

# North Pacific Fishery Management Council

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National Ocean Council  
722 Jackson Place, N.W.  
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RE: Comments on Notice of Intent to prepare strategic action plans for the nine priority objectives of the Interagency Ocean Policy Task Force (Federal Register notice Vol. 76 No. 15 dated Monday, January 24, 2011)

To whom it may concern:

On behalf of the North Pacific Fishery Management Council, I am submitting the following comments relative to development of strategic action plans for the nine priority objectives. The Federal Register notice soliciting these comments generally describes the nine objectives, and offers the opportunity to provide input in a very general context, given the early stage of development (recognizing that the Coastal and Marine Spatial Planning (CMSP) objective is at a more advanced stage relative to the other eight objectives). I first offer some general, overarching comments relative to the nine objectives and relative to the overall initiative stemming from Executive Order 13547, and follow with additional comments on a subset of the nine objectives.

Development of strategic action plans for most of the nine objectives will necessarily rely on a fundamental knowledge of 'what is happening now'; to that end, and given the obvious budget limitations within which we currently operate, compilation of this foundational information, including maintenance of existing data collection processes, cannot take a back seat to funding and staffing new bureaucratic or regulatory processes. The former must be maintained, or enhanced, in order to inform the latter. An example of this fundamental tradeoff rests in the annual fishery stock assessments which are critical to informing existing management agencies. The ability to effectively implement ecosystem-based management, CMSP, or many of the other seven objectives would be severely compromised if fiscal and human resources are diverted from existing scientific data collection processes.

In developing these strategic action plans, we also recommend that each of these plans take into account the considerable overlap in the nine objectives, and avoid unnecessary duplications or redundancies which could occur. For example, objective #1 (adoption of ecosystem-based management) appears to overlap considerably with objective #6 (regional ecosystem protection and restoration), both of which in turn will by definition overlap to a significant degree with objective #2 (CMSP). All of these of course overlap with objective #5 (resiliency and adaptation to climate change and ocean acidification). We suggest that there may be considerable potential to simplify the nine objectives, by combining key elements of each within fewer strategic action plans.

Another consideration we believe to be critical is that the strategic action plans should be conceptual in nature, focusing primarily on identification of gaps and needs in science, and on smaller-scale, incremental efforts which build on existing activities and management processes, rather than attempt to

fully develop long-term efforts or new regulatory processes. Inclusion of specific requirements and/or regulations within these strategic action plans would be inappropriate. We believe that further input from stakeholders and existing management authorities will be necessary to develop the longer-term implementation details, including necessary requirements or regulations, based on examination of the initial strategic action plans.

Objective #1 – Ecosystem-based management: Defining ecosystem-based management can be a difficult challenge. However, the North Pacific Fishery Management Council has adopted what it believes to be a comprehensive, ecosystem-based management approach, taking into account not only fisheries resources which are directly regulated, but also taking into account habitat considerations; marine mammal, seabird, and other protected species foraging needs; bycatch considerations; and, involvement and sustainability of fishery dependent communities. In addition to its Fishery Management Plan for the Bering Sea and Aleutian Islands, the Council has also developed a Fishery Ecosystem Plan for the Aleutian Islands, which serves as an overarching policy and planning document for this historically and ecologically unique ecosystem. We strongly support the objective of ecosystem-based management and believe that the experience we have developed in North Pacific fisheries could be a very useful reference for development of this strategic action plan.

Objective #2 – Coastal and Marine Spatial Planning: The Regional Fishery Management Councils have decades of experience in the arena of CMSP, we have commented extensively on this topic (please refer to January 2010 comments on the draft Interim Framework), and I will reiterate some of the central concerns shared by all eight Councils across the U.S. We believe that while this objective overlaps significantly with ecosystem-based management, and implies some potentially positive developments, it raises a number of serious issues and concerns related primarily to management authorities and availability of fiscal and human resources. Most importantly I believe, is that any strategic action plan explicitly clarify the relationship of CMSP plans to existing regulatory processes and authorities, so that it does not undermine or impair successful processes already in place. We believe that the existing Framework for CMSP contains conflicting language in this regard, and does not clearly stipulate that this process would not create new regulatory authorities.

Secondly, we remain very concerned that the existing Framework is overly ambitious in its conceptual design and specific elements, envisioning regional planning bodies which would compile, investigate, assess, forecast, and analyze an enormous body of scientific information comprising virtually every known body of scientific information available (and some that is unavailable). Given the obvious budgetary limitations, we are very concerned that this objective will, by necessity, divert fiscal, scientific, and analytical resources from existing processes which are dependent on those resources. Given that NOAA Fisheries will be an obvious source of much of this information, we are wary that this initiative will divert resources which are critical to the fishery management process, as well as other processes. In the North Pacific area, we are already experiencing significant reductions in critical resource surveys under the current federal budget, and can only anticipate further reductions due to the ambitious, unfunded mandates included in the CMSP Framework. Related to this objective, we would like to have some clarification of how the strategic action plan for this objective relates to the existing Framework.

We believe that the Regional Fishery Management Councils have a wealth of experience to bring to the table relative to CMSP, and recommend that the strategic action plans explicitly include the Councils as part of any regional planning body or process. To underscore this experience, let me use the North Pacific example. The North Pacific Council uses marine spatial planning as an essential tool to manage its large-scale commercial groundfish fisheries in Alaska's 1 million square mile EEZ. Areas are used to apportion effort and catch among discrete areas, to spatially separate different fisheries, and to protect sensitive habitat and vulnerable species from potential effects of fishing. The Council has established 251

individual marine conservation areas off the coast of Alaska. In some areas, bottom trawling has been prohibited. In other areas, such as the seamounts, coral garden areas, and Steller sea lion rookery areas, all gear types have been prohibited, and the areas function as no-take marine reserves. The Council also developed a fishery ecosystem plan for the Aleutian Islands area that serves as a policy and planning document for this ecologically and historically unique ecosystem area (noted above relative to objective #1). In 2009, the Council established a fishery management plan for the Arctic region, which prohibits all commercial fishing until sufficient scientific information is available for this area. The Council also has over 3 decades of experience working with International planning groups (RFMOs, etc.) on broader marine spatial planning issues.

The Council has also established the Alaska Marine Ecosystem Forum to advance regional collaboration and enhance information exchange among 11 federal and 4 state agencies with jurisdiction over activities impacting marine waters. This group could be a starting point for development of a regional ocean planning body in Alaska. We believe that any regional planning body in the Alaska/Arctic Region must be developed with the necessary input and presence of the State of Alaska, and must also include explicit representation from the North Pacific Council. The CMSP process as envisioned is a very ambitious and potentially huge undertaking, and in particular among the nine objectives must proceed cautiously and incrementally.

Objective #8 – Changing Conditions in the Arctic: The importance of the waters of the Arctic Oceans, the potential implications of climate change and ice-melt, and the current focus on the Arctic cannot be overstated. A greater understanding of the Arctic system, including the diversity and abundance of fish and other ocean resources, is one of the most critical aspects of this objective. In the meantime however, a foremost component of any strategic action plan would be to simply provide a greater understanding of (1) the various research initiatives underway or planned; (2) the various authorities involved in Arctic research, management, and policy development; and, (3) the nature, timing, and goals of the innumerable workshops, symposiums, conferences, and other meetings related to ‘changing conditions in the Arctic’. Providing such a description as part of the strategic action plan, or at a minimum identifying a specific entity to serve as the nexus for this information, would be an invaluable resource for all constituents and management agencies with interests in the Arctic.

While commercial fisheries are currently not a significant component of Arctic activities (i.e., in the ‘cold’ Arctic region adjacent to Alaska), the potential for fisheries development, and the uncertainty regarding fishery and other living marine resources in this region, necessitate that any strategic action plan place an emphasis on collection of this type of information. As mentioned above, the North Pacific Council, and NOAA Fisheries, have developed and approved a precautionary Fishery Management Plan for the Arctic waters of the U.S. EEZ – this plan prohibits any commercial fishing in all U.S. Arctic waters, pending the availability of scientific information that would indicate the viability of a safe, sustainable fishery in these waters. Any planning for Arctic activities, or the closely related CMSP initiative, is clearly and critically dependent on this type of information.

In summary, we appreciate the opportunity to comment on development of the strategic action plans, and wish to re-emphasize a few key points. The Interagency Ocean Policy Task Force Report, page 30, states “*Recognizing the reality of the limited availability of new resources, each of the Federal agencies engaged in implementation of strategic action plans would re-evaluate how resources should best be allocated in light of their statutory and regulatory mandates*”. This statement underscores one of our primary concerns, and implies that significant re-allocation of resources could be necessary to implement the strategic action plans. We strongly suggest that implementation of any of these strategic action plans only be undertaken if it is possible to do so without detracting from existing mission critical resources.

We believe that some of the objectives are too ambitious (CMSP in particular, based on the current Framework) and that their broad, general objectives are simply unrealistic in the current budget climate, and further are unnecessarily sweeping in their scope given existing, successful processes already in place. We suggest that any strategic plans developed must allow for regional decision-making as a central tenant. A thorough review of existing, regional coordinating entities and processes should be part of any strategic plans, in order to assess their effectiveness and maximize the ability to leverage those processes, rather than create new, untested processes. The focus should be on coordinating and informing existing processes, rather than developing new regulatory and decision-making processes.

Sincerely,



Chris Oliver  
Executive Director

CC: Dr. Jane Lubchenco  
Mr. Eric Schwaab  
Governor Shawn Parnell  
Senator Lisa Murkowski  
Senator Mark Begich  
Congressman Don Young