

Ecosystem Committee Minutes

April 7, 2010 1-5pm
Hilton Hotel, Aspen/Spruce Room, Anchorage, AK

Committee: Stephanie Madsen (chair), Jon Kurland, Dave Benton, Doug DeMaster, Caleb Pungowiyi, Jim Ayers, John Iani (teleconf), Diana Evans (staff)

Others attending included: John Olson, Matt Eagleton, Bill Wilson, Dave Witherell, Jeannie Heltzel, Jeanne Hansen, Dorothy Childers, Clem Tillion, Bill Tweit, Jon Warrenchuk

Essential Fish Habitat 5-year review

Ms Evans, Mr Eagleton, and Mr Olson presented the summary report of the Essential Fish Habitat (EFH) 5-year review. The presentation focused on those chapters to which new information has been added since the Preliminary Report was available in December 2009: EFH description review for crab, scallop, and salmon species, and the effects of fishing evaluation. Ms Evans also identified how the Committee's recommendations from December have been addressed, and presented the report's conclusions. The Committee commended the agency and Council staff for their work on the report, and coordination among the various contributors and Plan Teams.

The Committee discussed the scope of the EFH review. The difficulty in distinguishing between impacts on stocks and impacts on habitat was an issue during the development of the 2005 EFH EIS, and continues to generate discussion and sometimes confusion. The Committee noted that recommendations from the stock assessment authors and Plan Teams were sometimes inconsistent in the way in which they distinguished between these factors. The Committee also discussed the degree to which the effects of fishing on habitat can be discerned from an analysis of spatial distribution of bycatch or incidental catch of invertebrate species, and to what degree information on spatial distribution of incidentally caught species is available either in the EFH report or on the NMFS website.

The Committee recommends that the Council initiate an analysis to address all the recommendations identified in Table 22 of the revised Chapter 14 of the EFH Summary Report (the conclusions section), with three exceptions: the rows relating to the Salmon FMP and HAPC, and the language under the effects of fishing evaluation row that identifies concerns about crab stocks (see also the attached table). The Committee notes that the report concludes that there is sufficient new information to warrant initiating an analysis for updating the FMPs. The recommended changes in the summary report form the starting point for the analysis, however the Committee notes that it is not their intention to predispose the conclusions of the eventual amendment, which may evolve through the course of developing the required amendments, and the attendant public and Council review (for example, the component pertaining to research needs further clarification through the amendment process). One member of the Committee objected to the Committee recommendation, noting that the issue of bycatch has importance for the discussion of EFH but is not sufficiently addressed in the report.

With respect to the Salmon FMP recommendations summarized in Table 22, **the Committee recommends that an amendment to address the changes to the salmon EFH descriptions be initiated, with the exception of revising the 2005 evaluation of fishing effects on EFH for Chinook salmon (see summary table on page 51 of the report)**. The Committee noted that the salmon FMP review had greater inconsistency with the approach used in the rest of the report due to the lack of review at a Salmon Plan Team. The language supporting the recommended change to Chinook salmon with respect to the effects of fishing cites factors that are clearly related to bycatch impacts from the fisheries, rather than impacts on habitat. The Committee agreed that Chinook bycatch is an important issue, but the Council is addressing bycatch through a separate program, and bycatch management in the trawl fisheries is a bycatch issue not a habitat issue.

The Committee noted the Crab Plan Team's discussion on the evaluation of fishing effects on crab species generally. **The Committee recommends that the Council initiate a discussion paper to further evaluate the Plan Team's recommendation to re-evaluate fishing effects on crab, prior to incorporating this component in the EFH amendment analysis.** The Plan Team raises questions about the pelagic environment and transport mechanisms, their importance for spawning and breeding populations, and how they relate to habitat usage. The Committee also suggested that it may be important to evaluate existing closures for crab habitat, to see if habitat usage by crab species has changed since the mid-1990s when these closures were put into effect. A staff discussion paper would help to identify relevant issues for the public and the Council with respect to understanding the effects of fishing on crab stocks, and including the appropriate parameters in the methodology used by such a review. Once there is further clarification about this component, the review could be merged with the overall proposed amendment analysis.

The Committee also recommends that the Council request the use of a common terminology in the report and in any subsequent analysis with respect to the taking of coral and sponge in the fisheries, which should be identified as 'observed catch'. In some places in the document this is referred to as bycatch, which has a specific (different) definition under the Magnuson-Stevens Act.

HAPC Priorities and Criteria

Ms Evans and Mr Eagleton provided an overview of the Council's established HAPC process, and identified that the Council is scheduled to take action at this meeting to identify HAPC priorities (thus initiating a call for proposals), and to adopt evaluation criteria for HAPC proposals.

The Committee acknowledged the work by the SSC and the Plan Teams to develop revised criteria for evaluating HAPC proposals. **The Committee recommends that a proposal must meet a rarity score of "3" in order to comply with the Council's requirement that all proposed HAPC candidate sites in Alaska meet the rarity consideration. Additionally, the Committee suggests replacing the word 'unique' in this description with 'uncommon'.** The Committee noted that the language in lower scores is imprecise, and allowing a low score does not meet the Council's intent that meeting the rarity consideration be mandatory for the identification of Alaska HAPCs. The language describing a score of "3", as amended by the Committee, is consistent with the EFH regulations and the Council's intent. The Committee notes that if scores 0-2 are deleted from the table for rarity, a modifier should be added to 'one region' to explain that region is identified as one of the Alaska regions, namely the Gulf of Alaska, Bering Sea, Aleutian Islands, and Arctic.

The Committee recommends deleting footnote 1 entirely from the evaluation criteria table. The footnote defines habitat; the Committee notes that EFH is already clearly defined in the Magnuson-Stevens Act, and proposers should be referred to the Act's definition to minimize confusion. EFH is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity".

Recognizing the Council has flexible authority to act at any time for the conservation and management of species, the Committee recommends that the timing for the HAPC proposal cycle be modified to coincide with the EFH 5 year review. This amendment would be consistent with the SSC's similar recommendation in June 2009. The Committee believes that it makes sense to have the benefit of the comprehensive EFH review before identifying appropriate priorities for HAPC identification, unless a conservation concern suggests initiating HAPC proposals mid-cycle.

Regarding the Council's action to consider whether to set HAPC priorities, **the Committee recommends that if the Council elects to identify HAPC priorities, the set of priorities should be discrete and**

informative, so that they are clear to the public and result in a focused HAPC proposal process. One Committee member objected to this recommendation.

Aleutian Islands Ecosystem Team Terms of Reference

Ms Evans presented the draft terms of reference that were developed by the AIET, based on discussions at their January meeting. The Committee expressed appreciation for the work of the Team, and their continued interest in providing quality advice to the Council and developing the Fishery Ecosystem Plan. **The Committee recommends that the Council adopt the Terms of Reference with 2 small editorial changes, as attached.** In the first paragraph, third line, the Committee recommends inserting the word 'scientific' before advice, so that it reads, "The AIET will provide the Council with *scientific* advice...". In section 4 on page 2, paragraph b, third line, the Committee recommends that the phrase read, "information will flow through the Ecosystem Committee, *and provide scientific advice* to the Plan Teams, SSC, and Council."

Update on the Northern Bering Sea Research Area (NBSRA) research plan

Ms Evans provided a brief update on the recent community subsistence and stakeholder workshop in Anchorage, February 24-25, 2010, to gather information for the protection of areas and resources important for the subsistence needs of western Alaska communities, an element of the research plan. The AFSC has proposed a change in schedule, to delay the completion of the draft research plan in order to accommodate results from the upcoming trawl survey and concerns expressed by the community about the process moving too fast. Dr DeMaster spoke to the AFSC's recent letter to the workshop participants and other communities in the Northern Bering Sea, explaining the purpose and importance of the 2010 trawl survey in the NBSRA. Dr DeMaster indicated that the area that includes the NBSRA is particularly important for understanding the impacts of climate change and loss of sea ice, and is likely going to be an area of importance for research for NOAA over the next decade. The Obama administration is directing NOAA to put together a research plan for the Arctic, which is broadly defined to include the Bering Sea.

Mr Pungawi noted that the communities' concerns with the trawl survey are primarily related to an increase of fishing in the area, and that having a survey is more likely to eventually result in increased fishing. Dr DeMaster responded that the loss of sea ice research program is designed to investigate how both commercial and subsistence needs in the Bering Sea may be affected by ecosystem change, and that in the NBSRA, the research is primarily responding to the needs of subsistence users, in the current absence of commercial fisheries.

Ecosystem Committee recommendations for EFH and HAPC

(based on Table 22 in the EFH Summary Report, as revised following the Crab Plan Team meeting)

EFH component	Council FMP	Recommended change
EFH descriptions of individual species	BSAI Groundfish	Initiate amendments for all 24 species or complexes whose habitat is described in the FMP, to revise some aspect of the EFH description, as described in the summary report
	GOA Groundfish	Initiate amendments for all 24 species or complexes whose habitat is described in the FMP, to revise some aspect of the EFH description, as described in the summary report
	BSAI Crab	Initiate amendments for all 5 species or complexes in the FMP, to revise general EFH and fishery information for each species, as described in the summary report (amendments to revise the evaluation of fishing effects conclusions are not initiated at this time, rather see discussion under evaluation of fishing effects)
	Scallop	Initiate amendment for the one species whose habitat is described in the FMP, to revise aspects of the EFH description, as described in the summary report
	Salmon	Initiate amendments for all 5 species in the FMP, to revise some aspect of the EFH description, as described in the summary report, except that the recommendation to revise the conclusions of the effects of fishing on Chinook would not be forwarded for analysis
Fishing activities that may adversely affect EFH	All Council FMPs	<p>A general re-evaluation of the effects of fishing activities on EFH, including re-running the model, should not be initiated at this time. Recent research results are consistent with the habitat sensitivity and recovery parameters and distributions of habitat types used in the prior analysis of fishing effects for the EFH EIS. Fishing intensity has decreased overall, gear regulations have been designated to reduce habitat damage, and area closures have limited the expansion of effort into areas of concern.</p> <p>For crab species, request a discussion paper to look at how the effects of fishing are considered for crab stocks. The paper should include the Plan Team's comments about considering the pelagic environment and transport mechanisms and their importance for spawning and breeding populations, and should also evaluate existing closures for crab habitat to see if habitat usage by crab species has changed since the mid-1990s when these closures were put into effect. Based on this discussion paper, the Council can then decide whether further analysis of this issue should be incorporated into the overall EFH analysis and amendments.</p>
Non-fishing activities that may adversely affect EFH	All Council FMPs	Initiate amendments to update EFH conservation recommendations for 14 of 22 nonfishing activities.
Research and information needs	Potentially all FMPs	Identify alternatives to consider whether research priority objectives in the FMP should be amended. The Council's research priority objectives from 2005 have largely been met, however many of the research questions are still valid and remain to be investigated (see Section 13.1.1). The Council may wish to identify new objectives to guide EFH research over the next 5 years.
HAPC	All FMPs	Initiate amendment to revise the timeline associated with the HAPC process to coincide with the EFH 5-year review.

ALEUTIAN ISLANDS ECOSYSTEM TEAM

TERMS OF REFERENCE

Ecosystem Committee changes indicated in italics

1. Establishment. The North Pacific Fishery Management Council (Council) shall establish the Aleutian Islands Ecosystem Team (AIET) for the continued development of the Aleutian Islands Fishery Ecosystem Plan (AI FEP). The AIET will provide the Council with *scientific* advice on ecosystem interactions as they relate to the Aleutian Islands ecosystem¹.
2. Membership. AIET members will be appointed from government agencies, academic institutions, or organizations having expertise relating to the Aleutian Islands. Collectively, members should have experience to address the key ecosystem issues of the Aleutian Islands: fishery species biology and assessment, marine mammals, seabirds, ecosystem and food web modeling, habitat, physical oceanography, fishery management, economics, and anthropology. Normally, the AIET will also have at least one member from each of the Council's Bering Sea/Aleutian Islands Crab and Groundfish Plan Teams, and the Alaska Fisheries Science Center (AFSC) Resource Ecology and Ecosystem Modeling Division (which is responsible for preparing the annual Ecosystem Considerations report). With the consent of the sponsoring agency or institution, nominations may be made by the Council, the Scientific and Statistical Committee (SSC), the Advisory Panel (AP), the Ecosystem Committee, or the AIET. All nominations will be subject to approval by the SSC, with the Council retaining final appointment authority. Appointments should reflect the AIET's function to evaluate and make recommendations on ecosystem issues related to the Aleutian Islands.
3. Organization. The AIET will be directed by a chairperson, and may divide some of its responsibilities among work groups organized according to subject matter.
 - (a) Rules of order. In general, rules of order will be informal. AIET decisions will be reached by consensus, whenever possible. If a decision is required and consensus cannot be reached, the opinion of the majority will prevail. In representing the AIET publicly, the spokesperson will take care to relate AIET opinions accurately, noting points of concern where consensus cannot be reached.
 - (b) Meetings. In so far as is practicable, the AIET will meet annually to discuss updates to the status of the AI ecosystem, and updates or further development of the AI FEP. The preferable timing for this meeting will be early in the calendar year. The AIET chairperson may call other meetings as necessary. A draft agenda will be prepared in advance of each meeting by the Council staff in consultation with the chairperson, and may be revised by the AIET during the meeting. Minutes of each meeting will be prepared by the Council staff, and reported to the Council's Ecosystem Committee, the SSC, and the Council by the chairperson (or designee).
 - (c) Selection of officers. The AIET Chair will be selected at the meeting preceding the annual AIET meeting or as vacancies arise.
4. Functions. The AIET's primary function is to provide the Council with the best available scientific information about the AI ecosystem, to provide a context for management actions affecting the Aleutian Islands.
 - (a) AI FEP. The AIET is responsible for updates and new analysis for the AI FEP. The AI FEP provides the Council with a synthesis of available information on the Aleutian Islands. The FEP also identifies key ecosystem interactions in the Aleutians, and a framework of indicators for

¹ For the purposes of the AI FEP, the Aleutian Islands ecosystem is defined as the portion of the archipelago ranging from Samalga Pass (169° W. longitude) to the western boundary of the exclusive economic zone, at 170° E. longitude.

monitoring these interactions. A risk assessment is also included, to provide general guidance to the Council on priority areas and issues for management attention and further research and analysis. For each ecosystem interaction, the FEP identifies how risk associated with the interaction is currently addressed by the Council, and what other actions the Council might consider to mitigate risk. The AIET will review the FEP on an annual basis, decide whether new information should be incorporated in the FEP, and update and expand the analysis in the FEP as appropriate.

- (b) Facilitate the use of the AI FEP in Council management. The AIET may also play a role in facilitating the use of the FEP as a management tool for actions related to the Aleutian Islands. The AIET may identify a framework for using the information in the FEP, which can be made available at all levels of the Council process (Council, SSC, Plan Teams, analytical and stock assessment authors). In particular, the AIET should reinforce the primary conclusion of the FEP, that the Aleutian Islands is a separate ecosystem from the Bering Sea. Especially within the joint management framework that exists for groundfish, analyses and Council management should distinguish between the ecosystems when discussing the impacts of fishery management.

It is not the AIET's role to provide specific recommendations to the Council on each Council issue that affects the Aleutian Islands. Rather, the AIET's information and any recommendations should continue to flow through the Ecosystem Committee, *and provide scientific advice to the Plan Teams, the SSC, and the Council.*

- (i) Council BSAI Crab and Groundfish Plan Teams. The AIET will interface with the Crab and Groundfish Plan Teams both by members who participate on both Teams, and also through targeted presentations and input as appropriate. Any recommendations from the AIET that overlap with the responsibilities of the Plan Teams should be made directly to the Plan Teams, and not only to the SSC or the Council.
- (ii) Ecosystem Assessment and Ecosystem Considerations report. The AI FEP identifies key interactions and associated ecosystem indicators for the Aleutian Islands, which are tracked through the AFSC's Ecosystem Considerations report and Ecosystem Assessment. To the extent that it is useful, the AIET may be able to provide strategic assistance in focusing the Ecosystem Assessment on key issues for the Aleutian Islands.
- (iii) Every attempt should be made to provide AI FEP information to ground level analysts and assessment authors, so that it can be incorporated early in the management process, and not only at the Plan Team, SSC, or Council level.