

SEABIRD AVOIDANCE REGULATIONS

The U.S. Fish and Wildlife Service (USFWS) published a biological opinion considering the effects of west coast groundfish fisheries to Endangered Species Act (ESA) listed marine species, including seabirds (see <http://tinyurl.com/nl4ye3u>). The opinion includes reasonable and prudent measures (RPMs), terms and conditions, and conservation recommendations¹ to minimize take of seabirds, particularly the endangered short-tailed albatross. The RPMs stipulate that the National Marine Fisheries Service (NMFS) shall 1) minimize the risk of short-tailed albatross interactions with commercial hook and line gear, 2) establish a work group as an advisory body to NMFS and USFWS for the purposes of reducing risk to short-tailed albatross (and other ESA-listed species), 3) monitor and report all observed, reported, and estimated short-tailed albatross take as well as report on the efficacy of avoidance and minimization measures, and 4) facilitate the salvage of short-tailed albatross carcasses taken by longline gear.

The NMFS prepared a preliminary draft Environmental Assessment (EA) and associated draft regulations (see Appendix A of the EA), in response to the RPMs, for Council consideration under this agenda item (Agenda Item F.4.b, Preliminary Draft EA). The ESA Work Group, which is proposed as a Council advisory body, is scheduled for Council discussion under Agenda Item C.6 Membership Appointments and Council Operating Procedures.

The action alternative detailed in the EA would establish regulations requiring streamer lines for commercial longline vessels 55 feet or greater in length to reduce the incidental take of seabirds, while maintaining the voluntary program for smaller vessels. Proposed regulations would modify offal discharge, to the extent practicable, in a manner that should minimize seabird interactions. Procedures for reporting and salvaging short-tailed albatross carcasses taken by longline gear are also proposed. Overall, the proposed regulations are intended to be similar to the Alaska streamer line regulations for Federal waters. The Council should review the draft preliminary EA and regulations, provide guidance, and select a preliminary preferred alternative for public review.

Council Action:

1. Review and provide guidance on the draft preliminary EA.
2. Adopt a preliminary preferred alternative for public review.

Reference Materials:

1. Agenda Item F.4.b, Preliminary Draft EA: Measures to Minimize Take of Short-tailed Albatross in the Pacific Coast Groundfish Fisheries.

¹ Reasonable and prudent measures are non-discretionary measures to minimize the amount or extent of incidental take. Terms and conditions are non-discretionary terms to implement the reasonable and prudent measures. Conservation recommendations are suggestions regarding discretionary measures to minimize or avoid adverse effects on listed species or critical habitat or regarding the development of information.

Agenda Order:

- a. Agenda Item Overview
 - b. Reports and Comments of Advisory Bodies and Management Entities
 - c. Public Comment
 - d. **Council Action:** Adopt Preliminary Seabird Avoidance Regulations in Groundfish Fisheries for Public Review
- Kelly Ames

PFMC
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