

**North Pacific Fishery Management Council
Steller Sea Lion Mitigation Committee
Tradeoff Tool Subcommittee Meeting
June 26, 2006
Alaska Fisheries Science Center, Seattle**

Minutes

The Subcommittee on Development of a Draft Tradeoff Tool (TOT) of the Steller Sea Lion Mitigation Committee (SSLMC) convened at the Alaska Fisheries Science Center on June 26, 2006. Subcommittee members present were: Larry Cotter, Jerry Bongen, Doug DeMaster, John Gauvin, John Henderschedt, and Sue Hills. Also present were Bill Wilson (Council staff), Melanie Brown (NMFS SF), Steve Davis (NMFS Alaska Region), Mel Morris (Alaska BOF), and several other NMML and AFSC staff and members of the public.

Larry Cotter reviewed the agenda (attached) and the goals of this meeting. This subcommittee meeting was convened to initiate work on the draft TOT that was developed by the SSLMC several years ago. While this TOT has been previously presented to the Council's SSC, the SSC has not endorsed it. The SSC has recommended that if such a tool will be used by the SSLMC to evaluate proposals for changes in Steller sea lion protection measures, then it should be further developed and brought to the SSC before its use. Therefore, the main goal of this subcommittee is to develop a straw man TOT for further consideration by the full SSLMC and then a review by the SSC.

Mr. Cotter reported that the SSC has recommended that the SSLMC develop and use a TOT that incorporates a procedure for evaluating proposals with multiple but dissimilar criteria. Mr. Cotter referenced the SSC's minutes from their June 2006 meeting. The SSC noted that there are a variety of decision making tools available that use such an approach. Sue Hills recounted the SSC discussions and their suggestions that the SSLMC consider approaching Dr. Peggy Merritt, University of Alaska Fairbanks, who is an expert in the use of this technique. Dr. Merritt has agreed to attend this week's SSLMC meeting and make a presentation.

Doug DeMaster suggested that this approach may have merit and the Committee should pursue it. One consideration will be how to incorporate risk into the process so as to comply with NEPA and the ESA. Another challenge will be to incorporate the last six years of new research on SSLs and fishery interactions. The overall goal will be to consider changes to the existing conservation measures that do not cause jeopardy or adverse modification (JAM); Dr. DeMaster noted that the burden of proof for avoiding JAM will remain the responsibility of the Council or NMFS.

John Gauvin suggested that there may be two approaches to consideration of risk: one, to consider proposals that may get close to the jeopardy bar but not exceed it, or two, to consider proposals that together do not exceed the fishery impacts on SSLs that exists right now. Dr. DeMaster suggested that the first approach could be more risky given the uncertainty in where the jeopardy bar is.

DRAFT

Mr. Cotter noted that the draft revised SSL Recovery Plan provides some conclusions that might guide the Committee's work, at least to some extent. He noted that NMFS likely will receive comments on those conclusions and it remains unknown what the final recovery plan might conclude. Mr. Cotter also noted that the SSC plans to convene a special meeting to review the draft Recovery Plan and, if the SSLMC can complete its work in time, the draft TOT as well. That SSC meeting likely will be held in Juneau in mid August. Thus, if after this week the SSLMC proceeds with a revised TOT incorporating a new decision-making component, the Committee (or subcommittee) likely will have to meet well before the SSC meets in August to complete the TOT so that it is available for SSC review.

Bill Wilson suggested that, should the SSLMC be successful in completing development of a new TOT and it passes SSC review, then the SSLMC could proceed with proposal review in either of two ways: 1) a stand-alone TOT: develop the TOT and incorporate multiple criteria decision making with assistance from Dr. Merritt and then proceed to judge proposals with this tool without further consultation from Dr. Merritt, or 2) an ongoing consultation approach: the SSLMC could ask Dr. Merritt to be a facilitator in evaluating proposals and work with the Committee through that process. The SSLMC may recommend a preferred approach after hearing Dr. Merritt's presentation later this week.

John Henderschedt questioned whether it might be more appropriate to develop the tool after we receive proposals. This way, the SSLMC would have the advantage of knowing the nature of all the proposals and might be able to develop a more customized tool for their evaluation. Dr. Hills noted that in many cases, the analytical approach is often developed first, and then a call for proposals is issued. She noted that in our situation we should be able to set up the TOT in advance of receiving proposals. The nature of proposals we likely will receive can be visualized by examination of the 2001 BiOp and its 2003 Supplement. Furthermore, Dr. Hills noted that this decision making technique also may allow for some advance work to be accomplished that might shorten the time the SSLMC would need to judge proposals. Dr. Merritt would be able to do much of that advance work once she knows how the regulatory system is currently structured. Dr. DeMaster noted that, if for some reason this approach doesn't measure up to Committee expectations, the Committee can always return to the zonal approach for evaluating proposals as a fallback position.

Mr. Cotter led a discussion on how the SSLMC and Council should consider new proposals that are now before the Alaska Board of Fisheries (BOF). Several proposals for revising current State water groundfish fisheries, and some proposals for creating new fisheries, will be discussed by the BOF in October 2006. To what extent will this BOF process affect the SSLMC's work? Mr. Cotter suggested that this issue has considerable importance in the process and might have to be addressed soon in some kind of joint BOF/Council forum. It seems logical that, given the past discussions between the BOF and Council, some resolution to these BOF proposals should occur before the SSLMC proceeds too far. Mel Morris noted that the BOF may postpone work on some of the new proposals if the Board feels that more analysis is required. Dr. DeMaster suggested that as the SSLMC develops its TOT, it should include a procedure for evaluating State proposals as well. He noted that many State water fisheries occur close to shore and have

DRAFT

regional or local scale economic effects. Therefore, it is likely that the impact of such fisheries relative to the federally management fisheries will be difficult to evaluate. .

The Subcommittee discussed the TOT process in light of new scientific information on SSLs and fishery interactions with SSLs. The Subcommittee also questioned how proposals will be evaluated without the benefit of a draft Biological Opinion. And how might those who plan to submit proposals do so without having the draft BiOp available to guide them? Dr. DeMaster stated that the goal of this process will be to remain fairly close to status quo in terms of overall fishery impacts on SSLs and their Critical Habitat. But some “tweaks” may be possible. He felt that the Council will likely have more leeway to change seasonal apportionments as opposed to changing the size of closed areas. Certainly it appears clear that the 0 to 10 n mi zone around rookeries has been and remains a critical area.

The Subcommittee also discussed adaptive management and how experiments might be incorporated into future SSL protection measures to test the effects of fishing on SSLs. Dan Hennen cautioned that selection of experimental areas should be random so that results are easier to interpret from a statistical perspective. This caveat may apply more to experiments involving open and closed areas than experiments that change fish apportionments by time of year. Also complicating the picture is that we have neither a draft revised FMP BiOp nor a final Recovery Plan to guide this planning. Some questioned whether successful proposals should have an adaptive management component to them; Mr. Cotter suggested that this should not constrain the process. Terry Leitzell added that the SSLMC could then repackage proposals in response to the new science and the desirability for adaptive management experiments.

Finally, the Subcommittee returned to the issue of BOF proposals and the need to recognize State water fisheries and how proposals for new State water fisheries might affect the Federal process. In the Gulf of Alaska, some industry representatives have suggested that fishery management in State waters should provide for an advantage of smaller vessels relative to larger vessels; there was not consensus regarding this suggestion. Many groundfish fisheries currently occur in the 0 to 3 n mi zone (outside SSL closed areas) and pollock and cod abundance is often close to shore. Some question what changes can effectively be made in Federal fisheries given the conclusions reached in the draft Recovery Plan; fishermen may have more opportunity to craft regulatory change in State waters. Some believe that the SSLMC can do little to effect change and that the issue of State water fisheries should be addressed before proceeding too much further. Others believe that GOA communities are most likely to see improvements through BOF action and State management, particularly to advantage small vessels.

The Subcommittee adjourned at 12:15 pm. Mr. Cotter noted that further discussion of the proposal process will occur this week in the full SSLMC meetings. The next meeting of this subcommittee will be scheduled during the full SSLMC meetings.

Bill Wilson
Bill.wilson@noaa.gov

DRAFT

North Pacific Fishery Management Council
Steller Sea Lion Mitigation Committee
Impact Evaluation Tool Development Subcommittee Meeting
Alaska Fisheries Science Center, Seattle
June 26, 2006

AGENDA

June 26 – 8:30 AM – 5:00 PM

1. Introductions and Opening Remarks, Announcements (Cotter)
2. Purpose and Need for Impact Evaluation Tool (Cotter, DeMaster)
3. Work Session to Develop a Straw Man Impact Evaluation Tool
4. Action Items, Closing Remarks, Adjourn (Cotter)

Subcommittee:

Larry Cotter, Chairman
Jerry Bongen
Doug DeMaster
John Gauvin
John Henderschedt
Sue Hills
Bill Wilson, Staff

Contact Bill Wilson at the Council offices if you have questions (907-271-2809) or bill.wilson@noaa.gov