

North Pacific Fishery Management Council

David Benton, Chairman
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ADVISORY PANEL MINUTES January 11, 2001 Doubletree Hotel - Seattle Airport Seattle, Washington

Certified by

Date

04/13/01

Advisory Panel members in attendance:

Alstrom, Ragnar
Benson, Dave
Boisseau, Dave
Bruce, John (Chair)
Burch, Al
Cross, Craig
Ellis, Ben
Fields, Duncan
Fraser, David

Fuglvog, Arne
Henderschedt, John
Jones, Spike
Madsen, Stephanie (Vice Chair)
Norosz, Kris
Ridgway, Michelle
Steele, Jeff
Ward, Robert

Steller Sea Lion-related Management Issues

(a) Specifications

The AP recommended Tables 13 - 15 be corrected to reflect the 60/40 Pacific cod split for catcher processors and AFA catcher vessel sideboards. *Motion passed 17-0*

(b) Measures Related to Second Half of 2001

The AP recommends that the Council advise NMFS against making a commitment to the long-term experimental design at its present stage of development. We encourage NMFS to refine the experimental design and fishery management measures with the input of the myriad review teams and objective application of SSL conservation and research goals. Further, the AP recommends that NMFS dedicate staff and funding to initiate smaller-scale experiments and research designed to maximize the opportunity to address key unknowns about sea lion biology, fishery impacts, and ecosystem interactions.
Motion passed 17-0

(d) Schedule/Proposal for Independent Scientific Review of BiOp

The AP, after receiving information regarding the timeline proposed by the NAS, recommends the Council conduct the scientific review in consultation with NAS in developing parameters of the review and identifying qualified individuals to ensure the review is completed in time for the Council's related tasks.

MEMORANDUM

TO: Council and AP
FROM: Chris Oliver *Chris*
Acting Executive Director
DATE: January 10, 2001
SUBJECT: Steller sea lion related management measures

ACTION REQUIRED

- (a) Consult with NMFS on emergency rule, and specifications, for first half of 2001.
- (b) Discuss measures related to second half of 2001.
- (c) Discuss schedule for protective measures for 2002 and beyond (including role and timing of Council Committee).
- (d) Develop schedule and proposal for independent scientific review of BiOp and underlying hypotheses.

BACKGROUND

In December the Council reviewed the Biological Opinion (BiOp) and associated RPAs, and adopted the motion attached as Item (a). For reference, Council staff have summarized the basic elements of those RPAs in Item (b). Since the December meeting, a Congressional rider was attached to the appropriations bill which attempted to address Council and industry concerns regarding the BiOp and implementation of those RPAs. That language is attached as Item (c). Working with the Administration, NMFS has interpreted the provisions of that Congressional rider and will summarize the emergency rule which they intend to implement for the first half of this year, pursuant to that Congressional direction.

That emergency rule will be in effect for 180 days, at which time it could be rolled over as is for the latter half of 2001 (which could likely be done at the June meeting), or could be adjusted in certain areas by the Council (which would have to be done at the April meeting, or at a special May meeting). NMFS will provide further detail on the areas for possible adjustment and the criteria involved in those adjustments. Item (d) is the letter from NMFS describing this process, along with the proposed specifications for this year.

A formidable issue remains what to do for 2002 and beyond. Part B of the Council's motion from December involves review and analysis of the proposed RPAs compared to previous RPAs, as well as options in the 2000 draft Pacific cod EA/RIR/IRFA (and those proposed for analysis by the Council at the September 2000 meeting). This seems to feed directly into the overall amendment package which will be required for appropriate measures for 2002, without which the fishery would revert to the RPAs contained in the BiOp, according to the interpretation of the rider language. It seems that this analytical process has to begin concurrent with other initiatives and have a Council final decision by October to be in place for 2002, as it is apparent that a separate, additional consultation will have to occur on that amendment package. That process needs to be considered in the context of the parallel independent review in terms of its relationship and timing, as well as the work of the Council's RPA Committee (to be established after this meeting).

Item (e) is a draft summary of timelines of these different vectors for your reference and discussion. This is a very skeletal outline which does not detail all of the analytical and process related steps involved, but provides a general picture of the major vectors. In February we expect to provide you with more detail on these steps and a more definitive game plan for how to get all this done.

A key component of this overall picture is the independent review requested by the Council, the Congressional rider's language regarding the involvement of the National Academy of Science (NAS) in that review, and the \$2 million which is being provided directly to the Council to accommodate that review and other Steller sea lion related Council actions. The Council' Steering Committee has discussed this issue, particularly the involvement of the NAS and the timing of the completion of that review relative to other timelines. I have also discussed these issues directly with Susan Roberts of the NAS earlier this week. She, along with Elizabeth Clark from NMFS, will be here to discuss the NAS involvement with the Council this afternoon, and be available Saturday morning for additional discussions if necessary. Chairman Benton and I will also be in DC later this month for a Council budget meeting and have arranged, tentatively, for additional meetings with NAS as necessary. I have also discussed the availability of the \$2 million with appropriate NMFS personnel, and it appears it will not be a problem getting these funds available in time to facilitate the independent review.

Recall also that our SSC is conducting its review of the BiOp and will have detailed comments in February for Council consideration, which would likely be forwarded for consideration in the independent review. For your reference, Item (f) is a summary of the major questions raised by the SSC in previous meetings. We also have available for reference the complete SSC, AP, and Council minutes in this regard. The greatest dilemma at this points appears to be in the timing. A draft workplan from the NAS (Item (g)) proposes a brief, interim report seven months after receipt of funding, with a full in-depth report in 24 months. Obviously this will not fit the Council's schedule of events and we will need to discuss potential adjustments to this schedule, or an alternative approach to the NAS involvement in the independent review. Even with an expedited schedule, it may be unrealistic to expect the independent review to be completed in time to provide information to the Council for its action in April/May regarding the second half of 2001; however, we would certainly need that review to be completed in time to provide information for the more permanent action regarding 2002 and beyond.

Item (h) is a memo summarizing current recommendations from the Alaska Steller Sea Lion Restoration Team. Also for reference (Item (i)) is a matrix summarizing the sequence of RPA recommendations by the Council (and RPAs actually implemented by NMFS) since 1999. Additional materials, including letters received in our offices and full reports from the Restoration Team, are also in your packet.