

## Ecosystem Committee Minutes

March 19, 2013 1:00–3:30 pm  
Teleconference

**Committee:** Bill Tweit, Stephanie Madsen, Jim Ayers, Dave Benton, David Fluharty, Steve Ignell, Jon Kurland, John Iani, Tim Towarak, Diana Evans (staff)

Others attending included: Nicole Kimball, Jim Menard, Charlie Lean, Jeanne Hanson, Matt Eagleton, Brian Lance, Steve MacLean, Earl Krygier, Kirsten Lopman, Jackie Dragon, Terra Lederhouse, Heather Brandon, Henry Mitchell, Ernie Weiss

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### EFH Consultation on Norton Sound Gold Mining

In February 2013, the Council asked the Committee to receive a briefing from ADFG staff that have been involved in the permitting process for Norton Sound mining operations, and then consider whether any alteration is needed to the Committee's February recommendations on this issue. Nicole Kimball provided a brief introduction, noting that the recommendations of the Committee in February were similar to concerns that have already been reflected by ADFG, and submitted to the Corps of Engineers (COE), via an extensive state permitting process.

The Committee received a short presentation from the ADFG area manager in Nome, Jim Menard, and then engaged in a discussion with both him and Charlie Lean, currently with Norton Sound Economic Development Corporation, but formerly (and for many years) the Nome ADFG area manager. Mr Menard described areas of juvenile crab distribution in the area, which has been identified in surveys. In the discussion, Mr Menard affirmed that his office remains concerned about the impacts of mining on crab in waters deeper than 30 ft, due to adverse and persistent impacts to important habitat. Mr Lean also noted that a previously permitted mining operation occurring in deeper water (60 ft) in the late 1980s, using the Bima bucket dredge, resulted in persistent changes to the seafloor sediment and topography, and additional benthic effects from disturbed silt smothering organisms on the seafloor before the silt dispersed. Permitting for the physical operation of mining operations is the responsibility of the COE and the State's Department of Natural Resources (DNR); Mr Menard's office submits comments to ADFG's Division of Habitat, which in turn submits comments to DNR. To date, ADFG's concerns regarding crab habitat have been accommodated through conditions on the permits. With respect to the recent increase in recreational mining activity, Mr Menard and his staff have primarily focused on mitigating potential interactions with existing salmon fisheries at river mouths, as for the most part, recreational miners do not tend to operate in waters deeper than 30 ft. The Committee also confirmed that a parallel permitting process exists with the State's Department of Environmental Conservation (DEC), under the Clean Water Act, for dredge discharge. Jeanne Hansen, of NMFS Habitat Conservation Division, informed the Committee that they have just been notified of a permit request to allow mechanical and bucket dredge operations in waters greater than 30 ft.

**The Committee reaffirmed its February recommendations with respect to this issue**, namely that the Council take two actions to address these concerns. **First, the Council recommends that the Council task the Crab Plan Team with reviewing this issue at their next meeting**, and providing further input on the status of knowledge regarding Norton Sound red king crab habitat, and its distribution. **Secondly, the Committee recommends that the Council exercise its authority, under Section 305 of the MSA, to comment directly to the COE on its concerns with respect to the permitting of commercial mining operations in waters deeper than 30 feet in Norton Sound, copying the EPA and DEC as appropriate, as well as concerns regarding the cumulative impacts of the increasing scale of recreational mining activity in the area.** The letter would be in support of both ADFG and NMFS' continued concerns about disturbance in habitats deeper than 30 feet. The letter could recommend to the COE that both of these issues (deeper water concerns and cumulative impacts of recreational mining) be fully scoped out by the agency, during consideration of whether to permit dredging operations further offshore, and that this scoping process

should factor into the decision of whether the appropriate analysis to support such a permit is an EA or an EIS. The Committee advises that the Council include in the letter a recommendation that the COE engage actively with communities around Norton Sound, to scope out concerns from regional residents, and also involve the Council.

## **Ecosystem-based Management Planning**

The Committee received a presentation from Dave Fluharty regarding a report that is being developed by the NOAA Ecosystem Science and Management Working Group, which he chairs, on ecosystem-based fishery management best practices within NMFS regions. Diana Evans provided input to the working group in July 2012 on management practices in Alaska, on behalf of the Council. The report sets out a framework of questions to assess the extent to which various regions are integrating ecosystem considerations into management. Once the report is drafted, Dr Fluharty will be asking for review from Council staff in all of the Council regions about how it captures regional actions to date. With the Council's concurrence, the Ecosystem Committee volunteered to assist in the review of how the report portrays management practices in the North Pacific. The NOAA Science Advisory Board will review and consider adopting the report this summer, once it is finalized.

The Committee discussed how the preliminary findings of the report indicate that, with respect to many areas covered by the framework, the Council is actively engaging in ecosystem-based management, however there may also be some gaps. For example, the Committee discussed how the Council's existing management objectives from the Groundfish PSEIS or the AI FEP relate to the framework question of whether the Council has set ecosystem goals and developed indices of ecosystem health as targets for management. The Pacific Council FEP was also cited as an example where broad goals are associated with specific initiatives. The Committee determined that it would be helpful to task each Committee member with some specific preparation in order to facilitate further work on the Council's task of developing a draft workplan of next steps for moving forward with these ecosystem issues.

The Chair discussed planning for the next couple of Ecosystem Committee meetings, and **recommends that the Committee hold a one day meeting in June, on the Tuesday of the Council meeting, and a longer 1-2 day workshop in late summer, to develop the draft workplan to present to the Council in October.** Items for a June meeting would include a) recommendations on the Bering Sea canyon reports (already tasked to the Committee); b) a discussion of issues coming out of the Managing our Nations Fisheries Conference; 3) review of Dr Fluharty's report with respect to the North Pacific; and 4) planning and preparation needed for a late summer workshop. With respect to the workshop, the Committee discussed having the meeting in Seattle at the AFSC, in order to facilitate attendance by AFSC staff, potentially including members of the AI Ecosystem Team, or SSC members.