


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver 
Executive Director

ESTIMATED TIME 2 HOURS

DATE: May 20, 2002

SUBJECT: Programmatic Groundfish SEIS

ACTION REQUIRED

- (a) Clarify Purpose and Needs Statement.
- (b) Review alternatives for revised analysis.

BACKGROUND

At the February meeting, the Council adopted a revised purpose and needs statement for the SEIS, and a set of eight alternatives for further consideration. Further it was clarified that the intent was to amend the FMPs policy goals and objectives pursuant to MSA, and that alternatives are alternative amendments for FMP goals and objectives. The Council requested that NMFS continue to work with interested stakeholders to further refine the policy alternatives. In addition, the Council requested that NMFS further develop the case studies and a description of the proposed analytical framework for review at the April Council meeting.

In April, the Council consolidated the eight alternatives developed in February into four policy alternatives, as described in Attachment C-5(a). Each alternative to the status quo would also include two FMP-like examples that will serve as bookends to an FMP framework within which future project level management decisions will be made. This means that in the final Record of Decision (ROD) document, the Council will select a preferred alternative that could contain an amendment to the FMP's policy goals and objectives. In addition, the Council would also be committing to amending its FMPs on a time schedule developed by the Council (in the ROD) in a manner consistent with the FMP framework. Developing two FMP bookends for each alternative to status quo would allow the Council to seriously consider potential FMP actions that would be further developed by the Council as follow-on amendments relying on its normal FMP decision making process. The time schedule for developing any follow-on amendments would be determined after the Council has constructed its preferred alternative, reviewed data requirements and public comment, and prioritized its policy objectives.

We requested public comments on the draft alternatives and FMP bookends, and copies of these comments are attached. Steve Davis, project leader, will provide a set of revised alternatives and bookends for the Council to review at this meeting. The Council will finalize the PSEIS alternatives and forward them on to NMFS for analysis at this meeting.

COUNCIL AND NMFS SOLICIT PUBLIC COMMENT ON THE CURRENT DRAFT ALTERNATIVES

At the April 16, 2002 North Pacific Fishery Management Council meeting, NMFS recommended four policy alternatives for the revised draft programmatic SEIS for the Alaska Groundfish Fisheries. Each alternative to the status quo would include two FMP-like examples that will serve as bookends to an FMP framework within which future project level management decisions will be made.

The Council wishes to finalize the PSEIS alternatives and forward them to NMFS for analysis at its June 2-11, 2002 meeting. Since the meeting is scheduled to be held in Dutch Harbor, Alaska, both the Council and NMFS are encouraging the public to submit written comments prior to the meeting. These comments will be reviewed and used in finalizing the alternatives for analysis.

Written comments should be mailed so they arrive no later than May 22, 2002 to ensure they are included in the meeting briefing books. Comments on the draft alternatives should be sent to both NMFS and the Council.

Dave Benton, Chairman
North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, AK 99510
Fax: (907) 271-2817

Dr. Jim Balsiger, Regional Administrator
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668
Fax: (907) 586-7249

If you have any questions, please contact Steve Davis, NMFS, at (907) 271-3523. For further information regarding the evolution of alternatives for the second draft, please refer to the project newsletters located on this site.

ALTERNATIVE 1(a)

Current BSAI Policy Statement (same as original 1979 FMP)

Section 3.2 of Bering Sea/Aleutian Islands FMP

Goals for Management Plan

The North Pacific Fishery Management Council has determined that all its fishery management plans should, in order to meet the requirements of its constituency, the resources and FCMA, achieve the following goals:

1. Promote conservation while providing for the optimum yield from the Region's groundfish resource in terms of: providing the greatest overall benefit to the nation with particular reference to food production and recreational opportunities; avoiding irreversible or long-term adverse effects on the fishery resources and the marine environment; and insuring availability of a multiplicity of options with respect to the future uses of these resources.
2. Promote, where possible, efficient use of the fishery resources but not solely for economic purposes.
3. Promote fair and equitable allocation of identified available resources in a manner such that no particular group acquires an excessive share of the privileges.
4. Base the plan on the best scientific information available.

In accomplishing these broad objectives a number of secondary objectives have been considered:

1. Conservation and management measures have taken into account the unpredictable characteristics of future resource availability and socioeconomic factors influencing the viability of the industry.
2. Where possible, individual stocks of fish are managed as a unit throughout their range, but such management is in due consideration of other impacted resources.
3. In such instances when stocks have declined to a level below that capable of producing MSY, management measures promote the rebuilding the stocks. In considering the rate of rebuilding, factors other than biological considerations have been taken into account.
4. Management measures, while promoting efficiency where practicable, are designed to avoid disruption of existing social and economic structures where fisheries appear to be operating in reasonable conformance with the Act and have evolved over a period of years as reflected in community characteristics, processing capability, fleet size and distribution. These systems and the resources upon which they are based are not static, but change in the existing regulatory regime should be the result of considered action based on data and public input.
5. Management measures should contain a margin of safety in recommending allowable biological catches when the quality of information concerning the resource and ecosystem is questionable. Management plans should provide for accessing biological and socioeconomic data in such instances where the information base is inadequate to effectively establish the biological parameters of the resource or to reasonably establish optimum yield. This plan has identified information and research required for further plan development.
6. Fishing strategy has been designed in such a manner as to have minimal impact on other fisheries and the environment.

Current GOA Policy Statement (adopted through Amendment 14 in 1985)**Section 2.1 of GOA FMP Goals and Objectives for Management of Gulf Groundfish Fisheries**

The North Pacific Fishery Management Council (NPFMC or the Council) is committed to develop long-range plans for managing the Gulf of Alaska groundfish fisheries that will promote a stable planning environment for the seafood industry and will maintain the health of the resource and the environment for the seafood industry and will maintain the health of the resource and the environment. In developing allocations and harvesting systems, the Council will give overriding considerations to maximizing economic benefits to the United States. Such management will:

1. Conform to the National Standards and to the NPFMC Comprehensive Fishery Management Goals.
2. Be designed to assure that to the extent possible:
 1. Commercial, recreational, and subsistence benefits may be obtained on a continuing basis.
 2. Minimize the chances of irreversible or long-term adverse effects on fishery resources and the marine environment.
 3. A multiplicity of options will be available with respect to future use of the resources.
 4. Regulations will be long-term and stable with changes kept to a minimum.

Principal Management Goal. Groundfish resources of the Gulf of Alaska will be managed to maximize positive economic benefits to the United States, consistent with resource stewardship responsibilities for the continuing welfare of the Gulf of Alaska living marine resources. Economics benefits include, but are not limited to, profits, benefits to consumers, income and employment.

To accomplish this goal, a number of objectives will be considered:

- Objective 1:** The Council will establish annual harvest guidelines, within biological constraints, for each groundfish fishery and mix of species taken in that fishery.
- Objective 2:** In its management process, including the setting of annual harvest guidelines, the Council will account for all fishery-related removals by all gear types for each groundfish species, sport fishery and subsistence catches, as well as by directed fisheries.
- Objective 3:** The Council will manage fisheries to minimize waste by:
1. Developing approaches to treating bycatches other than as a prohibited species. Any system adopted must address the problems of covert targeting and enforcement.
 2. Developing management measures that encourage the use of gear and fishing techniques that minimize discards.
- Objective 4:** The Council will manage groundfish resources of the Gulf of Alaska to stimulate development of fully domestic fishery operations.
- Objective 5:** The Council will develop measures to control effort in a fishery, including systems to convert the common property resource to private property, but only when requested to do so by industry.
- Objective 6:** Rebuilding stocks to commercial or historic levels will be undertaken only if the benefits to the United States can be predicted after evaluating the associated costs and benefits and the impacts on related fisheries.
- Objective 7:** Population thresholds will be established for economically viable species complexes under Council management on the basis of the best scientific information, and acceptable biological catches (ABCs) will be established as defined in this document. If population estimates drop below these thresholds, ABC will be set to reflect necessary rebuilding as determined in Objective 6.

ALTERNATIVE 1(b)**Management Approach**

Continue to work toward the goals of maintaining sustainable fisheries, protecting threatened and endangered species, and to protect, conserve, and restore living marine resource habitat through existing institutions and processes. Continue to manage the groundfish fisheries through the current risk averse conservation and management program that is based on a conservative harvest strategy. Under this management strategy, fishery impacts to the environment are mitigated as scientific evidence indicates that the fishery is adversely impacting the ecosystem. Management decisions will utilize the best scientific information available; the management process will be adaptive to new information and reactive to new environmental issues; incorporate and apply ecosystem-based management principles; consider the impact of fishing on predator-prey, habitat, and other important ecological relationships; maintain the statutorily mandated programs to reduce excess capacity and the race-for-fish; draw upon federal, state, and academic capabilities in carrying out research, administration, management, and enforcement; and consider the effects of fishing and encourage the development of practical measures that minimize bycatch and adverse effects of essential fishing habitat. This strategy is based on the assumption that fishing does produce some adverse impact on the environment and that as these impacts become known, mitigation measures are developed and FMP amendments are implemented. Issues will be addressed as they ripen and are identified through Council staff tasking and research priorities. The Council will continue to use the National Standards as its guide in practicing adaptive management and responsible decision making and to consistently amend FMPs accordingly. To meet the goal of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Adopt conservative harvest levels for single species fisheries and specify Optimum Yield (OY). [M, MSA-NS1; NAS SF]
2. Continue to use existing OY cap for BSAI and GOA groundfish fisheries.
3. Provide for adaptive management by continuing to specify OY as a range. [M, MSA to set OY; D to set as range]

Preserve Food Web:

4. Incorporate ecosystem considerations into fishery management decisions. [NAS SF]
5. Continue to protect the integrity of the food web through limits on harvest of forage species.

Reduce and Avoid Bycatch:

6. Continue current bycatch management program.
7. Continue to manage bycatch through seasonal distribution of TAC and geographical gear restrictions.
8. Continue to account for bycatch mortality in monitoring annual TACs.
9. Control the bycatch of prohibited species through PSC limits.
10. Continue program to require full utilization of target species.
11. Continue to respond to evidence of population declines by closing areas and implementing gear and seasonal restrictions in affected areas.

Avoid Impacts to Seabirds and Marine Mammals:

12. Continue to cooperate with USFWS to protect ESA-listed and other seabird species. [M, ESA - listed species; D, other species]
13. Maintain current protection measures in order to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]

Reduce and Avoid Impacts to Habitat:

14. Respond to new scientific information regarding areas of critical habitat by closing those regions to all fishing (i.e., no-take marine reserves such as Sitka Pinnacles).
15. Evaluate the impacts of trawl gear on habitat through the stepwise implementation of a comprehensive research plan, to determine appropriate habitat protection measures.
16. Continue to evaluate candidate areas for marine protected areas. [EO 13158]

Allocation Issues:

17. Continue to reduce excess fishing capacity, overcapitalization and the adverse effects of the race for fish. [M, SFA to continue AFA Pollock cooperative program; D, other programs; NAS SF]
18. Provide economic and community stability by maintaining current allocation percentages to harvesting and processing sectors.

Increase Alaska Native Consultation:

19. Continue to incorporate traditional knowledge in fishery management.
20. Continue current levels of Alaska Native participation and consultation in fishery management. [EO 13084]

Data Quality, Monitoring and Enforcement:

21. Continue the existing reporting requirements and Observer Program to provide catch estimates and biological information.
22. Continue on-going effort to improve community and regional economic impact assessments.
23. Increase the quality of monitoring data through improved technological means.

ALTERNATIVE 2**Management Approach**

Amend the current FMPs to establish a more aggressive harvest strategy while still preventing overfishing of target groundfish stocks. The goal would be to maximize biological and economic yield from the resource. Such a management approach will be based on the best scientific information available, take into account individual stock and ecosystem variability; involve and be responsive to the needs and interests of affected states and citizens; continue to work with state and federal agencies to protect threatened and endangered species; maintain the statutorily mandated programs to reduce excess capacity and the race-for-fish; draw upon federal, state, and academic capabilities in carrying out research, administration, management, and enforcement; and consider the effects of fishing and encourage the development of practical measures that minimize bycatch and adverse effects of essential fishing habitat. This strategy is based on the assumption that fishing does not have an adverse impact on the environment except in specific cases as noted. To meet the goal of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Prevent overfishing by setting an Optimum Yield (OY) cap at the sum of OFL or the sum of the ABCs for each species.
2. Provide for adaptive management by continuing to specify OY as a range. [M - MSA to set OY; D - to set as range]

Preserve Food Web:

(none)

Reduce and Avoid Bycatch:

3. Monitor the bycatch of prohibited species but eliminate PSC limits.
4. Manage bycatch through closure areas for selected gear types.
5. Initiate scientific review to examine whether existing closed areas achieve protection goals.

Avoid Impacts to Seabirds and Marine Mammals:

6. Cooperate with USFWS to protect ESA-listed seabird species. [M, ESA]
7. Maintain current protection measures to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]

Reduce and Avoid Impacts to Habitat:

8. Evaluate the impacts of trawl gear on habitat through the implementation of the existing research plan, identify EFH, and determine appropriate habitat protection measures.
9. Continue to evaluate candidate areas for marine protected areas. [EO 13158]

Allocation Issues:

10. Maintain AFA and CDQ program as authorized by MSA. [M, SFA to continue AFA Pollock cooperative program; D other programs; NAS SF]

Increase Alaska Native Consultation:

11. Continue to incorporate traditional knowledge in fishery management.
12. Continue current levels of Alaska Native participation and consultation in fishery management.

Data Quality, Monitoring and Enforcement:

13. Continue the existing reporting requirements to provide catch estimates and biological information.
14. Continue on-going effort to improve community and regional economic impact assessments.
15. Repeal the Observer Program.

ALTERNATIVE 3

Management Approach

Accelerate precautionary management measures through community or rights-based management, ecosystem management principles, increased habitat protection and additional bycatch constraints. This policy objective seeks to provide sound conservation of the living marine resources; provide socially and economically viable fisheries and fishing communities, minimize human caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem considerations into management decisions. This policy recognizes the need to balance many competing uses of marine resources and different social and economic goals for fishery management. This policy will utilize and improve upon existing processes to involve a broad range of the public in decisionmaking. Further, these objectives seek to maintain the balanced goals of the MSA and other MSA provisions, the National Standards and the requirements of other applicable law, based on the best scientific information available. This policy takes into account the National Academy of Science's Sustainable Fisheries Policy Recommendations. Under this approach, more conservative mitigation measures will be taken to respond to social, economic or conservation needs, or if scientific evidence indicates that the fishery is negatively impacting the environment.

Prevent Overfishing:

1. Adopt conservative harvest levels for single species fisheries.
2. Provide for adaptive management by continuing to specify OY as a range. [M - MSA to set OY; D - to set as range]
3. Initiate a scientific review of the adequacy of the existing OY range and implement improvements accordingly. [D, MSA]
4. Continue to collect scientific information and improve upon MSSTs including obtaining biological information necessary to move Tier 4 species into Tiers 1-3 in order to obtain MSSTs.

Preserve Food Web:

5. Incorporate ecosystem considerations into fishery management decisions. [NAS SF]
6. Develop indices of ecosystem health as targets for management. [EPAP]
7. Develop a conceptual model of the food web. [EPAP]
8. Improve the procedure to reduce ABCs in order to account for uncertainty and ecosystem factors such as predator-prey relationships and regime shifts.
9. Initiate a research program to identify the habitat needs of different species that represent the significant food web. [EPAP]

Reduce and Avoid Bycatch:

10. Continue and improve current bycatch management program.
11. Developing incentive programs for bycatch reduction.
12. Initiate research program to evaluate current population estimates for non-target species with a view to setting bycatch limits as information becomes available.
13. Evaluate current population estimates for non-target species and their vulnerability by region in order to select species for necessary bycatch limits.
14. Continue program to reduce discards by developing management measures that encourage the use of gear and fishing techniques that reduce discards.

Avoid Impacts to Seabirds and Marine Mammals:

15. Continue to cooperate with USFWS to protect ESA-listed and other seabird species. [M, ESA - listed species; D, other species]
16. Initiate joint research program with USFWS to evaluate current population estimates for all seabird species that interact with the groundfish fisheries.
17. Maintain current protection measures in order to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]
18. Initiate research programs to review status of other marine mammal stocks and fishing interactions (right whales, sea otters, etc.).

Reduce and Avoid Impacts to Habitat:

19. Develop goals, objectives and criteria and then establish a system of marine protected areas and no-take marine reserves distributed over a range of habitat types and geographic areas to maintain abundance, diversity, and productivity of marine organisms. [NRC MPA; EO 13158]
20. Develop a research program to identify regional baseline habitat information and mapping.
21. Evaluate the impacts of all gear on habitat through the implementation of a comprehensive research plan, to determine appropriate habitat protection measures.
22. Identify and designate EFH and HAPC.

Allocation Issues:

23. Provide economic and community stability to harvesting and processing sectors through fair allocation of fishery resources.
24. Maintain LLP program and further decrease excess fishing capacity and other adverse effects of the race for fish by extending programs such as community or rights-based management to all groundfish fisheries. [NAS SF]
25. Provide for adaptive management by periodically evaluating the effectiveness of rationalization programs and the allocation of property rights based on performance.
26. To support fishery management, extend the cost recovery program to all groundfish fisheries.

Increase Alaska Native Consultation:

27. Continue to incorporate traditional knowledge in fishery management.
28. Initiate a research study to collect traditional knowledge from communities, and include information in fishery management.
29. Increase Alaska Native participation and consultation in fishery management.

Data Quality, Monitoring and Enforcement:

27. Increase the utility of groundfish fishery observer data for the conservation and management of living marine resources, and address the equity problems of the current funding mechanism.
28. Improve groundfish Observer Program.
29. Improve community and regional economic impact assessments through increased data reporting requirements.
30. Increase the quality of monitoring data through improved technological means.
31. Establish a coordinated, long-term ecosystem monitoring program to collect baseline information and compile existing information from a variety of ongoing research initiatives.
32. Adopt the recommended research plan included in this document.
33. Cooperate with research institutions such as the North Pacific Research Board in identifying research priorities to address pressing fishery issues.

ALTERNATIVE 4**Management Approach**

Adopt a highly restrictive approach to scientific uncertainty in which the burden of proof is shifted to the user of the resource to demonstrate that the intended use will not have a detrimental effect on the environment. Modify restrictive conservation and management measures as additional, reliable scientific information becomes available. Establish a fishery conservation and management program to maintain ecological relationships between exploited, dependent and related species as well as ecosystem processes that sustain them.

Management decisions assume that science cannot eliminate uncertainty and that action must be taken in the face of large uncertainties, guided by policy priorities and the strict interpretation of the precautionary principle. Management decisions will involve and be responsive to the public but minimize industry and community concerns; incorporate and apply strict ecosystem principles; address the impact fishing on predator-prey, habitat and other important ecological relationships in the marine environment; draw upon federal, state, academic and other capabilities in carrying out research, administration, management, and enforcement; implement measures that avoid or minimize bycatch; and include the use of explicit allocative or cooperative programs to reduce excess capacity and allocate fish to particular gear types and fisheries. This strategy is based on the assumption that fishing does produce adverse impacts on the environment but due to lack of information and uncertainty, we know little about these impacts. This strategy would result in a number of significant changes to the FMPs that would significantly curtail the groundfish fisheries until more information is known about the frequency and intensity of fishery impacts upon the environment. Expanded research and monitoring programs will fill critical data gaps. Once more is known about fishery effects on the ecosystem, scientific information will be used to modify and relax the precautionary measures initially adopted. To meet the goals of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Prevent overfishing by transitioning from single-species to ecosystem-oriented management of fishing activities.
2. Close an additional 20-50% of known spawning areas of target species across the range of the stock to protect the productivity and genetic diversity.

Preserve Food Web:

3. Develop and implement a Fishery Ecosystem Plan through the modification or amendment of current FMPs. [EPAP, NRC]
4. Conserve native species and biological diversity at all relevant scales of genetic, species, and community interactions.
5. Reduce the ABC to account for uncertainty and ecological considerations for all exploited stocks, including genetic, life history, food web and habitat considerations.
6. Set fishing levels in a highly precautionary manner to preserve ecological relationships between exploited, dependent, and related species.

Reduce and Avoid Bycatch:

7. Include bycatch mortality in TAC accounting and improve the accuracy of mortality assessments for target, non-target, and PSC bycatch, including unobserved mortality.
8. Increase the accuracy of bycatch mortality assessments by accounting for unobserved mortality of target, non-target, and PSC.
9. Reduce bycatch, discards and PSC limits (e.g., by 10%/year for five years).
10. Phase out fisheries with >25% bycatch rates.
11. Establish PSC limits for salmon, crab and herring in the Gulf of Alaska.
12. Set stringent bycatch limits for vulnerable non-target species based on best available information.

Avoid Impacts to Seabirds and Marine Mammals:

13. Set protection measures immediately for all seabird species and cooperate with USFWS to develop fishing methods that reduce incidental takes to levels approaching zero for all vulnerable, threatened or endangered species.
14. Initiate joint research program with USFWS to evaluate current population estimates for all seabird species that interact with the groundfish fisheries and modify protection measures based on research findings.
15. Increase existing protection measures for ESA-listed Steller sea lions by further restricting gear in critical habitat and setting more conservative harvest levels for prey base species.

Reduce and Avoid Impacts to Habitat:

16. Zone and delimit fishing gear use in the action area and establish no-take marine reserves (both pelagic and nearshore) encompassing 20-50% of management areas to conserve EFH, provide refuges from fishing, serve as experimental controls to test the effects of fisheries, protect genetic and biological diversity, and foster regeneration of depleted stocks in fished areas.
17. To protect habitat and reduce bycatch, prohibit trawling in fisheries that can be prosecuted with more selective gear types and establish trawl closure areas.
18. Manage fisheries in an explicitly adaptive manner to facilitate learning (including large no-take marine reserves that provide experimental controls).
19. Protect marine habitats, including EFH, HAPC, ESA-designated critical habitats and other identified habitat types.
20. Commit to funding a comprehensive research plan in order to provide baseline habitat atlas.

Allocation Issues:

21. Reduce excess fishing capacity and employ equitable allocative or cooperative programs to end the race for fish, reduce waste, increase safety, and promote long-term stability and benefits to fishing communities.

Increase Alaska Native Consultation:

22. Utilize traditional knowledge in fishery management, including monitoring and data-gathering capabilities, through co-management and cooperative research programs.
23. Increase participation of and consultation with Alaska Native subsistence users and explicitly address the direct, indirect and cumulative fishery impacts on traditional subsistence uses and cultural values of living marine resources.

Data Quality, Monitoring and Enforcement:

24. Increase the precision of observer data through increased observer coverage and enhanced sampling protocols, and address the shortcomings of the current funding mechanism by implementing either a federally funded or equitable fee-based system for a revamped Observer Program Research Plan.
25. Improve community and regional economic impact assessments through increased data reporting requirements.
26. Improve enforcement and in-season management through improved technological means.
27. Establish a coordinated, long-term monitoring program to collect baseline information and better utilize existing research information to improve implementation of the Fishery Ecosystem Plan.
28. Adopt the recommended research plan included in this document.

KEY:

ABC	Acceptable Biological Catch
AFA	American Fisheries Act
BSAI	Bering Sea and Aleutian Islands
D	Discretionary (if no indication, action is discretionary)
EFH	Essential Fish Habitat
EO	Executive Order
EPAP	Ecosystem Principles Advisory Panel Recommendations on Ecosystem-Based Management
ESA	Endangered Species Act
FCMA	Fishery Conservation and Management Act (now called the Magnuson Stevens Act)
FMP	Fishery Management Plan
GOA	Gulf of Alaska
HAPC	Habitat Areas of Particular Concern
IR/U	Improved Retention/Improved Utilization
M	Mandatory
MSA	Magnuson Stevens Fishery Conservation and Management Act
MSA NS#	MSA National Standard #
MSST	Minimum Stock Size Threshold
MSY	Maximum Sustainable Yield
NAS SF	National Academy of Sciences Policy Recommendations for Sustainable Fisheries
NMFS	National Marine Fisheries Service
NMFS BYC	NMFS National Bycatch Plan
NPFMC	North Pacific Fishery Management Council
NRC	National Research Council
NRC MPA	National Research Council Marine Protected Areas Report
OFL	Overfishing Level
OY	Optimum Yield
PSC	Prohibited Species Catch
SFA	Sustainable Fisheries Act
TAC	Total Allowable Catch
USFWS	U.S. Fish and Wildlife Service

COMPARISON OF FMP FRAMEWORKS FOR REVISED ALTERNATIVES

	Alt 1		Alt 2		Alt 3		Alt 4		
	1		2.1	2.2	3.1	3.2	4.1	4.2	
TAC-setting Process	- set ABC < OFL - sum of TAC has to be within OY range		- set ABC = OFL - sum of TAC has to be within OY range	↔ - set ABC < OFL ↔ same as 2.1	- set ABC < OFL - set TAC = ABC for all targets and "other spp."	↔ same as 3.1 ↔ same as 3.1	- set F ₁₅ for prey species (pollock, Atka mackerel, P.cod) as per CCAMLR	↔ TAC = 0 for all species unless fisheries are proven to have no adverse effect on the environment	
	- OY range for BSAI and GOA; BSAI OY cap: if the sum of TAC > 2 mill mt then TAC will be adjusted down		- OY = sum of OFL (OY cap changes every year)	↔ - OY = sum of ABCs (OY cap changes every year)	- OY = sum of ABCs (OY cap established but changing every year)	↔ - ABC and TAC are fisheries specific, must fall within OY range for species	- harvest strategy should be based on species-specific targets where possible	- set F ₂₀₋₃₀ for vulnerable (e.g. long-life, slow-growing) species	↔ TAC = 0 for all species
	- ABC tier system where F ₂₀ is maximum permissible for stocks without estimate of MSY		No tier system OFL Management	↔ No changes from Alt 1	- Review F ₂₀ and adopt ABC tier system where F ₂₀ is maximum permissible for stocks without estimate of MSY	↔ - B ₂₀ rule for prey species	- B ₂₀ rule for prey species	- set F ₇₅ for prey species	↔ TAC = 0 for all species
	- B ₂₀ rule for prey species (amendment 70)		No Amendment 70		- TAC = 0 for forage fish (forage fish ban)	↔ same as 3.1	- develop a method to establish MSSTs for all target stocks	- TAC = 0 for forage fish (forage fish ban)	↔ TAC = 0 for all species
	- specify MSSTs for Tier 1-3 stocks		No forage fish ban		- develop a method to establish MSSTs for all target stocks	↔ - develop a method to establish MSSTs for all possible stocks		- adopt MSSTs appropriate to the harvest policy for each stock, with B ₂₀ as the limit (rather than the target)	
- set group TAC for "other species"		No changes from Alt 1	↔ No changes from Alt 1	- break sharks and skates out of "other species" group for TAC setting (Amendment 63/63)	↔ - break sharks and skates and additional groups out of "other species" group for TAC setting	↔ - develop criteria for breaking out a species from a species complex	- Least Abundant Species Aggregate TAC: o.g., TAC of species complex is based on the TAC of the least abundant member of the group	↔ TAC = 0 for all species	
- incorporate uncertainty into stock assessment on an individual analyst basis - no formal procedure		OFL Management only	↔ No changes from Alt 1	- conduct F ₁₅ review and adopt appropriate measures	↔ - develop and implement guidelines for procedures to account for uncertainty in estimating ABC		- incorporate survey variance and uncertainty in ABC by a survey coefficient of variation for each stock		
- develop ecosystem indicators for future use in TAC-setting		No ecosystem indicators	↔ No changes from Alt 1	- develop criteria for identifying ecosystem indicators for future use in TAC-setting	↔ - adopt and use ecosystem indicators in TAC-setting		- evaluate a range of ABCs using the lower bound of a confidence limit to address uncertainties in stock assessment advice		
Bycatch Restrictions	- PSC limits for herring, crab, halibut and salmon in BSAI, and for halibut in GOA		- eliminate PSC limits	↔ - adjustable PSC limits based on a percentage and annual stock status**	- BSAI: Reduce PSC limits for herring, crab, halibut and salmon to the extent practicable (0-10%) - GOA: Establish PSC limits on salmon and crab based on 5-year average bycatch rate; reduce GOA halibut PSC limit 0-10%	↔ - BSAI: Reduce PSC limits for herring, crab, halibut and salmon to the extent practicable (10-30%) - GOA: Establish PSC limits on salmon and crab based on 5-year average bycatch rate, reduce by 0-10%; reduce GOA halibut PSC limit 10-30%	- set stringent PSC limits: BSAI: reduce all by 30-50% GOA: reduce all by 30-50%	↔ PSC limit = 0	
	- IRIU - current bycatch restrictions - Demersal Shell Rockfish (DSR) full-retention		- repeal IRIU - current bycatch restrictions	↔ - IRIU ↔ same as 2.1	- IRIU	↔ - extend IRIU to all species Incentive program for bycatch reduction", o.g., (a) Individual Bycatch Quota (b) Harvest Priority (10% of TAC reserved to reward clean fishing) (c) bycatch reduction standards established (d) others	- bycatch limits for non-target stocks as information becomes available - Reduce bycatch and discards:	↔ No bycatch ↔ No bycatch or discards	

** Further refinement necessary

COMPARISON OF FMP FRAMEWORKS FOR REVISED ALTERNATIVES

ITEM C-6(b)(3)
April 2002

	Alt 1	Alt 2		Alt 3		Alt 4	
	1	2.1	2.2	3.1	3.2	4.1	4.2
Seabird Bycatch	- bycatch of 4 short-tailed albatross within 2 years triggers consultation - seabird avoidance measures	- bycatch of 4 short-tailed albatross within 2 years triggers consultation - (no additional seabird avoidance measures)	↔ same as 2.1 ↔ same as 2.1	- bycatch of 4 short-tailed albatross within 2 years triggers consultation - cooperate with USFWS to develop fishing methods that reduce incidental take for all vulnerable, threatened or endangered species**	↔ same as 3.1 ↔ - establish scientifically-based bycatch limits for seabirds as data becomes available**	- set protection measures for all seabird species** - cooperate with USFWS to develop fishing methods that reduce incidental take to levels approaching zero for all vulnerable, threatened or endangered species**	↔ 100% protection of seabirds from fishing ↔ Zero incidental take
Spatial/ Temporal Management	- crab trawl closures, SE Alaska trawl closures - Cook Inlet non-pelagic trawl prohibition - Sitka Pinnacles marine reserve - 2002 SSL closures: no fishing in Sogum Pass, Bogoslof; 3nm no transit zones around rookeries; trawl and fixed gear closures in nearshore and critical habitat areas - Inseason mgmt measures (a) target species closures when harvest limit reached (b) establishment of fishing seasons for bycatch mgmt (c) herring closures for areas (not fishery)	Eliminate all closure areas and no Cook Inlet trawl ban Repeal Sitka Pinnacles No changes from Alt 1	↔ No changes from Alt 1 ↔ No changes from Alt 1	- No changes from Alt 1 - All closures - Sitka Pinnacles marine reserve - 2002 SSL closures: no fishing in Sogum Pass, Bogoslof; 3nm no transit zones around rookeries; trawl and fixed gear closures in nearshore and critical habitat areas - Inseason mgmt measures (a) target species closures when harvest limit reached (b) establishment of fishing seasons for bycatch mgmt (c) herring closures for areas (not fishery)	↔ - develop appropriate closure areas in GOA to address bycatch for halibut and/or crab ↔ same as 3.1 ↔ - repeal MRBs and establish a system of caps and quotas	- establish gear closure areas and marine reserves to reduce and avoid bycatch** - comprehensive trawl exclusion zones to protect all designated SSL critical habitat - establish 20-50% of the spawning areas as spawning area reserves for exploited species that are fished intensively at spawning time** - Inseason mgmt measures (a) target species closures when harvest limit reached (b) establishment of fishing seasons for bycatch mgmt (c) herring closures for areas (not fishery)	↔ 100% closure areas ↔ 100% closure areas ↔ no inseason mgmt measures (no fishing)
MPAs and EFH	- EO13158 description and evaluation of potential MPA areas - Identify and designate EFH and HAPC	No additional MPAs	↔ No changes from Alt 1	- Develop goals, objectives and criteria for establishing MPAs and no take marine reserves - MPAs may include no take areas - could encompass existing closures - Identify and designate EFH and HAPC	↔ 0-20% of EEZ as MPAs and no take marine reserves (5% = no take, 15% = MPA) across a range of habitat types** - no take areas allow no fishing and serve as research control areas - could encompass existing closures - Identify and designate EFH and HAPC	- establish 20-50% of the management area as no take MPAs covering the full range of marine habitats and including** nearshore, pelagic and shelf-break habitat, submarine canyons, gulches, boundaries of water masses and other unique habitat features or highly productive zones where fishes, birds and mammals congregate in large numbers - establish All Special Management Area to protect correlative bottom habitats	↔ 100% closure areas
Gear Restrictions	- Bottom trawl ban in BSAI for pollock	Allow bottom trawl for pollock in BSAI	↔ No changes from Alt 1	- Bottom trawl ban in BSAI and GOA for pollock - Cook Inlet bottom trawl ban	↔ same as 3.1 ↔ - restrict bottom trawling to areas where trawling has previously been concentrated	- prohibit trawling in all fisheries that can be prosecuted with other gear types** - restrict bottom trawling for flatfish to specific areas** - phase out fisheries with high bycatch**	↔ prohibit trawling ↔ prohibit trawling ↔ close fisheries with bycatch

** Further refinement necessary

COMPARISON OF FMP FRAMEWORKS FOR REVISED ALTERNATIVES

	Alt 1		Alt 2		Alt 3		Alt 4	
	1		2.1	2.2	3.1	3.2	4.1	4.2
Over-capitalization	- LLP - AFA Coops - Sablefish IFQ - CDQ Program - Community quota shares for sablefish		Eliminate LLP Eliminate Sablefish IFQ Repeal CDQ except for pollock and crab No further work on rationalization	↔ No changes from Alt 1 ↔ No changes from Alt 1 ↔ No changes from Alt 1 ↔ No changes from Alt 1	Rights-based mgmt** (a) IFQs (b) Coops (f) community-based (g) fleet-based	↔ Vessel buy-back program**	effort-based regulations** i.e., trip, gear size limits, vessel size and hp limits, limits on tender vessels, seasonal exclusive area registration	↔ Zero fishing effort
Alaska Native Issues	- Incorporation of traditional knowledge through existing literature - AFSC anthropologist position - AP and Council representation		No changes from Alt 1	↔ No changes from Alt 1	- Incorporate additional traditional knowledge from research study - Increase Alaska Native participation and consultation	↔ same as 3.1 ↔ same as 3.1	- Provide for traditional Native subsistence uses of fish and wildlife within protected areas** - Increase participation of and consultation with subsistence users	↔ No fishing including subsistence ↔
Observer Program	- fixed 0/30/100% coverage - 200% coverage AFA, CDQ - Industry pays for training and employment related costs - OMNI rule - ATLAS rule - 2003 Regulation package		Repeal all observer program except AFA No changes from Alt 1	↔ No changes from Alt 1 ↔ No changes from Alt 1	- scientifically-based observer coverage e.g., random placement, flexibility, variable rate - address conflict of interest (a) Federal funding (annual appropriation) (b) Research Plan (e.g., fee-based) (c) TAC set aside - Improve species identification for non-target	↔ Extend to 100% < 60' except AFA/CDQ which is 200% ↔ same as 3.1 ↔ same as 3.1	- 100% fixed coverage (a) 100% boats have observers (b) 100% hauls are observed - address conflict of interest (a) Federal funding (annual appropriation) (b) Research Plan (e.g., fee-based) (c) TAC set aside	↔ No observer program ↔ same
Data and Reporting Requirements	- current reporting requirements - mandatory VMS for alaska mackerel fleet		No changes from Alt 1 no VMS	↔ No changes from Alt 1 ↔ No changes from Alt 1	- collect and verify economic data through independent third party (accounting firm/other) - mandatory VMS required for alaska mackerel, pollock and P.cod fleets	↔ mandatory economic data reporting by vessels and processors, i.e. earnings, expenditure and employment data ↔ modify VMS to incorporate new technology and system providers	- requirement of motion-compensated scales to weigh all catches at sea or at shore-based processing plants - mandatory VMS for all groundfish vessels	↔ no fishing ↔ No fishing
Research Program	- research program for evaluation of trawl gear impacts on habitat; some non-trawl gear impacts are also being considered - species-by-species description of EFH for all possible gish species - description/summary of the Marine Mammal research program		No changes from Alt 1	↔ No changes from Alt 1	- work with NPRB on long-term comprehensive research plan - research program for evaluation of trawl gear impacts on habitat; some non-trawl gear impacts are also being considered - species-by-species description of EFH for all possible gish species - description/summary of the Marine Mammal research program - research program to obtain more information on unobserved mortality of target, non-target and PSC - joint USFWS/NMFS research program to evaluate current population estimates for all seabird species that interact with the groundfish fisheries - 2-year research study to expand the traditional knowledge database through a systematic survey of fishery-dependent villages	↔ same as 3.1 ↔ same as 3.1 ↔ same as 3.1 ↔ same as 3.1 ↔ same as 3.1 ↔ same as 3.1	- FEP to include EFH/HAPC, understanding the ecosystem and its processes, and information on fishing gear and marine habitat - experimental fishing permits - research on trophic interactions and predator-prey dynamics - funding for long-term research programs - fund a research program to develop a detailed habitat atlas - traditional knowledge and cooperative research programs	↔ Research program to evaluate stock status and other environmental effects ↔

** Further refinement necessary

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A Nonprofit Public Interest Law Firm Providing Counsel to Protect and Sustain Alaska's Environment

1026 W. 4th Ave., Ste. 201 Anchorage, AK 99501 (907) 276-4244 (907) 276-7110 Fax Email: ecolaw@trustees.org

May 22, 2002

Dr. James Balsiger
Regional Administrator
Alaska Region
National Marine Fisheries Service
709 W. 9th St.
Juneau, AK 99802-1668

David Benton
Chairman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

RECEIVED
MAY 22 2002
N.P.F.M.C.

Re: Revised Draft Programmatic Supplemental Environmental Impact Statement for North Pacific Groundfish Fisheries

Dear Dr. Balsiger and Chairman Benton:

On March 22, 2002, we wrote you to express concern about the alternatives that NMFS and the Council are proposing to analyze in the Revised Draft Programmatic Supplemental Environmental Impact Statement (RDPSEIS) for the North Pacific Groundfish Fisheries. Our chief concern in that letter was that NMFS had improperly defined the agency action being considered in the RDPSEIS as limited to a decision on whether to amend the "goals and objectives" statements of the Fishery Management Plans (FMPs) rather than a decision on whether to amend the FMPs themselves. NMFS responded by asserting that while it did not feel legally bound to analyze more than an amendment to the goals and objectives of the FMPs, the agency recognized that it had "determined that it could not include sufficient specificity and quantifiable elements in the objective sets to create a range of distinct alternatives" under the "goals and objectives" approach. Letter from James W. Balsiger to Jack K. Sterne, et al. at 4 (April 12, 2002). Moreover, NMFS also properly "determined that [its] analysts are not able to provide sufficient analysis of the impacts of the alternative if only the goals and objectives are included in the alternatives." *Id.* at 7. The agency therefore "decided that the case studies should become part of the alternatives to allow more meaningful analysis as well as ensure an appropriate range of alternatives for analysis." *Id.* at 4.

NMFS' current approach to the RDPSEIS, however, resolves neither the problem of meaningful analysis nor the problem of a satisfactory range of alternatives. Rather than analyze a set of reasonably defined FMP alternatives, the agency and the Council have instead chosen a novel and unworkable approach to NEPA compliance. As the agency's April 12, 2002 letter states, "each alternative to the status quo would include two FMP-like case studies that will act as a boundary within which future project level management decisions will be made." *Id.* These "case studies"

will serve as "book-ends" that define the range of management measures that might be implemented under a specific alternative. NMFS believes that, by adopting this approach, the case studies "have been 'elevated' 'above the line'." *Id.* The agency makes clear, however, that under this approach the choice of any particular alternative is essentially a choice to someday implement the policy goals and objectives set out by the alternative through some set of undefined management measures that will fall somewhere within the range represented by the bookends, a result not substantially different in practical fact from that of the agency's earlier approach. *Id.* This latest "bookends" approach does little to provide the public and the decision-maker with meaningful analysis of a reasonable range of alternatives.

The "bookends" concept thus suffer from several problems, including: (1) The real action contemplated by the RDPSEIS continues to be the 'above the line' goals and objectives rather than FMP alternatives; (2) The range of alternatives presented is even smaller than previously and is no longer sufficient; and (3) The impacts of the action under review are impossible to analyze meaningfully because of the bookend approach.

The Council and NMFS are continuing to offer alternatives that are unresponsive to both the mandates of NEPA and the federal court order. As detailed in our March 22, 2002 letter, this approach is illegal because it neither meets the requirements of a programmatic EIS nor allows for the in-depth analysis of the environmental effects of the action. Although the Council and NMFS maintain that the new 'bookends' framework will meet the legal requirements of NEPA because there will be "a review of the different policy objectives as well as the 'means' of achieving a change in policy direction" (NMFS April 2002 Project Newsletter No. 9), the Council has still proffered alternatives that, if adopted, will not have a discernible management regime associated with them. If the management measures are not part of the alternatives, then it is clear that the Council and agency are not analyzing anything more than amending the "goals and objectives" of the FMPs, which does not meet the requirements of NEPA or the Court's orders, as explained in the March 22, 2002 letter. The agency has not elevated the case studies "above the line," because the case studies are still just one example of how management might look under a particular alternative.

The bookend approach has also resulted in a range of alternatives too limited to be reasonable. This new range consists of 1979/2002's management regime (Alt. 1), an OFL alternative (Alt. 2), Status quo/'status quo plus' (Alt. 3), and ecosystem/no-fishing (Alt. 4). Because Alternatives 2 and 4 have bookends whose primary purpose is to provide analytical range, rather than being credible management alternatives, this means that, realistically, there are only two viable alternatives -- an insufficient number to meet NEPA's requirements.¹

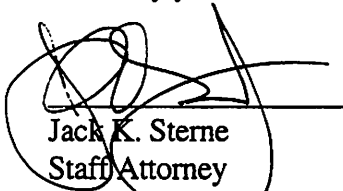
As the agency itself has admitted, its "analysts are not able to provide sufficient analysis of the impacts of the alternative if only the goals and objectives are included in the alternatives." Balsiger Letter at 7. But, because the only operative part of the current alternatives is the goals and objectives, the "bookends" approach does not solve this problem. As currently structured, it is impossible to quantify the effects of any particular alternative, because neither the agency nor the

¹ In addition, as discussed in detail in another letter sent today by The Ocean Conservancy, et al., although there was an outpouring of 17,000 public comments calling for an ecosystem-based alternative, the Council has rendered a proposed ecosystem-based alternative largely meaningless by marrying it with the no-fishing alternative.

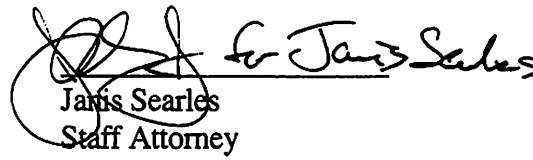
Council are clear about what the management regime would look like under a specific alternative. For instance, under Alternative 3, the difference between a B₂₀ rule for prey species and a B₄₀ rule is potentially enormous. Similarly, for bycatch, the PSC reductions under Alternative 3 could be anywhere between 0 % and 30%. Including these broad ranges as bookends in a single alternative precludes meaningful analysis. While the analysts may be able to say what the likely effects of implementation of the management measures embodies in either end of a "bookend" may be, they will not be able to describe meaningfully the effects of any specific alternative, because the details of that alternative are not clear. Finally, because neither the decision-maker nor the public will know what the terms of proposed action are, there is not a "clear basis for choice" among the alternatives as NEPA requires. 40 C.F.R. § 1502.14.

While we appreciate the agency's and Council's efforts to prepare a high-quality programmatic EIS, we remain concerned that the current revised structure of the RDPSEIS continues to be flawed in a manner that fundamentally compromises the entire endeavor. We urge the agency and the Council to revisit the structure and composition of the alternatives, and to adopt a reasonable range of FMP alternatives in the RDPSEIS.

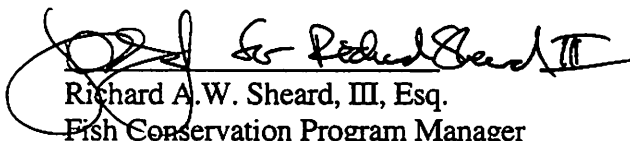
Sincerely yours,



Jack K. Sterne
Staff Attorney
Trustees for Alaska



Jarvis Searles
Staff Attorney
Earthjustice Legal Defense Fund



Richard A. W. Sheard, III, Esq.
Fish Conservation Program Manager
The Ocean Conservancy

Cc: Anthony P. Hoang, DOJ
Dr. William Hogarth, NMFS
Craig O'Connor, NOAA GC
Lisa Lindeman, NOAA GC
Steve Davis, NMFS

**THE OCEAN CONSERVANCY
OCEANA, INC.
NATIONAL ENVIRONMENTAL TRUST
WORLD WILDLIFE FUND
SIERRA CLUB**

May 22, 2002

TO: David Benton, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

CC: James W. Balsiger, Administrator, Alaska Region
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

RE: North Pacific Groundfish Programmatic SEIS Alternatives

RECEIVED

MAY 22 2002

N.P.F.M.C

Mr. Chairman:

On January 31, 2002, we submitted a letter to the Council with our revisions to NMFS's "strawman" Alternative 4, which NMFS staff indicated was intended to reflect comments on the 2001 Draft PSEIS. These revisions to the strawman provided a more accurate reflection the intent of the undersigned organizations, which proposed this alternative for analysis. Oral testimony was provided to the Council to underscore our concerns that the Strawman Alternative 4 did not capture the intent of our proposed FMP alternative.

A Council working group has now revised the language describing the management approach of our proposed Alternative 4. The Council's revised version misrepresents our proposed alternative in two crucial ways:

- the revised language describing the management approach changes key words and distorts our intent; and
- the revised structure of the draft PSEIS combines our proposed FMP alternative with the no-fishing alternative and creates the impression that there is no difference between no fishing ecosystem-based fisheries management.

The main purpose of our proposed FMP alternative is to address uncertainty in a more risk-averse fashion and take into account the ecological needs of the entire marine food web. While this includes recommendations for lower catch levels, greater habitat protection and refuges from fishing, to describe our proposed FMP alternative as "restrictive" rather than precautionary misleads the public and implies an anti-fishing rationale. Furthermore, placing our proposed FMP alternative in the same category as the no-fishing alternative suggests that the Council has dismissed our approach without even considering its effects or outcomes.

Our specific comments are as follows.

1. The Council's revised language describing the management approach of our original proposal distorts our intent

Our main policy objective was summarized in the first sentence describing the management approach of our Alternative 4, reflecting our intent to make ecosystem-based management explicit in the fishery management plans (FMPs):

Establish a fishery conservation and management program incorporating ecological principles and policy objectives to maintain ecological relationships between exploited, dependent and related species as well as ecosystem processes that sustain them.

Our proposed Fishery Ecosystem Plan FMP is intended to address the shortcomings of the existing FMPs identified by the Ecosystems Principles Advisory Panel (EPAP 1999), which concluded that existing FMPs are not sufficient to implement an ecosystem-based approach to fisheries management.¹ The stock assessment advice on which the TAC specifications are based does not explicitly address fishing effects on predator-prey dynamics and habitats, nor is environmental variability treated in the stock assessments. Yet these are key factors influencing sustainability of fisheries.

Achieving the objectives of the Fishery Ecosystem Plan entails a shift from the current approach of the FMPs, which is to allow and, indeed, to promote the development of fisheries until such time as adverse impacts are demonstrated. Thus our alternative also echoed the Report to Congress of the Ecosystem Principles Advisory Panel (EPAP 1999), whose number one policy recommendation is to *change the burden of proof*. Shifting the burden of proof from the environment to those who contend that the fisheries have no adverse effects is essential to make the precautionary approach operational in management practice, and is why our description of the management approach in our proposed FMP alternative included the following language:

Adopt a highly precautionary approach to scientific uncertainty in which the burden of proof is shifted to the user of the resource to demonstrate that the intended use will not have a detrimental effect.

To our dismay, the Council has substantially reshuffled and changed the description of the management approach of Alternative 4 in ways that obscure and misrepresent our original proposal. First of all, members of the Council's working group replaced our lead sentence describing the main objective of Alternative 4 (now sub-alternative 4.1) with the following sentence:

"Adopt a highly restrictive approach to scientific uncertainty in which the burden of proof is shifted to the user of the resource to demonstrate that the intended use will not have a detrimental effect on the environment."

Thus, the phrase "precautionary approach" was replaced with "restrictive approach." This substitution seems intended to color public perceptions about our intentions and objectives.. While our interpretation

¹ EPAP, Ecosystem-Based Fishery Management, A Report to Congress, April 1999, p. 27.

of the precautionary approach is more risk-averse than the status quo FMPs, it is only “restrictive” if the level of precaution in our proposed FMP alternative is found to be unnecessary. In fact, the Draft PSEIS’s disclosure of large areas of uncertainty that are not treated in the “TAC-setting process” suggests that our recommended level of precaution is the more prudent and sustainable approach for fisheries and exploited ecosystems alike.

The Council’s edited version of the paragraph describing the management approach to our alternative also mischaracterizes our FMP alternative by putting words in our mouths that we did not intend. For instance, the revised version now states:

“Management decisions will involve and be responsive to the public but with minimal consideration of social, economic and community concerns...”

While individual members of the Council’s working group may have this opinion of our proposal, we do not think it is a fair and objective characterization. Lack of adequate controls on entrants, on fishing capacity, on fishing mortality, and other aspects of fishing have typically lead to depleted fisheries, degraded marine ecosystems, and unemployed fishing communities. We are concerned that conventional fisheries management too often chooses politically expedient short-term gain at the expense of long-term well-being and sustainability of fishing communities. We insist that such mischaracterizations are deleted from our proposed alternative as they do not reflect our intentions and seem only intended to bias perceptions of our proposal.

The Council working group’s interpretation of economics is apparently based only upon considerations of industrial economic interests. Reduced yields need not mean reduced revenues or reduced value to fishing communities. Indeed, smaller fisheries may actually generate as much or more value than large factory fisheries for species such as pollock.

For instance, the reported landings and ex-vessel values of fish landed at Kodiak in 1998 indicate that 165.7 million pounds of pollock were landed at Kodiak in 1998, accounting for 42.7% of total pounds of fish landed; however, the reported ex-vessel value of pollock (\$11.6 million) represented only 14.6% of the total value of all fish landed at Kodiak in 1998. By contrast, landings of Pacific halibut (9 million pounds) accounted for only 2.4% of total pounds landed, but the reported ex-vessel value (\$9 million) represented 12.6% of total value of all fish landed in Kodiak in 1998.²

Similarly, 1.8 million mt of groundfish were caught off Alaska in 2000, of which 66% (1.2 million mt) was pollock,³ yet pollock represented only 45% of ex-vessel value of all groundfish landed. On the other hand, one pollock product (roe) represented only 4.7% of total tons of pollock product produced (16,000 metric tons out of 342,580 tons) yet represented 36% of total *value* of product produced – explained by the fact that roe sold for \$7-9/lb, far and away the most valuable pollock product in the fishery.⁴

² Kodiak Daily Mirror, July 24, 2000.

³ Terry Hiatt, Ron Felthoven and Joe Terry, Economic SAFE Status Report for Groundfish Fisheries Off Alaska, 2000. NPFMC, November 2001. Table 1.

⁴ Terry Hiatt, Ron Felthoven and Joe Terry, Economic SAFE Status Report for Groundfish Fisheries Off Alaska, 2000. NPFMC, November 2001. Table 36.

These examples illustrate that management premised on attaining *maximum* yields does not equal high value or economic benefit to the fishing communities in Alaska or elsewhere and illustrates that precautionary management as we have envisioned it need not be opposed to economic and social concerns of fishing communities. Indeed, we think that our proposed alternative will provide greater long-term viability to fishing communities, avoiding the boom and bust cycles of many modern fisheries.

2. The revised structure of the draft PSEIS combines our alternative with the no-fishing alternative and creates the impression that there is no difference between no fishing and ecosystem-based fisheries management.

The Council working group's decision to redefine our proposed Alternative 4 as sub-alternative 4.1 and place it together with a no-fishing sub-alternative (4.2) creates the impression that there is no difference between no fishing and our alternative. Simply put, Alternative 4 is either a fishing alternative, or it is not. It cannot be both.

Apparently the Council working group has interpreted our call for lower yields as an attempt to end fishing. This is a complete mischaracterization and seems intended to bedevil environmental groups as working to end the economic livelihood of the average Alaskan fisherman. The intent was very specific: to implement ecosystem-based management that incorporates the precautionary principle. The NPFMC has admittedly not undertaken this approach, although having given lip service to its value.⁵ It is unclear why the Council would pay heed to the concept of Fishery Ecosystem Plans and then undermine NMFS' ability to analyze one by combining it with a no-fishing alternative that is simply a reference mark for analysis..

As described above, reducing yields by reducing the fishing rates for important forage species and for species with life history characteristics that make them less resilient to conventional proxies for MSY (e.g., $F_{40\%}$) is not counter to the interests of fishing communities. One need only look as far as the west coast to see that shortsighted exploitation of long-lived rockfish under an $F_{40\%}$ exploitation policy has resulted in less fishing opportunities for coastal fishermen in the long-term. Indeed, fishing for some species of rockfish has nearly been halted because the stocks of rockfish were badly depleted and can no longer sustain fisheries. The effects of such short-term thinking have produced long-term hardship for fishermen, since recovery of many rockfish species could take decades or perhaps even centuries.

We believe that the track record of fishery management using conventional proxy MSY fishing policies has elevated fishing levels and encouraged investment in fisheries in the short-term, while often foreclosing fishing opportunities in the long-run. Our proposed Alternative 4 seeks to end this cycle of economic ruin and environmental destruction, but it manifestly does not seek to end fishing. A redesignation of our alternative FMP as the extreme end of the continuum and as on par to ending fishing mischaracterizes our intentions and seems intended to marginalize our participation in the SEIS process. Most important, however, is the fact that combining our proposed alternative FMP with the no fishing alternative deprives the public and the decision maker of an analysis of an alternative fishing management regime that both complies with the MSFCMA and does not contribute to the continuing decline of other species and trophic levels that presently receive little attention until they become endangered or threatened.

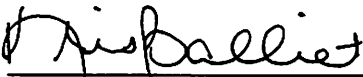
⁵ Testimony of David Benton to the Senate Subcommittee on Oceans and Fisheries, May 9, 2002, pg. 5.

3. Conclusion

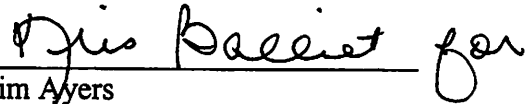
In summary, it seems to us the Council's working group deliberately set out to cast our proposed FMP alternative in an unfavorable light by mischaracterizing our intention and by equating it with the no-fishing alternative. Thus we request that the Council and NMFS re-insert our original description of the management approach to Alternative 4. We also request complete separation our alternative from the no-fishing alternative, since there is no rational logic in an FMP alternative that is simultaneously a fishing alternative and a no-fishing alternative.

We proposed a fishing alternative in which the emphasis is on avoiding negative impacts to the affected environment rather than mitigating impacts after the fact and on long-term sustainability in an ecosystem context rather than short-term gain that leads invariably to cycles of fisheries boom and bust. The existing FMPs are not sufficient to implement an ecosystem-based approach to fisheries management. The reality is that fishery sustainability is not separable from ecological sustainability. The alternatives are the heart of an EIS, and our proposed FMP alternative was proffered as a good-faith effort to develop an FMP that *does* implement ecosystem-based management in the North Pacific groundfish fisheries. The value-laden and dismissive characterizations of our alternative by the Council's working group does not bode well for the objectivity of the PSEIS analysis and seems intended to castigate environmental organizations as anti-fishing and undermine our efforts to participate in the public process, an effort recently given short shrift by the Council Chairman in his recent testimony to the Senate Subcommittee on Oceans and Fisheries.

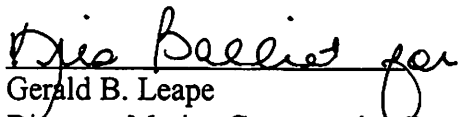
Sincerely,



Kris Balliet, Esq.
Alaska Region Director
The Ocean Conservancy



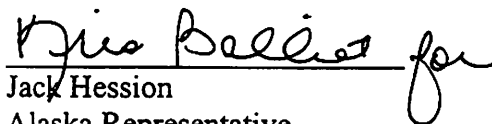
Jim Ayers
Director, North Pacific Office
Oceana, Inc.



Gerald B. Leape
Director, Marine Conservation Program
National Environmental Trust



Dave Cline
Director, Alaska Field Office
World Wildlife Fund



Jack Hession
Alaska Representative
Sierra Club



ALASKA OCEANS NETWORK

406 G STREET, SUITE 209 • ANCHORAGE, ALASKA 99501
PHONE (907) 929-3553 • FAX (907) 929-1562
INFO@ALASKAOCEANS.NET • WWW.ALASKAOCEANS.NET

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MAY 22 2002

May 22, 2002

TO: David Benton, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

CC: James W. Balsiger, Administrator, Alaska Region
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

RE: North Pacific Groundfish Programmatic SEIS

N.P.F.M.C

Dear Chairman Benton:

The territorial waters of the United States are public resources, and the officials entrusted with stewardship of these living marine resources have a responsibility to the American people to ensure that all federal actions be consistent with other public goals, as well as with goals for commercial fisheries harvests. Compliance with the National Environmental Policy Act (NEPA) is part of this stewardship responsibility.

The National Environmental Policy Act (NEPA) is the national charter for the protection of the environment in the United States, 40 C.F.R. 1500.1(a). The purpose of NEPA is "to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment." 40 C.F.R. 1500.1(c). NEPA is intended to provide more informed and better decision-making in federal government projects and policies. It is intended to help decision-makers decide if there are alternative ways of carrying out federal actions that thereby can reduce or avoid impacts to the affected environment. The North Pacific Groundfish Programmatic SEIS is particularly important in this respect, because it marks the first attempt by the National Marine Fisheries Service not only in this region, but also anywhere in this country, to assess the environmental impacts of the policies and programs of Fishery Management Plans (FMPs) in their entirety.

A programmatic and comprehensive review of fishery management actions since the last EISs were prepared is long overdue, but it is also timely. Fundamental conflicts between the single-species focus of the Magnuson-Stevens Act (M-S Act) and other environmental laws remain unresolved. Definitions of sustainability must be clarified and expanded to include not just those species of commercial interest but also the dependent and related species in the ecosystem. NEPA provides the opportunity for much-needed public review of the status and future course of fisheries management in the North Pacific. In your role as public officials charged with overseeing this complicated maze of regulations, the Council should encourage

and welcome the NEPA process as a way to step back from the year-to-year planning cycles and day-to-day management of the fisheries, and should welcome the broader opportunity to engage the public regarding concerns about fisheries and marine management issues.

The Alaska Oceans Network believes that there is no fundamental mismatch between the federal fisheries management process outlined under the M-S Act and the review process under NEPA. A programmatic review of the FMPs should facilitate greater dialogue between public stakeholders by clarifying the FMP policies and programs as a whole, evaluating their performance, analyzing their impacts, and identifying alternative courses of action to address shortcomings or oversights. It should serve as a formal public process to disclose, discuss, and evaluate the policies, the programs, and the operative assumptions of the management regime as it has evolved over the past 20 years. Ultimately the Programmatic SEIS should provide the information baseline for management and serve as the planning document for future actions. In short, the programmatic NEPA review should not be viewed as a cumbersome paperwork exercise that must be done to comply with the law; it should be viewed and should become an indispensable part of the management process in the governance of our oceans and their marine resources.

The Alaska Oceans Network believes that the NEPA process will not only improve decision-making, but will also improve our ability to achieve fishery sustainability and ecosystem sustainability; goals we all share. Thus we have advocated for an ecosystem-based approach to management of the fisheries, advocated for ecosystem-based alternatives in this SEIS, and sought a more explicit recognition of ecosystem-level criteria in the definition of sustainability.

The Alaska Oceans Network supports the efforts of the National Marine Fisheries Service and the Council to address the purposes and meet the requirements of NEPA for the North Pacific Groundfish Programmatic SEIS. We support efforts to move forward in this process with adequate and responsible alternatives for analysis, and in particular we find it essential to provide for separate analyses of each of the proposed "book ends" within the current SEIS framework establishing seven (7) separate alternatives for analysis.

Sincerely,
ALASKA OCEANS NETWORK



Karen S. Dearlove
Program Director

KSD/kds

Council chooses to prioritize in the future, appropriate research programs will be recommended by the SSC and adopted by the Council at that time. Design of research programs at this time is premature and makes the agency and council vulnerable to future litigation if it is later determined the projects were inadvertently ill conceived or not funded. However, if research programs are included a more complete list of ongoing research, including review of F40, should be included in Alternative 1.

We understand that the agency may provide the Council with a modified matrix at the June Council meeting. We will be prepared to comment on the latest version at that time.

Thank you again for your diligent pursuit of a process and product that will protect the Council public process and sustain a fishery management system based on the best available science.

Sincerely,



Donna Parker
MCA PSEIS Committee Chair

To: Steve Davis
PSEIS Project Manager
NMFS

From: Donna Parker
PSEIS Committee
Marine Conservation Alliance

Re: Comments on PSEIS
4/15/02 version

Date: May 7, 2002

Included here are preliminary comments from the MCA on the most recent version of the proposed PSEIS as approved by the North Pacific Council at its April meeting. We have limited our comments to Alternatives 1-3 and have left the design of Alternative 4 to plaintiffs in the PSEIS litigation working in conjunction with the Council.

We appreciate the efforts of you and your PSEIS team in designing a PSEIS structure that meets both NEPA and MSA legal requirements to the satisfaction of NOAA GC. Our only structural comments focus on recommendations which we believe will add clarity to important categories of issues in the matrix. However, most of our comments either clarify or modify specific bookends in the matrix. We have also proposed some specific language changes to the Management Approach descriptions of Alternative 1 and 3.

Management Approach

In Alternative 1 please modify the second-to-last sentence so that it reads as follows:
"The Council will continue to use the National Standards *and other applicable law* as its guide in practicing adaptive management and responsible decision-making and to consistently amend FMPs accordingly."

Please see attached red-lined modifications to the management approach, goals and objectives for Alternative 3.

Structural Issues

In the left-hand column of the matrix you have created several issue categories beginning with "TAC-Setting Process." In review of the bookends contained in these categories across the alternatives, we struggled with the specific bookends contained in the "Spatial/Temporal Management" category. In our review we determined that most of the bookend measures in this category seemed well placed in other categories. For instance, in the sub-category of "In-season Management Measures" most of the bookends were

bycatch reduction measures that used time and area closures to avoid bycatch. When you follow that bookend from Alternative 1 to the 3.2 bookend, it changes to "repeal MRBs and establish a system of caps and quotas." MRBs don't have anything to do with spatial/temporal management measures but have everything to do with bycatch reduction. If most of this subcategory were placed in the "Bycatch Restriction" issue category, it would make more sense when tracing the evolution of bookends across the alternatives. In reviewing each bookend in the "Spatial/Temporal Management" category, we found that *all* bookends seemed better placed in other categories including the Bycatch, Habitat, MPA and TAC-Setting categories.

Additionally, we strongly recommend that a separate, new category be formed to house Steller Sea Lion Measures, just as Seabird Bycatch is a separate category. Dispersing SSL measures over several categories is confusing to readers, especially if they are not profoundly familiar with many detailed management measures taken to protect this endangered specie. Further, it will clearly identify to the Council, the Secretary and the public which ESA management measures are required to remain in place under all alternative scenarios.

Specific Matrix Bookends

These comments are organized by issue categories identified in the left-hand column of the matrix and will move across Alternatives 1-3 before moving onto the next category.

TAC-Setting Process:

No changes in Alternatives 1 & 2.

There are several changes to this section made by the Council that have not been reviewed by the SSC. We ask that your team highlight these to the SSC and request their comments on these specific issues at the June Council meeting.

Under ABC tier system, we recommend that the 3.2 bookend be eliminated and that it be replaced with "Conduct F40 review and adopt appropriate measures."

Under the B20 rule, we recommend that the 3.1 bookend be clarified so that it applies only to pollock, cod and Atka mackerel and be identified as a SSL measure. Its current bookend in 3.2 should be eliminated and should read instead as "B30 rule for SSL prey species."

Under MSSTs, we recommend that the 3.1 bookend read, "Identify minimum required elements, resources, cost and a realistic time frame necessary to establish MSSTs for additional stocks and prioritize a list of candidate stocks." The 3.2 bookend should read, "Initiate analysis of MSSTs for priority stocks based on the timeframe determined by additional availability of required resources."

Under "break sharks and skates out of other species complex," in 3.1, we recommend that it be moved to the 3.2 bookend. Its 3.1 bookend should properly be, "Develop criteria for braking out of a species from a species complex."

Bycatch Restrictions:

Under PSC limits, bookend 2.1 should read "No PSC limits," rather than "eliminate PSC limits" to be consistent with the description of other 2.1 bookends.

We recommend that the PSC bookends for the GOA be modified to read as follows in 3.1 "GOA: Establish PSC limits on salmon not to exceed a 25,000 fish cap for Chinook and a 20,500 cap for "other" salmon. For GOA crab, a floating cap of not more 1% of the GOA crab biomass. Reduce GOA halibut cap 0-10%." Its 3.2 bookend should read, "Reduce GOA salmon and crab bycatch caps 0-10%; Reduce halibut PSC limit 10—30%."

Clarify that IRIU applies only to pollock and cod in Alt. 1 and bookend 3.1. To more accurately capture the Council's intent as expressed at the April Council meeting, the 3.2 IRIU bookend should read, "A modified IRIU/ bycatch program for yellowfin sole and rocksole in BSAI and shallow water flatfish in GOA."

We recommend that bookend 2.1 should be corrected to read "no bycatch restrictions" rather than "current bycatch restrictions."

Under "Current bycatch management program" please add to 3.1 "Repeal VIP program to enable incentive programs," and "Review effectiveness of coop PSC reduction programs." Under "Incentive program for bycatch reduction," in 3.2 please modify (b) Harvest Priority to read "(b) Coop Managed Harvest Priority (0-10% TAC or PSC reserved to reward clean fishing.)" Other Harvest Priority programs are probably best placed in Alt. 4.

Seabird Bycatch:

Alt. 1 should be corrected to reflect current regulations: "Bycatch of *more than 4 short-tailed albatross* within two years triggers consultation." The same correction should be made in Alternatives 2 & 3. Under "cooperate with USFWS" please remove from the bookend in 3.1 the word "vulnerable." The 3.2 bookend should read the same as 3.1 but extend "threatened and endangered" to include "all species."

Spatial and Temporal Management:

As discussed earlier, this issue category should be eliminated and items better assigned to Bycatch, Habitat, MPA, Tac-Setting and a new, SSL category. If this category is required, then the management measures best assigned to it are the sub-management

areas in the GOA and AI as well as the pollock roe and non-roo seasons in the BSAI and GOA that are not SSL related.

MPAs and EFH:

In Alternative 1, under EO13158 we recommend adding "No additional MPAs" since some already exist. Bookend 2.1 should instead read, "No MPAs." The MPA bookend 3.1 should also include "Develop MPA efficacy methodology." The 3.1 bookend should also clarify that "MPAs may include restriction of specific gear types or fisheries." The MPA bookend in 3.2 should drop specific reference to MPA and no take numbers (5% = no take, 15% = MPA). The 0-20% combined number should suffice.

Under EFH and HAPC, please incorporate into the 3.2 bookend SFA language so it reads "Adopt appropriate mitigation *to the extent practicable*."

Gear Restrictions:

Bottom trawl ban is probably better expressed as "Pelagic trawl only for BSAI Pollock," in Alt. 1 and bookends 3.1 and 3.2. We recommend that bookend 2.1 should instead read "No gear restrictions for mobile and fixed gear."

Please change the 3.2 bookend which restricts "bottom trawling to areas where it has been previously concentrated" with language that expands it to include all fishing and read, "Restrict fishing to areas where fishing has previously been conducted."

Overcapitalization:

Please add "Moratorium" to Alt. 1 and add "Eliminate moratorium" to bookend 2.1. Add "AFA Coops" to bookends 2.1 and 2.2. Add "VBAs" and "sector-based" rather than "fleet-based" as options for rights-based management in 3.1. Additionally, "Community shares for sablefish," which is still in the pipeline, should be moved from Alt. 1 to 3.1 and listed as a rights-based management option.

"Repeal CDQ except for pollock and crab" should probably be limited only to pollock if the intent is to capture what is legally required in 2.1.

Alaska Native Issues:

No proposed changes at this time.

Observer Program:

In Alt. 1, please clarify that the 200% coverage in AFA applies only to CPs, MS and processors. It does not apply to CVs.

Under "scientifically-based observer coverage" in 3.1, please add "Improve observer sampling techniques to generate statistically reliable estimates of catch and bycatch."

Under "address conflict of interest" in 3.1 please include the option to "make observers federal employees."

Data and Reporting Requirements:

Under bookend 2.1, replace "No changes from Alt. 1," with "No at-sea scales except as required under AFA." Please add to 3.1, under collection of economic data, "Public disclosure in aggregate form only."

Please add to any proposed fee-based programs an option that would give credit to participants for industry-funded observer, research, catch monitoring, VMS, bycatch reduction and other programs that contribute to improved management of the fisheries.

Research Program:

Using an asterisk, heading or some other device, please qualify to reader that under Alt. 3 "Research priorities and timetables will be adopted to the extent practicable based on budget and staff resources."

Under 3.1, please change the research program for trawl gear impacts on habitat to "ALL gear" impacts on habitat.

We recommend that the species-by-species description of EFH in 3.1 should be changed from "all possible gfish species," to "all target species." Bookend 3.2 can remain as "all possible gfish species."

Please move the proposed research program on "unobserved mortality on target, non-target and PSC" in 3.1 to 3.2. The 3.1 bookend should instead read, "research program to obtain more information on mortality of PSC."

Please move the proposed research program to "evaluate population estimates for all seabird species that interact with the groundfish fisheries," from 3.1 to 3.2. The 3.1 bookend should instead read, "Joint USFWS/NMFS research program to evaluate current population estimates for all seabird species that interact with threatened or endangered species."



AMERICAN BIRD CONSERVANCY

CONSERVING WILD BIRDS AND THEIR HABITATS THROUGHOUT THE AMERICAS

May 22, 2002

Mr. Dave Benton, Chairman
NPFMC
Anchorage, AL 99510

RE: ABC Supports Policy Alternative #4 of the Draft PSEIS for Alaska Groundfish Fisheries

Dear Chairman Benton:

On July 24, 2001 American Bird Conservancy submitted detailed comments on the Draft Programmatic Supplemental Environmental Impact Statement for the Alaska Groundfish Fisheries, referred to as the SEIS. ABC also presented preliminary oral comments on the SEIS at the public hearing at NMFS headquarters in Maryland on May 9, 2001. Please refer to our written comments cited above for a more detailed response to the PSEIS. The American Bird Conservancy is a national non-profit organization dedicated to the conservation of wild birds in the Americas. We have 88 member organizations that work in common through our Policy Council.

We are quite concerned with increasing seabird mortality from longline fisheries affecting the populations of albatrosses and other seabirds. Our comments are submitted on the Four Alternatives proposed as part of the revised Draft Programmatic SEIS submitted on the SEIS for Alaska Groundfish Fisheries. We fully support Alternative #4 that emphasizes a strong adherence to the precautionary principle. Our support is for Alternative #4's sections on "Reduce and Avoid Bycatch" and particularly for the section "Avoid Impacts to Seabirds and Marine Mammals". We view as critical adoption of #13 under Alternative #4 "Set protective measures immediately for all seabirds species and develop fishing methods that reduce incidental take to levels approaching zero", but we support this for all species of seabirds.

Paired streamer lines, together with other seabird avoidance measures in use now, can virtually eliminate seabirds bycatch. This has been demonstrated in the Melvin et al. study presented to the NPFMC last September. That Study recommended that all Alaskan longliners be required to use paired streamer lines while line setting and nor discharge offal over or around lines being set. The study documents that all albatross and nearly all other seabird mortality could be eliminated with properly deployed paired streamer lines. Use of these lines does not affect crew safety nor does it impact catch of targeted species. The lines are being given free to all Alaskan longliners who apply under a U.S. FWS program and cost only \$175-\$250.

Our support for Alternative #4 is based on the substantial seabird mortality caused by the Alaskan longline fisheries and other impacts on seabirds caused by the ground fisheries in Alaska. We primarily are concerned that the preferred alternative in a final PSEIS/new fishery management plan to be adopted for the Alaska groundfish fisheries include effective measures to

1834 JEFFERSON PLACE, NW • WASHINGTON, DC • 20036

PHONE: 202-452-1535 • FAX: 202-452-1534 • WEB: WWW.ABCBIRDS.ORG

E-MAIL: ABC@ABCBIRDS.ORG



eliminate, or at least greatly reduce by at least 95%, the incidental catch of seabirds. That's why we support clause #13 under Alternative #4 to require protective measures immediately for all seabirds species but we would suggest that there are already fishing methods that reduce incidental take to levels approaching zero and that these should be required. Additional new methodologies should be developed, especially the weighted groundlines being tested and underwater lining tubes successfully tested in Hawaii. We believe that virtually all seabird mortality could be eliminated and the Melvin et al. Study documents this.

It is imperative that NMFS start to manage fisheries to protect non-target species in a pro-active, risk-averse fashion, using the U.S. supported precautionary principle. This management must include the protection of non-target species, such as seabirds, as such protection is dictated by law. We urge the immediate adoption of seabird avoidance measures, including the use by all longline vessels of paired streamer lines when setting baited hooks coupled with prohibitions on discharge of offal recommended by Melvin et al. Greater line weighting, built into the lines, should be developed and required as well to assure quick sinking of baited hooks. We support the lowering of the allowed take of Short-tailed Albatrosses to no more than one per year, two in two years, BUT WE SUPPORT THE EVENTUAL ELIMINATION OF ALLOWABLE TAKE FOR THIS ENDANGERED BIRD.

The latest NMFS data for Alaska longliners (excluding the halibut fishery for which there is no data) documents that these longliners killed 2,425 Black-footed and 6,721 Laysan Albatrosses from 1993-1999. NMFS estimates that 13 endangered Short-tailed Albatrosses were killed from 1996-1998. See SEIS, Tables 3.5-5 and 3.5-6. These mortalities are conservative. Seabird mortality is up in Alaska considerably over the preceding 3-year period (1993-1996), before any regulations, when an average of 14,527 seabirds were killed. From 1997-1999, an average of 20,209 seabirds were killed in the Alaskan ground fisheries. This is an increase in seabird mortality of 39%. The seabird bycatch rate per 1,000 hooks in the Bering Sea/Aleutian Islands fishery (where most of the mortality occurs) has risen from an average of 0.09 birds from 1993-1996 to 0.11 birds during 1997-1999. All of this data is found in the first SEIS, at Tables 3.5-5 and 3.5-6.

Adding to the urgency of eliminating/significantly reducing longline mortality is increasing evidence of declines in albatross, petrel, and other seabird species due to longline fisheries. The most recent data clearly indicates Black-footed and Laysan Albatross breeding populations are in decline. The Black-footed Albatross has been listed as Threatened (with extinction) by the IUCN and placed on their Red List. *Threatened Birds of the World* (2000), BirdLife International, at page 49, attributes its listing and decline as "...owing to interaction with longline fisheries for tuna, billfish and groundfish in the North Pacific Ocean where there are few mitigation measures." The longest time series for which there are consistently collected data for the largest colonies of Black-footed Albatrosses representing approximately 77% of the total world population at Midway, Laysan, and French Frigate Shoals indicates a decrease of about 10 percent over the last 10 years. Nesting pairs at these sites declined from 48,413 pairs in 1992 to 43,781 pairs in 2001. Beth Flint, U.S. FWS-Hawaii, (2001) Chart.

For Laysan Albatrosses, significant population declines are occurring. On Midway Atoll, the largest breeding colony on earth, the decline has been precipitous—from 429,300 pairs in 1992 to 284,600 in 2001. This is a decline of 33%. On Laysan Island, with 11% of the world population, from 1992-2001, Laysan breeding pairs declined from 145,947 to 118,125. This is a 19% decline. The combined breeding population on Midway, Laysan, and French Frigate Shoals declined by 30% from 1992 to 2001. Beth Flint, U.S. FWS-Hawaii, (2001) Chart. This breeding population represents over 90% of the world's Laysan Albatross population. Although, the IUCN does not list the Laysan as an endangered species, data on the sharp declines at breeding colonies was submitted for listing but was received too late for consideration in the 2000 listings. Both Laysans and Black-footed Albatrosses are included in the peer reviewed Partners in Flight *Watch List* (2000) as species of Moderately High priority. The Watch List includes 123 U.S. avian species that most warrant conservation attention and are not already listed under the ESA.

Also, the original SEIS notes at page 2.7-54 that "..... the U.S. Fish and Wildlife Service concluded in 1997 that the groundfish fisheries were having an effect on short-tailed albatross....". The SEIS notes at page 4.3-21 that mortality from longlines in Alaska is likely slowing the recovery of the endangered Short-tailed Albatross and notes that despite an increasing population (it once numbered over 2 million birds), "....it is still extremely vulnerable because of its small population size and the fact that it breeds on only two islands near Japan, one of which is an active volcano."

In assessing seabird mortality, the SEIS is silent on any data from the Pacific halibut longline fishery. Alaskan mortality data does not include the Pacific halibut fishery which set 28 million hooks on board 1,802 vessels in 1998, as observers are not required and no reliable data on bycatch exists. The SEIS does not touch on this fishery and thus creates gaps in any meaningful analyses of overall impacts of Alaskan fisheries on seabirds and for any meaningful actions to eliminate or greatly reduce this mortality. The PSEIS should include a thorough discussion of this fishery and why the NMFS has failed to require observer coverage in this fishery to complete the basic assessment to determine seabird mortality, including that of the endangered Short-tailed Albatross, a species known to be killed on halibut longliners. The U.S. FWS had strongly urged NMFS in a three and one-half year old Biological Opinion to place observers on all halibut Longliners over 60 feet. Other than a study noting the lack of data and assessing methods for collecting the data, nothing has been done to collect reliable data. This needs correction and action discussion in the SEIS. As noted in the SEIS at page 4.3-17, an average of 148 million hooks were set in the BSAI fishery from 1993 to 1999 and 39 million hooks in the GOA. The 28 million hooks set by 1,802 halibut vessels (20 million exclusively for halibut) are excluded.

In 2000, the U.S. Fish and Wildlife Service initiated a project in which Alaskan longliners could apply for free bird-scaring lines. \$400,000 was made available and another \$450,000 is being provided for 2001. Over 500 vessels have been supplied these bird scaring devices free of charge. This project also pays for up to 50% of the cost for installation of davits that must be

welded onto the stern of the larger longline vessels (>100') to hold the tori poles that support the bird scaring lines. There is a \$5,000 ceiling per boat. Nine vessels took advantage of the davit reimbursement offer; their expenses totaled approximately \$75,000 and they received reimbursements of about \$32,000. The Pacific States Marine Fisheries Commission administers the purchase, assemblage, and distribution of the lines.

The Endangered Species Act provides for mandatory protection of the Short-tailed Albatross and yet these highly endangered birds are being killed on Alaskan longliners under the current NMFS regulations. The Migratory Bird Treaty Act (16 U.S.C. 701 et seq) prohibits the killing of any migratory bird without a permit and yet over 20,000 are being killed on average annually in the Alaskan ground fisheries. We believe that all seabirds must be protected and avoidance measures required to protect all species. We believe the MBTA protects all migratory birds from killing, such as on longline hooks.

The present regulations were based on CCAMLR regulations adopted by NOAA/NMFS in 1996. Those original CCAMLR regulations, as acknowledged in the SEIS, required the use of a bird scaring line and night setting and the use of thawed bait. The current ineffective regulations allow a menu choice, and allow simply towing a board or stick to qualify as the main avoidance measure. These regs have been in effect without any improvement since 1997. We know that the Council has recommended new regs and that NMFS is working on these. But exempting all vessels under 55' from paired streamer lines will still put Short-tailed, Laysan, and Black-footed Albatrosses and other seabirds at risk. The Melvin et al. Report note that "When single streamer lines were used, Laysan albatross attack rates were five times that of paired streamer deployment. This suggests that the risk of hooking albatrosses, including the short-tailed albatross, remains when single streamer lines are used." The Draft NMFS EA/RIR/IRFA cites the Melvin et al. Report and notes, under a list of Methods Not to Be Used for Seabird Bycatch Reduction, at C.—Use of single streamer lines, except when weather does not permit paired lines.

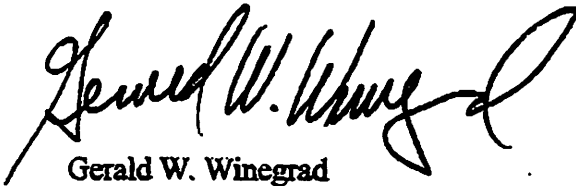
And yet, the proposed new regs will allow all vessels under 55' to use either a single streamer line or a towed buoy bag with no other new mitigation measure other than the prohibition of offal/bait discharge over lines during setting. If the regs are designed to avoid the killing of the endangered STA, why would they permit most longline vessels in Alaska to use a single streamer line (a device cited as a method NOT to be used) or be allowed to tow a buoy bag (the latter device currently allowed under regs) and for which there is zero scientific or empirical evidence of effectiveness in the Alaska demersal fisheries? The draft EA/RIR/IRFA notes that towed buoy bags were being used at the time the two Short-tailed Albatrosses were killed by the vessels in September 1998, obviously documenting their ineffectiveness at avoiding the killing of this endangered bird.

Much emphasis has been placed on the Short-tailed Albatross in the PSEIS, by the NPLA, by NMFS and by the Council. As the PSEIS notes, this bird is critically endangered and is subject to both longlining mortality and to major threats to its only significant breeding colony (an active volcano). While we fully support efforts to protect and do everything possible to study and conserve this bird, much more emphasis needs to be placed on the protection of the other seabirds

killed in the Alaskan longline fishery. Other species killed in Alaska include the Black-footed Albatross and the Laysan Albatross, Northern Fulmars, Sooty Shearwaters, Short-tailed Shearwaters, Black-legged Kittiwakes, Glaucous-winged Gulls, Glaucous Gulls, and a number of alcid species. Several of these species are in decline. The PSEIS seems to dismiss concerns over impacts of longline mortality on most of these species as they are not listed. We have noted above the concerns over the 30% decline in breeding Laysan Albatrosses as well as concerns over the Black-footed Albatross. Even birds that are fairly numerous can be threatened by significant artificial mortality, such as from longlines, that their continued existence can become precarious. Note the Passenger Pigeon, once numbering in the millions and is now extinct. Also, the IUCN has recently listed the White-chinned Petrel as Vulnerable to extinction, even though it numbers about 5 million birds. This is because of significant longlining mortality in the Southern Oceans.

The United States is under special trust and international leadership responsibilities to end seabird mortality in longline fisheries. Internationally, the U.S. led efforts to adopt the FAO International Plan of Action-Seabirds but is not meeting its obligations under it. The U.S. has a unique opportunity to lead by example on this issue and nothing serves as a better model than setting an example in eliminating seabird mortality in our own fisheries in Alaska. If we can assure that this happens in U.S. waters and by U.S. flagged vessels wherever they may fish, then we as a nation can educate and cajole other nations to comply and prevent the drive toward extinction of the great albatrosses and petrels.

Sincerely,



Gerald W. Winegrad

Vice President for Policy

WEB POSTING APRIL 19, 2002

**ALASKA GROUND FISH FISHERIES
PROGRAMMATIC SEIS**

*Revision of Alternatives for Second Draft
April 2002*

**COUNCIL AND NMFS SOLICIT PUBLIC COMMENT ON THE
CURRENT DRAFT ALTERNATIVES**

At the April 16, 2002 North Pacific Fishery Management Council meeting, NMFS recommended four policy alternatives for the revised draft programmatic SEIS for the Alaska Groundfish Fisheries. Each alternative to the status quo would include two FMP-like examples that will serve as bookends to an FMP framework within which future project level management decisions will be made.

The Council wishes to finalize the PSEIS alternatives and forward them to NMFS for analysis at its June 2-11, 2002 meeting. Since the meeting is scheduled to be held in Dutch Harbor, Alaska, both the Council and NMFS are encouraging the public to submit written comments prior to the meeting. These comments will be reviewed and used in finalizing the alternatives for analysis.

Written comments should be mailed so they arrive no later than May 22, 2002 to ensure they are included in the meeting briefing books. Comments on the draft alternatives should be sent to both NMFS and the Council.

Dave Benton, Chairman
North Pacific Fishery Management Council
605 West 4th Ave., Suite 306
Anchorage, AK 99510
Fax: (907) 271-2817

Dr. Jim Balsiger, Regional Administrator
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802-1668
Fax: (907) 586-7249

If you have any questions, please contact Steve Davis, NMFS, at (907) 271-3523. For further information regarding the evolution of alternatives for the second draft, please refer to the project newsletters located on this site.

ALTERNATIVE 1(a)

Current BSAI Policy Statement (same as original 1979 FMP)

Section 3.2 of Bering Sea/Aleutian Islands FMP

Goals for Management Plan

The North Pacific Fishery Management Council has determined that all its fishery management plans should, in order to meet the requirements of its constituency, the resources and FCMA, achieve the following goals:

1. Promote conservation while providing for the optimum yield from the Region's groundfish resource in terms of: providing the greatest overall benefit to the nation with particular reference to food production and recreational opportunities; avoiding irreversible or long-term adverse effects on the fishery resources and the marine environment; and insuring availability of a multiplicity of options with respect to the future uses of these resources.
2. Promote, where possible, efficient use of the fishery resources but not solely for economic purposes.
3. Promote fair and equitable allocation of identified available resources in a manner such that no particular group acquires an excessive share of the privileges.
4. Base the plan on the best scientific information available.

In accomplishing these broad objectives a number of secondary objectives have been considered:

1. Conservation and management measures have taken into account the unpredictable characteristics of future resource availability and socioeconomic factors influencing the viability of the industry.
2. Where possible, individual stocks of fish are managed as a unit throughout their range, but such management is in due consideration of other impacted resources.
3. In such instances when stocks have declined to a level below that capable of producing MSY, management measures promote the rebuilding the stocks. In considering the rate of rebuilding, factors other than biological considerations have been taken into account.
4. Management measures, while promoting efficiency where practicable, are designed to avoid disruption of existing social and economic structures where fisheries appear to be operating in reasonable conformance with the Act and have evolved over a period of years as reflected in community characteristics, processing capability, fleet size and distribution. These systems and the resources upon which they are based are not static, but change in the existing regulatory regime should be the result of considered action based on data and public input.
5. Management measures should contain a margin of safety in recommending allowable biological catches when the quality of information concerning the resource and ecosystem is questionable. Management plans should provide for accessing biological and socioeconomic data in such instances where the information base is inadequate to effectively establish the biological parameters of the resource or to reasonably establish optimum yield. This plan has identified information and research required for further plan development.
6. Fishing strategy has been designed in such a manner as to have minimal impact on other fisheries and the environment.

Current GOA Policy Statement (adopted through Amendment 14 in 1985)

Section 2.1 of GOA FMP Goals and Objectives for Management of Gulf Groundfish Fisheries

The North Pacific Fishery Management Council (NPFMC or the Council) is committed to develop long-range plans for managing the Gulf of Alaska groundfish fisheries that will promote a stable planning environment for the seafood industry and will maintain the health of the resource and the environment for the seafood industry and will maintain the health of the resource and the environment. In developing allocations and harvesting systems, the Council will give overriding considerations to maximizing economic benefits to the United States. Such management will:

1. Conform to the National Standards and to the NPFMC Comprehensive Fishery Management Goals.
2. Be designed to assure that to the extent possible:
 1. Commercial, recreational, and subsistence benefits may be obtained on a continuing basis.
 2. Minimize the chances of irreversible or long-term adverse effects on fishery resources and the marine environment.
 3. A multiplicity of options will be available with respect to future use of the resources.
 4. Regulations will be long-term and stable with changes kept to a minimum.

Principal Management Goal. Groundfish resources of the Gulf of Alaska will be managed to maximize positive economic benefits to the United States, consistent with resource stewardship responsibilities for the continuing welfare of the Gulf of Alaska living marine resources. Economics benefits include, but are not limited to, profits, benefits to consumers, income and employment.

To accomplish this goal, a number of objectives will be considered:

Objective 1: The Council will establish annual harvest guidelines, within biological constraints, for each groundfish fishery and mix of species taken in that fishery.

Objective 2: In its management process, including the setting of annual harvest guidelines, the Council will account for all fishery-related removals by all gear types for each groundfish species, sport fishery and subsistence catches, as well as by directed fisheries.

Objective 3: The Council will manage fisheries to minimize waste by:

1. Developing approaches to treating bycatches other than as a prohibited species. Any system adopted must address the problems of covert targeting and enforcement.
2. Developing management measures that encourage the use of gear and fishing techniques that minimize discards.

Objective 4: The Council will manage groundfish resources of the Gulf of Alaska to stimulate development of fully domestic fishery operations.

Objective 5: The Council will develop measures to control effort in a fishery, including systems to convert the common property resource to private property, but only when requested to do so by industry.

Objective 6: Rebuilding stocks to commercial or historic levels will be undertaken only if the benefits to the United States can be predicted after evaluating the associated costs and benefits and the impacts on related fisheries.

Objective 7: Population thresholds will be established for economically viable species complexes under Council management on the basis of the best scientific information, and acceptable biological catches (ABCs) will be established as defined in this document. If population estimates drop below these thresholds, ABC will be set to reflect necessary rebuilding as determined in Objective 6.

ALTERNATIVE 1(b)

Management Approach

Continue to work toward the goals of maintaining sustainable fisheries, protecting threatened and endangered species, and to protect, conserve, and restore living marine resource habitat through existing institutions and processes. Continue to manage the groundfish fisheries through the current risk averse conservation and management program that is based on a conservative harvest strategy. Under this management strategy, fishery impacts to the environment are mitigated as scientific evidence indicates that the fishery is adversely impacting the ecosystem. Management decisions will utilize the best scientific information available; the management process will be adaptive to new information and reactive to new environmental issues; incorporate and apply ecosystem-based management principles; consider the impact of fishing on predator-prey, habitat, and other important ecological relationships; maintain the statutorily mandated programs to reduce excess capacity and the race-for-fish; draw upon federal, state, and academic capabilities in carrying out research, administration, management, and enforcement; and consider the effects of fishing and encourage the development of practical measures that minimize bycatch and adverse effects of essential fishing habitat. This strategy is based on the assumption that fishing does produce some adverse impact on the environment and that as these impacts become known, mitigation measures are developed and FMP amendments are implemented. Issues will be addressed as they ripen and are identified through Council staff tasking and research priorities. The Council will continue to use the National Standards as its guide in practicing adaptive management and responsible decision making and to consistently amend FMPs accordingly. To meet the goal of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Adopt conservative harvest levels for single species fisheries and specify Optimum Yield (OY). [M, MSA-NS1; NAS SF]
2. Continue to use existing OY cap for BSAI and GOA groundfish fisheries.
3. Provide for adaptive management by continuing to specify OY as a range. [M, MSA to set OY; D to set as range]

Preserve Food Web:

4. Incorporate ecosystem considerations into fishery management decisions. [NAS SF]
5. Continue to protect the integrity of the food web through limits on harvest of forage species.

Reduce and Avoid Bycatch:

6. Continue current bycatch management program.
7. Continue to manage bycatch through seasonal distribution of TAC and geographical gear restrictions.
8. Continue to account for bycatch mortality in monitoring annual TACs.
9. Control the bycatch of prohibited species through PSC limits.
10. Continue program to require full utilization of target species.
11. Continue to respond to evidence of population declines by closing areas and implementing gear and seasonal restrictions in affected areas.

Avoid Impacts to Seabirds and Marine Mammals:

12. Continue to cooperate with USFWS to protect ESA-listed and other seabird species. [M, ESA - listed species; D, other species]
13. Maintain current protection measures in order to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]

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Reduce and Avoid Impacts to Habitat:

14. Respond to new scientific information regarding areas of critical habitat by closing those regions to all fishing (i.e., no-take marine reserves such as Sitka Pinnacles).
15. Evaluate the impacts of trawl gear on habitat through the stepwise implementation of a comprehensive research plan, to determine appropriate habitat protection measures.
16. Continue to evaluate candidate areas for marine protected areas. [EO 13158]

Allocation Issues:

17. Continue to reduce excess fishing capacity, overcapitalization and the adverse effects of the race for fish. [M, SFA to continue AFA Pollock cooperative program; D, other programs; NAS SF]
18. Provide economic and community stability by maintaining current allocation percentages to harvesting and processing sectors.

Increase Alaska Native Consultation:

19. Continue to incorporate traditional knowledge in fishery management.
20. Continue current levels of Alaska Native participation and consultation in fishery management. [EO 13084]

Data Quality, Monitoring and Enforcement:

21. Continue the existing reporting requirements and Observer Program to provide catch estimates and biological information.
22. Continue on-going effort to improve community and regional economic impact assessments.
23. Increase the quality of monitoring data through improved technological means.

ALTERNATIVE 2

Management Approach

Amend the current FMPs to establish a more aggressive harvest strategy while still preventing overfishing of target groundfish stocks. The goal would be to maximize biological and economic yield from the resource. Such a management approach will be based on the best scientific information available, take into account individual stock and ecosystem variability; involve and be responsive to the needs and interests of affected states and citizens; continue to work with state and federal agencies to protect threatened and endangered species; maintain the statutorily mandated programs to reduce excess capacity and the race-for-fish; draw upon federal, state, and academic capabilities in carrying out research, administration, management, and enforcement; and consider the effects of fishing and encourage the development of practical measures that minimize bycatch and adverse effects of essential fishing habitat. This strategy is based on the assumption that fishing does not have an adverse impact on the environment except in specific cases as noted. To meet the goal of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Prevent overfishing by setting an Optimum Yield (OY) cap at the sum of OFL or the sum of the ABCs for each species.
2. Provide for adaptive management by continuing to specify OY as a range. [M - MSA to set OY; D - to set as range]

Preserve Food Web:

(none)

Reduce and Avoid Bycatch:

3. Monitor the bycatch of prohibited species but eliminate PSC limits.
4. Manage bycatch through closure areas for selected gear types.
5. Initiate scientific review to examine whether existing closed areas achieve protection goals.

Avoid Impacts to Seabirds and Marine Mammals:

6. Cooperate with USFWS to protect ESA-listed seabird species. [M, ESA]
7. Maintain current protection measures to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]

Reduce and Avoid Impacts to Habitat:

8. Evaluate the impacts of trawl gear on habitat through the implementation of the existing research plan, identify EFH, and determine appropriate habitat protection measures.
9. Continue to evaluate candidate areas for marine protected areas. [EO 13158]

Allocation Issues:

10. Maintain AFA and CDQ program as authorized by MSA. [M, SFA to continue AFA Pollock cooperative program; D other programs; NAS SF]

Increase Alaska Native Consultation:

11. Continue to incorporate traditional knowledge in fishery management.
12. Continue current levels of Alaska Native participation and consultation in fishery management.

Data Quality, Monitoring and Enforcement:

13. Continue the existing reporting requirements to provide catch estimates and biological information.
14. Continue on-going effort to improve community and regional economic impact assessments.
15. Repeal the Observer Program.

ALTERNATIVE 3

Management Approach

Accelerate precautionary management measures through community or rights-based management, ecosystem management principles, increased habitat protection and additional bycatch constraints. This policy objective seeks to provide sound conservation of the living marine resources; provide socially and economically viable fisheries and fishing communities, minimize human caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem considerations into management decisions. This policy recognizes the need to balance many competing uses of marine resources and different social and economic goals for fishery management. This policy will utilize and improve upon existing processes to involve a broad range of the public in decisionmaking. Further, these objectives seek to maintain the balanced goals of the MSA and other MSA provisions, the National Standards and the requirements of other applicable law, based on the best scientific information available. This policy takes into account the National Academy of Science's Sustainable Fisheries Policy Recommendations. Under this approach, more conservative mitigation measures will be taken to respond to social, economic or conservation needs, or if scientific evidence indicates that the fishery is negatively impacting the environment.

Prevent Overfishing:

1. Adopt conservative harvest levels for single species fisheries.
2. Provide for adaptive management by continuing to specify OY as a range. [M - MSA to set OY; D - to set as range]
3. Initiate a scientific review of the adequacy of the existing OY range and implement improvements accordingly. [D, MSA]
4. Continue to collect scientific information and improve upon MSSTs including obtaining biological information necessary to move Tier 4 species into Tiers 1-3 in order to obtain MSSTs.

Preserve Food Web:

5. Incorporate ecosystem considerations into fishery management decisions. [NAS SF]
6. Develop indices of ecosystem health as targets for management. [EPAP]
7. Develop a conceptual model of the food web. [EPAP]
8. Improve the procedure to reduce ABCs in order to account for uncertainty and ecosystem factors such as predator-prey relationships and regime shifts.
9. Initiate a research program to identify the habitat needs of different species that represent the significant food web. [EPAP]

Reduce and Avoid Bycatch:

10. Continue and improve current bycatch management program.
11. Developing incentive programs for bycatch reduction.
12. Initiate research program to evaluate current population estimates for non-target species with a view to setting bycatch limits as information becomes available.
13. Evaluate current population estimates for non-target species and their vulnerability by region in order to select species for necessary bycatch limits.
14. Continue program to reduce discards by developing management measures that encourage the use of gear and fishing techniques that reduce discards.

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Avoid Impacts to Seabirds and Marine Mammals:

15. Continue to cooperate with USFWS to protect ESA-listed and other seabird species. [M, ESA - listed species; D, other species]
16. Initiate joint research program with USFWS to evaluate current population estimates for all seabird species that interact with the groundfish fisheries.
17. Maintain current protection measures in order to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]
18. Initiate research programs to review status of other marine mammal stocks and fishing interactions (right whales, sea otters, etc.).

Reduce and Avoid Impacts to Habitat:

19. Develop goals, objectives and criteria and then establish a system of marine protected areas and no-take marine reserves distributed over a range of habitat types and geographic areas to maintain abundance, diversity, and productivity of marine organisms. [NRC MPA; EO 13158]
20. Develop a research program to identify regional baseline habitat information and mapping.
21. Evaluate the impacts of all gear on habitat through the implementation of a comprehensive research plan, to determine appropriate habitat protection measures.
22. Identify and designate EFH and HAPC.

Allocation Issues:

23. Provide economic and community stability to harvesting and processing sectors through fair allocation of fishery resources.
24. Maintain LLP program and further decrease excess fishing capacity and other adverse effects of the race for fish by extending programs such as community or rights-based management to all groundfish fisheries. [NAS SF]
25. Provide for adaptive management by periodically evaluating the effectiveness of rationalization programs and the allocation of property rights based on performance.
26. To support fishery management, extend the cost recovery program to all groundfish fisheries.

Increase Alaska Native Consultation:

27. Continue to incorporate traditional knowledge in fishery management.
28. Initiate a research study to collect traditional knowledge from communities, and include information in fishery management.
29. Increase Alaska Native participation and consultation in fishery management.

Data Quality, Monitoring and Enforcement:

27. Increase the utility of groundfish fishery observer data for the conservation and management of living marine resources, and address the equity problems of the current funding mechanism.
28. Improve groundfish Observer Program.
29. Improve community and regional economic impact assessments through increased data reporting requirements.
30. Increase the quality of monitoring data through improved technological means.
31. Establish a coordinated, long-term ecosystem monitoring program to collect baseline information and compile existing information from a variety of ongoing research initiatives.
32. Adopt the recommended research plan included in this document.
33. Cooperate with research institutions such as the North Pacific Research Board in identifying research priorities to address pressing fishery issues.

ALTERNATIVE 4

Management Approach

Adopt a highly restrictive approach to scientific uncertainty in which the burden of proof is shifted to the user of the resource to demonstrate that the intended use will not have a detrimental effect on the environment. Modify restrictive conservation and management measures as additional, reliable scientific information becomes available. Establish a fishery conservation and management program to maintain ecological relationships between exploited, dependent and related species as well as ecosystem processes that sustain them. Management decisions assume that science cannot eliminate uncertainty and that action must be taken in the face of large uncertainties, guided by policy priorities and the strict interpretation of the precautionary principle. Management decisions will involve and be responsive to the public but minimize industry and community concerns; incorporate and apply strict ecosystem principles; address the impact fishing on predator-prey, habitat and other important ecological relationships in the marine environment; draw upon federal, state, academic and other capabilities in carrying out research, administration, management, and enforcement; implement measures that avoid or minimize bycatch; and include the use of explicit allocative or cooperative programs to reduce excess capacity and allocate fish to particular gear types and fisheries. This strategy is based on the assumption that fishing does produce adverse impacts on the environment but due to lack of information and uncertainty, we know little about these impacts. This strategy would result in a number of significant changes to the FMPs that would significantly curtail the groundfish fisheries until more information is known about the frequency and intensity of fishery impacts upon the environment. Expanded research and monitoring programs will fill critical data gaps. Once more is known about fishery effects on the ecosystem, scientific information will be used to modify and relax the precautionary measures initially adopted. To meet the goals of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Prevent overfishing by transitioning from single-species to ecosystem-oriented management of fishing activities.
2. Close an additional 20-50% of known spawning areas of target species across the range of the stock to protect the productivity and genetic diversity.

Preserve Food Web:

3. Develop and implement a Fishery Ecosystem Plan through the modification or amendment of current FMPs. [EPAP, NRC]
4. Conserve native species and biological diversity at all relevant scales of genetic, species, and community interactions.
5. Reduce the ABC to account for uncertainty and ecological considerations for all exploited stocks, including genetic, life history, food web and habitat considerations.
6. Set fishing levels in a highly precautionary manner to preserve ecological relationships between exploited, dependent, and related species.

Reduce and Avoid Bycatch:

7. Include bycatch mortality in TAC accounting and improve the accuracy of mortality assessments for target, non-target, and PSC bycatch, including unobserved mortality.
8. Increase the accuracy of bycatch mortality assessments by accounting for unobserved mortality of target, non-target, and PSC.
9. Reduce bycatch, discards and PSC limits (e.g., by 10%/year for five years).
10. Phase out fisheries with >25% bycatch rates.
11. Establish PSC limits for salmon, crab and herring in the Gulf of Alaska.
12. Set stringent bycatch limits for vulnerable non-target species based on best available information.

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Avoid Impacts to Seabirds and Marine Mammals:

13. Set protection measures immediately for all seabird species and cooperate with USFWS to develop fishing methods that reduce incidental takes to levels approaching zero for all vulnerable, threatened or endangered species.
14. Initiate joint research program with USFWS to evaluate current population estimates for all seabird species that interact with the groundfish fisheries and modify protection measures based on research findings.
15. Increase existing protection measures for ESA-listed Steller sea lions by further restricting gear in critical habitat and setting more conservative harvest levels for prey base species.

Reduce and Avoid Impacts to Habitat:

16. Zone and delimit fishing gear use in the action area and establish no-take marine reserves (both pelagic and nearshore) encompassing 20-50% of management areas to conserve EFH, provide refuges from fishing, serve as experimental controls to test the effects of fisheries, protect genetic and biological diversity, and foster regeneration of depleted stocks in fished areas.
17. To protect habitat and reduce bycatch, prohibit trawling in fisheries that can be prosecuted with more selective gear types and establish trawl closure areas.
18. Manage fisheries in an explicitly adaptive manner to facilitate learning (including large no-take marine reserves that provide experimental controls).
19. Protect marine habitats, including EFH, HAPC, ESA-designated critical habitats and other identified habitat types.
20. Commit to funding a comprehensive research plan in order to provide baseline habitat atlas.

Allocation Issues:

21. Reduce excess fishing capacity and employ equitable allocative or cooperative programs to end the race for fish, reduce waste, increase safety, and promote long-term stability and benefits to fishing communities.

Increase Alaska Native Consultation:

22. Utilize traditional knowledge in fishery management, including monitoring and data-gathering capabilities, through co-management and cooperative research programs.
23. Increase participation of and consultation with Alaska Native subsistence users and explicitly address the direct, indirect and cumulative fishery impacts on traditional subsistence uses and cultural values of living marine resources.

Data Quality, Monitoring and Enforcement:

24. Increase the precision of observer data through increased observer coverage and enhanced sampling protocols, and address the shortcomings of the current funding mechanism by implementing either a federally funded or equitable fee-based system for a revamped Observer Program Research Plan.
25. Improve community and regional economic impact assessments through increased data reporting requirements.
26. Improve enforcement and in-season management through improved technological means.
27. Establish a coordinated, long-term monitoring program to collect baseline information and better utilize existing research information to improve implementation of the Fishery Ecosystem Plan.
28. Adopt the recommended research plan included in this document.

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KEY:

ABC	Acceptable Biological Catch
AFA	American Fisheries Act
BSAI	Bering Sea and Aleutian Islands
D	Discretionary (if no indication, action is discretionary)
EFH	Essential Fish Habitat
EO	Executive Order
EPAP	Ecosystem Principles Advisory Panel Recommendations on Ecosystem-Based Management
ESA	Endangered Species Act
FCMA	Fishery Conservation and Management Act (now called the Magnuson Stevens Act)
FMP	Fishery Management Plan
GOA	Gulf of Alaska
HAPC	Habitat Areas of Particular Concern
IR/TU	Improved Retention/Improved Utilization
M	Mandatory
MSA	Magnuson Stevens Fishery Conservation and Management Act
MSA NS#	MSA National Standard #
MSST	Minimum Stock Size Threshold
MSY	Maximum Sustainable Yield
NAS SF	National Academy of Sciences Policy Recommendations for Sustainable Fisheries
NMFS	National Marine Fisheries Service
NMFS BYC	NMFS National Bycatch Plan
NPFMC	North Pacific Fishery Management Council
NRC	National Research Council
NRC MPA	National Research Council Marine Protected Areas Report
OFL	Overfishing Level
OY	Optimum Yield
PSC	Prohibited Species Catch
SFA	Sustainable Fisheries Act
TAC	Total Allowable Catch
USFWS	U.S. Fish and Wildlife Service

	Alt 1	Alt 4
	1	4.2
TAC-setting Process	- set ABC < OFL - sum of TAC has to be within	pollock, <=> TAC = 0 for all species unless fisheries are proven to have no adverse effect on the environment per
	- OY range for BSAI and GOA if the sum of TAC > 2 mill mt t adjusted down	
	- ABC tier system where F ₄₀ is permissible for stocks without MSY	<=> TAC = 0 for all species e.g., species
	- B ₂₀ rule for prey species (an	<=> TAC = 0 for all species
	- TAC = 0 for forage fish (for	<=> TAC = 0 for all species orage
- specify MSSTs for Tier 1-3	to the ck, with the	
- set group TAC for 'other spe	of on the	<=> TAC = 0 for all species
- incorporation of uncertainty assessment on an individual no formal procedure	nce and urvey each	
- develop ecosystem indicators in TAC-setting	s using dence es in	
Bycatch Restrictions	- PSC limits for herring, crab, salmon in BSAI, and for halibut - IR/IU - current bycatch restrictions - Demersal Shelf Rockfish (DSC)	<=> PSC limit = 0 <=> No bycatch <=> No bycatch or discards % %

NEW by Steve Davis

ALTERNATIVE 1(a)**Current BSAI Policy Statement (same as original 1979 FMP)****Section 3.2 of Bering Sea/Aleutian Islands FMP** Goals for Management Plan

The North Pacific Fishery Management Council has determined that all its fishery management plans should, in order to meet the requirements of its constituency, the resources and FCMA, achieve the following goals:

1. Promote conservation while providing for the optimum yield from the Region's groundfish resource in terms of: providing the greatest overall benefit to the nation with particular reference to food production and recreational opportunities; avoiding irreversible or long-term adverse effects on the fishery resources and the marine environment; and insuring availability of a multiplicity of options with respect to the future uses of these resources.
2. Promote, where possible, efficient use of the fishery resources but not solely for economic purposes.
3. Promote fair and equitable allocation of identified available resources in a manner such that no particular group acquires an excessive share of the privileges.
4. Base the plan on the best scientific information available.

In accomplishing these broad objectives a number of secondary objectives have been considered:

1. Conservation and management measures have taken into account the unpredictable characteristics of future resource availability and socioeconomic factors influencing the viability of the industry.
2. Where possible, individual stocks of fish are managed as a unit throughout their range, but such management is in due consideration of other impacted resources.
3. In such instances when stocks have declined to a level below that capable of producing MSY, management measures promote the rebuilding the stocks. In considering the rate of rebuilding, factors other than biological considerations have been taken into account.
4. Management measures, while promoting efficiency where practicable, are designed to avoid disruption of existing social and economic structures where fisheries appear to be operating in reasonable conformance with the Act and have evolved over a period of years as reflected in community characteristics, processing capability, fleet size and distribution. These systems and the resources upon which they are based are not static, but change in the existing regulatory regime should be the result of considered action based on data and public input.
5. Management measures should contain a margin of safety in recommending allowable biological catches when the quality of information concerning the resource and ecosystem is questionable. Management plans should provide for accessing biological and socioeconomic data in such instances where the information base is inadequate to effectively establish the biological parameters of the resource or to reasonably establish optimum yield. This plan has identified information and research required for further plan development.
6. Fishing strategy has been designed in such a manner as to have minimal impact on other fisheries and the environment.

Current GOA Policy Statement (adopted through Amendment 14 in 1985)**Section 2.1 of GOA FMP Goals and Objectives for Management of Gulf Groundfish Fisheries**

The North Pacific Fishery Management Council (NPFMC or the Council) is committed to develop long-range plans for managing the Gulf of Alaska groundfish fisheries that will promote a stable planning environment for the seafood industry and will maintain the health of the resource and the environment for the seafood industry and will maintain the health of the resource and the environment. In developing allocations and harvesting systems, the Council will give overriding considerations to maximizing economic benefits to the United States. Such management will:

1. Conform to the National Standards and to the NPFMC Comprehensive Fishery Management Goals.
2. Be designed to assure that to the extent possible:
 1. Commercial, recreational, and subsistence benefits may be obtained on a continuing basis.
 2. Minimize the chances of irreversible or long-term adverse effects on fishery resources and the marine environment.
 3. A multiplicity of options will be available with respect to future use of the resources.
 4. Regulations will be long-term and stable with changes kept to a minimum.

Principal Management Goal. Groundfish resources of the Gulf of Alaska will be managed to maximize positive economic benefits to the United States, consistent with resource stewardship responsibilities for the continuing welfare of the Gulf of Alaska living marine resources. Economics benefits include, but are not limited to, profits, benefits to consumers, income and employment.

To accomplish this goal, a number of objectives will be considered:

Objective 1: The Council will establish annual harvest guidelines, within biological constraints, for each groundfish fishery and mix of species taken in that fishery.

Objective 2: In its management process, including the setting of annual harvest guidelines, the Council will account for all fishery-related removals by all gear types for each groundfish species, sport fishery and subsistence catches, as well as by directed fisheries.

Objective 3: The Council will manage fisheries to minimize waste by:

1. Developing approaches to treating bycatches other than as a prohibited species. Any system adopted must address the problems of covert targeting and enforcement.
2. Developing management measures that encourage the use of gear and fishing techniques that minimize discards.

Objective 4: The Council will manage groundfish resources of the Gulf of Alaska to stimulate development of fully domestic fishery operations.

Objective 5: The Council will develop measures to control effort in a fishery, including systems to convert the common property resource to private property, but only when requested to do so by industry.

Objective 6: Rebuilding stocks to commercial or historic levels will be undertaken only if the benefits to the United States can be predicted after evaluating the associated costs and benefits and the impacts on related fisheries.

Objective 7: Population thresholds will be established for economically viable species complexes under Council management on the basis of the best scientific information, and acceptable biological catches (ABCs) will be established as defined in this document. If population estimates drop below these thresholds, ABC will be set to reflect necessary rebuilding as determined in Objective 6.

ALTERNATIVE 1(b)Management Approach

Continue to work toward the goals of maintaining sustainable fisheries, protecting threatened and endangered species, and to protect, conserve, and restore living marine resource habitat through existing institutions and processes. Continue to manage the groundfish fisheries through the current risk averse conservation and management program that is based on a conservative harvest strategy. Under this management strategy, fishery impacts to the environment are mitigated as scientific evidence indicates that the fishery is adversely impacting the ecosystem. Management decisions will utilize the best scientific information available; the management process will be adaptive to new information and reactive to new environmental issues; incorporate and apply ecosystem-based management principles; consider the impact of fishing on predator-prey, habitat, and other important ecological relationships; maintain the statutorily mandated programs to reduce excess capacity and the race-for-fish; draw upon federal, state, and academic capabilities in carrying out research, administration, management, and enforcement; and consider the effects of fishing and encourage the development of practical measures that minimize bycatch and adverse effects of essential fishing habitat. This strategy is based on the assumption that fishing does produce some adverse impact on the environment and that as these impacts become known, mitigation measures are developed and FMP amendments are implemented. Issues will be addressed as they ripen and are identified through Council staff tasking and research priorities. The Council will continue to use the National Standards as its guide in practicing adaptive management and responsible decision making and to consistently amend FMPs accordingly. To meet the goal of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Adopt conservative harvest levels for single species fisheries and specify Optimum Yield (OY). [M, MSA-NS1; NAS SF]
2. Continue to use existing OY cap for BSAI and GOA groundfish fisheries.
3. Provide for adaptive management by continuing to specify OY as a range. [M, MSA to set OY; D to set as range]

Preserve Food Web:

4. Incorporate ecosystem considerations into fishery management decisions. [NAS SF]
5. Continue to protect the integrity of the food web through limits on harvest of forage species.
6. [Develop a conceptual model of the food web.](#) [EPAP]

Reduce and Avoid Bycatch:

7. Continue current bycatch management program.
8. Continue to manage bycatch through seasonal distribution of TAC and geographical gear restrictions.
9. Continue to account for bycatch mortality in monitoring annual TACs.
10. Control the bycatch of prohibited species through PSC limits.
11. Continue program to require full utilization of target species.
12. Continue to respond to evidence of population declines by closing areas and implementing gear and seasonal restrictions in affected areas.

Avoid Impacts to Seabirds and Marine Mammals:

13. Continue to cooperate with USFWS to protect ESA-listed and other seabird species. [M, ESA - listed species; D, other species]
14. Maintain current protection measures in order to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]

Reduce and Avoid Impacts to Habitat:

15. Respond to new scientific information regarding areas of critical habitat by closing those regions to all fishing (i.e., no-take marine reserves such as Sitka Pinnacles).
16. Evaluate the impacts of trawl gear on habitat through the stepwise implementation of a comprehensive research plan, to determine appropriate habitat protection measures.
17. Continue to evaluate candidate areas for marine protected areas. [EO 13158]

Allocation Issues:

18. Continue to reduce excess fishing capacity, overcapitalization and the adverse effects of the race for fish. [M, SFA to continue AFA Pollock cooperative program; D, other programs; NAS SF]
19. Provide economic and community stability by maintaining current allocation percentages to harvesting and processing sectors.

Increase Alaska Native Consultation:

20. Continue to incorporate traditional knowledge in fishery management.
21. Continue current levels of Alaska Native participation and consultation in fishery management. [EO 13084]

Data Quality, Monitoring and Enforcement:

22. Continue the existing reporting requirements and Observer Program to provide catch estimates and biological information.
23. Continue on-going effort to improve community and regional economic impact assessments.
24. Increase the quality of monitoring data through improved technological means.

ALTERNATIVE 2Management Approach

Amend the current FMPs to establish a more aggressive harvest strategy while still preventing overfishing of target groundfish stocks. The goal would be to maximize biological and economic yield from the resource. Such a management approach will be based on the best scientific information available, take into account individual stock and ecosystem variability; involve and be responsive to the needs and interests of affected states and citizens; continue to work with state and federal agencies to protect threatened and endangered species; maintain the statutorily mandated programs to reduce excess capacity and the race-for-fish; draw upon federal, state, and academic capabilities in carrying out research, administration, management, and enforcement; and consider the effects of fishing and encourage the development of practical measures that minimize bycatch and adverse effects of essential fishing habitat. This strategy is based on the assumption that fishing does not have an adverse impact on the environment except in specific cases as noted. To meet the goal of this overall program, the Council and NMFS will seek to achieve the following management objectives:

Prevent Overfishing:

1. Prevent overfishing by setting an Optimum Yield (OY) cap at the sum of OFL or the sum of the ABCs for each species.
2. Provide for adaptive management by continuing to specify OY as a range. [M - MSA to set OY; D - to set as range]

Preserve Food Web:

(none)

Reduce and Avoid Bycatch:

3. Monitor the bycatch of prohibited species **and adjust or eliminate** PSC limits.
4. Manage bycatch through closure areas for selected gear types.

Avoid Impacts to Seabirds and Marine Mammals:

6. **Maintain current protection measures** to protect ESA-listed seabird species. [M, ESA]
7. Maintain current protection measures to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]

Reduce and Avoid Impacts to Habitat:

8. Evaluate the impacts of trawl gear on habitat through the implementation of the existing research plan, identify EFH, and determine appropriate habitat protection measures.
9. Continue to evaluate candidate areas for marine protected areas. [EO 13158]

Allocation Issues:

10. Maintain AFA and CDQ program as authorized by MSA. [M, SFA to continue AFA Pollock cooperative program; D other programs; NAS SF]

Increase Alaska Native Consultation:

11. Continue to incorporate traditional knowledge in fishery management.
12. Continue current levels of Alaska Native participation and consultation in fishery management.

Data Quality, Monitoring and Enforcement:

13. Continue the existing reporting requirements to provide catch estimates and biological information.
14. Continue on-going effort to improve community and regional economic impact assessments.
15. **Consider repealing** the Observer Program.

ALTERNATIVE 3

Management Approach

Accelerate precautionary management measures through community or rights-based management, ecosystem management principles, increased habitat protection and additional bycatch constraints. This policy objective seeks to provide sound conservation of the living marine resources; provide socially and economically viable fisheries and fishing communities, minimize human caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem considerations into management decisions. This policy recognizes the need to balance many competing uses of marine resources and different social and economic goals for fishery management. This policy will utilize and improve upon existing processes to involve a broad range of the public in decisionmaking. Further, these objectives seek to maintain the balanced goals of the MSA and other MSA provisions, the National Standards and the requirements of other applicable law, based on the best scientific information available. This policy takes into account the National Academy of Science's Sustainable Fisheries Policy Recommendations. Under this approach, more conservative mitigation measures will be taken to respond to social, economic or conservation needs, or if scientific evidence indicates that the fishery is negatively impacting the environment.

Prevent Overfishing:

1. Adopt conservative harvest levels for single species fisheries.
2. Provide for adaptive management by continuing to specify OY as a range **or a formula**. [M - MSA to set OY; D - to set as range]
3. Initiate a scientific review of the adequacy of F_{40} and implement improvements accordingly. [D, MSA]
4. Continue to collect scientific information and improve upon MSSTs including obtaining biological information necessary to move Tier 4 species into Tiers 1-3 in order to obtain MSSTs.

Preserve Food Web:

5. Incorporate ecosystem considerations into fishery management decisions. [NAS SF]
6. Develop indices of ecosystem health as targets for management. [EPAP]
7. ~~Develop a conceptual model of the food web.~~ [EPAP] - *Moved to Alt. 1, Objective 6*
8. Improve the procedure to reduce ABCs in order to account for uncertainty and ecosystem factors such as predator-prey relationships and regime shifts.
9. Initiate a research program to identify the habitat needs of different species that represent the significant food web. [EPAP]

Reduce and Avoid Bycatch:

10. Continue and improve current bycatch management program.
11. Developing incentive programs for bycatch reduction.
12. Initiate research program to evaluate current population estimates for non-target species with a view to setting bycatch limits as information becomes available.
13. ~~Evaluate current population estimates for non-target species and their vulnerability by region in order to select species for necessary bycatch limits.~~ -*Deleted (repetitive with Objective 12)*
14. Continue program to reduce discards by developing management measures that encourage the use of gear and fishing techniques that reduce discards.

Avoid Impacts to Seabirds and Marine Mammals:

15. Continue to cooperate with USFWS to protect ESA-listed and other seabird species. [M, ESA - listed species; D, other species]
16. Initiate joint research program with USFWS to evaluate current population estimates for all seabird species that interact with the groundfish fisheries.
17. **Maintain and modify as necessary** current protection measures in order to avoid jeopardy to ESA-listed Steller sea lions. [M, ESA]

18. Initiate research programs to review status of other marine mammal stocks and fishing interactions (right whales, sea otters, etc.).

Reduce and Avoid Impacts to Habitat:

19. Develop goals, objectives and criteria and then establish a system of marine protected areas and no-take marine reserves distributed over a range of habitat types and geographic areas to maintain abundance, diversity, and productivity of marine organisms. [NRC MPA; EO 13158]
20. Develop a research program to identify regional baseline habitat information and mapping.
21. Evaluate the impacts of all gear on habitat through the implementation of a comprehensive research plan, to determine appropriate habitat protection measures.
22. Identify and designate EFH and HAPC.

Allocation Issues:

23. Provide economic and community stability to harvesting and processing sectors through fair allocation of fishery resources.
24. Maintain LLP program and further decrease excess fishing capacity and other adverse effects of the race for fish by extending programs such as community or rights-based management **to some or all** groundfish fisheries. [NAS SF]
25. Provide for adaptive management by periodically evaluating the effectiveness of rationalization programs and the allocation of property rights based on performance.
26. To support fishery management, extend the cost recovery program to all groundfish fisheries.

Increase Alaska Native Consultation:

27. Continue to incorporate traditional knowledge in fishery management.
28. Initiate a research study to collect traditional knowledge from communities, and include information in fishery management.
29. Increase Alaska Native participation and consultation in fishery management.

Data Quality, Monitoring and Enforcement:

27. Increase the utility of groundfish fishery observer data for the conservation and management of living marine resources, and address the equity problems of the current funding mechanism.
28. Improve groundfish Observer Program.
29. Improve community and regional economic impact assessments through increased data reporting requirements.
30. Increase the quality of monitoring data through improved technological means.
31. Establish a coordinated, long-term ecosystem monitoring program to collect baseline information and compile existing information from a variety of ongoing research initiatives.
32. Adopt the recommended research plan included in this document.
33. Cooperate with research institutions such as the North Pacific Research Board in identifying research priorities to address pressing fishery issues.

DF 7:52 6/11

ALTERNATIVE 4

Management Approach

Managing Fisheries under very precautionary

Adopt a highly restrictive approach to scientific uncertainty in which the burden of proof is shifted to the user of the resource to demonstrate that the intended use will not have a detrimental effect on the environment. Modify restrictive conservation and management measures as additional, reliable scientific information becomes available. Establish a fishery conservation and management program to maintain ecological relationships among exploited, dependent and related species as well as ecosystem processes that sustain them. Management decisions assume that science cannot eliminate uncertainty and that action must be taken in the face of large uncertainties, guided by policy priorities and the strict interpretation of the precautionary principle. Management decisions will involve and be responsive to the public but minimize industry and community concerns; incorporate and apply strict ecosystem principles; address the impact fishing on predator-prey, habitat and other important ecological relationships in the marine environment; draw upon federal, state, academic and other capabilities in carrying out research, administration, management, and enforcement; implement measures that avoid or minimize bycatch; and include the use of explicit allocative or cooperative programs to reduce excess capacity and allocate fish to particular gear types and fisheries. This strategy is based on the assumption that fishing does produce adverse impacts on the environment but due to lack of information and uncertainty, we know little about these impacts. This strategy would result in a number of significant changes to the FMPs that would significantly curtail the groundfish fisheries until more information is known about the frequency and intensity of fishery impacts upon the environment. Expanded research and monitoring programs will fill critical data gaps. Once more is known about fishery effects on the ecosystem, scientific information will be used to modify and relax the precautionary measures initially adopted. To meet the goals of this overall program, the Council and NMFS will seek to achieve the following management objectives:

decrease emphasis on

Identify & incorporate non-consumptive use values

Prevent Overfishing:

1. Prevent overfishing by transitioning from single-species to ecosystem-oriented management of fishing activities.
2. Close an additional 20-50% of known spawning areas of target species across the range of the stock to protect the productivity and genetic diversity.

Preserve Food Web:

3. Develop and implement a Fishery Ecosystem Plan through the modification or amendment of current FMPs. [EPAP, NRC]
4. Conserve native species and biological diversity at all relevant scales of genetic, species, and community interactions.
5. Reduce the ABC to account for uncertainty and ecological considerations for all exploited stocks, including genetic, life history, food web and habitat considerations.
6. Set fishing levels in a highly precautionary manner to preserve ecological relationships between exploited, dependent, and related species.

Reduce and Avoid Bycatch:

7. Include bycatch mortality in TAC accounting and improve the accuracy of mortality assessments for target, non-target, and PSC bycatch, including unobserved mortality.
8. Increase the accuracy of bycatch mortality assessments by accounting for unobserved mortality of target, non-target and PSC. -Deleted (repetitive with Objective 7)
9. Reduce bycatch, discards and PSC limits (e.g., by 10%/year for five years).
10. Phase out fisheries with >25% bycatch rates.
11. Establish PSC limits for salmon, crab and herring in the Gulf of Alaska.
12. Set stringent bycatch limits for vulnerable non-target species based on best available information.

put in prior to "d. upon..."

Avoid Impacts to Seabirds and Marine Mammals:

13. Set protection measures immediately for all seabird species and cooperate with USFWS to develop fishing methods that reduce incidental takes to levels approaching zero for all threatened or endangered species **and for USFWS's list of species of management concern.**
14. Initiate joint research program with USFWS to evaluate current population estimates for all seabird species that interact with the groundfish fisheries and modify protection measures based on research findings.
15. Increase existing protection measures for ESA-listed Steller sea lions by further restricting gear in critical habitat and setting more conservative harvest levels for prey base species.

Reduce and Avoid Impacts to Habitat:

16. Zone and delimit fishing gear use in the action area and establish no-take marine reserves (both pelagic and nearshore) encompassing 20-50% of management areas to conserve EFH, provide refuges from fishing, serve as experimental controls to test the effects of fisheries, protect genetic and biological diversity, and foster regeneration of depleted stocks in fished areas.
17. To protect habitat and reduce bycatch, prohibit trawling in fisheries that can be prosecuted with more selective gear types and establish trawl closure areas.
18. Manage fisheries in an explicitly adaptive manner to facilitate learning (including large no-take marine reserves that provide experimental controls).
19. Protect marine habitats, including EFH, HAPC, ESA-designated critical habitats and other identified habitat types.
20. Commit to funding a comprehensive research plan in order to provide baseline habitat atlas.

Allocation Issues:

21. Reduce excess fishing capacity and employ equitable allocative or cooperative programs to end the race for fish, reduce waste, increase safety, and promote long-term stability and benefits to fishing communities.

Increase Alaska Native Consultation:

22. Utilize traditional knowledge in fishery management, including monitoring and data-gathering capabilities, through co-management and cooperative research programs.
23. Increase participation of and consultation with Alaska Native subsistence users and explicitly address the direct, indirect and cumulative fishery impacts on traditional subsistence uses and cultural values of living marine resources.

Data Quality, Monitoring and Enforcement:

24. Increase the precision of observer data through increased observer coverage and enhanced sampling protocols, and address the shortcomings of the current funding mechanism by implementing either a federally funded or equitable fee-based system for a revamped Observer Program Research Plan.
25. **Improve community and regional economic impact assessments through increased data reporting requirements. -Moved to Alt. 3, Objective 29**
26. Improve enforcement and in-season management through improved technological means.
27. Establish a coordinated, long-term monitoring program to collect baseline information and better utilize existing research information to improve implementation of the Fishery Ecosystem Plan.
28. Adopt the recommended research plan included in this document.

KEY:

ABC	Acceptable Biological Catch
AFA	American Fisheries Act
BSAI	Bering Sea and Aleutian Islands
D	Discretionary (if no indication, action is discretionary)
EFH	Essential Fish Habitat
EO	Executive Order
EPAP	Ecosystem Principles Advisory Panel Recommendations on Ecosystem-Based Management
ESA	Endangered Species Act
FCMA	Fishery Conservation and Management Act (now called the Magnuson Stevens Act)
FMP	Fishery Management Plan
GOA	Gulf of Alaska
HAPC	Habitat Areas of Particular Concern
IR/IU	Improved Retention/Improved Utilization
M	Mandatory
MSA	Magnuson Stevens Fishery Conservation and Management Act
MSA NS#	MSA National Standard #
MSST	Minimum Stock Size Threshold
MSY	Maximum Sustainable Yield
NAS SF	National Academy of Sciences Policy Recommendations for Sustainable Fisheries
NMFS	National Marine Fisheries Service
NMFS BYC	NMFS National Bycatch Plan
NPFMC	North Pacific Fishery Management Council
NRC	National Research Council
NRC MPA	National Research Council Marine Protected Areas Report
OFL	Overfishing Level
OY	Optimum Yield
PSC	Prohibited Species Catch
SFA	Sustainable Fisheries Act
TAC	Total Allowable Catch
USFWS	U.S. Fish and Wildlife Service

4/11
3:24 P
D.F.

Motion
I move that the Council send a
letter to Dr Hogarty, NMS with
copy to Representative Gilchrist
that states: Existing applicable
law for seabird protection (eg, ESA,
MSEMA, ~~the~~) provides US
fisheries management councils
and NMS adequate authority
to manage fisheries to reduce and
avoid seabird bycatch. Additional
legislation under MSEMA Reauthoriza-
tion unnecessary. The letter should
cite the successful cooperation
among the Council, industry,
NMFS, USFWS and the Alaska
Sea Grant Program that greatly
reduced and avoided seabird inter-
actions with longline fisheries in
Alaska and Hawaii - the only US
fisheries known to have seabird bycatch
protection.

+ append color hand out by Thayer Smith

G-5

DATE 6-11

TIME 5:16p

AGENDA ITEM C-5

①

*****BALSIGER VOTES LAST ON EMERGENCY RULES**

ROLL CALL TALLY

	YES	NO
ANDERSON	✓ ✓	+
AUSTIN	✓ ✓ +	
DR. BALSIGER (or Salveson) EMERGENCY RULE?	✓ ✓ +	
BUNDY	✓ ✓ +	
DUFFY (or Krygier)	✓ ✓ +	
DR. FLUHARTY	✓ ✓ +	
HYDER	✓ ✓ +	
MADSEN	✓ ✓ +	
PENNEY	absent	
SAMUELSEN	"	
BENTON	✓ ✓	+

MOTION ^{5:16 P} ~~VEK~~ - ^{MAIN} ~~adopt~~ ^{revised} ~~that~~ Programmatic SEIS - UNANIMOUS -

5:17 SA: motion to amend doc. by staff for unstruct. - carried no obj.

✓ 5:24 SM: alt 3.1 replaced w/ alt 1. passes 9-0

+ 8:01: DA "extremely" - passes 7-2.

Faint handwritten notes, possibly a list of items or a diagram. Includes several plus signs and arrows.

+

— *Handwritten notes in a different script* —

8:01 PM - 8:01 PM - *Handwritten notes*

DATE 6/11

TIME _____

AGENDA ITEM C-5

(2)

*****BALSIGER VOTES LAST ON
EMERGENCY RULES**

ROLL CALL TALLY

	YES	NO
ANDERSON		
AUSTIN		
DR. BALSIGER (or Salveson) EMERGENCY RULE?		
BUNDY		
DUFFY (or Krygier)		
DR. FLUHARTY		
HYDER		
MADSEN		
PENNEY		
SAMUELSEN		
BENTON		

MOTION 5:40P - SM: TAC-Setting ~~replace lang @ 3.4~~ withdrawn w/att.

5:43 - SA - insert of FTAC (Spot/Temp) no obj.

6:06 - SM - 3.1 GOA estab PSE limits on Salmon

6:13 - SM - " " " " " " " " Crab.

7:27 SM - D. Parker handout "ALT 3"

DATE 6/11

TIME 8:07P

AGENDA ITEM C-5 (9)

*****BALSIGER VOTES LAST ON EMERGENCY RULES**

ROLL CALL TALLY

	YES	NO
ANDERSON	✓	
AUSTIN	✓	
DR. BALSIGER (or Salveson) EMERGENCY RULE?		✓
BUNDY	✓	
DUFFY (or Krygier)	✓	
DR. FLUHARTY	✓	✓
HYDER		✓
MADSEN	✓	
PENNEY	<i>Absent</i>	
SAMUELSEN		
BENTON	✓	

MOTION 8:07P SA - move to reconsider on AI closure passes 7-2

8:07P JB extend AI closure, passes 7-2

6/11 7:27P SM motion carries w/o obj.

C-5
Donna Parker

April 19, 2002

Key on page 10 Page 6 of 10

ALTERNATIVE 3

Management Approach

Accelerate precautionary management measures through community or rights-based management, ecosystem-based management principles and, where appropriate and practicable, increased habitat protection and additional bycatch constraints. This policy objective seeks to provide sound conservation of the living marine resources; provide socially and economically viable fisheries and fishing communities, minimize human caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem-based considerations into management decisions. This policy recognizes the need to balance many competing uses of marine resources and different social and economic goals for fishery management. This policy will utilize and improve upon existing processes to involve a broad range of the public in decision-making decision making. Further, these objectives seek to maintain the balanced goals of the MSA and other MSA provisions, the National Standards and other provisions of the MSA, as well as the requirements of other applicable law, all as based on the best scientific information available. This policy takes into account the National Academy of Science's Sustainable Fisheries Policy Recommendations. Under this approach, ~~more conservative mitigation and to the extent practicable, additional conservation and management~~ measures will be taken as necessary to respond to social, economic or conservation needs, or if scientific evidence indicates that the fishery is negatively impacting the environment.

Prevent Overfishing:

1. Adopt conservative harvest levels for ~~single species~~ ^{Multi-species +} fisheries.
2. Provide for adaptive management by ~~continuing to specify OY as a range. [M - MSA to set OY; D to set as range]~~ ^{to set as range} to set as range.
3. Initiate a scientific review of the adequacy of the existing OY range and implement improvements accordingly. [D, MSA]
4. Continue to collect scientific information and improve upon MSSTs including obtaining biological information necessary to move Tier 4 species into Tiers 1-3 in order to obtain MSSTs.

Preserve Food Web:

5. Incorporate ecosystem-based considerations into fishery management decisions. [NAS SF]
6. Develop indices of ecosystem health as targets for management. [EPAP]
7. Develop a conceptual model of the food web. [EPAP]
8. Improve the procedure to ~~reduce~~ adjust ABCs ~~in order~~ as necessary to account for uncertainty and ecosystem factors such as predator-prey relationships and regime shifts.
9. Initiate a research program to identify the habitat needs of different species that represent the significant food web. [EPAP]

Reduce and Avoid Bycatch:

10. Continue and improve current bycatch management program.
11. Developing incentive programs for bycatch reduction, including the development of mechanisms to facilitate formation of bycatch pools, VBAs and other bycatch rationalization systems.
12. Initiate research program to evaluate current population estimates for non-target species with a view to setting reasonable bycatch limits as information becomes available.
13. Evaluate current population estimates for non-target species and their vulnerability by region in order to select species ~~for~~ ^{OY} as necessary ~~for~~ ^X bycatch limits.
14. Continue program to reduce discards to the extent practicable by developing management measures that encourage the use of gear and fishing techniques that reduce discards: bycatch.
- 14(b) Repeal the VIP program. {EXTRA ITEM}**

appropriate
No change

April 19, 2002

Key on page 10 Page 7 of 10

Avoid Impacts to Seabirds and Marine Mammals:

15. Continue to cooperate with USFWS to protect ESA-listed and other seabird species. [M, ESA - listed species; D, other species]

16. Initiate joint research program with USFWS to evaluate current population estimates for all seabird species that interact with the groundfish fisheries.

17. Maintain ~~current~~ protection measures ^{appropriate} in order as necessary to avoid jeopardy to ESA-listed Steller sea lions. [M,ESA]

18. Initiate ~~research~~ programs to review status of other marine mammal stocks and fishing interactions (right whales, sea otters, etc.).

Reduce and Avoid Impacts to Habitat:

19. Develop goals, objectives and criteria and then establish a system to evaluate the efficacy of marine protected areas and no-take marine reserves distributed over a range of habitat types and geographic areas as tools to maintain abundance, diversity, and productivity of marine organisms. Consider implementation of MPAs if and where appropriate, giving due consideration to areas already closed to various types of fishing operations. [NRC MPA; EO 13158]

20. Develop a research program to identify regional baseline habitat information and mapping.

21. Evaluate the impacts of all gear on habitat through the implementation of a comprehensive research plan, to determine appropriate ~~whether increased~~ habitat protection measures are necessary and appropriate.

22. Identify and designate EFH and HAPC.

Allocation Issues:

23. Provide economic and community stability to harvesting and processing sectors through fair allocation of fishery resources.

24. Maintain LLP program and further decrease excess fishing capacity and other adverse effects of the race for fish by eliminating latent licenses and extending programs such as community or rights-based management to all groundfish fisheries. [NAS SF]

25. Provide for adaptive management by periodically evaluating the effectiveness of rationalization programs and the allocation of property rights based on performance.

26. To support fishery management, extend the cost recovery program to all rationalized groundfish fisheries, with credit for industry funded programs such as the observer program, co-operative management efforts that reduce management overhead and costs, bycatch reduction initiatives and research.

Increase Alaska Native Consultation:

27. Continue to incorporate traditional knowledge in fishery management.

28. Initiate a research study to collect Consider ways to enhance collection of traditional knowledge from communities, and include information incorporate such knowledge in fishery management where appropriate.

~~29. Consider ways to increase.~~

29. Increase Alaska Native participation and consultation in fishery management.

Data Quality, Monitoring and Enforcement:

27. Increase the utility of groundfish fishery observer data for the conservation and management of living marine resources, ~~and address the equity problems of the current funding mechanism.~~

28. Improve groundfish Observer Program, and consider ways to address the disproportionate costs associated with the current funding mechanism.

29. Improve community and regional economic impact assessments through increased data reporting requirements.

30. Increase the quality of monitoring data through improved technological means.

31. Establish a coordinated, long-term ecosystem monitoring program to collect baseline information and compile existing information from a variety of ongoing research initiatives.

32. Adopt the recommended research plan included in this document

33. Cooperate with research institutions such as the North Pacific Research Board in identifying research priorities to address pressing fishery issues.

\\MUNDT2\USER\DOCS\Lrgt\Documents\Original\Alternative#3.doc

or adjust and develop fishery management measures as approp.

Keep as edited. SF 7.42

PUBLIC TESTIMONY SIGN-UP SHEET FOR AGENDA ITEM C-5 DPSEIS

**PLEASE SIGN ON THE NEXT BLANK LINE.
LINES LEFT BLANK WILL BE DELETED.**

	NAME	AFFILIATION
1.	Whit Sheard	The Ocean Conservancy
2.	Donna Paulsen	Marine Conservation Alliance
3.	Julie Bonney	Groundfish Data Bank
4.	Geoff Shester	Oceana
5.	KAREN DEARLOVE	ALASKA OCEANIS NETWORK
6.	Paul McGrey	At-Sea Processors
7.	Thom Smith	MPA
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IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.
Anchorage, Alaska 99503-6199

Letter from
Jonny DeGarge
C-5
1:20p

June 6, 2002

Mr. David Benton
Chair, North Pacific Fishery Management Council
605 West 4th Street, Suite 306
Anchorage, Alaska 99501-2252

Dear Dave:

Regrettably I will be unable to attend the June North Pacific Fishery Management Council meeting in Dutch Harbor due to an evolving family health matter. I thought that the Council might find useful some comments we have on the Programmatic SEIS currently under development by the National Marine Fisheries Service.

We appreciate the work that Steve Davis, his colleagues and the Council have done to improve the draft SEIS. As you may know, since the last Council meeting we have been working with Steve and with industry to craft language in the SEIS matrix that is realistic and still moves the issue of seabird bycatch forward.

In terms of alternatives, the Fish and Wildlife Service is comfortable with the four alternatives presented at the last Council meeting and believes they provide a suitable range of options for analysis based on harvest strategy, precautionary management and ecosystem principles, etc. We believe Alternative 3 provides a good balance between conservation and economically viable and sustainable fisheries and is the direction the Council is currently heading.

As you will note, the bookends on seabird bycatch now included in the matrix under Alternative 3 have been modified by National Marine Fisheries Service in consultation with us and Thorn Smith of the North Pacific Longline Association. We found it difficult to support the word "vulnerable" in Bookend 3.1 because of its multiple meanings. Instead we modified that bookend to read "Cooperate with USFWS to develop fishing methods that reduce incidental take for all threatened or endangered species and other albatross" recognizing our particular concern for the three North Pacific albatross species (short-tailed, black-footed and Laysan) that are susceptible to take in longline fisheries and for which we have varying levels of concern for their conservation status. Bookend 3.2 originally discussed establishing scientifically-based bycatch estimates for seabirds. In an ideal world this might be possible. Realistically, however, we do not, nor do we expect to have sufficient data to develop bycatch limits in the foreseeable future. In addition, the Service's national bycatch policy is to eliminate seabird bycatch, therefore adoption of a bookend which advocates set allowable bycatch limits seems inconsistent with this national policy. Bookend 3.2 has been modified to read "Cooperate with USFWS to

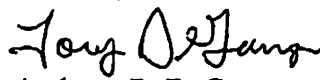
develop fishing methods that reduce incidental take of all seabird species." I believe both bookends under Alternative 3 advance the conservation of seabirds over the status quo and both acknowledge the role that research plays in developing and evaluating new methods to reduce seabird bycatch, which is consistent with the current research program that we are continuing to fund.

One final point, it is my understanding that the matrix under Alternative 3 may indicate that the bycatch limit of short-tailed albatross authorized by a future formal consultation could be increased from 4 over a two year period to >4 over a two-year period. While it is fine to consider this in the analysis, I want to make it clear to the Council and to industry that by its inclusion in the matrix, the Service has not decided to increase the allowable take of short-tailed albatross. Such an increase can only occur after an analysis of new data and an assessment of threats to the species through the formal Sec. 7 consultation process.

It is my understanding from recent discussions with Steve Davis that the Council will not be selecting preferred alternatives and bookends at this meeting. We feel that the bookends that will be presented to you on seabird bycatch by Steve Davis present a suitable range of alternatives that can go forward for analysis.

I hope these comments are useful to the Council. If you need clarification on any of these points please call me at 786-3492 (wk) or 688-5590 (hm) at any time. I appreciate the pro-active stance the Council has taken on reducing bycatch of seabirds in the North Pacific and the cooperative nature of our interactions with industry on this issue. I wish you the best during your difficult deliberations in Dutch Harbor and am sorry I can't be there. My regards to the Council and Council staff.

Sincerely,


Anthony R. DeGange

Addressing the Problem...

At present, NMFS and the State of Alaska are continuing to allow known coral and sponge habitat destruction to occur.

Join Oceana in urging the State and Federal governments to take immediate action to:

- Close areas with known concentrations of corals and sponges to destructive fishing gear types
- Designate corals and sponges as prohibited species and close any fishery that takes more than a minimal bycatch of these species
- Initiate a comprehensive seafloor research and monitoring program that includes research facilities, vessels, and personnel, while requiring onboard observers and vessel monitoring systems

Make your voice heard. Contact:

David Benton, Chairman
North Pacific Fishery Management Council
605 W. 4th Ave. #306
Anchorage, AK 99501

Frank Rue, Commissioner
Alaska Department of Fish and Game
P.O. Box 25526
Juneau, AK 99802-5526

!! Areas containing deepwater corals need to be identified and protected because they are a unique habitat and if damaged, will take decades and possibly centuries to recover. !!

Krieger, Ken. 2001. Coral (Primnoa) Impacted by Fishing Gear in the Gulf of Alaska. *Proceedings of the First International Symposium on Deep-Sea Corals*, p 115.



Sponges provide important shelter for fish



North Pacific Office

175 South Franklin St.
Suite 418
Juneau, AK 99801

Phone: (907) 586-4050
Fax: (907) 586-4944

Photos courtesy Tory O'Connell, ADF&G

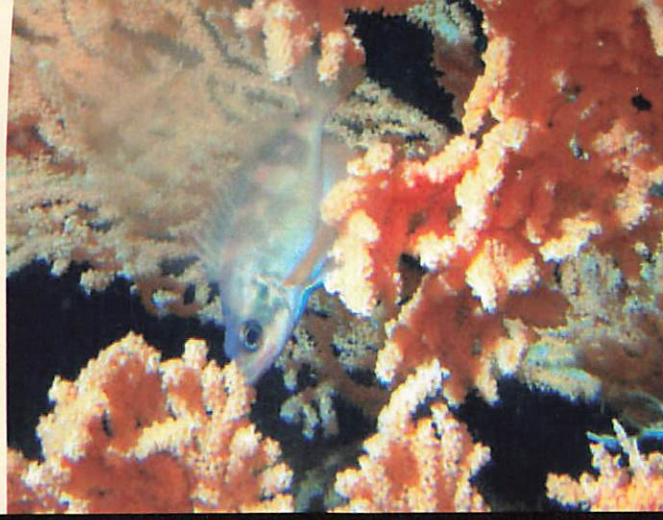
If we fail to take action, the consequences will be felt for generations to come.

We must act now, before we destroy these unique underwater forests that cannot recover for hundreds of years.

Stop Destructive Fishing in the North Pacific

Jeff Sikes
Alaska's Deep-Sea

Corals and Sponges



Protecting the World's Oceans

Natural Treasures of the Deep Sea

Forests of fragile red tree coral can be ten feet tall and over 500 years old



(Yelloweye rockfish)

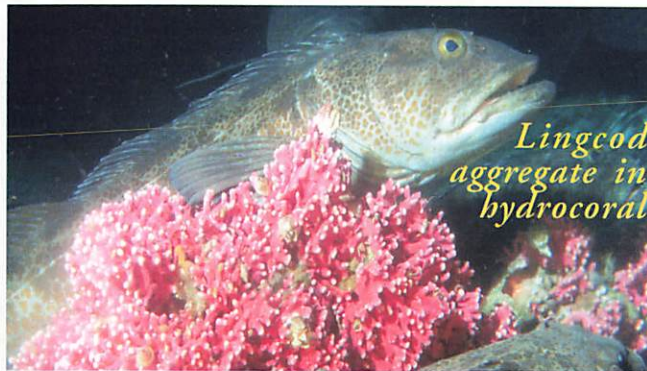
Beautiful Underwater Treasures

The cold, deep waters off Alaska are home to some of the most important habitat in the North Pacific. Here, scientists in deep sea submersibles are discovering 500 year old Gorgonian corals like red tree coral. These may be the oldest living things in the ocean, growing only 1 cm per year. Corals and sponges are living animals that feed on plankton and can produce medicines to treat human diseases.

Deep sea coral and sponge gardens are among the most vulnerable and slowest recovering habitats on the seafloor

Essential Fish Habitat

Deep sea corals and sponges form complex vertical structures on the seafloor. This creates important habitat for marine species that live on the bottom. Scientists now know that coral and sponge habitat provides breeding grounds, feeding areas, protection, shelter, and nurseries for dense aggregations of fish and shellfish. Some of these include rockfish, Pacific cod, Atka mackerel, pollock, lingcod, shrimp, and king crab.



Lingcod aggregate in hydrocoral

Clearcutting the Ocean Floor...

Bottom trawl fishing gear drags huge nets and cable over sensitive seafloor habitat. This gear type is responsible for over 97% of the reported coral and sponge bycatch.

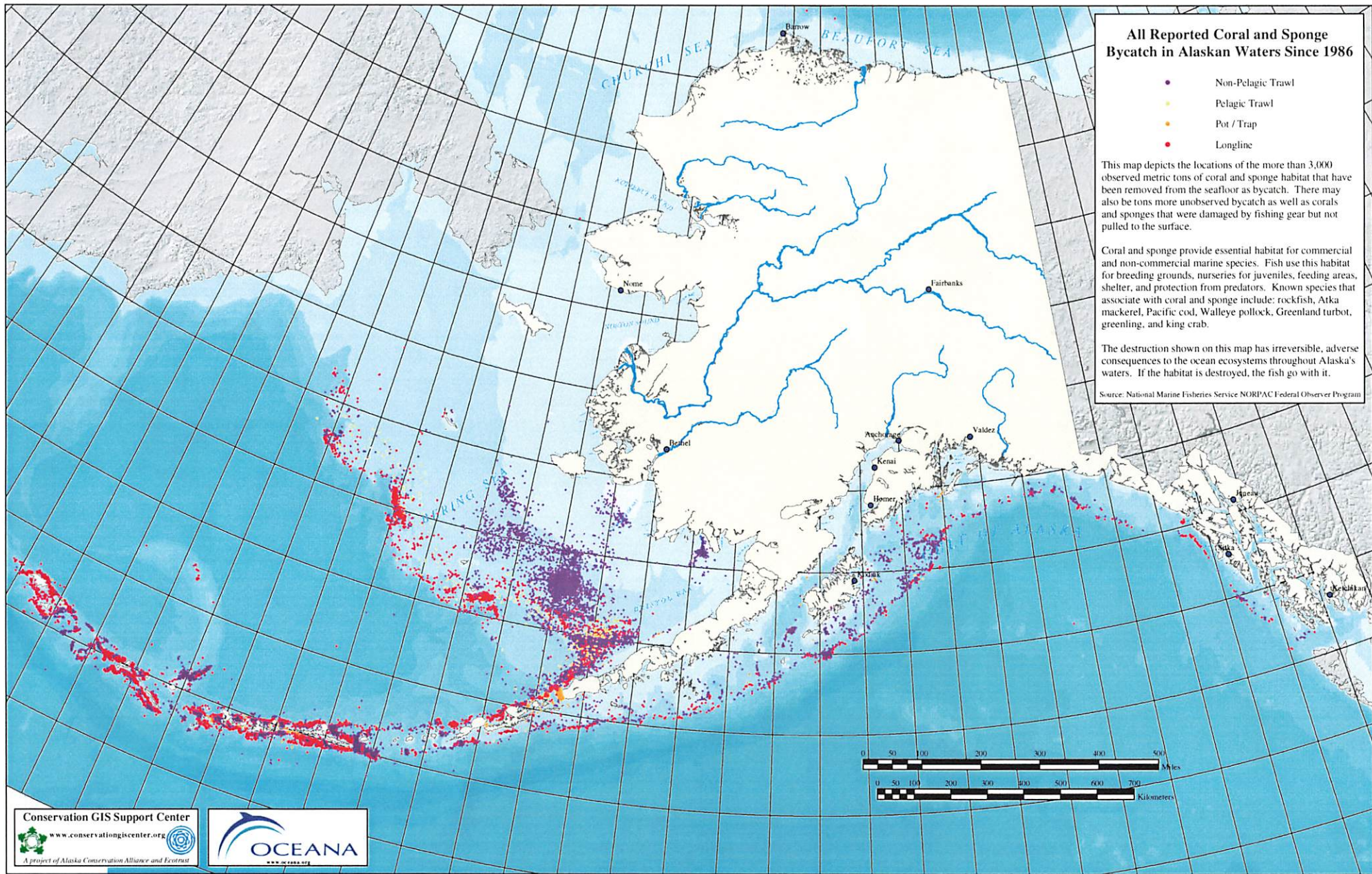
A Threat to Alaska's Oceans

Every year, fishing gear used to catch groundfish removes hundreds of tons of corals and sponges from the Aleutian Islands region alone. This has a devastating, irreversible impact on these essential seafloor ecosystems. **There are no measures in place to stop this destructive bycatch.**

Based on current scientific information, the most abundant and diverse coral and sponge ecosystems in the North Pacific are found in the waters just off the **Aleutian Islands** in Alaska. This area also has some of the highest recorded destruction of coral and sponge habitat, with well over 700 metric tons of observed bycatch of these species since 1996.

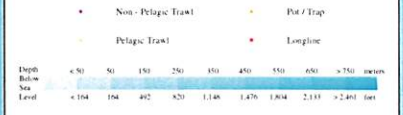


The most diverse coral and sponge ecosystems in the North Pacific are found in the waters off the Aleutian Islands



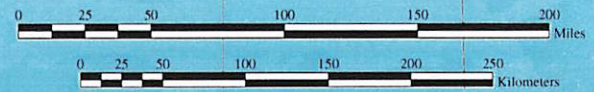
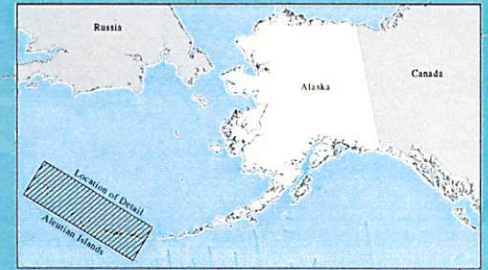
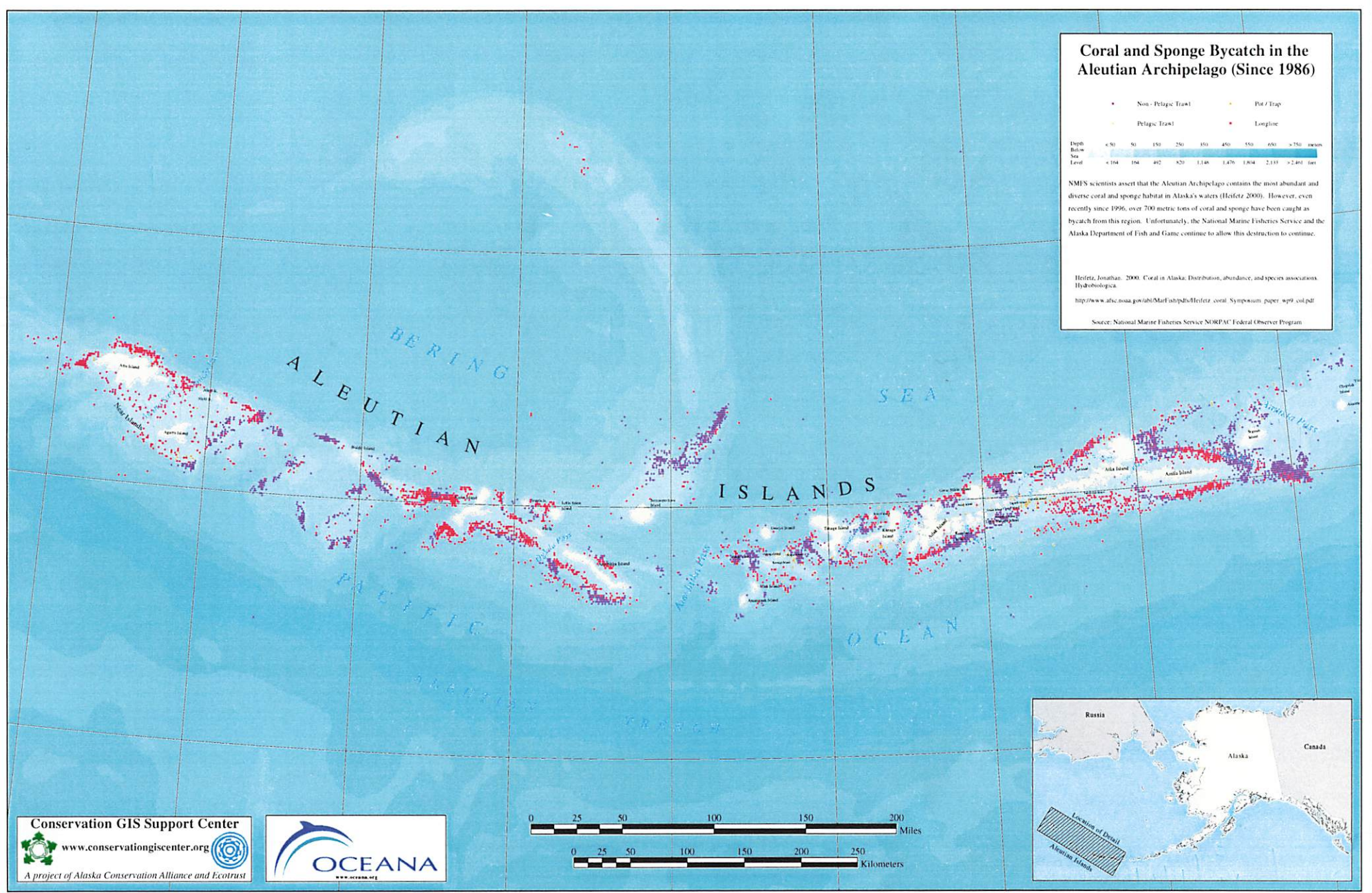
c-5
Jeff
Shoster

Coral and Sponge Bycatch in the Aleutian Archipelago (Since 1986)



NMFS scientists assert that the Aleutian Archipelago contains the most abundant and diverse coral and sponge habitat in Alaska's waters (Heifetz 2000). However, even recently since 1996, over 700 metric tons of coral and sponge have been caught as bycatch from this region. Unfortunately, the National Marine Fisheries Service and the Alaska Department of Fish and Game continue to allow this destruction to continue.

Heifetz, Jonathan. 2000. Coral in Alaska: Distribution, abundance, and species associations. Hydrobiologica.
http://www.afsc.noaa.gov/atlMarFish/pdf/Heifetz_coral_Symposium_paper_w99_col.pdf
 Source: National Marine Fisheries Service NORFAC Federal Observer Program



Conservation GIS Support Center
www.conservationgiscenter.org
 A project of Alaska Conservation Alliance and Ecotrust


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C-5 007
Thorn Smith

drawing the streamer off of the immediate area of the baited hooks. Streamers can also become tangled in the fishing gear and broken. The suite of bird mitigation measures required in the Hawaii-based fishery is unusual in that streamer lines are optional, but this is because the other mandatory mitigation measures are so highly effective.

- **Weighted branch lines** were common practice in the Hawaii-based fishery prior to any requirement for seabird mitigation measures. The formal definition calls for a standard weight located close to the hook on each branch line. This location may be somewhat more dangerous than the traditional weight location because it places the weight close to the hook where it may spring directly at fishermen when fish throw the hook.
- **Line setting machines** are used to pull the main line off of the longline reel at a speed that is faster than the speed of the fishing vessel through the water. This produces slack in the main line so that it goes directly into the water. Without a shooter the main line is pulled off the reel by the drag of the water as the boat moves, and the main line is suspended in air for some distance behind the vessel. An even more effective mitigation device may be the underwater line setting machine. The Audobon Society and NMFS will begin testing an underwater line setting machine in cooperation with the Hawaii-based longline fishery in February 2001.
- **Closure of the swordfish longline fishery** occurred under a Federal Court Order in March 2001 in order to reduce the catch of endangered sea turtles. The sector of the Hawaii-based fleet that targeted swordfish developed around 1989-92 and had a much higher rate of interactions with seabirds than the traditional tuna sector, because of the way swordfish gear is set, and because the fishery was located within the northern albatross habitat. Prior to the complete closure there had been court-ordered northern area closures in 1999 and 2000. The 2000 area closure and the 2001 swordfish fishery closure resulted in major reductions in seabird interactions with the longline fishery. In 2000, estimated black-footed and Laysan albatross interactions with the entire fleet totaled 2,343 prior to the August area closure whereas there were only 90 estimated interactions during the remainder of the year. Although fleet wide interaction estimates have not yet been completed for 2001, there were 133 bird interaction observed prior to the March swordfish closure, only 26 in the following calendar quarter, and only 2 in the remainder of the year.
- **In summary**, interactions with seabirds in the Hawaii-based longline fishery have been reduced by 90% or more.
- **References:**

Boggs, C.H. 2001. Deterring albatrosses from contacting baits during swordfish longline sets. In: Edward F. Melvin and Julia K. Parrish, Eds.- Seabird Bycatch: Trends, Roadblocks, and Solutions.

John Smith C-5

SECOND PLACE STORY

Crab Bait

(ANONYMOUS)

Satirical literature has a fine tradition in which the author sharpens his tusks, disguises himself as an innocent messenger, and delivers a merciless goring to a chosen peer or rival. Then he slinks away hoping no one has penetrated his cover. What follows is just such a piece. Mordant, funny, and well crafted, it is the work, we suspect, of a person well known in North Pacific fishery management circles.

Of course, we can't be sure of his identity. However, for his own good, we urge him to step forward and reveal himself. Since the fellow we have in mind is finding it increasingly difficult to sheath his tusks, he will not long be able to pass as a large human. Even now, there are individuals around the margins of our industry who may be sharpening their harpoons and dreaming of retiring his tusks to a trophy room. It would be best for him to abandon all pretense and receive the full legal protection that our nation now accords to rare marine mammal bulls.

Early in 1997, in one of the rare moments of lucidity permitted me by my lowly political employment, I determined to travel to Dutch Harbor, Alaska—to observe horizontal weather, volcanoes, dead fish, and whatever manner of persons might occupy such dire precincts.

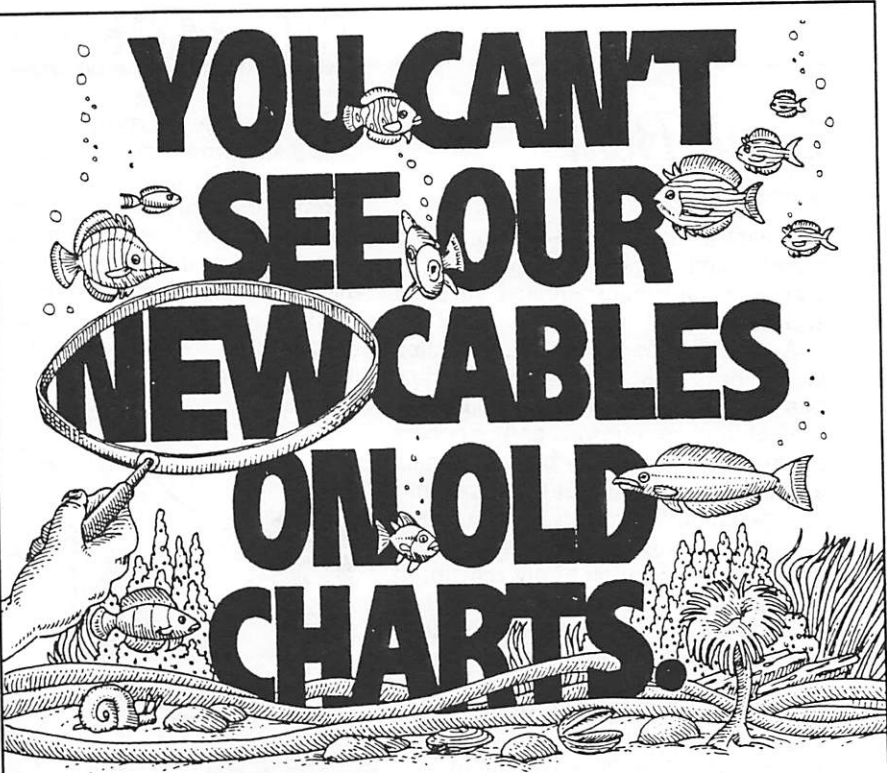
I took my place in the cabin of the airliner that was to take me from Anchorage to my destination, and as I settled in, a traveler occupying the seat to my right—a smallish, bald man with something of the rodent about him—asked, "Do you know how many flights they've splashed this year on our route?"

Having no idea whatsoever, I posited, "Ours will make 20."

For an instant his eyes, which were close enough to begin with, narrowed darkly and his whiskers twitched. I realized he was disguised as a can of moustache wax.

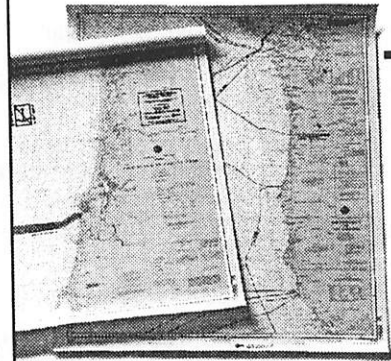
I told him not to worry, that it was a fair figure in keeping with air traffic in

continued on page 58



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- 13218 Martha's Vineyard to Block Island
- 400 The West Indies
- 18007 San Francisco to Cape Flattery
- 18020 San Diego to Cape Mendocino
- 18480 Approaches to Straits of Juan de Fuca
- 18580 Cape Blanco to Yaquina Head
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Crab Bait

continued from page 29

that part of the world—four or five a month—and ours being one of the biggest airlines naturally had the most accidents.

As I went on to explain that according to the normal curve of accident distribution per unit of time, place, etc., invoking the confidence intervals and nerf bars relied upon so heavily by boffins running a scam, I could see that my reasoning offended him. "I'm not afraid of a crash," he said. "Up your statistics. It's not dying I fear, but desecration of my remains at the hands of Alaskans—my flesh could be chopped, ground, salted, or submitted to other treatment incompatible with the dignity of my position. Imagine *me*, a representative of factory trawlers, a man without vices, without debts. I haven't devoted the last 20 years of my career to *this!*"

His intensity increased—if that is possible to imagine—until it seemed that one would have only to plug into him to illuminate a small city. Machinery spun within him in such gyrosopic ferocity that clearly he would fly ahead straight and true should the airplane disintegrate around us.

"Come, come," I said. "Surely everyone knows that factory trawlers employ Alaskans for as many as two three-week trips a year, enabling them to buy a couple of six-packs of Oly. Where else are they going to get beer money? They should be grateful."

"Don't be so sure," he whined. "They accuse factory trawler employees of drinking and urinating in the streets. Actually they work so hard they don't have time to urinate while they're on the boats, but we're looking into that."

At the tarmac he was whisked away in an armored carrier by thick-set guards with no discernable necks. Obviously he had planned ahead.

Proceeding to my hotel, the Grand Illusion, I passed a small and weather-beaten Russian Orthodox church. Before it, in full ecclesiastical regalia, were a prelate and three acolytes. They shucked and jived in four-part harmony with full syncopation about an urn piled high with what looked for all the world like stew meat. Were it not for the evident dignity and devotion radiating from their physiognomies, I could have sworn they were chuckling.

The hotel, gentle reader, was remarkable. It stood in a barren field of mud like a monstrous aluminum barn dropped by a Republican tornado from deep right Kansas. To say that it stuck out like a sore thumb would be to understate the matter in considerable degree. Why would anyone erect such a tasteless edifice in this God-forsaken venue? I decided to find out.



Barbara Bash

At dinner I asked my waiter, a dark and shifty fellow of indeterminate provenance, "Why did they build this monstrosity?"

"Beats me," he replied candidly.

Hoping to elicit something more in the nature of conversation I queried, "And what was the ceremony at the church this afternoon?"

"Blessing of the bait," he murmured.

"Say what?"

"Blessing of the bait," he said more loudly. "Crab season starts tomorrow."

"Since when do they bless bait?" I asked, befuddled.

"It's factory trawler bait," he replied with growing impatience.

"Factory trawler bait? I didn't think factory trawlers used bait." Surely I had him here.

"You just don't get it, do you?" he hissed, looking me straight in the eye. "It's bait made out of factory trawlers."

Glancing furtively over his shoulder and lowering his voice, he whispered, "Out here we hunt them for sport."

A certain gleam crept into his eyes at this pronouncement, but you may be

assured, subtle reader, that your friend and narrator—a modest person of even temperament and placid disposition—was not so easily taken in. Still, there was something about that urn of stew meat.

And sure enough, the morning paper bespoke skullduggery. Factory trawler employees were disappearing mysteriously, just as they had at the same time the previous year. There had been some concern and a desultory investigation, but inasmuch as the factory trawler companies did not have to buy return air tickets for them—in fact, most of their paychecks went uncashed—the matter was allowed to dwindle and die.

A few inquiries were received from relatives, but there was really nothing for it.

I felt obliged to remove myself at once to the local constabulary to inquire into the mysterious disappearances. After all, this was not Guatemala.

The police captain heard me out with tired eyes in his private office, slouched over a tepid cup of coffee. He sighed, arose, placed his hands in his pockets, and walked to the fly-specked window.

"Look," he said patiently, gazing out. "Nobody cares. They disappear, yes. Then some local has cheap crab bait for sale. Modest amounts, you understand. Nothing you'd measure in metric tons."

"Ye gads," I gasped. "Do you mean to tell me . . ."

"Please, let me finish," he said in a fatherly tone, placing his hand on my shoulder. "I've been investigating. The fishermen who used the bait last year said that not even crabs would eat it." He peered at me hopefully.

"This thing is bound to blow over." ☐

Yarns Wanted

ARE YOU INSPIRED? Good yarns are part of fishing. Send us your stories, photos, jokes, cartoons — if we publish yours, we'll pay you (\$25 for short items, up to \$100 for longer items) and even toss in a *Pacific Fishing* T-shirt. Keep this address for when inspiration strikes: The Back Page, *Pacific Fishing*, 1515 N.W. 51st St., Seattle WA 98107. Or e-mail us: PFMAG@aol.com.

C-5
Thorn Smith

30-May-02

FIS OBSERVED BIRDS (UNEXTRAPOLATED)

	1998		1999		2000		2001		2002	
	month	CML	month	CML	month	CML	month	CML	month	CML
JAN	630	630	177	177	290	290	210	210	40	40
FEB	123	753	255	432	394	684	272	482	58	98
MAR	224	977	347	779	175	859	150	632	53	151
APR	238	1215	254	1033	40	899	58	690	14	165
MAY	429	1644	272	1305	20	919	106	796	2	167
SUMMER	117	1761	231	1536	34	953	138	934		
SEP	314	2075	154	1690	118	1071	127	1061		
OCT	694	2769	395	2085	451	1568	423	1484		
NOV	1447	4216	292	2377	1343	3280	340	1824		
DEC	492	4708	86	2463	227	3524	114	1938		

