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Mr. Bill Tweit, Interim Chair
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Dr. James Balsiger, Regional Administrator
NOAA Fisheries, Alaska Region
709 West Ninth Street
Juneau, AK 99802-1668

RE: Agenda Item C.5 – Bering Sea Fishery Ecosystem Plan

Dear Chairman Tweit, Dr. Balsiger, and Council Members:

We write in support of the North Pacific Fishery Management Council's (Council) development of a fishery ecosystem plan (FEP) for the Bering Sea. We commend the Plan Team for designing a framework that would translate ecosystem objectives into Council action. We further support the commitment to incorporate best available science into Council decision making, including local and traditional knowledge. The Bering Sea FEP highlights the Council's continued leadership in advancing ecosystem based fisheries management (EBFM) and furthers the purposes of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). We ask the Council to adopt the draft FEP for public review.

The Bering Sea ecoregion is highly biodiverse, with 419 fish species, 28 marine mammal species, and 102 bird species that live in the Bering Sea for all or part of the year. Over 300 zooplankton species have been described, primarily coelenterates and crustaceans.[1] Benthic invertebrates are even more diverse, with an estimated 2,000 species living on the seafloor, comprising a large proportion of the production, biomass, and diversity in the Bering Sea. The region also includes some of our most commercially important species, including king, tanner, and snow crab, pollock, flatfish, Pacific halibut, and Pacific cod. Importantly, the Bering Sea FEP ecosystem area includes more than 80 inhabited coastal communities that depend on the species and habitats of the region for both subsistence and economic opportunities.[2] In addition to the conservation and management of fisheries under the MSA, many of the species in the Bering Sea ecoregion are afforded special protections through the Marine Mammal Protection Act, Endangered Species Act, and Migratory Bird Treaty Act.

[1] National Research Council, 1996. *The Bering Sea Ecosystem*. National Academies Press.
[2] Draft Bering Sea Fishery Ecosystem Plan 13-14 (Oct. 2018).

The Council's commitment to EBFM stretches back for more than two decades. The draft Bering Sea FEP demonstrates the evolution from earlier established goals "to provide enhanced scientific information and measurable indicators to evaluate and promote ecosystem health, sustainable fisheries, and vibrant communities"[3] to more comprehensively consider the range of factors relevant to ecosystem management and intentionally and systematically incorporate and integrate local knowledge and traditional knowledge in fisheries management.[4]

All fishery management plans must be consistent with the ten national standards for fishery conservation and management.[5] The MSA and its implementing regulations emphasize the importance of protecting marine ecosystems and making decisions about fisheries in the context of the health and long-term sustainability of the marine environment. Fisheries must be managed to achieve "optimum yield," "taking into account the protection of marine ecosystems."[6] Optimum yield "is prescribed . . . on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factor."[7] Conservation and management measures must be based upon the best scientific information available, and, "consistent with the conservation requirements of this Act . . . take into account the importance of fishery resources to fishing communities by utilizing [best available] economic and social data . . . to provide for the sustained participation of such communities, and . . . to the extent practicable, minimize adverse economic impacts on such communities."[8]

Consistent with the MSA and other laws, including the Marine Mammal Protection Act and the Endangered Species Act, NMFS has adopted a policy supporting increased implementation of EBFM. The agency has committed to implement ecosystem-level planning, advance its understanding of ecosystem processes, prioritize vulnerabilities and risks to ecosystems and their components, explore and address trade-offs within an ecosystem, incorporate ecosystem considerations into management advice, and maintain resilient ecosystems.[9] The roadmap for policy implementation "recognizes the need for a framework to integrate and synthesize a wide range of information" and clarifies "that actionable steps are recommended in both the science and management contexts."[10]

In accordance with the EBFM policy, the Bering Sea FEP would move beyond the conceptualization of management principles and monitoring to inform Council-prioritized action. The draft FEP demonstrates a meaningful commitment to achieving ecosystem goals and objectives through action modules, the outcomes of which would be incorporated into Council decision making.

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[3] Aleutian Islands Fishery Ecosystem Plan 64-65 (Dec. 2007), available at https://www.npfmc.org/wp-content/PDFdocuments/conservation_issues/AIFEP/AIFEP12_07.pdf.
[4] Draft Bering Sea Fishery Ecosystem Plan 13-14 (Oct. 2018).
[5] 16 U.S.C. § 1851(a).
[6] *Id.* §§ 16 U.S.C. §§ 1801(b)(4), 1802(33)(A).
[7] *Id.* § 1802(33)(B).
[8] *Id.* §§ 1851(a)(2), (8).
[9] National Marine Fisheries Service Policy Directive, Ecosystem-Based Fisheries Management Policy 4-8 (May 20, 2016), available at https://www.st.nmfs.noaa.gov/Assets/ecosystems/ebfm/Final-EBFM-Policy-PDS-Review-5.20.2016-final-for-PDS.pdf.
[10] NOAA Fisheries Ecosystem-Based Fisheries Management Road Map 8 (Nov. 17, 2016), available at https://www.st.nmfs.noaa.gov/Assets/ecosystems/ebfm/EBFM_Road_Map_final.pdf.

Specific indicators associated with each of the ecosystem objectives would be routinely monitored, assessed and reported back to the Council using the annual Ecosystem Status Report. Indicator status should inform both process and research objectives. We support work towards developing reference points, thresholds and targets for each indicator that correspond to the Council's desired outcome. This will require further Council discussion with input from stakeholders.

The Bering Sea FEP would both exemplify and advance EBFM in the region. Consequently, we request that the Council move to adopt the draft FEP for public review. In the near term, we support development and prioritization of action modules that assess Bering Sea fisheries management to identify data gaps and ensure consistency with EBFM best practices. In furtherance of that effort, we encourage the concurrent development of protocols for incorporating local and traditional knowledge in management.

Sincerely,

Susan Murray
Deputy Vice President, Pacific
Oceana