

**DRAFT Minutes of the RPA Committee Meeting,
February 20, 2001**

Members Present:

Larry Cotter (chair)
Dave Benson
Shane Capron
Doug DeMaster
John Gauvin
Terry Leitzell

Alan Parks
Beth Stewart
Jack Tagart
John Winther
Sue Hills
Wayne Donaldson

Bob Small
Fred Robison
Gerald Leape
Jerry Bongon
John Iani

Members not present: Tony DeGange, David Cline, Steve Drage.

Staff present: Dave Witherell (coordinator), Chris Oliver (NPFMC), Cathy Coon (NPFMC), Tamra Faris (NMFS), Lauren Smoker (NOAA GC), Kristin Mabry (ADF&G), Steve Lewis (NMFS), Ben Muse (NMFS), Sue Salveson (NMFS).

Background - This Committee was established to respond to the Steller sea lion Reasonable and Prudent Alternative (RPA) and experimental design in a technical, operational, and practical sense to try to make it more functional. In the short term (by April), the Committee has been tasked with development of open/closed area recommendations for the latter half of 2001. The longer term task of the Committee is to provide an alternative RPA for analysis (by June), and make recommendations to the SSC, AP, and Council on the analysis.

Meeting - The second meeting of the RPA Committee was held on February 20 in Juneau at the Federal Building, beginning at 10 am.. Many participated via teleconference. Committee members introduced themselves and stated their background, specific interests and goals. The draft minutes from the February 10 meeting were approved (Stewart/Leitzell).

Lauren Smoker (NOAA-GC) provided an overview of standards to be followed under the Endangered Species Act. Terry Leitzell asked about how much flexibility there was in the determinations, noting language such as "likely". Tamra Faris and Chris Oliver noted that both NMFS and NPFMC were exploring the possibility for contracting out an independent legal review of the underpinnings relative to ESA. Lauren agreed to provide a summary reference sheet to assist with future committee discussions. There was also an interest in having a similar cheat sheet summary for the biological standards, if any, that could help guide committee discussion on RPA measures. Doug DeMaster agreed to draft this for the next committee meeting.

Tamra Faris discussed the NEPA requirements for the analysis. In the February 1 letter from Jim Balsiger, NMFS determined that implementation of an RPA through a plan or regulatory amendment was a major federal action because it was controversial and would likely have significant impacts on the human environment. Hence, an Environmental Impact Statement (EIS) was required for this, rather than just an Environmental Assessment (EA). Tamra noted that while it was possible to complete the EIS and implement regulations for the January 2002 fisheries, it was going to be difficult. To meet the schedule, the analysis would need to be completed by mid August. The Committee will need to recommend its final RPA alternative for 2002 fisheries by the June Council meeting.

For the second half of 2001 (after June 11), the Committee will need to make final recommendations by the April Council meeting.

Doug DeMaster provided a quick chronology of events leading up to the November 30, 2000 Biological Opinion (BiOp) determinations. The December 1998 RPA was a result of a jeopardy finding for the pollock fisheries. The Court agreed with the jeopardy finding, but couldn't determine if the RPA was reasonable because the RPA was not adequately explained. The Agency responded with the Revised Final Reasonable and Prudent Alternatives (RFRPA), but these were never argued in court, and were never implemented due to the Court injunction. The RFRPAs did not include measures for the Pacific cod fisheries. In response to a question about what is the rebuilding target for Steller sea lions, Doug noted that if the population was stable at 40,000 animals, NMFS probably would not consider them to be endangered, only depleted. The endangered listing is due to the observed decline. There was a followup question about what level of interaction would cause a jeopardy finding, i.e., what is the 'jeopardy bar'? Doug responded that this was not straightforward, but felt that using MMPA criteria of 1% of the population provided some guidance. In other words, jeopardy was avoided if no more than 400 sea lions were affected relative to their survival and reproduction.

Doug also provided a perspective on development of the monitoring program (the experimental design). He said that in designing the program, they wanted to separate the areas based on sea lion population trends. Sea lions have been stable in the Bering Sea in recent years, but are declining in the Aleutians and Gulf of Alaska. These areas do not correspond directly to the FMP areas. NMFS identified that at least 50% of the critical habitat (CH) should be closed to fishing for prey species. In establishing the open and closed areas (red and green areas) Doug noted that these areas needed to be big enough to account for sea lion movement, and also needed to include some information on the distribution of groundfish. On average, 66% of the critical habitat was closed to fishing for pollock, Pacific cod, and Atka mackerel under the RPA. It was agreed that for the 2001 changes to open and closed areas, that smaller zones could be considered.

The Committee discussed data needs for short term closure evaluation and for the longer term RPA design. Steve Lewis informed the Committee that NMFS was working towards an interactive map to generate area estimates for open and closed areas. Maps are downloadable from the NMFS web site (www.fakr.noaa.gov/arcims). Vessel size category breakouts were agreed upon for initial analysis: < 60' (with subcategory of <55'), 60-125', and >125'. The Committee would also like to have the platform of opportunity data examined to examine when and where sea lions have been observed. The Committee is also interested in seeing sea lion distribution from existing telemetry data. It would be useful to examine the distribution frequency of animals from the nearest haulout or rookery, and nearest landfall. Bob Small volunteered to have ADF&G telemetry data analyzed in the same format. Sea lion non-pup count data is now available on the NMFS web site. They are working on getting the pup data on this site as well.

The Committee expressed interest in seeing animal counts by season or month, where available. The Committee also requested that information on orca distribution be made available. Doug DeMaster agreed to fulfill these information requests. Galen Tromble reported on his progress to develop a new comprehensive catch database that accounts for every fish caught on a vessel specific basis, and avoids double counting. It uses 1995-1999 information including observer data (100% observed vessels), fish ticket data (shoreside catcher vessels), and weekly production reports (30% observed c/ps). The database will be ready for analysis of 2002 RPA, but not for Committee discussions of 2001 actions.

The meeting ended at approximately 2 pm.