

Draft

SUMMARY OF REVISIONS  
TO THE HMS EIS/FMP<sup>1</sup>

Executive Summary

- Revised to reflect changes to FMP.
- Added matrix of alternatives.

Chapter 1, Introduction

- Included a cross-reference between the HMS FMP and the suggested format for an EIS (1.1).
- Directly quoted (instead of paraphrased) the March 2001 letter to the Council from NMFS (1.4).
- Updated the section describing IATTC activities (1.6.1).
- Updated the section on the U.S.-Canada Albacore Treaty (1.6.2).
- Updated the Western Pacific longline fishery restrictions (1.6.6).
- Revised the section on treaty Indian fishing rights (1.6.8).
- Completed the description of the public review process (1.9).

Chapter 2, Description of Fisheries

- Added information on the small-mesh drift gillnet fishery off California (2.2.6).
- Added information on bluefin tuna net pen operations in Mexico (2.5.3.2).

Chapter 3, Status of Fish Stocks

- No-action alternative added for management unit species (3.1.1), as per Ch. 8 and 9.
- MSYs or proxy estimates given for all management unit species; previous ranges converted to point estimates based on average catch levels (Table 3-5).
- Rationale for proxy OY formula clarified (3.2.3), and OYs given for each species (Table 3-5): OY=MSY for albacore, bigeye, yellowfin, skipjack, swordfish, and dorado; OY=0.75MSY for bluefin, striped marlin, and the 5 sharks.
- Added language explaining the limitations of MSY proxies based on recent catch levels (3.3.6).
- Revised harvest guidelines for common thresher and mako sharks, to 340 mt and 150 mt, respectively, which equal OY.
- Revised language regarding legal requirements for rebuilding of overfished stocks (3.2.4).

Chapter 4, Essential Fish Habitat

- Chapter completely revamped to mirror NMFS suggested EFH EIS format.
- Information added on EFH Final Rule effective 19 Feb 2002.
- EFH Boundaries changed to 'fixed' vs. dynamic (temperature -driven); text revised and definitions provided.
- Some repetitive and non-essential material deleted.
- HAPC sections revised, strengthened (4.2.1.4 and 4.4).
- Alternative analyses sections expanded, strengthened (4.3).

---

<sup>1</sup> Summary of significant changes made since March 2002.

- New material added to section on Biological Environment (4.5.2).
- New sections added on ESA Listed Species and Marine Mammals and their Critical Habitats (4.5.2.2).
- New section added on EFH for Other Fisheries (4.5.2.3).
- New Section on Administrative Content 4.5.4.
- Revisions made to section 4.5.5 Existing Management Measures That Minimize Adverse Effects on EFH.
- Sections on Effects of Fishing Activities on EFH (4.5.6) and Non-Fishing activities (4.5.7) strengthened and 'Findings' sections added. Section on mercury contamination added, and inclusion of coastal surf grass beds (which provide habitat for certain HMS prey species) as potential EFH affected by beach replenishment projects.
- Essential Fish Habitat designations (Section 4.6): Boundaries of EFH for swordfish, common thresher shark, mako shark and bluefin tuna extended to incorporate new distributional data; boundaries changed to static (not defined by water temperature). Temperature preference info for bluefin tuna revised.
- New chapter summary section added (4.7).

#### Chapter 5, Bycatch of Fish in HMS Fisheries

- Updated information on bycatch in HMS fisheries (5.3).
- Added a fishery-by-fishery review of measures to reduce bycatch or bycatch mortality to determine practicability (5.6).
- Added proposed measures in the FMP which reduce or limit bycatch or bycatch mortality (5.6).
- Added a more specific description of the proposed voluntary catch-and-release program (5.7.2, Alternative 2).

#### Chapter 6, Interactions with Protected Species

- Added a list of marine mammal species of interest (6.1.1.1).
- Added a discussion of other marine mammal management concerns (6.1.1.4).
- Added a section on measures to avoid or mitigate takes of marine mammals (6.1.1.5).
- Expanded the list of species listed under the ESA (6.1.2.1).
- Expanded the description of the ESA consultation process (6.1.2.2).
- Added summary of consultations for HMS fisheries other than drift gillnet (6.1.2.4).
- Added a section on incidental takes of seabirds in West Coast HMS fisheries (6.1.3.2).
- Added a list of proposed actions in the FMP that reduce or limit interactions with protected species (6.3).

#### Chapter 7, Current Management

- Revised the sentence describing current tribal management (7.4).

#### Chapter 8, Proposed Action and Alternatives

- Alternatives in each chapter section are listed together for easier comparison.
- Some alternatives are modified in their sections:
  - 8.3.5 Management Cycle: added 2 biennial cycle alternatives scheduled around the fishing year.
  - 8.4.3 Essential Fish Habitat: added 4<sup>th</sup> alternative restricting habitat areas to documented capture locations.
  - 8.4.5 Fishery Observer Authority: added a proposed-action alternative mandating observer authority for surface hook and line, longline, and small purse seine fisheries, with NMFS to develop plans for the recreational fisheries.
  - 8.4.7 Prohibited Species: 4 alternatives condensed to 2.
  - 8.4.8 Quotas and Harvest Guidelines: proposed action revised for the new harvest guidelines for common thresher and mako shark, 340 and 150 mt, respectively.

- 8.4.12 Exempted Fishing: new proposed action to authorize issuing EFPs, with a provision for Council review.
- 8.5.1 Drift Gillnet Fishery: alternatives clarified and expanded from 4 to 7.
- 8.5.2 Pelagic Longline Fishery: Inside EEZ - proposed action is changed to the Ocean Wildlife Campaign's alternative.
- 8.5.3 Purse Seine Fishery: proposed action's prohibition is changed from 44 to 45 degrees north.
- 8.5.5 Permits: alternatives separated according to commercial or recreational fishery.
- 8.5.6 Reporting: alternative 3 re Far Offshore Fishery Declaration is deleted.
- Revised language regarding legal requirements for Unilateral Management, Harvest Guidelines and Quotas, and Overfishing (8.2); Fixed Elements of FMP (8.3); Framework Procedures (8.3.4); Treaty Indian Fishing (8.4.10); Exempted Fishing (8.4.12); Safety of Life at Sea (8.4.14); and Reporting Requirements (8.5.6).
- Revised, clarified language for Control Rule (8.3.2); Incidental Catch Allowance (8.4.2); Bycatch (8.4.4); Initial Conservation and Management Measures (8.5); and Joint Ventures and Foreign Fishing (8.7).
- Added new sections: Comparison of Alternative Actions (8.5.7) and Alternatives Eliminated (8.8).

#### Chapter 9, Environmental Consequences of Proposed Action and Alternatives

- Reformatted so all proposed and alternative actions and analyses together under a given subject; all tables and figures placed together at end of chapter.
- Sidebars added and alternatives and analyses identified by subject titles for ease in detecting major divisions in document.
- 'Baseline' condition Section 9.1: justifications strengthened for statements concerning expected changes in albacore, Pacific swordfish, blue shark stocks.
- Section 9.2.2.2 Control Rules: revised per changes in Chapter 3, including specification of OY for vulnerable species as 0.75MSY.
- Framework Procedures 9.2.2.3: analysis expanded.
- Management Cycle section 9.2.2.4: expanded and revised to incorporate additional alternative suggested by Council at March 2002 meeting; analyses expanded.
- Legal gear section 9.2.4.1: revised to incorporate new analyses on DGN mesh size restriction options. New cost data in alternatives 2a and 2b analyses.
- Incidental catch allowance: revised and expanded to include non-HMS gear HMS catch allocations and analyses of impacts on those fisheries. Set net fishery analysis pending.
- EFH Section 9.2.4.3: EFH alternative 4 added re restricting areas to documented capture locations, refers to new and revised analysis of this and other alternatives in revised Ch 4.
- Bycatch section 9.2.4.4: revised to provide more specific information on how FMP addresses Magnuson-Stevens Act requirements; cross-referenced to other bycatch-related proposed actions in Ch 9 and Ch 5 re fishery-specific and observer program measures. Adds additional analysis of sport voluntary catch-and-release program.
- Fishery Observer Authority 9.2.4.5: revised to address observer program and standardized reporting issues; includes more specific language and new analyses on observer program measures.
- Prohibited Species 9.2.4.7: language added re impacts of prohibitions.
- Quotas or Harvest Guidelines 9.2.4.8: harvest guidelines changed for common thresher shark from 390-510 mt rw to 340 mt (rw); for mako shark from 200 mt to 150 mt, per re-calculation of MSY/OY as point not range. New cost impact information added.
- Allocation 9.2.4.9: revised to indicate "No-Sale Marlin" action represents a form of allocation; analysis slightly expanded.
- Treaty Indian Fishing Rights 9.2.4.10: revised and updated.
- Exempted Fishing Permits 9.2.4.11: revised and expanded, with a new proposed alternative and analyses.
- Drift Gillnet Fishery 9.2.5.1: new socio-economic and small entities analyses added for alternatives 2 and 6; new OR/WA DGN alternatives revised and expanded.
- Pelagic Longline section in general: unlike March 2002 draft, current draft treats EEZ and high seas

- longline fishing separately, as follows:
  - EEZ Pelagic Longline section 9.2.5.2.1: new proposed action (OWC Proposal, Alt 2), also now allows exploratory fishing in EFP experiments per OWC change incorporated 9/02; "General prohibition" alternative added (left out in previous version); new EEZ longline alternatives comparison table added; alternative 4 now specifies significance level of detectability for bycatch reduction compared to DGN; example longline EFP experiment moved here from old Appendix D; additional community impact and economic analyses provided for alternatives 4 and 5; additional protected species, bycatch, and EFH information added to analyses.
  - High Seas Longline section 9.2.5.2.2: additional protected species, economic impact and EFH information added; list of detailed conservation and management measures moved to Ch 8 and cross-referenced to eliminate repetition; "selected" management measures (Alt 3) summarized for clarification; VMS needs clarified and justified; federal rule info updated.
  - Purse Seine section 9.2.5.3: proposed action changed to closure north of 45°N latitude (previously proposed closure north of 44 °N).
  - No-sale Marlin Provision 9.2.5.4: revised and expanded analysis.
  - Permits 9.2.5.5: revised and expanded. Commercial and recreational permit options presented and clarified, each with separate analyses.
  - Reporting Requirements 9.2.5.6: far offshore fishery declaration language changed; analysis of proposed action updated and revised, with new cost analysis.
  - Costs of FMP 9.3.2: revised and expanded, including cross-reference to new Appendix F.
  - Cumulative Effects 9.4: revised and expanded to address reviewers' comments re NEPA requirements, including new section discussing context with 'other' (non-HMS) fishery effects; also cross-referenced to new Cumulative Impacts matrix table in Chapter 8 section 8.5.7.
  - New section added, 9.7 Summary of Impacts on Listed Species and Critical Habitat.

#### Chapter 10, Relationship to Other Laws and Directives

- Expanded discussion of Paperwork Reduction Act requirements (10.4).
- Revised section on Coastal Zone Management Act, which assumes state concurrence with FMP (10.7).
- Revised section on Executive Order 12898 (Environmental Justice) (10.14).

#### Appendix A, Life History Accounts and EFH Descriptions

- Oregon drift gillnet logbook data 1991-2001 incorporated, new effort data added to Figs. 1 and 2.
- EFH boundaries defined as static (not temperature driven), with temperature information included as supplemental only.
- Common thresher shark EFH boundary north of Mendocino Ridge extended further west and new data added per new DGN logbook data.
- Shortfin mako shark EFH boundary extended further north per new Oregon logbook data.
- Bluefin tuna EFH boundary extended northward to US-Canada boundary per new Oregon driftnet data, public review comment, and additional historical data.
- Adult swordfish EFH boundary extended northward and data points added per new Oregon driftnet logbook data.
- Temperature preference data for bluefin tuna revised.
- Minor revisions made to individual life history accounts.

#### Appendix D, Current State and Federal Logbook Forms

- New appendix.

#### Appendix E, Threatened and Endangered Species in the Area of HMS Fisheries

- New appendix.

Appendix F, Costs Involved in Managing HMS Fisheries

- New appendix.

Appendix G, Comments on the DEIS and Responses

- New appendix.