North Pacific Fishery Management Council

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NPFMC Ecosystem Committee
December 7, 2016
Anchorage, AK

Minutes

Committee members present: Bill Tweit (Chairman), Stephanie Madsen, Jim Ayers, Rose Fosdick, Jeanne Hansen, David Fluharty (phone), David Benton, Jon McCracken (staff)

Others present: Diana Evans, Matthew Eagleton, John Olson, Seanbob Kelly, Megan Mackey, Brandee Gerke, Samantha Simpson, Abigail Turner-Franke, Becca Robbins-Gisclair, Dorothy Childers, Steve Marx, Theresa Peterson, Lori Swanson, Xavier Tulik, Liana Pingayak, Janet Erik, Julie Raymond, Nicole Kimball, Olga Paul, Jon Warrenchuk

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The North Pacific Fishery Management Council's Ecosystem Committee met in Anchorage, AK on December 7, 2016 from 9:00 am – 12:45 pm at the Anchorage Hilton Hotel. The purpose of the meeting was to review the draft proposed methods to evaluate the effects of fishing on essential fish habitat (EFH), review the final report of the effects of non-fishing activities on EFH, and receive an update on the progress made toward completion of the Bering Sea Fishery Ecosystem Plan (FEP).

Effects of Fishing on EFH

John Olson (AKR HCD) presented a draft methodology to assess the effects of commercial fishing on EFH, to determine whether effects may be more than minimal and not temporary. The methodology was generated by a subcommittee of the SSC, at the request of the Council, to facilitate the development of objective methods and criteria for stock assessment authors to evaluate the results of the Fishing Effects model. The proposed hierarchical method establishes criteria for when stock assessment authors should take additional steps to investigate any correlations between impacts to EFH and trends in life history parameters of managed fish stocks.

The Committee discussed how the proposed methodology would be applied in the Council process, and it was clarified that its purpose is to provide an objective process for evaluating fishing effects on individual species' EFH for the Council's periodic 5-year reviews. If the stock assessment author highlights a potentially significant fishing impact on an individual species during that review, it will be reviewed by the Council as part of the 5-year review report. The Council then decides what further action to take based on the report's findings, which could include initiating a Council management measure discussion paper or analysis to evaluate alternative ways to mitigate that fishing effect on habitat (see EFH Timeline in Appendix 1).

The Committee finds that the proposed methodology is a useful product, which will be a helpful tool for evaluating the effects of fishing on EFH. The Committee agrees with the Fishing Effects Subcommittee's recommendations for thresholds, and appreciates the additional work by the Subcommittee to evaluate appropriate criteria. The Committee supports the definition of the core EFH

area as the predicted 50% quantile threshold of suitable habitat or summer abundance of each species and life stage, and considers the threshold of 10% of core EFH disturbance as a trigger for future evaluation is appropriate. There was a discussion of whether the 10% threshold would limit the ability of the Council to take action on potential habitat impacts until that threshold was reached for a species. Mr Olson clarified that this is just one part of the Council's considerations for mitigating habitat impacts. The threshold provides a requirement for the stock assessment author to take a hard look when that threshold is reached, but does not in any way prevent the Council from investigating or taking action to ensure habitat protection at an earlier stage.

The Committee also expressed concern about whether a result of this methodology could be to reevaluate and reopen existing closed areas. Mr. Olson clarified that while the EFH 5-year report does address the closed areas, because the fishing effects model evaluates habitat recovery in these areas, this methodology is specifically focused on evaluating the effects of fishing, which excludes consideration of the areas where fishing is already prohibited. **The Committee noted its assumption that if the Council were to express any interest in reconsidering the existing EFH closed areas, it would be an independent action after completion of this EFH review.** Mr. Olson did add, however, that should the Council be interested in evaluating the efficacy of closed areas, or the impacts of gear modifications on habitat, the recent refinements to the fishing effects model will help the Council to better evaluate any habitat impacts of such changes.

The Committee also discussed what the opportunities have been for public input into the development of the methodology, and whether there is a need to engage stakeholders outside of the Council process. **The Committee recommends that the Council ensure that sufficient notice be provided to communities during the time period when stock assessment authors will be applying the methodology to their individual species, and the reporting those evaluations, to facilitate stakeholder engagement that is as broad as possible.** There may be opportunities through the Bering Sea FEP outreach work to engage communities on habitat research, especially proposed objectives and methods.

Mr. Olson also described other changes to the fishing effects model resulting from feedback at the October Council meeting. **The Committee appreciates that the fishing effects model has been adapted to better reflect the recovery needs for long-lived species, such as hard corals**. The model has incorporated a deep and rocky substrate habitat category, based on published information. Mr. Olson explained that effectively this separates out the habitat of many of the long-lived species, which reduces the risk of the model results conflating habitat recovery by averaging across short- and long-lived species. The Committee agreed this is an improvement, and will also be interested in the SSC's review of this change.

Finally, the Committee supports an independent review of the sensitivity and recovery parameters utilized in the model. This could be in the form of a Center for Independent Experts (CIE) review, or some other panel. The Committee agrees, however, that scheduling a review should not delay Council action on the current 5-year review report.

Effects of Non-Fishing on EFH

Matt Eagleton (AKR HCD) presented the final report summarizing the effects of non-fishing activities on EFH in Alaska. The report does not change any of the EFH guidance from the original 2002 final rule. The document is an update to include linkages between freshwater (headwaters) and marine EFH, and a summary of potential climate change and ocean acidification impacts on EFH. The primary purpose of this report is to give Federal action agencies and development project proponents a sense of what NMFS may offer during an EFH consultation for activities that may adversely affect EFH. The committee was very appreciative of the hard work of AKR HCD staff in updating the report.

There was a discussion concerning the list of recommendations at the end of the climate change chapter (page 34). Specifically, there were two recommendations, mitigation of effects on EFH and monitoring reports for the life of the project that are difficult to determine how they directly relate to climate change chapter only. It was noted AKR HCD staff that long-term monitoring by different agencies or companies is extremely useful in determining potential changes to EFH, and if necessary, AKR HCD could utilize a license reopener to mitigate effects on EFH. **The committee noted that the document should include a more thorough discussion of the use of long-term monitoring as a basis for adaptive management to describe climate change risks.**

The committee spent time discussing the purpose of the document and how its utilized. It was noted by AKR HCD staff that the document provides suggestions that the action agency or others can undertake to avoid, offset, or mitigate impacts to EFH. These conservation recommendations represent a cursory list of actions that can contribute to the conservation, enhancement, and proper function of EFH. It was noted during the discussion that AKR HCD does not have a regulatory permitting process like the action agencies, but it does provide consultation with these action agencies. Based on the importance of this consultation and the role this document contributes to that consultation process, **some members of the committee noted that a formalized public comment process of the report would be useful in finding other potential issues that were not anticipated by the agency.** The agency recognized the importance of a formal public comment process and will take this under review.

Another issue that was raised by the committee was impacts of shipping on EFH. The document does provide some information on shipping impacts to EFH, but the committee had mixed opinions on whether they are fully addressed in the document. **The committee suggests the agency highlight information concerning shipping activity on EFH to make it more prominent in the document.** The committee noted that some research on shipping activity and its impacts on the local regions and residents has been accomplished and could be useful assessing the impacts of shipping on EFH.

Finally, there was a brief discussion concerning mining activity in the Norton Sound area. **There was general interest by the committee to get an update on mining activity in the Norton Sound area by the AKR HCD staff at a future meeting.**

Bering Sea Fishery Ecosystem Plan

Diana Evans provided an update on the development of the Bering Sea Fishery Ecosystem Plan. At the December 2016 meeting, the Council will appoint members of the Bering Sea Ecosystem Team. Twelve people, primarily agency staff, have been invited to submit their candidacy. The team is structured as a Council Plan Team, and their meetings will be public. Under the current timeline, the team is tentatively scheduled to meet in January, with a report to the Ecosystem Committee in February, and potentially a Council FEP agenda item in either February or April.

Ms. Evans also noted that the Lenfest report, “Building Effective Fishery Ecosystem Plans”, has recently been published, and the Committee may want to schedule time at a future meeting to discuss how the report integrates with the development of the FEP. Stephani Zador also gave a brief update on the ACLIM (Alaska Climate Impact Modeling) project, which is underway at the AFSC. Some of the project’s outputs have been presented in the Council specifications process this December, and the Council will be receiving a presentation on the ACLIM (Alaska Climate Impact Modeling) project at the February 2017 meeting. The ACLIM project is intended to interface with the BS FEP to provide Council management input to the climate research.

The Committee suggested that the BS FEP team review Committee and the Council discussions about development of the FEP, the relationship of the Team with the Council process, and the importance of public input. The Committee noted the importance of regular updates on FEP development, to foster Council and stakeholder understanding of and support for the FEP. Staff noted that the Team will operate on a similar model to the Aleutian Islands Ecosystem Team in developing the AI FEP, which include close collaboration between the Team and the Ecosystem Committee and Council process. Staff also clarified that one of the early tasks for the Team is to begin to draft a public outreach plan, identifying how to ensure robust public input to the FEP development process.

There were two public commenters, Julie Raymond-Yakoubian and Nicole Kimball. Julie noted that the FEP candidates do not include a social scientist, and it is important to represent humans as part of the ecosystem. Nicole clarified that the Bering Sea team would be working on developing the core FEP and a gap analysis module following the outline presented to and approved by the Council in December 2015, to which staff agreed.

Other issues

International Arctic Waters

David Benton provided a brief update on negotiations between nine nations and the European Union, to create a binding agreement protecting international waters in the Arctic Ocean from unregulated commercial fishing. A meeting last week in the Faroe Islands made some progress, but there are still outstanding issues that need to be addressed, including exploratory fishing, the procedures for setting up one or more Arctic fishery management systems, and procedures for future decision-making. **The Ecosystem Committee appreciated the update on the ongoing negotiations and looks forward to regular updates.**

Appendix 1

EFH Timeline

December 2016	1. Review report describing effects of non-fishing activities on EFH. 2. Review and determine whether to approve proposed methods to evaluate effects of fishing on EFH, including: - Core EFH Area (CEA) - CEA Impact Threshold - Correlation significance (p-value) - Recovery assumption for long-lived species 3. Determine whether to update EFH research priorities 4. Determine whether to update HAPC priorities
January / February 2017	If Council approves the new Fishing Effects Model, stock assessment authors run the new model and generate reports.
March 2017	Joint Plan Team Meeting to review stock assessment author fishing effects reports.
April 2017	1. SSC to review stock assessment author fishing effects reports and Plan Team recommendations. 2. Council to review stock assessment author fishing effects reports along with Plan Team and SSC recommendations to determine whether mitigation of adverse impacts is necessary.
Beyond April 2017	If mitigation deemed necessary: - Council will initiate standard FMP amendment process to mitigate adverse impacts. - Recommend regulatory changes to NMFS. If no mitigation deemed necessary: - No action required, but Council may decide to take precautionary action. - Any follow on items.