

Quileute Natural Resources QUILEUTE INDIAN TRIBE

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To: John DeVore
From: Mel Moon, Director

Re: Issues of concern to be addressed in the EIS for Pacific coast groundfish.

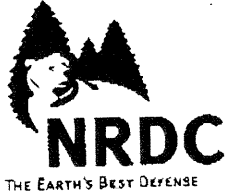
The Quileute Tribe's Treaty Fishing Rights in the Tribe's Usual and Accustomed (U&A) fishing area must be addressed in the EIS whenever NMFS management activities will occur in this U&A area.

Consideration in the EIS of the Quileute Tribe's treaty fishing rights, under the Magnuson-Stevens Act, when preparing any rebuilding plans, harvest restructuring, area closures or other fishing limitations for the non-treaty fisheries that may potentially impact the Tribe's fisheries.

The EIS must consider an analysis of non-treaty fisheries rebuilding parameters and if these strategies take place in the Tribe's Usual and Accustomed fishing area insure that the Tribe's fishing rights under the Treaty's are not adversely impacted.

All impacts and effects of fishing mortality management strategies as a result of non-treaty overcapitalization and overfishing must be addressed in the EIS and insure they do not impact the Tribe's fisheries.

The EIS must consider procedural review and revision of the rebuilding plans and insure that the Tribe is notified in a Government-to-Government process consistent with Presidential Executive Orders.



NATURAL RESOURCES DEFENSE COUNCIL

May 30, 2002

BY FAX: 503-326-6831

John DeVore
Pacific Fishery Management Council
7700 NE Ambassador Pl., Suite 200
Portland, OR 97220

Dear Mr. DeVore :

The Natural Resources Defense Council hereby submits scoping comments on the environmental impact statement ("EIS") on Amendment 16 to the Pacific Coast Groundfish Fishery Management Plan ("FMP"). Amendment 16 is intended to serve as the vehicle for incorporating numerous rebuilding plans for overfished species into the groundfish FMP. The notice of intent for the EIS was published in the Federal Register at 67 Fed. Reg. 18,576 (April 16, 2002).

For each species covered by a rebuilding plan, it is essential that the EIS fully analyze all issues that are potentially relevant to the species's current overfished condition and to different available strategies for rebuilding the species. So, for example, the EIS must include a full, species-specific analysis of bycatch and must evaluate as alternatives and consider for adoption in the rebuilding plan all potentially practicable bycatch-reduction measures. Similarly, the EIS must fully analyze habitat needs and existing habitat impacts for each overfished species and must consider the full range of available alternatives for protecting and enhancing habitat for each species subject to a rebuilding plan. The EIS also must analyze the extent to which current management systems and strategies (including the year-round fishery goal and the use of small bimonthly trip limits) have contributed to the overfished status of each species and must consider all alternative management systems and strategies that might help rebuild each species faster or more effectively.

Sincerely,

Drew Caputo
Attorney