

Ecosystem Committee Minutes

Wednesday, February 6, 2008 1pm-4pm
Marion Room, Renaissance Madison Hotel, Seattle, WA

Committee: Stephanie Madsen (chair), David Benton, Jon Kurland, Jim Ayers, Doug DeMaster, Dave Fluharty, John Iani, Diana Evans (staff), Bill Wilson (staff)

Others participating included: Jennifer Sepez, Kerim Aydin, Jennifer Boldt, Ivonne Ortiz, Chris Krenz, John Hocevar, Kristin Mabry, Mike Levine, David Witherell, Lisa Ragone

The Ecosystem Committee discussed the Arctic FMP, further implementation of the Aleutian Islands Fishery Ecosystem Plan, and received updates on other issues. The next Committee meeting is tentatively planned for the April Council meeting in Anchorage.

Arctic FMP

Mr Wilson briefed the Committee on the preliminary EA/RIR/IRFA for the Arctic FMP. The Committee appreciates the work that has been put into this document to date, and recognizes Council and NMFS staff effort. In general, the Committee agrees with the approach of the preliminary draft, and notes that staff have addressed the Committee's recommendations from their last meeting, regarding analysis and outreach.

The Committee recommends that Alternative 3 be amended to state that the exemption would be exclusively for the reported red king crab fishery in the Chukchi Sea. Changing this language would allow the Council to distinguish clearly between Alternatives 3 and 4. Under Alternative 3, the exemption would apply to a fishery of the size and scope of the reported historical fishery, and the fishery would not be allowed to occur in the whole of the Chukchi Sea but only in that geographic area where it has reportedly occurred. This contrasts with Alternative 4, under which any crab fishery that might develop in the area south of Point Hope would be managed under the existing crab FMP.

Mr Wilson also brought up an issue that has come out through NOAA General Counsel review. The document incorrectly characterizes State authority in Arctic Federal waters as being able to regulate all vessels fishing in the area. The State does not have authority over vessels that may wish to fish in the Arctic EEZ and are not registered with the State of Alaska. The Council and Secretary could, through a provision under the MSA, give the State authority to regulate unregistered vessels; this could be pursued as an interim measure on the path to finalizing the FMP. The Committee believes this would complicate and potentially delay the completion of the FMP, and is not an issue since the Council's intent is to adopt an Arctic FMP that would establish Federal authority. Therefore, **the Committee recommends that the document be corrected to accurately represent status quo, but that no other interim measures be initiated.**

The Committee recommends that the Council keep this analysis high on the priority list, and on its current timeline. Given the current heightened interest in the Arctic, the Council's action has national and international implications. Mr Wilson noted that the aspect of the analysis most likely to delay the schedule is the crafting of text for the FMP. NOAA GC has commented that particular care will be needed for the language of the MSA-required FMP provisions, given that the FMP will not allow fishing (for example, how to specify maximum sustainable yield or overfishing reference points). The SSC also

has suggestions for writing the FMP. **The Committee recommends that the Council ask NOAA GC and the AFSC to work actively with staff to help prepare the FMP text to address these issues.**

The Committee also had some specific suggestions for improving the analysis, relating to the description of the reported historical red king crab fishery, the process for future management decisions, and the implications of ESA-listing for ice-dependent Arctic marine mammals.

Aleutian Islands Fishery Ecosystem Plan

The 'glossy' overview of the AI FEP was published in late December, and has since been distributed through various meetings and mailings. The Committee provided staff with some further suggestions for distribution.

Ms Evans presented part of a discussion paper on further implementation of the Aleutian Islands FEP for the Committee's review. The Committee did not have time to address all elements of the discussion paper, including the portion dealing specifically with the concept of 'ecosystem health' and defining desirable or undesirable states of the ecosystem. This issue will be revisited at the next Committee meeting. The Committee did address the issue of AI Ecosystem Team membership, however. The Team has highlighted some gaps in its expertise, which could be addressed by adding members to the Team before the next meeting. **The Committee recommends that the Council solicit a panel of names from the SSC, in order to add a marine mammal biologist to the AI Ecosystem Team.** The Committee also discussed adding an economist to the Team, and what the specific contribution of an economist would be to the Team and to the FEP. The Committee asked staff to work with the Team and Council / NMFS economists to come up with a description of the type of additional economic analysis that might be informative for the FEP (including considerations of both market and non-market factors), and what the scope of socioeconomic expertise should be on the Team.

Other updates

Alaska Marine Ecosystem Forum

Ms Evans and Mr Kurland provided a brief update on the January meeting of the Alaska Marine Ecosystem Forum, the Federal-State regional collaboration on marine ecosystem issues, of which the Council is a member. 10 of the 11 Federal member entities attended, and two of the four State agencies. Mr Kurland is the AMEF's current chair, and the Commissioner of DEC, Larry Hartig, is the vice-Chair. The AMEF intends to meet about every six months, and will be informally focusing on the Arctic at the next meeting. The Committee noted that the AMEF is a useful collaboration that provides an important opportunity for agency representatives to communicate and exchange information about ongoing and planned activities. While some participants already work closely with each other, others interact less frequently, and the general discussions are beneficial.

NOAA's MSA 406 Ecosystem Workshop

The reauthorized Magnuson-Stevens Act requires NOAA, in consultation with the Councils, to complete "a study on the state of the science for advancing the concepts and integration of ecosystem considerations in regional fishery management." The study should include the following elements:

- Data, information, technology requirements for understanding ecosystem processes and how to integrate ecosystem information from a variety of sources (Federal, State, regional)
- Incorporating broad stakeholder participation
- Accounting for environmental variation

- Council efforts to implement ecosystem approaches

Ms Evans and Dr Fluharty gave an overview of a two-day workshop, held at the AFSC in January 2008, which was intended to provide a basis of information for the study. Participants attended from NMFS and NOS headquarters, each of the NMFS regional fishery science centers, some NMFS regional offices, and all of the RFMCs except the SAFMC. Two members of the original Ecosystem Principles Advisory Panel also attended. The workshop was organized around the study themes, with a 'keynote' presentation for each theme followed by breakout group discussion. Ms Evans offered to make the keynote presentations available to those who may be interested. NOS will write up a workshop report, which will be circulated among the participants for comment. They will then base the study for Congress on this workshop report. The Committee offers to review the report for the Council should it be required.

Research project on the Institutions for Ecosystem-based Management in Alaska

Dr Fluharty and others recently completed a research project looking at 4 state agencies and 5 federal agencies operating in Alaska. Using the study period 2004 to 2006, they compared the agencies' extent of jurisdiction over marine ecosystems against their actions during the time period, with respect to ecosystem-based management. This is first time that institutional profiling has been used empirically, even in a qualitative way, and it provides pretty good ideas about agency behavior with respect to ecosystem-based management. For example, NMFS and the Council are occupying the whole of the EEZ in terms of jurisdiction and activities; while EPA has jurisdiction over the EEZ, its actions are mainly related to permitting in nearshore waters; MMS mainly does research studies, rather than actions. The study's basic conclusion is that agencies with limited jurisdiction (for example, the State of Alaska agencies) demonstrate a strong interest in being part of larger ecosystem initiatives. A clear example is the continuing interest in the Alaska Marine Ecosystem Forum. Even though agencies may not have the funding to support specific management actions, participating in such larger initiatives provides a framework to allow discussions to occur. The final report will be ready by the end of this month.