Marine Conservation Alliance
promoting sustainable fisheries to feed the world

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Sue Salveson
Assistant Regional Administrator
Sustainable Fisheries Division
Alaska Region, NMFS
Federal Bldg.
709 West 9th St. Room 420A
Juneau, Alaska 99801
Attn: Ellen Sebastian.

Dear Ms. Salveson;
Re: SSL SEIS

The Marine Conservation Alliance (MCA) is providing the following comments on the Notice of Intent (NOI) to prepare a Supplemental Environmental Impact Statement (SEIS) on possible revisions to Steller Sea Lion (SSL) protection measures for the Bering Sea/Aleutian Island (BSAI) and Gulf of Alaska (GOA) groundfish fisheries. MCA is a broad-based coalition of coastal communities, fixed and mobile gear fishermen, Community Development Quota groups, vessel owners, processors, support industries and consumers directly and indirectly involved in the Alaska groundfish and shellfish fisheries off Alaska. The coalition members support science-based policy that protects the marine environment and promotes long-term sustainability of both fishery resources and the North Pacific fishing community that depends on those resources. Collectively, MCA members represent approximately 70% of the seafood production off Alaska.

The National Marine Fisheries Service (NMFS) and the North Pacific Fishery Management Council (NPFMC) are reviewing existing SSL protection measures, an action which may result in proposed modifications to existing measures based on new information regarding the potential interactions between SSLs and the BSAI or GOA groundfish fisheries.

As part of this review, an SEIS may be prepared. MCA believes that the SEIS should evaluate the existing protection measures, and the Biological Opinion (BiOp) currently being prepared on those measures, as well as the impacts to the human environment resulting from possible modifications to the existing protection measures. The overriding priority should be to have a full and comprehensive analysis to meet the requirements of NEPA, and provide the information necessary to ensure that decisions are made that meet the requirements of the ESA and the MSA.

The NOI correctly points out that alternatives to be analyzed may include alternatives proposed by the NPFMC or through its SSL Mitigation Committee process; alternatives developed through public scoping; or alternatives identified in the NOI including the status quo, changes to current spatial management measures, changes to current temporal management measures, or changes to other SSL protection measures such as gear restrictions or the platoon management system for Atka mackerel.

In evaluating alternatives, MCA believes that it is important for the SEIS to analyze the effects of proposed actions and their alternatives on SSLs in light of MSA provisions including social and economic effects of the various alternatives. The analysis should identify the alternative or suite of alternatives that meet ESA requirements to avoid jeopardy and adverse modification of critical habitat with the least disruption to other fishery management objectives, and with the least cost to the seafood industry, coastal communities, and consumers. For example, the analysis may find that certain existing measures such as temporal management measures have negligible benefit to SSLs but high costs to the fishing industry and consumers, which may indicate a need to adapt our existing management regime.

The SEIS should also provide a clear description and analysis of the legal, policy, and management relationships between the proposed alternatives (including status quo), the soon to be released SSL BiOP, and the recently released final SSL Recovery Plan (RP). This should include a thorough analysis of how various alternatives affect determinations of jeopardy, adverse modification of critical habitat, and recovery criteria including downlisting and delisting criteria. It is important that the public, and decision makers, understand the legal and management framework early in the process in order to make informed decisions. The alternatives should be evaluated within this framework to ensure that ESA requirements are being met in the most efficient and effective manner. For example, it would be unfortunate if considerable work had gone into developing a suite of modifications to current SSL measures, only to find out late in the process that it is not permissible to modify existing measures across SSL management units (sub-regions in the RP), or that modifications to existing measures must be "compensated" for within that same SSL management unit or sub-region due to the status of the SSL population in that area. Similarly, the analysis should look critically at any alternatives to impose more constraining management measures in areas where SSL populations are stable or increasing, including the underlying justification or scientific basis for such new measures.

As a final comment, the SEIS should include the most recent scientific information, and include an evaluation of what is known, and what is not known about factors affecting SSL population status, including Orca predation in the far western Aleutian Islands. A number of such issues were raised during review of the SSL Recovery Plan, including comments from the NPFMC, their SSC, and comments provided by MCA. The SEIS should include a review of these comments, the scientific issues raised, and any new information that may further inform the analysis.

Thank you for this opportunity to comment during this scoping process to identify issues that should be considered in the preparation of a SEIS on SSL protection measures in the BSAI and GOA groundfish fisheries.

Sincerely;

Dave Benton
Executive Director