

EXHIBIT 2.2.E.
Supplemental Public Comment (3)
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Mr. Jim Lone, Chair
Pacific Fishery Management Council
2130 SW Fifth Avenue, Suite 224
Portland, Oregon 97201

Re: Seabird interactions and the Draft Highly Migratory Species FMP

Dear Mr. Lone and Council Members:

I am pleased to see a move toward managing the increasing pelagic longline fleet off the US west coast and future cooperation between Fishery Management Councils. However, since the Draft HMS Fishery Management Plan (FMP) also incorporates an Environmental Impact Statement (EIS), there needs to be a more in-depth review of longline fishing impacts on seabirds and other sensitive species than what is presented in the draft plan. Regarding my interest in the matter, I worked as a fisheries observer aboard pelagic longliners with the Hawaii Longline Observer Program in 1994. I manage the Seabird Bycatch Project and a listserv on seabird "bycatch" issues for the Institute for Fisheries Resources and am a participant on the North Pacific Albatross Working Group, the purpose of which includes addressing threats to North Pacific albatross populations.

The plan needs more specific language recognizing the importance of observer data for HMS fisheries. The analysis in section 8.5.5.1.3.3 doesn't recognize differences between the three monitoring/reporting systems (observers, logbooks and VMS) or acknowledge the potential for inaccurate information originating from logbooks. Since the VMS system only monitors vessel position, I don't understand how this system can "improve data quality on bycatch". In section 6.2.3.3, (migratory bird interactions with pelagic longline fishing), logbook data is summarized for the Hawaii longline fleet (Table 6.2.3.3-1), which underestimates the true impact of longline fishing on seabirds in that region. Under-reporting is acknowledged in the annual reports used for this table so it is better to use accurate data when available. Comparing raw numbers from the Hawaii Longline Observer Program from that same year with the logbook data summarized in this plan, the under-reporting of interactions by vessels is fairly blatant (NMFS 1999a).

Logbook Data: 1180 trips	232 albatross interactions (174 dead)
Observer Data: 48 trips (4.1% of total trips fished)	104 albatross interactions (69 dead)

While interactions with albatrosses are possibly higher off of Hawaii because of the fishery's (former) proximity to albatross breeding colonies, albatrosses regularly forage off the west coast and are likely to interact with longline fisheries there. I would like to add that the endangered short-

tailed albatross' historic range was once along the west coast of the US south to Baja, Mexico. They are considered to be a near shore species (McDermond, et al) but their range is oceanic. Sightings appear to be increasing off the US west coast (summarized below), increasing the likelihood for encounters with longline vessels there, perhaps more so than in the Hawaii longline fishery. Since there is an acknowledged increase of pelagic longline fishing off of California in this specie's range, than it is possible that the short-tailed albatross is already interacting with this fishery. For this reason, interactions with seabirds should be added to Section 8.3.3 under Conservation Concerns. Also, sperm whale (listed as endangered) and short-finned pilot whale should be added to section 1.6.6, "Protected Marine Resources and Longline Fishery Interactions" (NMFS 1997, 1999b). Knowing pelagic longline impacts on sensitive species in other regions (which are now restricted because of these impacts), it would be imprudent to allow this fishery to continue landing catch in US west coast ports, and especially to allow them to fish within the EEZ, without a statistically reliable observer program to assess impacts in this region.

Thanks very much for this opportunity to comment.

Elizabeth Mitchell

Short-tailed Albatross Sightings off the US West Coast

California Sightings

17 Feb 1946 (Sherburne)	70 miles off San Francisco (37 08N 124 29W)
28 Aug 1977 (Sherburne)	100 km west of San Diego
20 Apr 1978 (Sherburne)	Monterey Bay (36 14.9N 123 01.8W)
02 Dec 1983 (Roberson)	Pt. Piedras Blancas (35 30N 122 11W)
3-5 Nov 1985 (Sherburne)	Cordell Bank, Marin Co.
18 Apr 1987 (Roberson)	Approximately 20 nmi. W of Cypress Pt.
7 Dec 1988 (Stallcup)	270 mi SW of Pt. Sur, Monterey Co.
26 Oct 1998 (CBRC)	38 02.9N 123 21.2W
28 Aug 1998 (CBRC)	Off of Bodega Canyon
21 Dec 1998 (CBRC)	4 miles off Pt. Pinos
01-10 May 1999 (CBRC)	Pebble Beach/Point Pinos
7 Aug 1999 (CBRC)	W Cypress Point on Monterey Bay
8 Jan 2000 (Roberson)	At Cordell Bank
15 Jan 2000 (CBRC)	26 nmi. WSW of Pt. Buchon (35 04.6N 121 20.1W)

Oregon Sightings

11 Dec 1961 (Sherburne, OBRC)	32 miles off Oregon (44.21.6N 124.50.0W)
19 June 1978 (Gilligan, et al, OBRC)	20 miles southwest of the Columbia River bar
19 Sep 1989 (Gilligan, et al)	20 miles off Depoe Bay
9 Nov 1996 (OBRC)	44 nmiles west of Cape Falcon
13 Dec 1999 (OBRC)	21nm W. Sisters Rocks, Curry Co.
21 October 2000 (North American Birds, OBRC)	32 miles off Yachats

Washington Sightings

03 May 1970 (Sherburne)
16 Jan 1993 (WBRC)
27 Jan 2001 (under review)

38 miles off southern Washington
Over Grays Canyon, west of Westport
46 53N 124 52W

Mexico Sightings

Nov 1986 (Sherburne)
29 Apr 1990 (Sherburne)

230 miles off Manzanillo, Colima
North of San Benedicto Island (19 26N 110 44W)

Sources

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Sherburne, J. 1993. Status report on the short-tailed albatross, *Diomedea albatrus*. Prepared for endangered Species Program, Ecological Services, U.S. Fish and Wildlife Service, Nov. 1993.

Stallcup, R. 1990. Ocean Birds of the Nearshore Pacific. Pt. Reyes Bird Obs., Stinson Beach, CA.

