



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, WA 98101

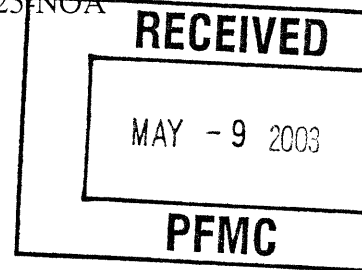
Exhibit B.13  
Attachment 4  
June 2003

Reply To  
Attn Of: ECO-088

MAY - 7 2003

02-025-NOA

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



Dear Mr. DeVore:

The U.S. Environmental Protection Agency (EPA) has reviewed the 16 April 2002 Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for *Amendment 16 to the Pacific Coast Groundfish Fishery Management Plan* in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. The NOI states that Amendment 16 will incorporate rebuilding plans for groundfish species that have been declared overfished by the Secretary of Commerce and procedures for periodic review and revision of rebuilding plans. The NOI also states that the EIS under development will address the injunction that emerged from *NRDC v. Evans* ordering that the National Marine Fisheries Service (NMFS) include rebuilding overfished groundfish species as part of its fishery management plan and that it specifically address the overfished species of lingcod, cowcod, Pacific ocean perch, widow rockfish, and darkblotched rockfish.

The current overfished condition of multiple groundfish species belies the importance of managing groundfish as long-lived species unable to recover from overexploitation in a short period of time. We understand that is difficult to gather data on, understand the complexities of, and model marine systems. Gaps in knowledge and understanding about the effect of the changing ocean environment on groundfish is one of the reasons that the several groundfish species have been overexploited. We are pleased that Congress has allocated \$750,000 to research the causes of the overexploitation of groundfish species and that NMFS is partnering with the fishing fleet to get the most out of this limited funding. However, we know that significant data gaps will continue to exist because of the vastness and complexities of the marine environment, and continue to believe that the lack of comprehensive data on the marine environment and species sustainability demands an ecologically protective approach to rebuilding.

An ecologically protective approach would use all reasonably available technologies to avoid non-target species and age classes, avoid impairing the habitats of target and non-target species, and reduce exploitation rates to compensate for missing or uncertain ecological information. Avoiding impacts to non-target species and age classes is important ecologically and economically because the impacts on marine resources from bycatch are often not well understood in an ecological sense and are often not monitored as intensively as target species. In addition, bycatch can result in impaired future marine resources when these species are later targeted to replace overexploited stocks or increase harvested biomass. We recommend that the

EIS evaluate a range of alternatives for rebuilding the Pacific groundfish stocks, and utilize an ecologically conservative approach to allowable fishing given the severe overexploitation of many species subject to harvest.

**EDS T - YAM**

Similarly, we recommend that NMFS evaluate and consider the advantages of avoiding impacts to marine habitats as a component of rebuilding, including the possible inclusion of marine reserves into alternatives. Habitat destruction from various gear types and fishing methods used in the groundfish fishery have also contributed to the lack of sustainability of many of these species. We are pleased that many participants in the Pacific groundfish fleet have volunteered to change fishing methods to avoid habitat destruction, and encourage NMFS to address how these efforts might be furthered through the rebuilding plan. The EIS should specifically address the options for, and effectiveness of habitat protection as an integral component of the rebuilding plan.

Thank you for the opportunity to provide scoping comments. Please feel free to contact me at (206) 553-0253 to discuss these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Christian F. Gebhardt", with a stylized flourish extending to the right.

Christian F. Gebhardt  
NEPA Reviewer