

Halibut Bycatch Listening Session Summary
November 29th, 2021
Teleconference

Attendees: Mary Peltola (Executive Director, Kuskokwim Inter-Tribal Fish Commission), Jaylene Wheeler (Kawerak, Inc.), Julie Raymond-Yakoubian (Social Science Program Director, Kawerak), Heidi Kritz (Program Coordinator, Bristol Bay Native Association), Jennifer Hooper (Director, Natural Resources Department at the Association of Village Council Presidents (AVCP)), Dr. Lauren Divine (ECO Director, Aleut Community of Saint Paul Island (ACSPI), Chris Tran (Pribilof Island Science Technician, ACSPI), Jeff Kauffman (ACSPI), Karen Pletnikoff (Program Manager, Aleutian Pribilof Islands Association (APIA)), Dan (Bristol Bay Halibut Fishermen)

NMFS Staff: Glenn Merrill (NMFS SF ARA; IPHC Commissioner), Anne Marie Eich (NMFS SF Deputy ARA; SF Ecosystem Branch Chief), Obren Davis (Tribal Engagement Team (TET) member), Allyson Olds (TET member; notetaker), Bridget Mansfield (NEPA coordinator; TET member), Kelly Cates (TET member; notetaker), Abby Jahn (TET member; notetaker), Molly Watson (NOAA GC)

Purpose of Meeting: An opportunity for NMFS to listen to concerns on halibut bycatch issues and to provide the time for Tribal representatives and NMFS to get to know each other. This is also a time for participants to learn how the consultation process works with the North Pacific Fishery Management Council (Council) cycle and where halibut abundance based management (ABM) is at in the Council cycle. This listening session is not a formal consultation. Notes prepared by NMFS staff.

Background: Council is considering making revisions to limit halibut bycatch. At the upcoming December meeting, Council final action is scheduled to revise PSC limits for the Amendment 80 fleet. The Council is considering a range of four alternatives (see the April 2021 Council [motion](#)). To come to a decision on a preliminary preferred alternative (PPA) for this action, the Council will consider economics, social, environmental, and resource (ecosystem) impacts¹. The Council will use the guide of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) for decision making.

Discussion:

Halibut bycatch

- Status of stock and best available science
 - Participants indicated directed fishery participants are catching less halibut and having to travel further to target fish
 - It is important to speak to the people directly affected by the decrease in halibut (i.e., subsistence users) and for NMFS to initiate outreach
 - The decrease in halibut is not only affecting the ability of halibut-dependent communities to fish, but is affecting overall morale and way of life
 - Increasing frequency of encounters with trawlers; these vessels should move further offshore

¹ See the Analysis document here: [September 2021 Draft Environmental Impact Statement \(DEIS\) for the Bering Sea and Aleutian Islands \(BSAI\) Halibut Abundance-Based Management \(ABM\) of Amendment 80 Prohibited Species Catch \(PSC\) Limit](#)

- NMFS highlighted analyses for halibut ABM consider the most up to date scientific information available. These analyses include the status of stock through the 2020 fishing year. During the rulemaking process, NMFS can include more recent information (i.e. 2021 fishing year). The agency will provide more information on the status of stock through the IPHC, which will be integrated into the final Environmental Impact Statement (EIS) prepared for this action.
- Reasons for halibut stock decline
 - NMFS suggested that the recent decline in the halibut stock may be due to poor recruitment since 2010, however there is not enough data to definitively say this is the reason
 - Participants suggested that the decline is due to halibut bycatch
- Recent [actions](#) on halibut bycatch
 - 2016; [Final Rule](#) implementing Amendment 111 to reduce halibut bycatch
 - 2019; [Final Rule](#) implementing halibut decksorting
 - 2021; Final Action on Pacific cod LAPP (includes provision for a 25% reduction of halibut PSC for trawl CV sector)
- Participants emphasized the importance of halibut conservation
 - In considering the scope of impacts, Council/NMFS needs to take into account communities that no longer fish.

Council Process/Analyses

- Participants asked why there are only 4 alternatives considered?
 - NMFS responded that they are driven by specific requirements in NEPA where action alternatives have to be tied to action. Council has evaluated this action over 5 years. The alternatives currently in place for this action are the ones that made it through the various stages of the analytic process.
- DEIS Analysis
 - Participants asked whether the analysis equitably weighs economic considerations with social, cultural and environmental concerns?
 - Participants asked whether all 17 tribal communities were contacted for input on DEIS and what weight were these communities that can no longer fish given vs fishing industry economic impacts?
 - Participants support a consultant for this and future DEIS analyses, with an emphasis that this person needs to reach out to affected communities directly.
 - This person should be invited to all consultations
- December Council Meeting
 - Final action of Halibut ABM
 - A preliminary preferred alternative will likely be chosen
 - NMFS does not favor an alternative at this time. There are ongoing conversations with Agency Headquarters and the Alaska Region is awaiting guidance.
 - This action does not preclude Council/NMFS from taking further action on halibut bycatch at future meetings
 - A summary of comments received on Halibut ABM will be given to the Council.
 - Public support for specific action alternatives and other measures will be highlighted to the Council
- Participants questioned why is ADF&G representation on the Council skewed toward

commercial fishing interests instead of equally representing subsistence views?

- Participants additionally questioned why NOAA/NMFS defers to ADF&G's Commercial Fisheries Division rather than following their own agency's mission statements/guiding principles of environmental stewardship?

Participant recommendations for improving engagement

- Holding a listening session right before final action is poor timing
 - This effort is last minute and counterproductive to relationship building
- Holding a listening session during the winter holiday season is also poor timing
 - Lack of participation does not reflect a lack of interest, people are unable to attend due to other responsibilities and time constraints
- Improve outreach to tribal governments and indigenous communities
 - It is challenging to contact NMFS
 - Initiate early engagement with communities and individuals who may be affected by a Council action
 - Relationship building and trust can be built by conducting early outreach and visiting communities to engage with individuals
 - There are challenges in determining which fishery actions will affect indigenous communities and how to distill relevant actions from the abundance of communication received (i.e. emails, letters, newsletters)
- When the agency sends out outreach letters, make it clear if consultation is being offered
- Previous letters sent out by NMFS on Halibut ABM were unclear as to intent and did not reach all affected groups
- Hire a NMFS or NMFS SF tribal liaison
 - Hire should be from an Alaskan fishing community and interested in engaging with people
- Create a working group
 - Create a space where tribal governments and representatives can review engagement strategies and offer suggestions for how to improve the agency's process

Overall Summary

- **All Tribal entities support Alternative 4 for final action on Halibut ABM**
 - **DEIS needs to consider impacts to all 17 affected halibut fishing communities**
- **Conservation of halibut resource is essential to the socioecological system**
- **NMFS should continue to improve how they engage in tribal consultations**