



Marine Conservation Alliance

promoting sustainable fisheries to feed the world

P O Box 20676
Juneau, AK 99802
(907) 523-0731
(206) 260-3639 fax

Adak Fisheries, LLC
Alyeska Seafoods
Alaska Crab Coalition
Alaska Draggers Association
Alaska Groundfish Data Bank
Alaska Pacific Seafoods
Aleutian Islands Brown Crab Coalition
Aleutian Pribilof Island Community Development Association
Akutan, Atka, False Pass, Nelson Lagoon, Nikolski, St. George
At-Sea Processors Association
Bristol Bay Economic Development Corp.
Aleknagik, Clark's Point, Dillingham, Egogik, Ekuk, Ekwok, King Salmon, Levelock, Manokotak, Naknek, Pilot Point, Port Heiden, Portage Creek, South Naknek, Togiak, Twin Hills, Ugashik
Central Bering Sea Fishermen's Association
St. Paul
City of Unalaska
Coastal Villages Region Fund
Cheforak, Chevak, Eek, Goodnews Bay, Hooper Bay, Kipruk, Kongiganak, Kwigillingok, Mekoryuk, Napakiak, Napaskiak, Newtok, Nighthute, Oscarville, Platinum, Quinhagak, Scammon Bay, Toksook Bay, Tunutuliak, Turunak
Groundfish Forum
High Seas Catchers Cooperative
Icicle Seafoods
McCarty and Associates
Mid-Water Trawlers Cooperative
Mothership Group
PV Excellence
PV Ocean Phoenix
PV Golden Alaska
Norton Sound Economic Development Corporation
Brevig Mission, Diomedes, Elm, Gambell, Golovin, Koyuk, Nome, Saint Michael, Savoonga, Shaktoolik, Stebbins, Teller, Unalakleet, Wales, White Mountain
Pacific Seafood Processors Association
Alaska General Seafoods
Alyeska Seafoods, Inc.
Golden Alaska Seafoods, Inc.
Peter Pan Seafoods, Inc.
Premier Pacific Seafoods, Inc.
Supreme Alaska Seafoods, Inc.
UniSea Inc.
Wards Cove Packing Company
Western Alaska Fisheries, Inc.
Westward Seafoods, Inc.
Prowler Fisheries
Trident Seafoods Corp.
United Catcher Boats
Akutan Catcher Vessel Assoc.
Arctic Enterprise Assoc.
Mothership Fleet Cooperative
Northern Victor Fleet
Peter Pan Fleet Cooperative
Unalaska Co-op
Unisea Fleet Cooperative
Westward Fleet Cooperative
U.S. Seafoods
Waterfront Associates
Western Alaska Fisheries, Inc.
Yukon Delta Fisheries Development Association
Alakanuk, Emmonak, Grayling, Kotlik, Mountain Village, Nunam Iqua

January 11, 2008

Jon Kurland

Assistant Regional Administrator for the Alaska Region Habitat Conservation Division

National Marine Fishery Service

PO Box 21668

Juneau, AK 99802-1668

Dear Mr. Kurland:

The Marine Conservation Alliance is writing in regards to the planning exercise you are engaged in for the NOAA Fisheries Habitat Program. We understand that this strategic planning process is intended to provide a blueprint for the NOAA habitat program for the future. MCA appreciates your efforts to reach out to various constituent groups, such as ours, as you proceed with this effort.

In the handout entitled "Drafting a Strategy for NOAA Fisheries' Habitat Program", NOAA asks some key questions about the program under the heading "We Request Your Help". At the same time, NOAA has laid out a fairly definitive statement of what you are going to do under "Looking to the Future". MCA will attempt to address both in these comments.

In your "Looking to the Future" statement of intent, NOAA's stated intention is to "work more proactively in an ecosystem-based context", to "move from reactive to proactive habitat protection and restoration", and to "expand efforts to protect and restore vital habitat components". One area of emphasis identified in the document is to move beyond NOAA's traditional role of commenting on individual projects to a more ecosystem based planning model. If this means placing more emphasis on the effects of development or other activities on water quality or nearshore rearing habitat, MCA would support such a new direction. We also would support the move towards non-regulatory approaches to identify and protect habitat through partnerships with communities and industry. This would tie in well with an emphasis on habitat restoration, especially in nearshore or in-river habitats that may be impaired. We have found that such partnerships can be a very productive approach to developing practical solutions for real world problems.

With regard to marine fisheries and regulations affecting commercial fishing activities, MCA believes that we have not only been proactive, but have far exceeded what is required by law. This precautionary approach should be acknowledged in the new strategy.

Over the past several years, through the North Pacific Fishery Management Council process, NOAA has worked with industry and conservation groups to develop what is probably the strongest and most far reaching habitat protection program in the country and arguably the world. In total, the area closed to either all fishing or bottom trawl fisheries to protect various habitat types is roughly 500,000 sq nautical miles (counting the recent Northern Bering Sea closures approved by the Council but not yet implemented). The Council is well on its way to also closing the entire Arctic Ocean region north of Bering Strait which would add another estimated 130,000 sq nautical miles. Taken together this is conservatively estimated to reach a total of 650,000 sq nautical miles of closed waters. This is roughly 5 times the area of the entire national park system for the United States.

Many of these closures preceded the 1996 Magnuson Stevens Act EFH provisions, and most of the closures since that time have gone above and beyond the requirements of the MSA and other applicable laws. MCA has supported these actions, because they were done in the transparent, scientifically driven fishery management council process; and because we have taken the long view about oceans conservation and maintaining sustainable and robust fisheries in Alaska.

Given this record, MCA believes that the proposed strategy needs to clearly state that consideration of any new fishery habitat closures in federal waters will be initiated and vetted through the regional management council process. From our perspective, the process established by the NPFMC to consider Habitat Areas of Particular Concern (HAPC) on a regular basis is the proper venue for future consideration of habitat closures. We also believe that there is need to pause and take stock of where we are before embarking on yet another round of fishery closures.

NOAA's Fisheries Habitat Program strategy for the future will "focus strongly on Characterization and Assessment activities which have been identified as high priorities in national reports". NOAA will work with various parties to "inventory, characterize, and assess vital marine habitats and associate those habitats with use by living marine species" and prioritize those vital marine habitats for protection.

MCA supports these goals as they relate to the need to conduct rigorous scientific assessment programs to evaluate the effects of existing fishery closures on habitat and associated marine species. Most major programs, and certainly a program that in the span of just a few years has closed for protection an area five times the size of the nation's national park system, would make monitoring and assessment of the newly established conservation units a major priority.

As such, MCA believes there is a need to conduct an assessment program and evaluation before proceeding with any new fishery closures. Among other things, such an evaluation should assess the level of protection already afforded to various habitat types, determine whether or not there is a sufficient level of protection for a representative composite of important habitats, and assess the effects of current measures on species composition, abundance, and distribution. The evaluation should also look at how measures have affected fleet distribution and operations, impacts to coastal communities, and other factors to provide insight into whether or not these

closures have met their goals, or have had unintended consequences or costs that should be addressed.

NOAA also intends to “develop enhanced scientific and technical understanding of habitats” and “improve understanding of habitat functions and how habitats change over time”. MCA is strongly supportive of NOAA’s goals for ongoing scientific research to assess marine habitats and better understand their functions and how they change over time. Over the years, MCA has worked hard in a variety of arenas to support NOAA scientific programs, including funding at the federal level, through NPRB, and as a partner in our cooperative research program. We believe that the high quality of NOAA research, and its reputation for fair and unbiased investigation is an important component of any successful habitat program.

One concern we have is that the integrity of NOAA’s science programs not be inadvertently compromised. So, for example, the cooperative research work we do through the MCA Foundation (MCAF), in cooperation with NOAA scientists, goes through several layers of scientific planning and review. For the most part, these are gear modification studies to try to develop practical solutions to real world conservation and management needs. Results are carefully documented and provided to the scientific and regulatory community and available to the public. MCA makes no representation about NOAA’s views on the results of these research efforts.

Recently, NOAA’s science program became enmeshed in a different kind of research effort involving an NGO with a specific mission in mind. This NGO, on its website, proclaimed that it was doing a “campaign” in the Bering Sea to “document the failures of fishery management in the Bering Sea”. This was not a traditional research cruise, and they were very straightforward about their intent to try to document habitat destruction. They have cited NOAA involvement (whether warranted or not) as confirmation of their claims. While we respect the right of NGOs to conduct such campaigns and put whatever information they want forward, we also question the wisdom of NOAA allowing its reputation and good name to be used in this manner.

Which leads to the final issue raised in your materials, where you ask what opportunities might there be to leverage local, state, federal and private efforts to protect and restore coastal ecosystems? And the closely related question, “what do you see as the best strategy to secure necessary funds to address high priority threats to habitat”?

In terms of leveraging federal programs with other participants, MCA and MCAF are already working with NOAA in this regard. For example, while marine debris clean-up is not mentioned expressly in the habitat strategy planning document, it remains an important national priority. MCAF has been working with NOAA and a variety of communities and local organizations to conduct one of the nation’s largest marine debris clean-up programs. This year alone, MCAF sponsored clean-ups removed roughly 170 metric tons of debris. We have also sponsored coastal assessments to identify priority areas for future clean-ups, including aerial surveys of the entire coast from Bering Strait to Bristol Bay as well as areas of Prince William Sound and the Kodiak archipelago. This is a comprehensive approach to coastal habitat restoration that leverages federal, state, and private funding with volunteer activities and support. It is a statewide effort, with clean-ups from Norton Sound, the Pribilofs, Prince William Sound, Dutch Harbor, and

southeast Alaska. The partnership between NOAA, MCAF, and local communities is growing, and provides synergy that the federal program could not achieve on its own. We believe it is a good model for similar efforts to address other habitat restoration needs.

With regard to funding for science or for habitat programs, MCA believes that the best strategy is to maintain NOAA's reputation for fairness, integrity, and scientific excellence. When these become compromised, it is difficult for supporters such as MCA to be an effective advocate for NOAA funding. MCA and the seafood industry have a long history of working with NOAA to secure funding either through the federal budgetary process, or from outside sources such as NPRB or private funding. Continued communication with constituents, and enhanced efforts to identify funding priorities will strengthen these kinds of efforts for the future.

So, in summary, our priorities for the habitat program would be:

- 1) put more emphasis on scientific research and assessments, especially of current closures;
- 2) expand NOAA's programs to address water quality or other issues affecting nearshore or in-river habitat with an emphasis on non-regulatory solutions created through partnership with affected user groups and industry;
- 3) build on existing habitat restoration efforts and adopt service models that leverage federal funds with local or private support. We believe that our marine debris clean-up program is a good example of the kinds of synergies that can develop through such efforts; and
- 4) consideration of any new fishery closures or EFH designations should be done through the normal Council process, particularly the HAPC process.

Thank you for the opportunity to provide our thoughts about the future of the NOAA habitat program here in Alaska. We look forward to continuing to work with you and the program to protect and restore Alaska's marine habitats so we have sustainable fisheries now and into the future.

Sincerely,



David Benton
Executive Director
Marine Conservation Alliance

Copy: Mr. Eric Olson, NPFMC