

international commissions, or by industry self-regulation, consistent with the requirements of the Magnuson-Stevens Act and other applicable law.

The NS guidelines in paragraph (4), above, state that factors i – iii should be considered first when councils consider whether species are in need of conservation and management. Regarding factor i, sculpins occur throughout the BSAI and GOA, and undoubtedly have an important niche in the BSAI and GOA ecosystems. However, the same could be said for all species or species complexes in any marine ecosystem. Looking further, it does not appear that sculpins are a major prey item for Steller sea lions (Sinclair et al. 2013), northern fur seals (e.g., Call and Ream 2012), or other threatened or endangered marine mammals in either the BSAI or GOA. Sculpins do play a role as a predator of smaller fish, shrimp, and benthic amphipods; however, it does not appear that the sculpin complexes in the BSAI or GOA are uniquely important components of the marine ecosystem.

Regarding factor ii, sculpins are caught incidentally to other target species in several fisheries in the BSAI and GOA. Sculpins are not, however, a target species for any fishery in the BSAI or GOA. Regarding factor iii, there is no directed fishery for sculpins in either the BSAI or GOA, and fishing related mortality is low in both areas. Because there is no directed fishery and incidental fishing-related mortality is low, there is very little probability that sculpins will become overfished under current management structure. Sculpins are not in need of rebuilding, and are not targeted as a major food product in Alaska. There are no conservation concerns, and future uses of sculpins remain available. Therefore, maintaining sculpins as a target species in the BSAI and GOA Groundfish FMPs is not likely to improve or maintain stock condition.

The NS guidelines next direct councils to consider factors iv – ix which set forth key economic, social, or other reasons which, if answered positively, would argue for maintaining a stock within a FMP. There is no directed fishery for sculpins because there is no existing market. However, should a market develop in either the BSAI or GOA, the Council could reconsider whether management in the fishery or as an EC species is appropriate. At present, there are no economic, social, or other reasons to maintain the sculpin complex as target species in either the BSAI or GOA FMPs, as explained in Table 8, above.

Finally, the NS guidelines direct councils to consider factor x, whether the fishery is adequately managed by states, state/Federal programs, other FMPs, international commissions, or industry self-regulation. Currently, sculpins are adequately managed by the existing BSAI and GOA FMPs, but factors i-ix suggest that maintaining the sculpin complex as a target group does not improve management of the sculpin complex in either the BSAI or GOA.

Any decision by the Council as to whether conservation and management is needed for sculpins in the BSAI and GOA would need to be consistent with the NS of the MSA. Because there is no directed fishery, and there are few economic benefits to be gained by managing sculpins as a target stock, moving the sculpin complex to EC status would likely be consistent with all NS. However, the Council should consider measures for the fishery to minimize incidental catch and mortality of EC species, consistent with NS 9, and to protect their role in the ecosystem. The Council has multiple tools to manage incidental catch, including maintaining a Maximum Retainable Amount (MRA) to meet Council objectives. Current MRAs for sculpins⁴ in the BSAI are 20% for most basis species, except for arrowtooth flounder (3%) and Kamchatka flounder (3%), and 20% for all basis species in the GOA. The Council may choose whether to consider other MRA amounts for sculpins in the BSAI or GOA if they consider moving sculpins to EC status in either FMP.

⁴ Sculpins are managed as “other species” for MRA amounts in both the BSAI and GOA.

