Service could come and talk about their 'limits of acceptable change' approach, or someone who is using the J. Sanchirico model. It might be helpful to apply some of these ideas to the Aleutian Islands.

Appendix 1 – Workshop Agenda

AI Ecosystem Team workshop

Sep 9-10, 2008 8:30-4:30
NMML conference room 2049, AFSC, Seattle, WA

Agenda / Discussion items

Purpose of Team workshop

1. What new ecosystem information is available about the Aleutian Islands, and is it relevant for the FEP/Council?
2. Is there any evidence of changing conditions that would suggest we should reconsider our analysis of the interactions?
3. How might the Council/Ecosystem Committee best continue act to continue work/implementation of the FEP?
 - o We suggested that the next step is to define an ecosystem policy, perhaps through identifying desirable or undesirable ecosystem states. There are other approaches to evaluating ecosystem trade-offs. We need to advise the Council/EC on an approach to moving forward.
4. What should our next steps be to improve the FEP?

Workshop output

- Meeting summary for Council
- FEP addendum with supplemental information or analysis?
- Guidance to the Council/Ecosystem Committee about ways to move forward
- Plan for further work on the FEP

DAY 1

Intros and discussion of purpose

Roundtable opportunity for each team member to present a brief overview of any new information relevant for the FEP/Ecosystem Team

- ongoing/new research projects, or available data (e.g., Sea Grant Marine Research Plan for the AI)
- other ongoing projects that might be relevant (e.g., AI Marine Transportation risk assessment)
- uses of the FEP (e.g., how indicators are being incorporated in the EcoSAFE)
- others

Review interactions and indicators associated with them

- Any new information that influences our conclusions/discussion?
- Do the indicators alert changing conditions? How to interpret them for the Council?
- Is it possible to develop natural variability thresholds for any of the indicators?
- Did we identify the right indicators? Anything we can do to identify data sources for the ones that we have not yet found?
- How do we evaluate tradeoffs among indicators?

(DAY 2)

Incorporating social science and human dimensions in the FEP

- This is a stumbling block for the Council/Ecosystem Committee, which we ran into when trying to advocate for an economist to join the Team, and also with some of our findings in the FEP
 - Human dimensions are also an important part of the ecosystem policy/tradeoffs discussion (below)
 - Useful to articulate how we consider human dimensions within the plan, and specifically for Ecosystem Committee, what the role of an economist on the Team would be

Approach to ecosystem policy/ evaluating tradeoffs

- In FEP we suggested that a next step for Council would be to better define parts of its goal statement ('ecosystem health and vibrant communities')
- Suggestion was for Council to define desirable/undesirable states of ecosystem
- Is this best approach? What guidance can we give Council/Ecosystem Committee to begin this task?
- How can the Council better use the FEP?
 - what does FEP monitoring mean for the Council? How should they interpret/ evaluate annual information, changes in data trends?
- Using our interactions/FEP, can we help the Council articulate a better policy or metric that can fine tune their decisions?
 - e.g., what type of policy guidance should the Council articulate in order to receive better scientific advice?
 - Can we provide examples based on our interactions?

Plan for further work on FEP

- do we need an addendum to address any of the new information issues that have come up at this meeting?
- Are there areas in the FEP that need bolstering, or are incorrect, that we should edit/ improve?
 - list of unaddressed comments from Dec 07 draft
- do we want to identify a plan for working on some of the larger scale improvements we have talked about in the past?
 - directions we had identified: quantified risk assessment; cumulative impacts/ comprehensive ecosystem assessment (multivariate definitions of AI ecosystem status); expand geographic area of FEP to look at transition areas to east and west; incorporate LTK
- Original plan was that FEP be updated on 3-5 year schedule (re-evaluate ecosystem against 2007 baseline, look at long-term trends and see how things are changing). Are we still on track for that?

Appendix 2 – Team updates on new information with respect to the Aleutian Islands

Sandra Lowe

There is a new Olav Ormseth et al paper summarizing **biological studies on Pacific cod between the Bering Sea and the Aleutian Islands**. It looks at length, age, genetics, and fatty acids, among other things. The paper will be appended to stock assessment document, and presented to the Council in October. It is a great source of information about Pacific cod; should also be useful for the FEP. The SSC has been asking for this information for a few years, and will use it to decide whether to modify the Pacific cod TACs to divide it between the BS and AI. The biological information seems persuasive – it seems very hard to ignore that these are different stocks
(ftp://ftp.afsc.noaa.gov/afsc/public/Plan_Team/Fall_2008_BSAI_cod_split_biology.pdf).

Forrest Bowers

Shareef Sideek has developed a **stock assessment model for golden king crab**. The Crab Plan Team will review it this fall, and hopefully endorse it for setting overfishing levels and TACs. The model covers all of the Aleutian Islands. This is a big step forward in managing golden king crab. The draft model will be available on the Crab Plan Team website
(http://www.fakr.noaa.gov/npfmc/membership/plan_teams/CPT/908Chapters/AIGKCmodeling908.pdf).

The **volcano observatory website** has new information on the volcanoes that went off this summer, Okmok, Kasatochi, and Cleveland. The Team talked about adding back in the volcano interaction (see earlier in report; <http://www.avo.alaska.edu/>).

Diana Evans

There was an **integrated ecosystem assessment** workshop in June, for the California Current. The Council was not able to attend. They produced a white paper on IEAs for the workshop, but otherwise there does not appear to have been other direction from NOAA. The Ecosystem Goal Team is supposed to be providing guidance to develop IEAs for all regions, but so far there hasn't been much clear direction. Their discussions so far seem to have been more theoretical than practical. A NOAA background paper is available here: <http://gcoos.tamu.edu/Office/documents/Nov2007/04b.pdf>.

Sea Grant is working on an **Aleutian Islands marine research plan**. Several of the FEP team members participated in a panel to review and prioritize research needs that came out of a grassroots stakeholder process. It is not certain what the plan will be used for, but it could mesh with the FEP if it highlights some of the same data gaps as the FEP process. The website contains more information
(http://seagrants.uaf.edu/research/projects/initiatives/marine_research_plan/general/).

EPA and DEC did **nearshore surveys in the Aleutians in 2006 and 2007**. They were continuous through Amchitka, and also went to Kiska. The study provides information on baseline data for coastal surveys. The focus is on contamination, but they also included an inventory of living marine resources, plants and invertebrates in the nearshore zone, and collected fish to examine for contaminants.
http://www.dec.state.ak.us/water/wqamp/aleutians_emap.htm

DEC and the USCG are also ready to begin their **AI marine transportation risk assessment**. The National Academy of Sciences did a report on their methodology, and recommended four items for immediate implementation – 1. install a rescue tug in Dutch Harbor, 2. expand the AIS (USCG), 3. establish a framework structure for vessel identification, and 4. develop traffic lanes. These recommendations will be considered by the agencies involved.
http://www.dec.state.ak.us/spar/perp/ai_risk/ai_risk.htm

NOAA had an **ecosystem workshop** (MSA 406) in January, which is intended to result in a follow-on report to the 1998 'Ecosystem-based Fishery Management' report to Congress, which laid out guidance for the development of Fishery Ecosystem Plans. The main outcome of the workshop for Team participants was to emphasize how different the regions are. The South Atlantic are morphing their habitat plan into a FEP; HI has place-based FEPs but they are really only renamed FMPs. The Chesapeake Bay FEP is most developed. The other regions have not begun to work on FEPs. Part of the issue with Councils is that no one is willing to give up their FMPs because they are familiar, and it is difficult to sign on for the unknown. The 1998 report called for FEPs to replace FMPs – that doesn't seem to have gained traction at the national level. The Team discussed that what is needed is a bridging step between the current, known process, and the unknowns of ecosystem-based management. Work on the FEP right now is very timely, and gives the Team and the Council a great opportunity to influence how these ideas are made practical. The final workshop report is being drafted.

Vern Byrd

Vern attended the recent **USFWS Ocean retreat**, which was addressing how to step down from the Ocean Action Plan. He talked about the FEP as an example of how DOI interest in ocean ecosystem-based management could be integrated. The final report from meeting is not out yet. The idea is to create momentum that will carry over beyond the administration change. Another DOI agency, the Park Service, tends to want to do own planning, and has developed their **NPS Ocean Parks Stewardship Action Plan** (http://www.nps.gov/pub_aff/oceans/Ocean_Park_ActionPlan.pdf).

NPRB has several Aleutian Islands topic areas available for their next proposal cycle. Last year there was an AI window also, but there were a low number of proposals submitted. The Team noted that members should encourage people to look at the FEP interactions that are not currently being monitored very well, especially those that need methods developing, as this is a good opportunity to fill gaps (http://www.nprb.org/proposals/current_rfp.html).

USFWS has complete second **nearshore assessment** of the marine system around Buldir, now have 2 years of studies around **Buldir and Kasatochi Islands**. The assessment characterizes bottom fauna and midwater oceanography around the islands. The surveys provide baseline information. The report is out now.

More work is being done on **Kittletz murrelets**, which are a candidate species for ESA listing. Work is being done at Agattu, where this summer they found 18 nest sites (more than before). There will be natural history information, and maybe diet samples, which will identify what link the birds have into the marine food web. Vern doesn't know if there will be fishery implications.

There may be opportunities to **study ecosystem process dynamics at Kasatochi**, where the eruption completely covered the island and filled out to the 20 m curve, so the island is some 5,000 m radius bigger. USFWS has some baseline data on plants and birds on island, and arthropods, so now it will be possible to do studies comparing pre- and post-eruption. Steve Barbeaux noted that he also did acoustic surveys around there this spring, and has three years of data available. Vern noted that the island has been targeted as a possibility for a USGS-organized integrated study, to look at the opportunity for understanding interactions from scratch.

Jim Estes was in the Aleutian Islands this summer, updating his work on nearshore habitat for **sea otters**. The **Steller sea lion** work resumed this summer. A **harbor seal** paper is in press (Bob Small is the senior author), which will document big changes between late 80s and early 90s. The paper may result in a

recommendation for depleted status for harbor seals, under MMPA, which could have effect on some things in fisheries.

Starting this fall, USFWS will start **eradicating rats off Rat Island**. It will be interesting to see what kind of recovery of seabirds will ensue. Marine transportation is the vector for rat introductions. There will be a lot of publicity for the operation, which will last 45 days, and will use rodenticide. There should be 0% chance of survival, the procedure has worked successfully on 200 islands, but this is third largest on which it has been tried. The rodenticide persists for about 2 weeks; if it is not eaten, it will break down in the weather, and it dissipates quickly in the marine system. There may be some non-target short term loss (ravens, maybe eagles), but rats mostly go underground to die (<http://www.fws.gov/news/NewsReleases/showNews.cfm?newsId=5397291A-C34D-287E-1EEC972B68046692>). There is a **new State law** makes it illegal to support or transport rats, knowingly or unknowingly, so liability now exists for introductions resulting from shipwreck (<http://www.adfg.state.ak.us/special/invasive/invasive.php>).

Paul Spencer

More data is now available on **stock structure for rougheye rockfish**. All the data they looked at, e.g. genetic, size at age, shows that there are dramatic differences between rougheye rockfish on the slope and in the Bering Sea. Rougheye definitely appears to be one of the stocks for which the AI area is distinct from the BS (ftp://ftp.afsc.noaa.gov/afsc/public/Plan_Team/BSArougheye.pdf).

Paul is on the **technical guidance team looking at non-target species management**, for the Magnuson Stevens Reauthorization Act (MSRA). The idea for the technical guidance is to use case studies from the various regions (Paul is working on Alaska skates). They are trying to take a multispecies approach, to look at ways to allow for stock complexes. They are looking at productivity, and at sensitivity - how likely is it that the fishery will impact the stock? He is also looking at bycatch and habitat issues. The final write-up for the case studies is due by the end of the month, and the deadline for the guidance is December. The Team discussed that the proposed rule talked about establishing ecosystem species versus fishery species. In practical terms, it's not different from what we are already doing in Alaska - what the proposed rule calls ecosystem species are the species that we refer to as non-target species. The difference is whether MSRA would require that ecosystem (non-target) species be monitored (which we don't currently do for all non-targets, particularly non-specified species in the FMP). Paul clarified that the rule is still dealing with stocks that are identified in the FMP, so non-specified species may still not fall into this category. The definition state that within the FMP, you would have target stocks (which have commercial value), and ecosystem component stocks (which could potentially be targeted, or comprise stocks other than target stocks). The proposed rule definition states that ecosystem components are non-target, not retained for sale or personal use, and are not subject to overfishing, overfished, or likely to become so. Sarah Gaichas noted that one of the alternatives in the Council's Arctic FMP is to have everything be an ecosystem species, which would parallel with the forage fish category in the groundfish FMPs (it is expected to have low catch, but at least the overall catch is monitored). The Team noted that once the final rule is published, it will be interesting to see how this affects the FEP. Interesting to see how it plays out. But should talk about how this would fit in if it stays.

Steve Barbeaux

Steve completed his third year of **acoustic surveys in the Aleutians this spring**, February and March, on the R/V Oscar Dyson and the F/V Muir Milach. The project is funded by NPRB. They did acoustic surveys between Atka flats and Kanaga Pass. The acoustic surveys were at night, and they also did oceanography studies during the day. There is a 2 ½ mile spacing on the acoustic track line. The researchers got a full spectrum of acoustic data from the Oscar Dyson; Steve has used one band to work up biomass estimates for pollock, the other frequencies are waiting to be used. They also did some bongo

tows (while it was blowing 90 miles/hour); they collected a number of species of myctophids, squid samples, stomach samples for Pacific cod and pollock, and did bottom tows by Kasatochi. In support of a special project, they collected eyeballs from Pacific ocean perch and Pacific cod, for isotope analysis (the lens of the eye is used for isotopes). They collected otoliths from cod, pollock, and POP. There were seabird and marine mammal observers on board, and they saw a white killer whale. There were also sperm whale sightings – the whale can be seen in the acoustics data. This is the first time observers have seen female, male, and juvenile sperm whales in the Aleutians since the 1950s (normally one just expects to see the males). The researchers weren't sure of the reason for that, whether it was expanding populations or global warming. There were also lots of orca and seabirds. They also did a winter survey of Steller sea lions, flyovers plus scat collections; Lowell Fritz is putting that report together. Steve is working on the report for the project, which must be ready by 2009 for NPRB. He and Libby Loggerwell are also working on the report for the Beaufort Sea survey, which may take precedence.
<http://project.nprb.org/view.jsp?id=27592f49-0654-40aa-97c3-85723ad9da1c>

John Olson

John Heifetz and Bob Stone are continuing to look at the video data they collected from their AI submarine trips, and are still working to update **AI habitat maps**. There are some other Auke Bay folks trying to go out to the AI to work more on the **nearshore fish atlas** data, and to integrate more AI information. Vern offered to put them in touch with the FWS data for the AI.
[http://www.fakr.noaa.gov/habitat/fishatlas/;](http://www.fakr.noaa.gov/habitat/fishatlas/)
[http://mapping.fakr.noaa.gov/Website/ShoreZone/viewer.htm?initTab=FA&RegionID=2.](http://mapping.fakr.noaa.gov/Website/ShoreZone/viewer.htm?initTab=FA&RegionID=2)

There is also an **ecosystem-based management tools** network page on the web. Much of it is more coastal EBM, rather than pelagic or fishery based, but there are some interesting items, including a marine geospatial ecology tool (<http://www.ebmtools.org/>).

Ivonne Ortiz

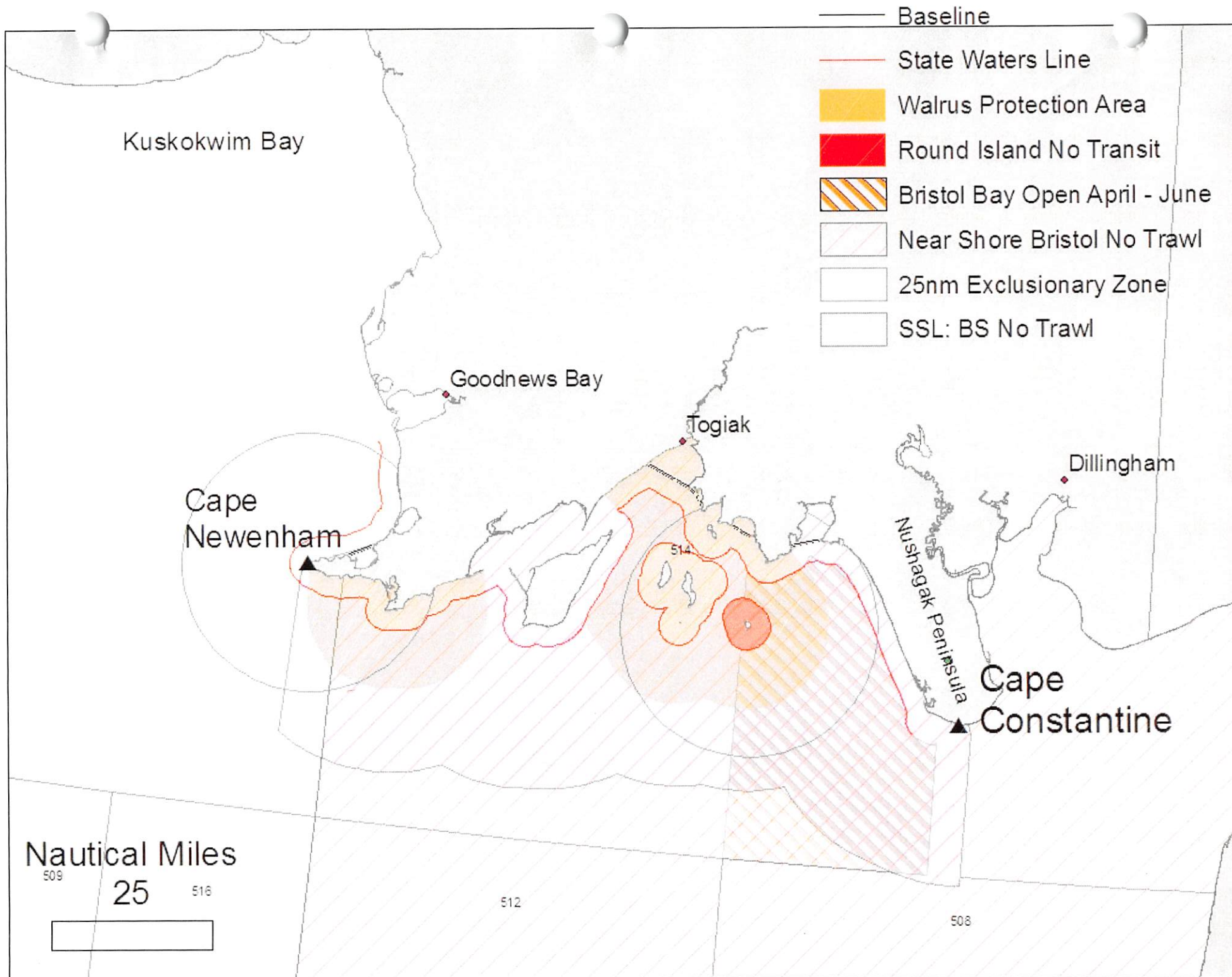
Ivonne noted that the NW center is interested in implementing integrated ecosystem assessments along the lines of the **Australian ocean plan**. Australia benefits from having one homogenous governance structure, which is also true for Alaska, but not true for the California Current, with multiple state jurisdictions. Australia has been setting up a network of ecosystem models with Atlantis, and then has developed nested models for the different regions, at different scales. They are using these models to guide ocean policy, both within and outside of MPAs. They are trying to come up with programmatic objectives, which they consider for various categories (conservation, commercial/industry, economic, etc.). They utilize **star diagrams** for making the policy visual (e.g., 5 axes radiating out from center). Each axis is one category. Then alternative strategies are mapped on each axis, from a baseline to an 'optimal case', and then you can draw the shape for each alternative strategy, showing visual differences among strategies. They used a workshop to come up with ratings for the axis. The approach allows you to demonstrate tradeoffs, which are then embedded in a management evaluation strategy plan. California researchers are pursuing this approach, but so far, they have not made much progress (much of the research is not on a coastwide basis, and a lot of private money governs research, which means no secure funding pools).

Also, there is a new multispecies model on pollock, Pacific cod, and Atka mackerel available from the University of Washington. There is an updated model for Steller sea lions that looks at the AI, and considers different islands. Also, Susan McDermott is putting together a journal issue on Atka mackerel, which will come out through AFS proceedings or Fisheries Oceanography, and addresses all issues, from growth and reproductive issues, to abundance estimates, to the efficiency of trawl exclusion zones.

Appendix 3 – Changes to the FEP interactions

Will be made available at a later time.

AI Ecosystem Interaction		Changes
Climate and Physical Interactions	A. Interaction: Changes in water temperature may impact ecosystem processes	•
	B. Interaction: Increased acidification of the ocean may impact ecosystem processes	•
	C. Interaction: Changes in nutrient transport through the passes and changes in the predominant current patterns that drive primary production impact ecosystem processes	•
	D. Interaction: Changing weather patterns impact ecosystem processes	•
Predator-prey Interactions	E. Interaction: Fishing mortality and predation mortality both impact managed species	•
	F. Interaction: Bottom up change in ecosystem productivity impacts predators and fisheries	•
	G. Interaction: Top down changes in predation and fishing impact ecosystem structure and function	•
Fishing Effects Interactions	H. Interaction: Total removals from the ecosystem due to fishing impact ecosystem productivity	•
	I. Interaction: Differences between spatial stock structure and the spatial scale of fishery management may impact managed species	•
	J. Interaction: Impact of one fishery on another through fishing impacts on habitat	•
	K. Interaction: Impact of a fishery on other biota through fishing impacts on habitat	•
	L. Interaction: Impact of bycatch on fisheries	•
	M. Interaction: Commercial fishery may impact subsistence uses	•
Regulatory Interactions	N. Interaction: Changes in the population status of ESA-listed species impact fisheries through specific regulatory constraint	•
	O. Interaction: Sector allocations can impact the ecosystem and communities	•
	P. Interaction: Fishery participation permit systems (such as limited entry and harvest quotas) impact the flexibility of fishers to react to changing ecosystem conditions	•
Other Socio-economic Activity Interactions	Q. Interaction: Changes in fishery activities impact the sustainability of AI communities	•
	R. Interaction: Coastal infrastructure and development impact the ecosystem and communities	•
	S. Interaction: Vessel traffic, and risk of vessel grounding and spillage, may impact ecosystem productivity	•
	T. Interaction: Changes in the level of military activity in the area may impact communities	•
	U. Interaction: Oil and gas development may impact ecosystem productivity	•
	V. Interaction: Research activity may impact fisheries	•



October 7, 2008

North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr Chairman and Board,

My name is Frank Woods I am 43 years old and this is my first North Pacific Fisheries Management Council meeting. I am speaking on behalf of the Bristol Bay Native Association. The Bristol Bay Native Association is a Tribal Consortium, made up of 31 Tribes and is organized as a non-profit corporation to provide a variety of educational, social, economic and related services to the Native People of Bristol Bay.

I carry with me BBNA's resolution addressing the Nearshore Bristol Bay Trawl Closer Area the trawling that is taking place for yellow fin sole. Five main Village Councils from the area have also followed with similar resolutions. Listed are the Villages of Togiak, Twin Hills, Clarks Point, Aleknagik, Curyung Tribe (Dillingham), and a support letter from our chairman of the Nushagak Advisory Board. And here are their resolutions.

Healthy Eco-systems is what kept our people alive for hundreds of generations. This Nearshore Bristol Bay Trawl Closer as listed in 50CFR 679-B22 doc section (9) is listed backwards for this fishery. It is open from April 1st till June 15th (1200 hrs). This fishery threatens this eco-system. Our main livelihood in small rural communities has been and still is seasonal commercial fishing for halibut, salmon (kings, sockeyes, silvers, chums, pinks), herring and now extinct herring roe-on-kelp fishery. We also live a subsistence and traditional way of life. We would like to continue this way lifestyle and preserve our culture.

Since the seasonal trawl fishery opened in the Bristol Bay area, we have experienced a decrease of halibut, walrus, seals, clams, herring and herring roe-on-kelp we traditionally harvest. We have observed illegal trawl fishing when we are herring, halibut, and salmon fishing in the Togiak Bay Area. This fishery has displaced the CDQ halibut fisherman. This yellow fin trawl fishery takes all of the CDQ quota and more in the by catch of halibut. Over 100,000 lbs of bycatch halibut. CDQ fisherman on the other hand were only able to harvet 11,000 lbs when in years past they were able to catch over 100,000 lbs annually.

My traditional way of life includes harvesting year-round food resources from the land, water and air. They are all connected that is why I am here and you are here listening to me today. As a traditional hunter I have a concern for walrus, sealion and seal haulout disturbance as well as their bottom feeding areas in Bristol Bay. Primarily in the walrus haulout areas around Round Island, Hagemeister Island, Cape Peirce, Cape Newenham, and Cape Senavian. These areas should closed to any type of trawl fishing.

The federal law for subsistence priority shall forced here to protect the Pacific Walrus (may be listed a threatened species or species of concern) and stellar sea lion that is a threatened species already and we have to protect these at all costs.

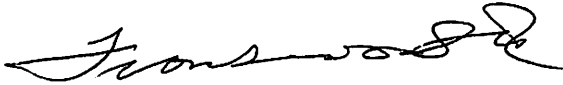
Local Bristol Bay residents are concerned that their traditional marine mammals and marine food species are becoming depleted due to the by catch and interception of this trawl fishery sweeping the bottom of the bay. The villages we would love to see this area closed year around.

If that can't be done back the opening up with science that this fishery isn't hurting our resources If at all possible this year. Starting now establish a 25-mile boundary beginning at the shoreline of Cape Newenham, Cape Pierce, Togiak Bay, 25 miles out from the tip of Hagemeister Island, 25 miles out from the farthest tip of Round Island, including shorelines of Kulukak Bay, Metervik Bay, Cape Constantine, Nushagak Bay, all along the Kvichak Bay, Naknek Bay, Egegik Bay, Cape Senivian walrus haulout down to the North Aleutian Basin. These are some of the concerns, and there is many more. I myself would like to continue my seasonal livelihood in and around Togiak, Kulukak, Metervik and Nushagak Bays.

In closing me and Frank Logusak were walking in the Stevens International Airport. Our Ancestors clothing are on display in glass cases. My 84 grandmother would have been proud to wear the clothing and tools of that time and era from them display cases. I would hate to see the subsistence foods in such display cases for my grand kids to look at though a glass case. And wish they could have them to live off of 20- 50 years from now.

Thank you for your time;.

Frank Woods
Subsistence Co-coordinator
Natural Resources Department
Bristol Bay Native Association
P.O. Box 310
Dillingham, AK 99576



10-7-08

Phone: 907-842-5257 ext. 342
Fax: 907-842-5932

**BRISTOL BAY NATIVE ASSOCIATION
P.O. BOX 310
DILLINGHAM, ALASKA 99576
(907) 842-5257
by Full Board of Directors**

Resolution 2008- 25

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA**

- WHEREAS:** The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS:** An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS:** The Bristol Bay Native Association is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS:** Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS:** BBNA tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS:** The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Bristol Bay Native Association Full Board of Directors urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:

Fred J. Angasan
President

CERTIFICATION:

I, the undersigned Recording Secretary of the Bristol Bay Native Association, hereby certify that the Board of Directors of the Bristol Bay Native Association passed the foregoing resolution on this 19th day of September, 2008, at a duly called and noticed meeting, and that a quorum was present.

Signed:

Ann U...
Secretary

CURYUNG TRIBAL COUNCIL RESOLUTION 2008 -- 20

A resolution to stop all trawling in the waters of Bristol Bay to trawling for Yellow Fin Sole

WHEREAS: The Curyung Tribe is a federally recognized Alaska Native Tribe serving its tribal members, 2500 strong and the community of Dillingham; and

WHEREAS: The Curyung Tribal Council is the federally recognized and duly elected governing body of the Curyung Tribe; and

WHEREAS: The Curyung Tribe is very concern with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place, in some years the halibut bycatch is more than the directed CDQ halibut fishery; and

WHEREAS: Curyung Tribal members are reporting conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area. In 2007 and 2008 these were reported to the National Marine Fisheries Service (NMFS); and

WHEREAS: The Curyung Tribe and its members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and

WHEREAS: The Curyung Tribe, its members, the North Pacific Fishery Management Council (NPFMC) and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery for these juvenile species and have closed all other waters of Bristol Bay to trawling; and

WHEREAS: The Curyung Tribe has known the waters that are being fished by the yellow fin sole fishermen in Bristol Bay, is also along the migratory path of caplin. The NPFMC has listed caplin as an important forage fish species for Stellar Sea lions. Caplin spawns in the Togiak district of Bristol Bay and migrates along the same path as our herring stocks, the Nushagak Peninsula.

NOW THEREFORE BE IT RESOLVED the Curyung Tribal Council formally requests the State of Alaska close all State waters within Bristol Bay to trawling. We also request the North Pacific Fisheries Management Council close adjacent Federal waters within Bristol Bay to trawling by May 2009.

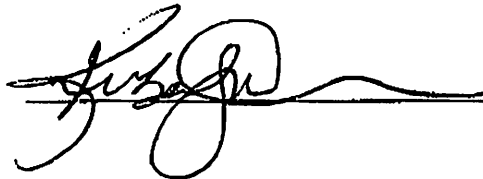
CERTIFICATION:

The foregoing resolution was passed by the Curyung Tribal Council on the 10th day of September, 2008 and that a quorum was present.



Thomas Tilden, 1st Chief

ATTEST:



Kimberly Williams, 3rd Chief



P. O. BOX 310 ♦ TOGIAK, ALASKA 99678
 Phone: (907) 493-5003 ♦ Fax: (907) 493 5005
 Email <tradcounciltogiak@sterband.net>

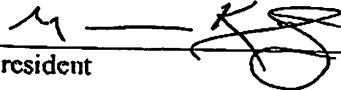
Resolution 2008 - 21

A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA

- WHEREAS: The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS: An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS: The Traditional Council of Togiak is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS: Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS: The Traditional Council of Togiak members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS: The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Traditional Council of Togiak urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:

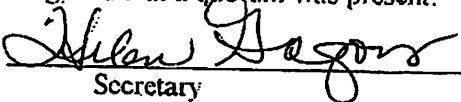


 President

CERTIFICATION:

I, the undersigned Recording Secretary of the Traditional Council of Togiak, hereby certify that the Council Members of the Traditional Council of Togiak passed the foregoing resolution on this 3rd day of October, 2008, at a duly called and noticed meeting, and that a quorum was present.

Signed:



 Secretary

Twin Hills Village Council

Resolution 2008- 08

A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA

- WHEREAS: The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS: An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS: The Twin Hills Village Council is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS: Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS: Twin Hills tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS: The NBBTA is also along the migratory route of herring and of capelin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Twin Hills Village Council urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:


John W. Sharp, President

CERTIFICATION:

I, the undersigned Recording Secretary of the Twin Hills Village Council, hereby certify that the Twin Hills Village Council passed the foregoing resolution on this 3rd day of October, 2008, at a duly called and noticed meeting, and that a quorum was present.

Signed:


Debbie Hoseth, Secretary

**Aleknagik Traditional Council
P.O. Box 115
Aleknagik, AK 99555**

Resolution 2008- 17

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA**

- WHEREAS:** The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS:** An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS:** The Aleknagik Traditional Council is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS:** Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS:** Aleknagik Traditional Council tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS:** The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Aleknagik Traditional Council urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

CERTIFICATION:

Passed and approved on this 1st day of October 2008.

SIGNED:


Daniel Chythlook, Vice-President

10-1-08
Date

ATTEST:


Frederick Bartman, Council Member

10-1-08
Date

**CLARKS POINT VILLAGE COUNCIL
P.O. BOX 90
CLARKS POINT, ALASKA 99576
(907) 236-1427**

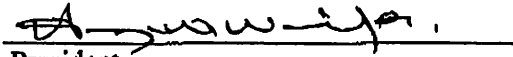
Resolution 2008- 10

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA**

- WHEREAS:** The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS:** An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS:** The Clarks Point Village Council is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS:** Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS:** Clarks Point Village Council tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS:** The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Clarks Point Village Council urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:

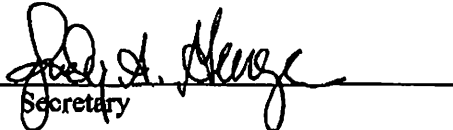


President

CERTIFICATION:

I, the undersigned Recording Secretary of the Clarks Point Village Council, hereby certify that the Village Council passed the foregoing resolution on this 30th day of September, 2008, at a duly called and special meeting, and that a quorum was present.

Signed:



Secretary

CLARKS POINT VILLAGE COUNCIL

BOX 90

CLARKS POINT, ALASKA 99569

WAIVER OF NOTICE SPECIAL MEETING SEPTEMBER 30, 2008

We the undersigned waive notice for special meeting to act on Resolution urging the North Pacific Fishery Management Council to eliminate the nearshore Bristol Bay Trawl Area.

By It Members on September 30, 2008.

<u>Harry W. Wassily Sr.</u>	<u>A. Wassily</u>
<u>Leslie Walker</u>	
<u>Aunt George</u>	<u>George</u>
<u>Judy Ann George</u>	<u>Judy A. George</u>
<u>Joseph Wassily</u>	

September 29, 2008

Mr. Eric Olson
Chairman, North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr. Olson,

Would you see to it that these concerns are expressed during the next NPFMC meeting in October.

I am the chairman of the Nushagak Advisory Committee (NAC) in Dillingham, Alaska. The local advisory committees in the state operate under the auspices of the Alaska Board of Game and Board of Fisheries. We are an advisory group that continues to pursue regulatory changes in Alaska Statute for the benefit of our representative area.

We not only represent Dillingham, but also Aleknagik, Portage Creek, Ekwok, New Stuyahok, Koliganek, Clarks Point, Manakotak, and also have a Togiak representative seated on our AC.

This letter is addressing a concern that has been somewhat of a thorn in our side for a few years, but not addressed. The Yellow fin Sole Fishery which operates seasonally from April 1- June 15 in the Near shore Bristol Bay Trawl Area (NBBTA) in the ground fish regulations at 50 CFR 679.

We acknowledge that this fishery has occurred annually for quite a few years. Participants say that it is a relatively clean fishery, but we think otherwise based on personal observations, testimony, and because we are concerned about by-catch of King salmon, halibut, herring and the impacts on walrus, sea lion, and other sea mammals found along the Nushagak Peninsula and near the Walrus Island sanctuary.

The last two years of our King salmon fishery has been an economic failure. The large forecasted runs of 2007 and 2008 did not materialize. Subsistence gathering was affected as well as commercial closures for the fishermen. After nearly a decade of closure and after only a few years of productive fishing, our King salmon run is in serious decline. Economic opportunity has been lost. What once was a thriving fishery is shut down. We believe by-catch could be the primary reason.

Our halibut fishermen used to fish successfully and do quite well after herring and before the salmon seasons. Especially within the last three years, our fishermen cannot harvest enough to even make expenses much less make a profit. Dozens of fishermen used to participate in the CDQ fishery but now very few even attempt the fishery because of catch failures. These fishermen have been economically disenfranchised. We firmly believe that by-catch "IS" the reason. Bristol Bay is a rearing place for immature halibut.

The proximity of the trawl fishery has impacted stocks that migrate through traditional fishing grounds.

We are concerned about our herring stocks. The trawl fleet operating in the NBBTA fishes very heavily during the out-migration of Togiak Herring stocks along the Nushagak Peninsula during latter April, May and until closure in June. This is when the Togiak Herring comes near-shore to spawn and then leave along the Nushagak Peninsula. Although ADF&G indicates that this stock is healthy, we think that this stock is in decline based on personal testimony of fishermen who participate in the fishery.

Herring fishermen have testified that the trawl fleet is targeting herring instead of yellow fin as they tow their nets right through the out-migrating herring.

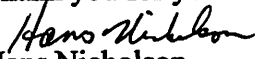
One of our herring fishermen observing these activities up close and checking to see if they were fishing legally had his life threatened and sinking of his personal fishing vessel by one of the trawling captains while on his way home from the herring grounds postseason. This fisherman filed a complaint, but to date no enforcement action has been taken by any federal, state, or regulatory agency. This was witnessed by another friend accompanying him on another boat while traveling to Dillingham. Apparently there is some mix-up in regulatory language in the description of federal and state waters that needs to be cleaned up.

We are very concerned about the effects that this trawl fishery has on our resource. Our fishermen and communities are reeling from the extremely high cost of living, outrageous fuel prices, and facing economic hardship. Local businesses are impacted when fishermen do not do well. Local population is in decline as people are moving elsewhere to find jobs or where it is cheaper to get by.

The trawl fishery benefits mainly those who do not reside in the State of Alaska. This fishery is hampering our ability to make a living, raising our families, and living here in Bush Alaska.

We ask for the elimination of this fishery! Secondary would be a reduction of time and area. Another recommendation and one that makes more sense would be to move the fishery further offshore where it would have less impact on local fish stocks that our fishermen depend on.

Thank you for your consideration.


Hans Nicholson
Chairman-Nushagak AC
PO Box 163
Dillingham, Alaska 99576

Cc: Bristol Bay Native Association
ADF&G Board Support - Dillingham

D-3



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Road
Anchorage, Alaska 99503-6199



AFES/MMM

SEP 18 2008

Mr. Frank Logusak, Sr.
Chairman, Qayassiq Walrus Commission
P.O. Box 278
Togiak, Alaska 99678

Dear Mr. Logusak:

I received a copy of your August 28, 2008, letter to Mr. Chris Oliver, Executive Director of the North Pacific Fisheries Management Council (NPFMC), concerning the Bristol Bay trawl fishery. I understand Qayassiq Walrus Commission's (QWC) concerns as they relate to walrus conservation and management, and I have shared a copy of your letter with our representative to NPFMC. I will ask my staff to fully brief him on this important issue prior to the September 29 meeting of the council. In the meantime, I will also look for ways in which the U.S. Fish and Wildlife Service (Service) can support the QWC on this issue. We will work directly with Helen Chythlook.

I regret that I was unable to attend your most recent QWC meeting, but Jonathan Snyder has briefed me on the issues which were discussed. I trust that he has adequately represented the Service at your recent meetings, and he is always available to assist the QWC, so please do not hesitate to contact him. I hope to attend the next Eskimo Walrus Commission meeting, and I look forward to seeing you there. I hope that you folks have a safe hunting season at Qayassiq this fall. You may contact me or Jonathan, at 1-800-362-5148 if you would like to discuss this further.

Sincerely,

Rosa Meehan
Chief, Marine Mammals Management

cc: Helen Chythlook, Director QWC
Vera Metcalf, Director EWC

RECEIVED
SEP 24 2008



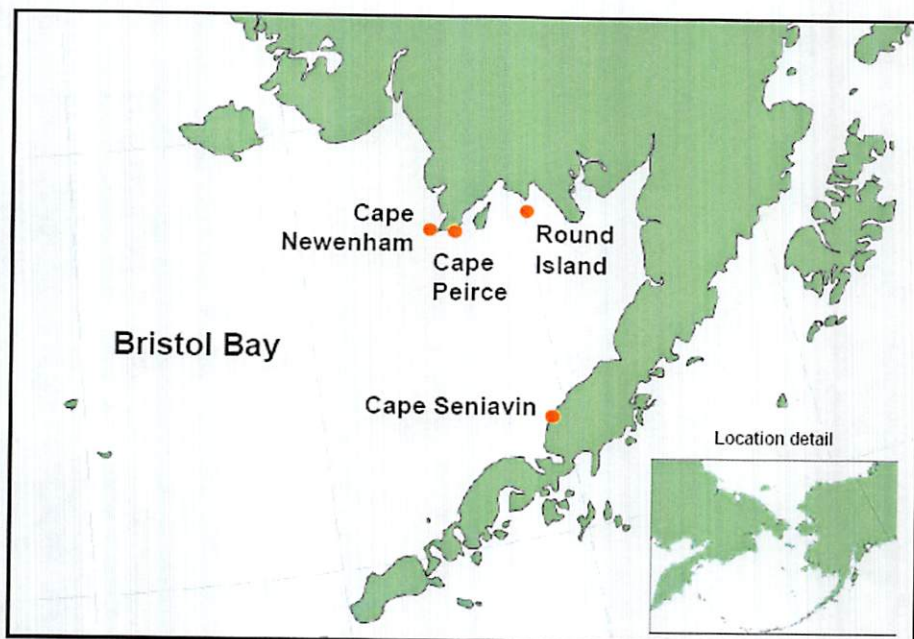
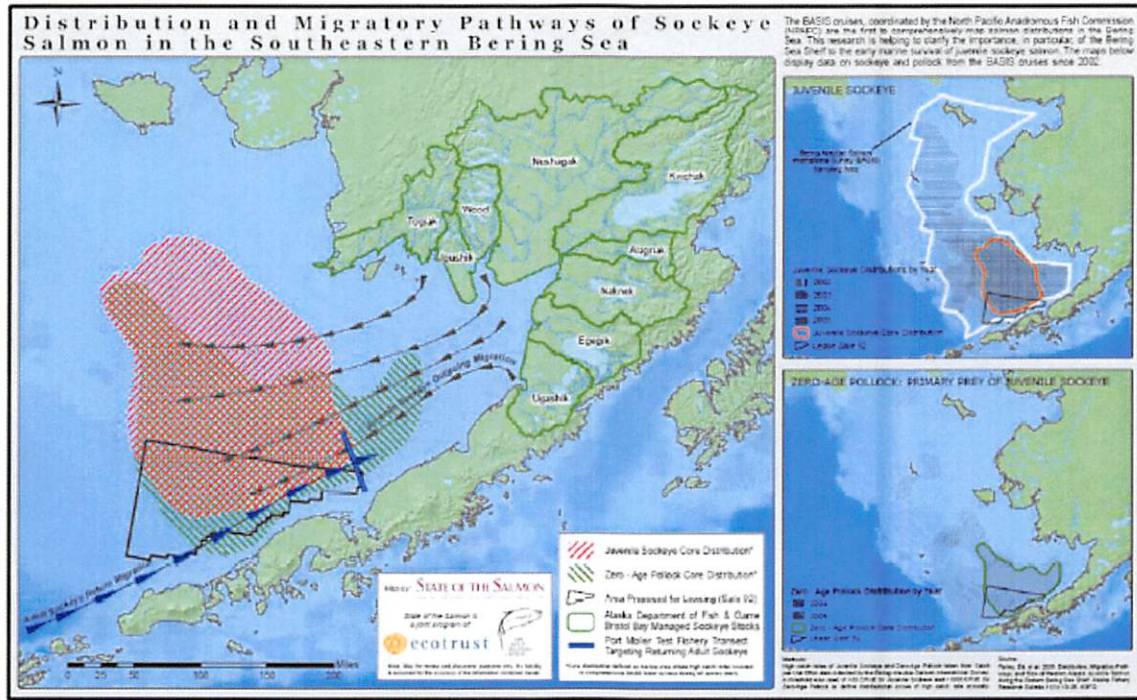
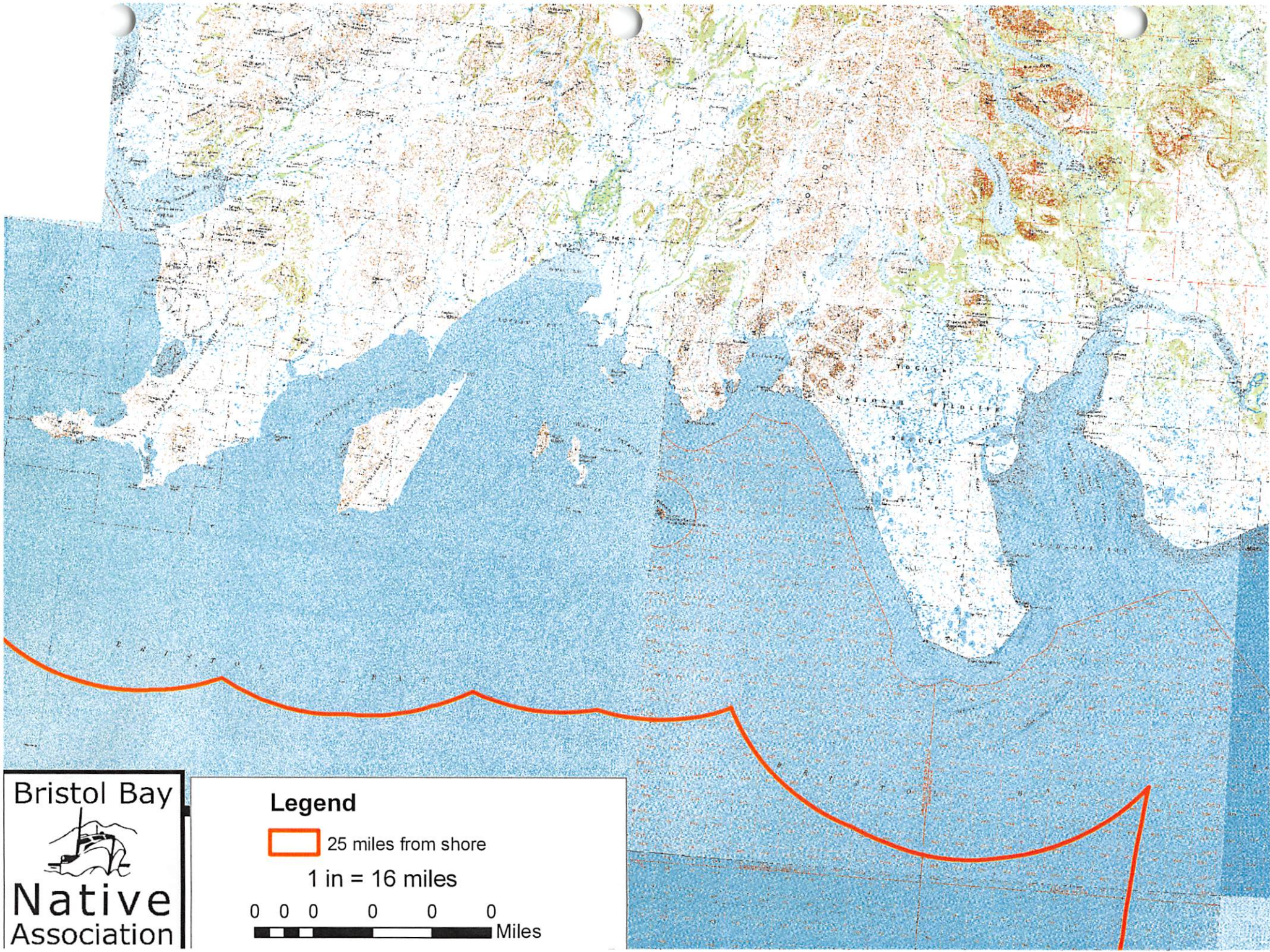


Figure 1. Locations of the four major walrus haulout sites in Alaska

Qayassiq Walrus Commission supporting documents (Fish migrations). 2008



Bristol Bay and Alaska Peninsula Fish migration routes. Also at tip of Cape Constantine halibut migrate along the shorelines towards the Togiak Bay area and outward beyond Hagemeister Island. Source: Pacific Environment -QWC Testimony documentation. 2008.



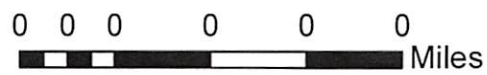
Bristol Bay

Native
Association

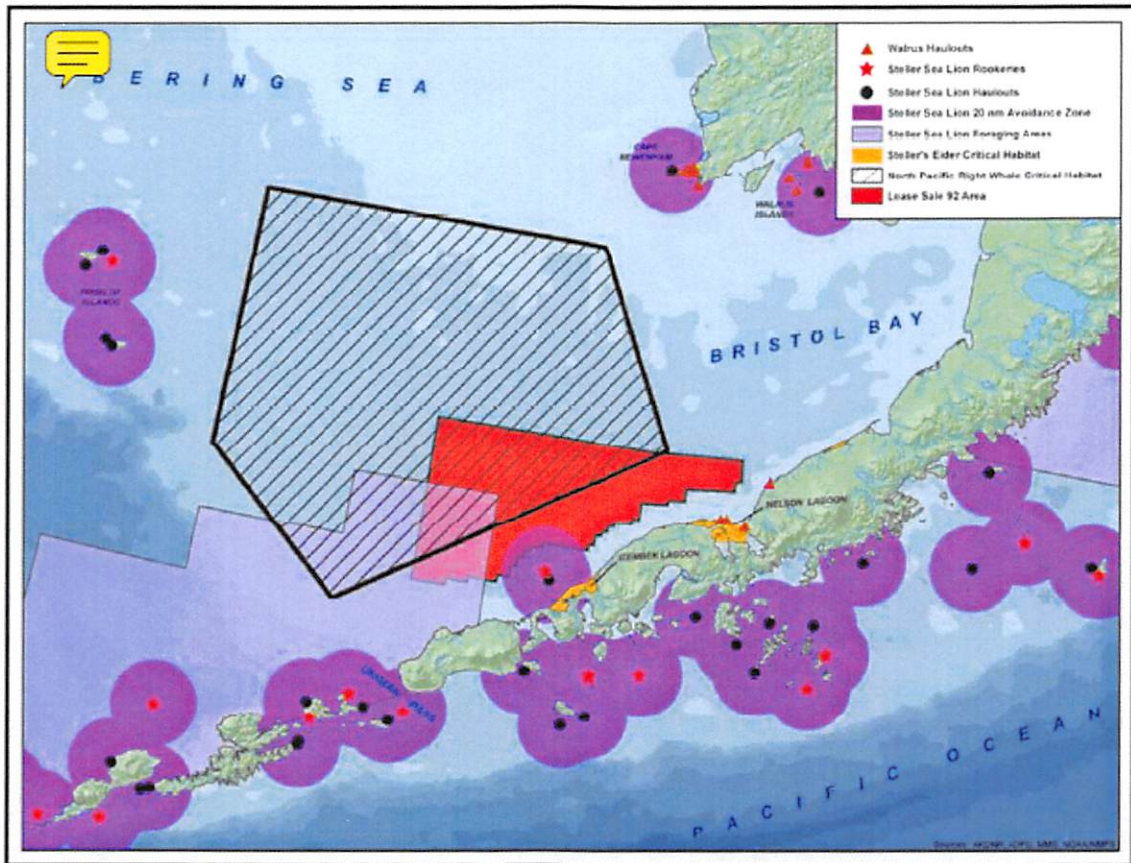
Legend

 25 miles from shore

1 in = 16 miles



2008 Qayassiq Walrus Commission supporting documents: walrus and Steller sea lion haulouts.



Bristol Bay Walrus Haulout sites also include Cape Seniavin located above Port Moller area.
Source: Pacific Environment-used with permission 2008 for QWC Public Testimony supporting documents.

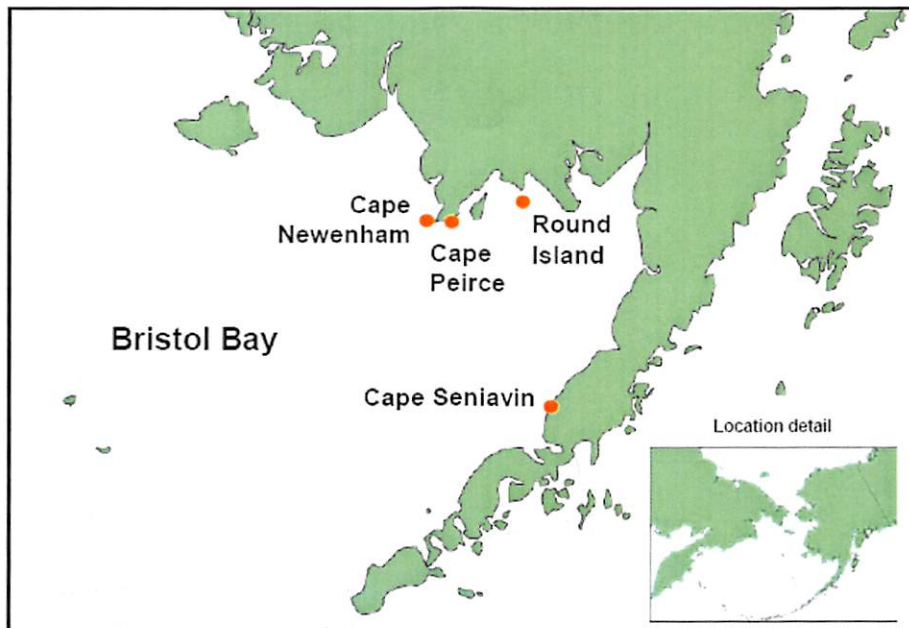


Figure 1. Locations of the four major walrus haulout sites in Alaska

May 26, 2008 Digital Photos
Taken by Bristol Bay herring fisherman
Of Trawl Fishing Boats

Here are digital photos, boat names and coordinates of trawlers operating west of Cape Constantine. The first photo is of the Enterprise pictured with it's net coming up the ramp.





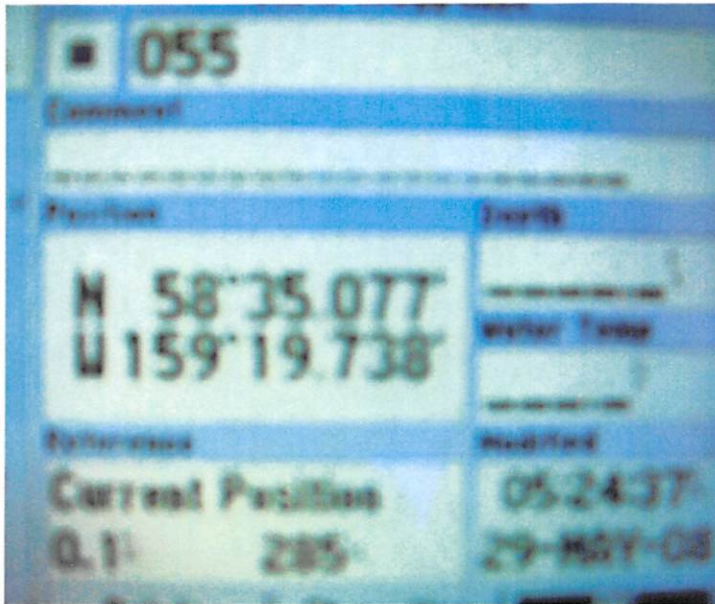
The skipper of the gillnetter estimates he was within 60 yards of the vessel when the photo was taken.



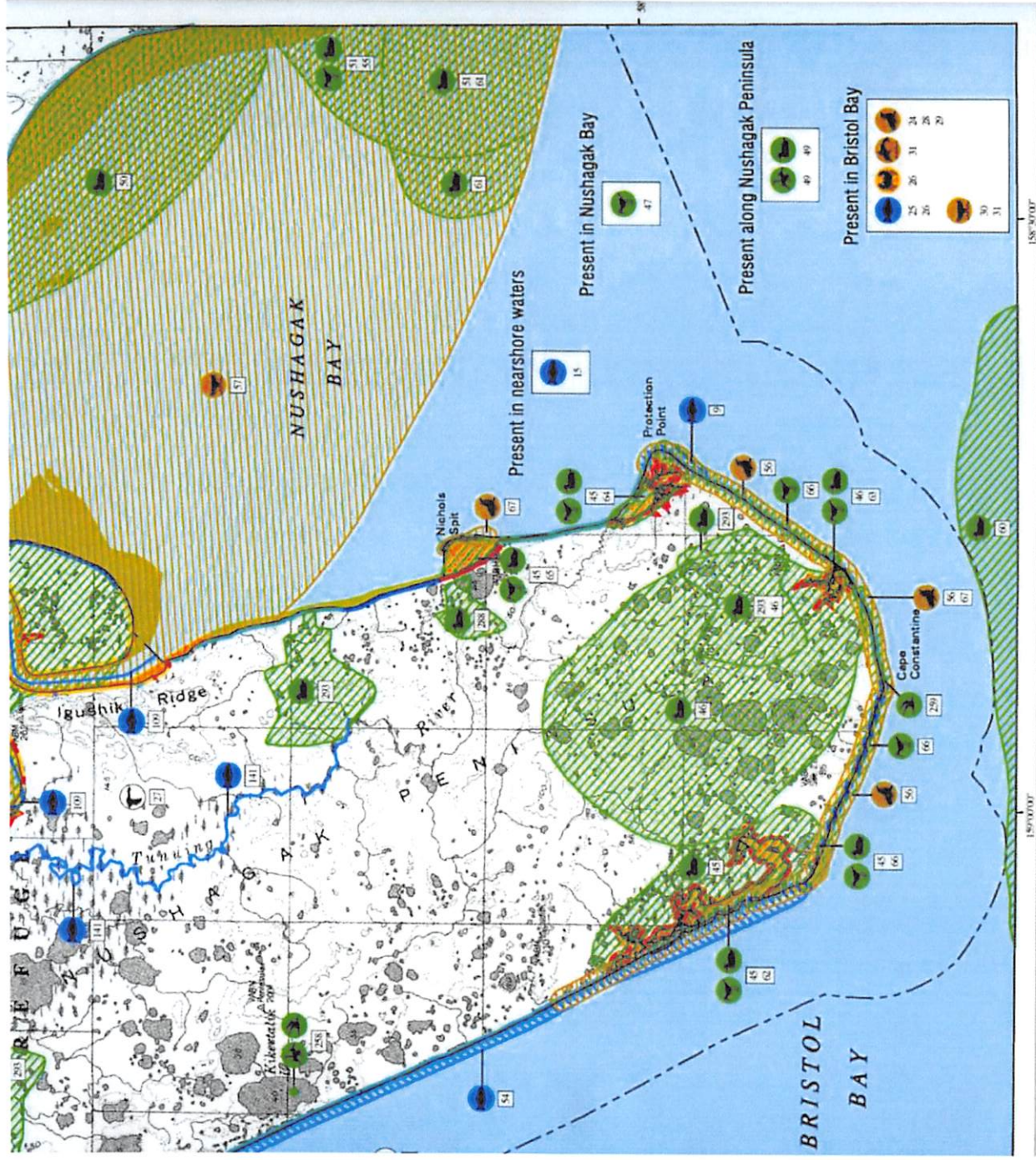
Photo of trawl fishing boat Tremont who threatened a Bristol Bay gillnet fisherman and crew.



Photo of threatened trawl fish boat GPS coordinates.



Tip of Cape Constantine Marine Food Resources extend beyond the point. This is also where clam beds are located, halibut also migrate along the shorelines of Cape Constantine. Source: Bristol Bay Coastal Resource Area Sub-Area Atlas Maps. 2004. (QWC Documentation for NPFMC October 2008 public testimony).

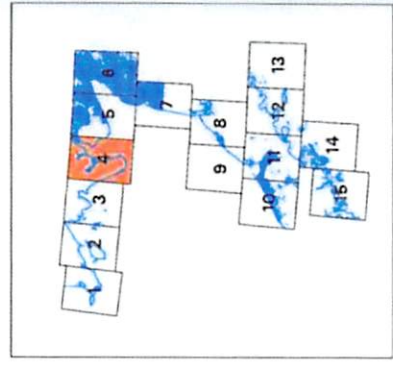


RELIEF HABITATS (ESI)

- RED ROCKY SHORES
- RED WAVE-CUT PLATFORMS IN BEDROCK, MUD, OR CLAY
- TOMEIUM-GRAINED SAND BEACHES
- F-GRAINED SAND BEACHES
- SAND AND GRAVEL BEACHES
- FL BEACHES
- FL TIDAL FLATS
- BERED ROCKY SHORES AND SHELTERED SCARPS IN MUD AND CLAY
- BERED TIDAL FLATS
- SHORELINES
- BERED TIDAL FLATS
- AND BRACKISH WATER MARSHES



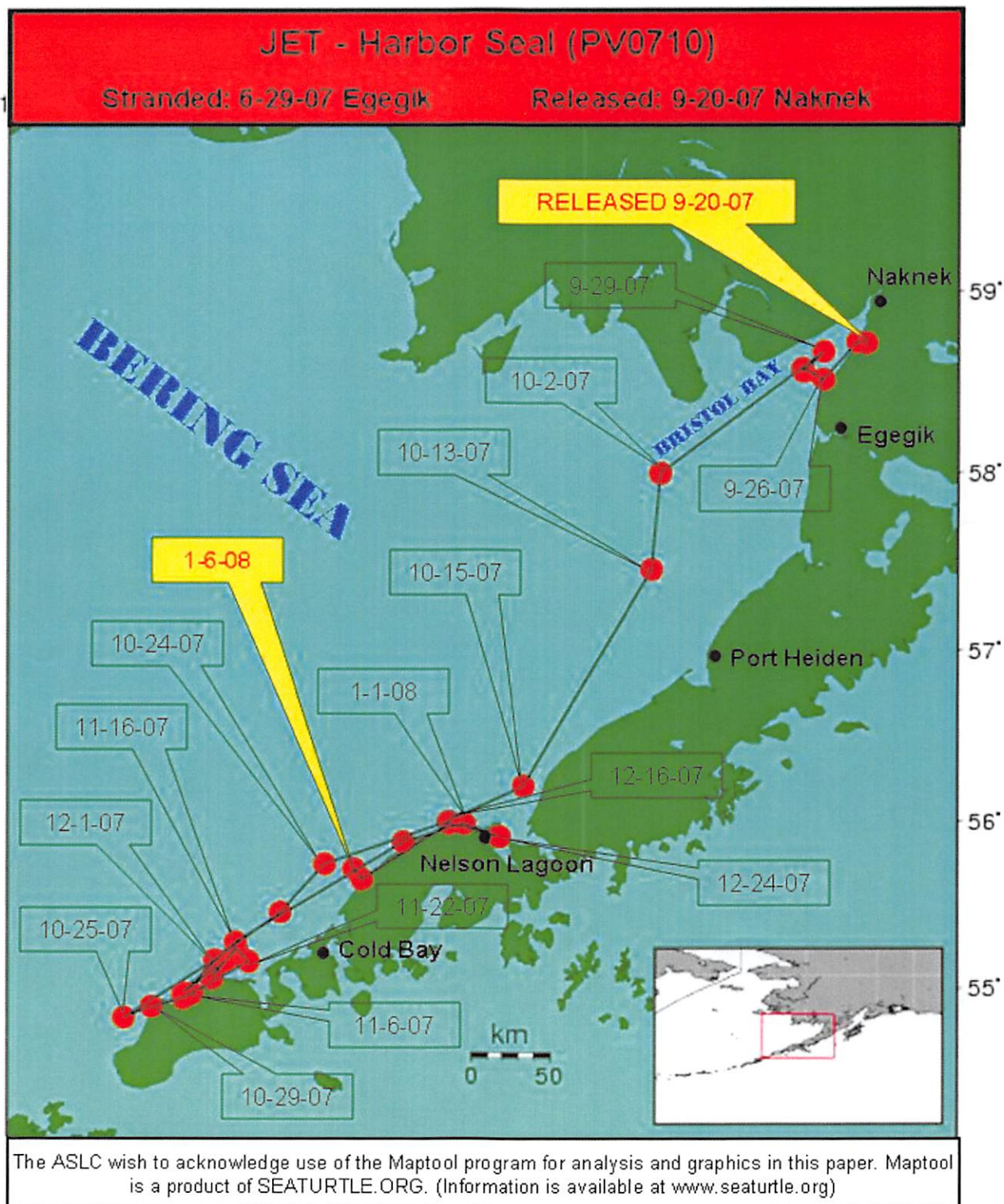
SCALE: 1:265000



Not For Navigation
Published: January 2004

Published at Seattle, Washington
National Oceanic and Atmospheric Administration
National Ocean Service
Office of Response and Restoration
Hazardous Materials Response Division

2007 collaboration of Bristol Bay Marine Mammal Council, SeaLife Center, Naknek Village Council of harbor seal release. Movements same as feeding per local Alaska Native knowledge.



October 7, 2008

North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr Chairman and Board,

My name is Frank Woods I am 43 years old and this is my first North Pacific Fisheries Management Council meeting. I am speaking on behalf of the Bristol Bay Native Association. The Bristol Bay Native Association is a Tribal Consortium, made up of 31 Tribes and is organized as a non-profit corporation to provide a variety of educational, social, economic and related services to the Native People of Bristol Bay.

I carry with me BBNA's resolution addressing the Nearshore Bristol Bay Trawl Closer Area the trawling that is taking place for yellow fin sole. Five main Village Councils from the area have also followed with similar resolutions. Listed are the Villages of Togiak, Twin Hills, Clarks Point, Aleknagik, Curyung Tribe (Dillingham), and a support letter from our chairman of the Nushagak Advisory Board. And here are their resolutions.

Healthy Eco-systems is what kept our people alive for hundreds of generations. This Nearshore Bristol Bay Trawl Closer as listed in 50CFR 679-B22 doc section (9) is listed backwards for this fishery. It is open from April 1st till June 15th (1200 hrs). This fishery threatens this eco-system. Our main livelihood in small rural communities has been and still is seasonal commercial fishing for halibut, salmon (kings, sockeyes, silvers, chums, pinks), herring and now extinct herring roe-on-kelp fishery. We also live a subsistence and traditional way of life. We would like to continue this way lifestyle and preserve our culture.

Since the seasonal trawl fishery opened in the Bristol Bay area, we have experienced a decrease of halibut, walrus, seals, clams, herring and herring roe-on-kelp we traditionally harvest. We have observed illegal trawl fishing when we are herring, halibut, and salmon fishing in the Togiak Bay Area. This fishery has displaced the CDQ halibut fisherman. This yellow fin trawl fishery takes all of the CDQ quota and more in the by catch of halibut. Over 100,000 lbs of bycatch halibut. CDQ fisherman on the other hand were only able to harvet 11,000 lbs when in years past they were able to catch over 100,000 lbs annually.

My traditional way of life includes harvesting year-round food resources from the land, water and air. They are all connected that is why I am here and you are here listening to me today. As a traditional hunter I have a concern for walrus, sealion and seal haulout disturbance as well as their bottom feeding areas in Bristol Bay. Primarily in the walrus haulout areas around Round Island, Hagemeister Island, Cape Peirce, Cape Newenham, and Cape Senavian. These areas should closed to any type of trawl fishing.

The federal law for subsistence priority shall forced here to protect the Pacific Walrus (may be listed a threatened species or species of concern) and stellar sea lion that is a threatened species already and we have to protect these at all costs.

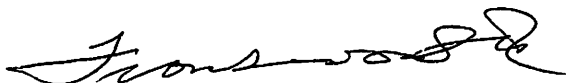
Local Bristol Bay residents are concerned that their traditional marine mammals and marine food species are becoming depleted due to the by catch and interception of this trawl fishery sweeping the bottom of the bay. The villages we would love to see this area closed year around.

If that can't be done back the opening up with science that this fishery isn't hurting our resources If at all possible this year. Starting now establish a 25-mile boundary beginning at the shoreline of Cape Newenham, Cape Pierce, Togiak Bay, 25 miles out from the tip of Hagemeister Island, 25 miles out from the farthest tip of Round Island, including shorelines of Kulukak Bay, Metervik Bay, Cape Constantine, Nushagak Bay, all along the Kvichak Bay, Naknek Bay, Egegik Bay, Cape Senivian walrus haulout down to the North Aleutian Basin. These are some of the concerns, and there is many more. I myself would like to continue my seasonal livelihood in and around Togiak, Kulukak, Metervik and Nushagak Bays.

In closing me and Frank Logusak were walking in the Stevens International Airport. Our Ancestors clothing are on display in glass cases. My 84 grandmother would have been proud to wear the clothing and tools of that time and era from them display cases. I would hate to see the subsistence foods in such display cases for my grand kids to look at though a glass case. And wish they could have them to live off of 20- 50 years from now.

Thank you for your time;.

Frank Woods
Subsistence Co-coordinator
Natural Resources Department
Bristol Bay Native Association
P.O. Box 310
Dillingham, AK 99576



10-7-08

Phone: 907-842-5257 ext. 342
Fax: 907-842-5932

**BRISTOL BAY NATIVE ASSOCIATION
P.O. BOX 310
DILLINGHAM, ALASKA 99576
(907) 842-5257
by Full Board of Directors**

Resolution 2008- 25

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA**

- WHEREAS:** The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS:** An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS:** The Bristol Bay Native Association is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS:** Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS:** BBNA tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS:** The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Bristol Bay Native Association Full Board of Directors urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

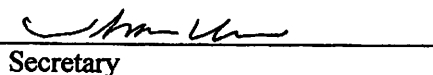
Signed:


President

CERTIFICATION:

I, the undersigned Recording Secretary of the Bristol Bay Native Association, hereby certify that the Board of Directors of the Bristol Bay Native Association passed the foregoing resolution on this 19th day of September, 2008, at a duly called and noticed meeting, and that a quorum was present.

Signed:


Secretary

CURYUNG TRIBAL COUNCIL RESOLUTION 2008 -- 20

A resolution to stop all trawling in the waters of Bristol Bay to trawling for Yellow Fin Sole

WHEREAS: The Curyung Tribe is a federally recognized Alaska Native Tribe serving its tribal members, 2500 strong and the community of Dillingham; and

WHEREAS: The Curyung Tribal Council is the federally recognized and duly elected governing body of the Curyung Tribe; and

WHEREAS: The Curyung Tribe is very concern with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place, in some years the halibut bycatch is more than the directed CDQ halibut fishery; and

WHEREAS: Curyung Tribal members are reporting conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area. In 2007 and 2008 these were reported to the National Marine Fisheries Service (NMFS); and

WHEREAS: The Curyung Tribe and its members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and

WHEREAS: The Curyung Tribe, its members, the North Pacific Fishery Management Council (NPFMC) and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery for these juvenile species and have closed all other waters of Bristol Bay to trawling; and

WHEREAS: The Curyung Tribe has known the waters that are being fished by the yellow fin sole fishermen in Bristol Bay, is also along the migratory path of caplin. The NPFMC has listed caplin as an important forage fish species for Stellar Sea lions. Caplin spawns in the Togiak district of Bristol Bay and migrates along the same path as our herring stocks, the Nushagak Peninsula.

NOW THEREFORE BE IT RESOLVED the Curyung Tribal Council formally requests the State of Alaska close all State waters within Bristol Bay to trawling. We also request the North Pacific Fisheries Management Council close adjacent Federal waters within Bristol Bay to trawling by May 2009.

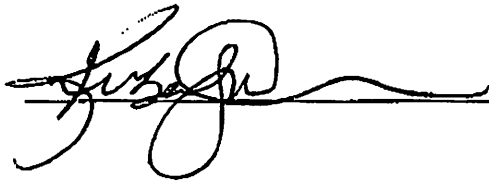
CERTIFICATION:

The foregoing resolution was passed by the Curyung Tribal Council on the 10th day of September, 2008 and that a quorum was present.



Thomas Tilden, 1st Chief

ATTEST:



Kimberly Williams, 3rd Chief



P. O. BOX 310 ♦ TOGIAK, ALASKA 99678
 Phn: (907) 493-5003 ♦ Fax: (907) 493 5005
 Email <tradecounciltogiak@starband.net>

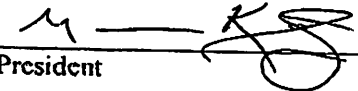
Resolution 2008 - 21

A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA

- WHEREAS: The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS: An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS: The Traditional Council of Togiak is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS: Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS: The Traditional Council of Togiak members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS: The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Traditional Council of Togiak urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:

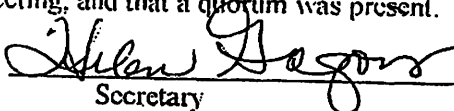


 President

CERTIFICATION:

I, the undersigned Recording Secretary of the Traditional Council of Togiak, hereby certify that the Council Members of the Traditional Council of Togiak passed the foregoing resolution on this 3rd day of October, 2008, at a duly called and noticed meeting, and that a quorum was present.

Signed:



 Secretary

Twin Hills Village Council

Resolution 2008- 08

A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA

- WHEREAS: The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS: An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS: The Twin Hills Village Council is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS: Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS: Twin Hills tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS: The NBBTA is also along the migratory route of herring and of capelin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Twin Hills Village Council urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:


John W. Sharp, President

CERTIFICATION:

I, the undersigned Recording Secretary of the Twin Hills Village Council, hereby certify that the Twin Hills Village Council passed the foregoing resolution on this 3rd day of October, 2008, at a duly called and noticed meeting, and that a quorum was present.

Signed:


Debbie Hoseth, Secretary

Aleknagik Traditional Council
P.O. Box 115
Aleknagik, AK 99555

Resolution 2008- 17

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA**

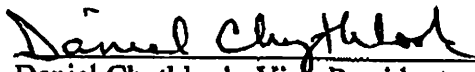
- WHEREAS:** The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS:** An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS:** The Aleknagik Traditional Council is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS:** Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS:** Aleknagik Traditional Council tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS:** The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Aleknagik Traditional Council urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

CERTIFICATION:

Passed and approved on this 1st day of October 2008.

SIGNED:


Daniel Chythlook, Vice-President

10-1-08
Date

ATTEST:


Fredrick Bartman, Council Member

10-1-08
Date

September 29, 2008

Mr. Eric Olson
Chairman, North Pacific Fisheries Management Council
605 W 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Mr. Olson,

Would you see to it that these concerns are expressed during the next NPFMC meeting in October.

I am the chairman of the Nushagak Advisory Committee (NAC) in Dillingham, Alaska. The local advisory committees in the state operate under the auspices of the Alaska Board of Game and Board of Fisheries. We are an advisory group that continues to pursue regulatory changes in Alaska Statute for the benefit of our representative area.

We not only represent Dillingham, but also Aleknagik, Portage Creek, Ekwok, New Stuyahok, Koliganek, Clarks Point, Manakotak, and also have a Togiak representative seated on our AC.

This letter is addressing a concern that has been somewhat of a thorn in our side for a few years, but not addressed. The Yellow fin Sole Fishery which operates seasonally from April 1- June 15 in the Near shore Bristol Bay Trawl Area (NBBTA) in the ground fish regulations at 50 CFR 679.

We acknowledge that this fishery has occurred annually for quite a few years. Participants say that it is a relatively clean fishery, but we think otherwise based on personal observations, testimony, and because we are concerned about by-catch of King salmon, halibut, herring and the impacts on walrus, sea lion, and other sea mammals found along the Nushagak Peninsula and near the Walrus Island sanctuary.

The last two years of our King salmon fishery has been an economic failure. The large forecasted runs of 2007 and 2008 did not materialize. Subsistence gathering was affected as well as commercial closures for the fishermen. After nearly a decade of closure and after only a few years of productive fishing, our King salmon run is in serious decline. Economic opportunity has been lost. What once was a thriving fishery is shut down. We believe by-catch could be the primary reason.

Our halibut fishermen used to fish successfully and do quite well after herring and before the salmon seasons. Especially within the last three years, our fishermen cannot harvest enough to even make expenses much less make a profit. Dozens of fishermen used to participate in the CDQ fishery but now very few even attempt the fishery because of catch failures. These fishermen have been economically disenfranchised. We firmly believe that by-catch "IS" the reason. Bristol Bay is a rearing place for immature halibut.

The proximity of the trawl fishery has impacted stocks that migrate through traditional fishing grounds.

We are concerned about our herring stocks. The trawl fleet operating in the NBBTA fishes very heavily during the out-migration of Togiak Herring stocks along the Nushagak Peninsula during latter April, May and until closure in June. This is when the Togiak Herring comes near-shore to spawn and then leave along the Nushagak Peninsula. Although ADF&G indicates that this stock is healthy, we think that this stock is in decline based on personal testimony of fishermen who participate in the fishery.

Herring fishermen have testified that the trawl fleet is targeting herring instead of yellow fin as they tow their nets right through the out-migrating herring.


One of our herring fishermen observing these activities up close and checking to see if they were fishing legally had his life threatened and sinking of his personal fishing vessel by one of the trawling captains while on his way home from the herring grounds postseason. This fisherman filed a complaint, but to date no enforcement action has been taken by any federal, state, or regulatory agency. This was witnessed by another friend accompanying him on another boat while traveling to Dillingham. Apparently there is some mix-up in regulatory language in the description of federal and state waters that needs to be cleaned up.

We are very concerned about the effects that this trawl fishery has on our resource. Our fishermen and communities are reeling from the extremely high cost of living, outrageous fuel prices, and facing economic hardship. Local businesses are impacted when fishermen do not do well. Local population is in decline as people are moving elsewhere to find jobs or where it is cheaper to get by.

The trawl fishery benefits mainly those who do not reside in the State of Alaska. This fishery is hampering our ability to make a living, raising our families, and living here in Bush Alaska.

We ask for the elimination of this fishery! Secondary would be a reduction of time and area. Another recommendation and one that makes more sense would be to move the fishery further offshore where it would have less impact on local fish stocks that our fishermen depend on.

Thank you for your consideration.


Hans Nicholson
Chairman-Nushagak AC
PO Box 163
Dillingham, Alaska 99576

Cc: Bristol Bay Native Association
ADF&G Board Support - Dillingham

**CLARKS POINT VILLAGE COUNCIL
P.O. BOX 90
CLARKS POINT, ALASKA 99576
(907) 236-1427**

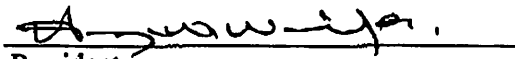
Resolution 2008- 10

**A RESOLUTION URGING THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
TO ELIMINATE THE NEARSHORE BRISTOL BAY TRAWL AREA**

- WHEREAS:** The NPFMC and the State of Alaska have long recognized the waters of Bristol Bay as a crab and halibut nursery and have closed most waters of Bristol Bay to trawl fishing; and
- WHEREAS:** An exception to the general ban is the Nearshore Bristol Bay Trawl Area (NBBTA), which is a seasonal yellow fin sole trawl fishery open from April 1 to June 15 in a rectangular area off the Nushagak Peninsula, and including both state and federal waters; and
- WHEREAS:** The Clarks Point Village Council is very concerned with the bycatch of halibut, herring and salmon along the Nushagak Peninsula where the yellow fin sole fishery takes place; in some years the halibut bycatch is more than the directed CDQ halibut fishery; and
- WHEREAS:** Local residents have reported conflicts between the CDQ longline halibut fishermen and the yellow fin sole fishermen who operate in the area; and
- WHEREAS:** Clarks Point Village Council tribal members have a heavy dependence of all near-shore marine mammals such as seals and walrus and the yellow fin sole trawl fishery takes place along the migratory path of these species; and
- WHEREAS:** The NBBTA is also along the migratory route of herring and of caplin, which is an important forage fish species for Stellar Sea lions.

NOW, THEREFORE, BE IT RESOLVED that the Clarks Point Village Council urges the North Pacific Fishery Management Council to close the Nearshore Bristol Bay Trawl Area.

Signed:



President

CERTIFICATION:

I, the undersigned Recording Secretary of the Clarks Point Village Council, hereby certify that the Village Council passed the foregoing resolution on this 30th day of September, 2008, at a duly called and special meeting, and that a quorum was present.

Signed:



Secretary

CLARKS POINT VILLAGE COUNCIL

BOX 90

CLARKS POINT, ALASKA 99569

WAIVER OF NOTICE SPECIAL MEETING SEPTEMBER 30, 2008

We the undersigned waive notice for special meeting to act on Resolution urging the North Pacific Fishery Management Council to eliminate the nearshore Bristol Bay Trawl Area.

By It Members on September 30, 2008.

<u>Harry W. Wassily Sr.</u>	<u>A. Wassily</u>
<u>Logan Walker</u>	
<u>Aunt George</u>	<u>George</u>
<u>Judy Ann George</u>	<u>Judy A. George</u>
<u>Joseph Wassily</u>	

September 30, 2008
North Pacific Council Members
Alaska

For the record my name is Kenneth Wilson from Dillingham. I hold a Bristol Bay Salmon Drift Permit, Herring Permit and have participated in the local Halibut fishery.

I hold a seat on our board local Nushagak Advisory Committee. I have been on this committee for 13 years and seen many changes.

I would like to address my concerns here in Bristol Bay and the Togiak area's where we have seen "Draggers" fishing for yellow fin sole near the shore Bristol Bay Trawl Area in the ground fish regulation at 50 CFR 679. This is happening during our Local BBEDC "Halibut fishery and during our Togiak herring fishery and is intercepting the migration of King Salmon into the Nushagak Bay. The King Salmon normal enter the Western part of Nushagak Bay by Cape Constantine. Not alone enter the Togiak district.

Marvin Kroener of Chugiak and I spotted herring from his airplane together for my boat and 2 others. He flew the airplane and I set all the boats. We both learned a lot during Togiak and Security Cove herring fishery. We covered Cape Constantine to Cape Newenham this is a huge area, we burned 30 drums of Aviation fuel each year during the Togiak herring fishery. We flew a average of 70 to 80 hours a week during the herring fishery. We knew what schools were yellow fin because yellow fin would disappear in once they sounded in shallow water. Herring didn't disappear in the shallows. We seen many schools of yellow fin sole along the Lower Nushagak Peninsula all the way to Kulukuk Bay which is the eastside of the Togiak District.

The herring are entering the Togiak area along the Cape Constantine anywhere from $\frac{1}{4}$ mile to 7 to 8 miles off shore. I have seen that pattern during my 8 years of Herring spotting during the Togiak herring Seine and gillnet fishery.

The migration pattern is from the Eastern of Cape Constantine and the Western part toward the Hagemister Strait and Cape Peirce. The herring also enter the Togiak Area in the middle between Cape Newenham and Cape Constantine.

Once the Togiak fishery is almost complete the herring leave the district with the same migration pattern as they came into Togiak.

My concerning is bycatch of Halibut and Salmon and Walrus and destroying the clam beds that the Walrus feed on.

- Nick Christensen local halibut fishermen have lost all his halibut lines to one of the Yellow Fin draggers. Nick had to come back to Dillingham and buy new halibut gear.
- This halibut fishery is now a failure you cannot make expenses and very few fishermen halibut fish since the 14 Draggers have been fishing for Yellow Fin fishery.
- We only had 6 openings here in the Nushagak in 2007 and 2100 King Salmon were caught far below are average since this fishery start. The 2008 King salmon fishery was a disaster here in the Nushagak River. I would say it will take a number of years to rebuild if this continues we may not see this re-build in our life time if nothing is done.
- The Draggers are now only using 30% observers in smaller vessels.
- This spring 2008 the coast guard came into Togiak, all the draggers were out of site. Once the coast guard left they came back in. We were winding down with our herring fishery when the coast guard helicopters flew over us and we seen the big coast guard ship off shore.
- This past spring I was threaten by one of the draggers fishing vessel "Tremont" this spring after I went in to see if they were legal. The captain of the "Tremont" threaten me over the radio that my boat would be scrape metal. My crew was very upset and I then speeded up my boat and got out of range to protect my crew and vessel. This happened in Federal Waters.
- I took pictures that I have given to Special Agent Amanda Crook from noaa. She said she could not do anything. I was surprised by her conclusion by I kept her email and made a copy for you. I also contacted the Governor's office word got around the State of Alaska shortly after. Yet nothing has been done.

- I still could bring the fishing vessel "Tremont" to court but all they would do is try and pay me off out of court. I feel that the Bristol Bay fishermen and subsistence users would gain more if we close the "small box" between Cape Newenham and Cape Constantine.
- This Yellow Fin fishery will destroy the ecosystem if not has already destroyed it. Everything follows the herring this is one of there main source of feed.

I feel that this yellow fin fishery is taking a big chance on our ecosystem and destroying the bottom.if not has already destroyed the bottom. It is only common sense to close this small box that these 14 Draggers are now destroying in Bristol Bay. Don't wait until it is to late act now and close this fishery.

Thank you.

Kenneth Wilson
Dillingham

DRAFT NPFMC THREE-MEETING OUTLOOK - updated 10/7/08

December 8, 2008 Anchorage, AK Hilton Hotel	February 2, 2009 Seattle, WA	March 30, 2009 Anchorage, AK
Report on MPA Nomination Process	SSL Draft Status Quo BiOp&EIS: Update on schedule	
GOA fixed gear LLP recency: Initial Review GOA P cod sector split: Initial Review		GOA fixed gear LLP recency: Final Action GOA P cod sector split: Final Action
Am 80 Cooperatives/Lost Vessels: Discussion Paper	Am 80 Cooperatives/Lost Vessels: Initial Review	Am 80 Cooperatives/Lost Vessels: Final Action
	GOA sideboards for AFA CVs: Discussion paper GOA P.cod sideboards for crab vessels: Initial Review (T)	GOA P.cod sideboards for crab vessels: Final Action (T)
AI Cod Processor Sideboards: Discussion Paper AI POP/Mackerel Processing Sideboards: Discussion Paper		
BSAI Crab Committee/Crew Proposals: Report/Action as necessary BSAI Crab 3-year Review: Receive report BSAI Crab 90/10 Amendment: Review Alternatives BSAI Crab EDR: Metadata & PNCIAC Report	BSAI Crab Regional Delivery Relief: Initial Review BSAI Crab 90/10 Amendment: Review Progress	BSAI Crab Regional Delivery Relief: Final Action (T) BSAI Crab 90/10 Amendment: Initial Review (T)
Comprehensive Data Collection: Committee Report	GOA Rockfish Program Changes: Discussion Paper	
Observer Program Restructuring: Discussion Paper	BSAI Fixed Gear Parallel Fisheries: Initial Review (?)	BSAI Fixed Gear Parallel Fisheries: Final Action (?)
BSAI Chum Salmon Bycatch: Discussion Paper	BSAI Chinook Salmon Bycatch: ICA progress/SSC review Committee Report	BSAI Chinook Salmon Bycatch EIS: Final Action
BS&AI P.cod Split: Update/action as necessary		
BS Bottom Trawl Sweeps: Discussion Paper (?)	BS Bottom Trawl Sweeps: Initial Review	BS Bottom Trawl Sweeps: Final Action
Arctic FMP: Progress Report to SSC	Arctic FMP: Final Action	
GOA Tanner & Chinook Bycatch: Discussion Paper		
Groundfish Specifications: Final Action	BSAI Skates Complex: Initial Review (T)	BSAI Skates Complex: Final Action (T)
EFH 5 Year Review: Discuss Draft Plan & Schedule	HAPC Review Criteria: SSC Recommendations	HAPC Process: Review/Discuss
AK Native/Community Outreach: Report & Action as nec (T)		Scallop Mgmt: Team report/review and approve SAFE

AI - Aleutian Islands
GOA - Gulf of Alaska
SSL - Steller Sea Lion
BOF - Board of Fisheries
FEP - Fishery Ecosystem Plan
CDQ - Community Development Quota
VMS - Vessel Monitoring System
NOI - Notice of Intent
(T) Tentatively scheduled

TAC - Total Allowable Catch
BSAI - Bering Sea and Aleutian Islands
IFQ - Individual Fishing Quota
GHL - Guideline Harvest Level
EIS - Environmental Impact Statement
LLP - License Limitation Program
SAFE - Stock Assessment and Fishery Evaluation
PSC - Prohibited Species Catch
HAPC - Habitat Areas of Particular Concern

Future Meeting Dates and Locations

December 8 - , 2008 in Anchorage
February 2 - , 2009 in Seattle
March 30 - , 2009 in Anchorage
June 1- , 2009 in Dutch Harbor
October 1- , 2009 in Anchorage (AP, SSC start on THURSDAY)
(Council on Saturday)