



## Pacific Fishery Management Council

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Dorothy M. Lowman, Chair | Donald O. McIsaac, Executive Director

January 22, 2015

Mr. Barry Thom  
Deputy Regional Administrator  
NMFS/NOAA Fisheries  
1201 NE Lloyd Blvd., Suite 1100  
Portland, OR 97232

Dear <sup>Barry</sup>Mr. Thom:

The Pacific Fishery Management Council (Pacific Council) met November 12-19, 2014 in Costa Mesa, California, and reviewed the Working Draft of the NOAA Fisheries West Coast Region (WCR) Strategic Plan (Plan): 2016-2020. This letter formally transmits the Council's comments on that draft plan.

We appreciate the WCR providing the draft Plan for consideration at the Pacific Council meeting, and recognize the considerable effort required to get clearance in time for distribution of the Plan at the Council meeting. However, one of the Council's primary concerns was the timing of the Plan in terms of availability for the advance briefing book. The Plan was not provided until well after the briefing book deadline, and only a few days before the Council meeting started, providing inadequate time for review and comments to be developed. The irony of this seemingly poor example of effectively implementing a strategic policy was not lost on the Council or its advisory bodies. Regardless of the timing issue, and based on the Council discussion and comments of its advisory bodies (enclosed), the Council offers the following specific observations and comments:

At the top of page 11 the Plan states that "Annually, we will identify actions to implement each strategy." The Plan should expand on the process for developing annual implementation plans, including whether they will be shared with co-managers and the Council or will be used as an internal planning document, what the development timeframe is, and what workload associated with the annual plans is.

Under Social and Economic Contributions on page 12, a bullet should be added addressing mitigation. Specifically, there is a necessary role for habitat mitigation from non-fishing effects that should be incorporated into the Plan. As a strategic element it makes sense to pursue mitigation funds and commitments so that agency budgets are less impacted by the habitat conservation and restoration objectives of the Plan. If this had been a higher priority in the past, there would be fewer and less severe fishery population declines and Endangered Species Act (ESA) listings, higher stock productivity, and more community benefits from fisheries. Moving forward with new projects like offshore energy development, we must take full advantage to secure

rock-solid, inflation protected mitigation agreements. The Plan should commit the WCR to enforcing both existing and new agreements.

The topic of marine mammal is treated inconsistently in the goals, objectives, and strategy sections of the Plan. For example, on page 9 under goals and objectives, only the term “Marine Mammal Management” is used; on page 10 only the term “Marine Mammal Conservation” is used; under the strategy sections on page 14 NMFS claims to “...implement the MMPA to conserve and manage marine mammal populations along the West Coast...”; on page 15 the term “Conservation of Marine Mammals” is used but the concept of “Evaluat[ing] intentional and incidental take of marine mammals under the MMPA...” is noted, which seems to imply management as well as conservation, and; on page 16 although not explicitly referring to the MMPA, a strategy to “Coordinate with Science Centers to support ecosystem-based analyses that consider multiple species benefits, interactions, and trade-offs to inform management decisions” could be interpreted to imply management of marine mammal populations with respect to fishery benefits. The differences between conservation of marine mammal populations and management of marine mammal populations is important for fisheries considerations. Since NMFS is engaged in marine mammal management (e.g., California sea lion removal at Bonneville Dam), it is important to clearly indicate the intent to consider application of this strategy elsewhere in the region and, potentially, for additional species.

On Page 12 under Participation and Co-management bullet 4, the list of management agreements should be expanded to include other species like whiting and albacore, and other resources like water management under the U.S.-Canada agreement. The Plan should also address the potential for new agreements, such as Pacific sardine management with Mexico and Canada.

The U.S. fishing industry should be acknowledged as a partner, and should be consulted in any effort to reduce fleet capacity, and in particular should be included in bullet number 5 under Stewardship on page 12, e.g., “Work with international partners and the U.S. fishing industry to improve sustainability of shared stocks, address illegal, unregulated, and unreported fishing, and reduce international fleet capacity in the eastern Pacific Ocean.”


Under the topic of organizational excellence, one strategy that should be added is a review of staffing and process needs to make rulemaking more efficient. Delays in implementing Council actions can be very costly to the fishing industry. Committing to and improving a process like the groundfish omnibus prioritization process is vital to ensure the efforts of the Council result in benefits that accrue to the industry. Likewise, the process and disposition of fees charged to industry need to be transparent to ensure programs are cost effective.

Finally, it was noted that in the section on Highlights of Goals in Action, only examples of inland issues are cited. It would be appropriate to include some examples of marine fishery issues such as the trawl individual quota program or Pacific Halibut management.

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Thank you for your consideration of these comments and recommendations. Should your staff have any questions on this matter, please contact Mr. Chuck Tracy at the Council office.

Sincerely,

A handwritten signature in blue ink that reads "Charles A. Tracy" with a small flourish underneath.

D. O. McIsaac, Ph.D.  
Executive Director

CAT:rdd

Enclosures:

c: Pacific Council Members  
Pacific Council Staff

## HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON NATIONAL MARINE FISHERIES SERVICE WEST COAST REGION STRATEGIC PLAN

The Highly Migratory Species Advisory Subpanel (HMSAS) was briefed by Jennifer Ise and Jerry Hornoff on the National Oceanic and Atmospheric Administration Fisheries West Coast Strategic Plan. The HMSAS appreciates the opportunity to ask specific questions regarding National Marine Fisheries Service (NMFS) goals and objectives for the next five years. The HMSAS reviewed the Sustainable Fisheries objectives and made the following recommendations:

### Objective 1- Sustainable Fishing

**Participation and Co-management:** The HMSAS recommends clarifying and expanding upon the term “co-managers” throughout this objective to include industry as co-managers. Create a method of discussing with Advisory Panels on issues of disagreement between Advisory Panels and Council. The HMSAS discussed a number of co-management examples and the benefits of co-management approaches. Item 6 of this objective mentions cooperative research, which is important in its own right, but is also a stepping stone to co-management.

### Objective 2 – Social and Economic Contributions

When considering enhancing fishing community resilience and supporting sustainable working waterfronts, the HMSAS would like to highlight this as a particularly important and vital objective. Understanding that mechanisms have not yet been established to achieve this objective, the HMSAS encourages NMFS to involve industry and other stakeholders in the development of programs intended to support fishermen, fishing communities, and working waterfronts.

### Objective 3 – Stewardship

The HMSAS recommends adding the “U.S. industry” as a partner under bullet 5 and clarifying that reductions in fleet capacity are focused on international fishing capacity, and not limited solely to the U.S. fleet. Proposed revised text is included below:

*Work with international partners and the U.S. industry to improve sustainability of shared stocks, address illegal, unregulated and unreported fishing, and insure identical management regulations across the North Pacific Ocean.*

## COASTAL PELAGIC SPECIES ADVISORY SUBPANEL REPORT ON THE NATIONAL MARINE FISHERIES SERVICE WEST COAST REGION STRATEGIC PLAN

The Coastal Pelagic Species Advisory Subpanel (CPSAS) received a briefing from Jennifer Ise and Jerry Hornoff (with the National Marine Fisheries Service (NMFS)) on the NOAA Fisheries West Coast Strategic Plan. The CPSAS appreciated the opportunity to ask specific questions regarding NMFS goals and objectives for the next five years. During this briefing, the CPSAS reviewed in detail the Sustainable Fisheries objectives and discussed potential improvements to NMFS Organization Excellence objectives that could be included in the strategic plan. The CPSAS would like to provide the following additions and edits to the draft strategic plan.

### **Sustainable Fishing**

#### Objective 1 – Participation and Co-management

- The CPSAS recommends clarifying and expanding upon the term “co-managers” throughout this objective. As currently drafted, “co-managers” include Tribes, the Council, the Pacific States Marine Fisheries Commission, and States but it does not include any non-governmental fishery stakeholders. The CPSAS discussed a number of co-management examples involving fisheries’ stakeholder partnerships with state and Federal agencies, and the benefits of cooperative management approaches involving stakeholders. In addition to expanding the definition of “co-manager,” the CPSAS recommends considering the inclusion of a seventh bullet that speaks specifically to co-management goals. Item 6 of this objective mentions cooperative (collaborative) research, which is important in its own right, but is also a stepping stone to cooperative management with stakeholders.

#### Objective 2 – Social and Economic Contributions

- The CPSAS recommends including “states” under item 4, to the list of stakeholders NMFS intends to collaborate with.
- Regarding item 5, enhancing community resilience and supporting sustainable working waterfronts, the CPSAS would like to highlight this as a particularly important and complex objective. Understanding that mechanisms have not yet been established to achieve this objective, the CPSAS encourages NMFS to involve the fishing industry and other stakeholders in the development of programs intended to support communities and working waterfronts.

#### Objective 3 – Stewardship

- The CPSAS recommends adding the “U.S. fishing industry” as a partner under bullet 5 and clarifying that reductions in fleet capacity are focused primarily on international fishing capacity, and not limited solely to the U.S. fleet. Any plans for U.S. fleet reduction should always involve industry and other stakeholders for guidance and advice. Proposed revised text is included below:

Work with international partners **and the U.S. fishing industry** to improve sustainability of shared stocks, address illegal, unregulated, and unreported fishing,

and reduce **international** fleet capacity in the eastern Pacific Ocean as deemed appropriate and necessary to achieve sustainability and conservation goals.

#### Objective 5 – Science and Technology

- The CPSAS discussed three science and research goals for NMFS prioritization:
  - the inclusion of the Southern California Bight in the Atlantis model in a more comprehensive manner (i.e. letter from Dr. Richard Parrish, Agenda Item H.1.c Supplemental Public Comment, November 2014)
  - Additional research to understand the distribution and catch of the northern and southern subpopulations of Pacific sardine.
  - Supportive research and stock analysis that allows for future opportunities to harvest additional CPS species in accordance with Magnuson-Stevens Act and other fisheries' policy.

The CPSAS also recommends that NMFS develop a national policy for commercial fisheries parallel to that of aquaculture and recreational fishing policies, highlighting the importance of U.S. commercial fisheries to the economy and domestic seafood production. This policy would specify objectives and strategies to assist the agency in prioritizing commercial fishing goals and allocating necessary resources (including funding) to those priorities.

#### **Organizational Excellence**

The CPSAS noted its excellent working relationship with NMFS staff and timely response to management needs and priorities. However, some CPS fishery members are also active participants in other Federal FMP fisheries, where workload, inefficient processes, and staffing constraints have limited the agency's effectiveness and thereby fishery performance. The CPSAS recommends that NMFS include in its list of strategies a review of staffing needs and exploration of new processes to ensure timely and responsive rulemaking. Our belief is that fishery stakeholders /organizations can develop partnerships with NMFS in advisory, research, or even limited management roles that would complement and augment NMFS resources and staff, facilitating fulfillment of their many assigned responsibilities.

PFMC  
11/18/14

SALMON ADVISORY SUBPANEL REPORT ON THE  
NATIONAL MARINE FISHERIES SERVICE WEST COAST REGION STRATEGIC PLAN

The Salmon Advisory Subpanel (SAS) met with Ms. Jennifer Ise of the National Marine Fisheries Service (NMFS), regarding the draft West Coast Region Strategic Plan: 2015-2020 (Agenda Item C.5.b, Supplemental NMFS Report 2). The SAS provides the following comments on the draft plan:

**Sustainable Fisheries Goals**

- We have strong concerns about aquaculture, particularly salmon aquaculture, and we request a more explicit description of aquaculture goals and strategies.
- Regarding Social and Economic Contributions, we are strongly in support of bullet number 3, “Remove barriers to formation of community associations.
- Regarding Science and Technology, we support items 3 and 5 on connecting essential fish habitat and electronic monitoring (particularly electronic fish tickets).
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**Protected Species Goals**

- Regarding the Marine Mammal Conservation objectives, we have concerns about the reference to marine mammals as “sentinels of ocean health” particularly if the reference is meant to suggest populations size rather than other health metrics such as bioaccumulation. We also suggest adding a strategy on developing a better understanding of the role of marine mammals in the ecosystem, their impacts, and their natural population variability. We would also support a strategy for marine mammal removals in the context of pinniped predation of salmonids.
- Regarding Consultations and Support, we recommend that NMFS actively pursue mitigation for habitat degradation and that NMFS play a stronger role in consultation process for offshore energy projects.