UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

September 5, 2003

Mr. Jim Ayers
Oceana
175 South Franklin Street, Suite 418
Juneau, Alaska 99801

Dear Mr. Ayers:

Thank you for your letters regarding the Essential Fish Habitat Environmental Impact Statement (EFH EIS) Aleutian Islands Alternative 5B and the conservation of coral and sponge habitats in general. We address your four recommendations for Alternative 5B below, as well as your broader concern about protection of corals and sponges.

1. Split the Pacific cod Total Allowable Catch (TAC) into two separate allocations (Bering Sea and Aleutian Islands) and enact TAC reductions in the Aleutians.

Pacific cod in the Bering Sea and Aleutian Islands (BSAI) are considered and managed as one stock. The basis for single-stock management of BSAI Pacific cod is biological, and was discussed by the Alaska Fisheries Science Center (AFSC) stock assessment team in 2002:

> "Pacific cod is distributed widely over the eastern Bering Sea (EBS) as well as in the Aleutian Islands (AI) area. The resource in these two areas (BSAI) is managed as a single unit. Tagging studies (e.g., Shimada and Kimura 1994) have demonstrated significant migration both within and between the EBS, AI, and Gulf of Alaska (GOA), and genetic studies (e.g., Grant et al. 1987) have failed to show significant evidence of stock structure within these areas. Pacific cod is not known to exhibit any special life history characteristics that would require it to be assessed or managed differently from other groundfish stocks in the EBS or AI areas."

Any change in the management of BSAI Pacific cod from a single stock to two stocks should be made through the AFSC stock assessment team in the broader context of management of the Pacific cod resource. Based on the team's review of this issue, there does not appear to be sufficient justification to make such a change in the near future.

2. Set bycatch limits based on historic bycatch in the areas that remain open, not on historic bycatch in all of the AI. Set bycatch limits at the most detailed scale practicable.

Subtracting the amount of coral/bryozoan and sponge bycatch from the closed areas delineated in Alternative 5B would provide average annual historic bycatch levels in the open areas. Thus, it may be possible to modify the bycatch limits proposed in Alternative 5B. However, it is problematic to refine the scale of measurement for bycatch management. Without whole-haul sampling by fisheries observers, rounding to the nearest metric ton is the most detailed scale

practicable. In-season management of extremely small increments (e.g., kilograms) of bycatch would be extraordinarily difficult to implement.

3. Include a schedule of annual reductions of bycatch limits in the EIS.

As stated in the Council staff paper presented at the June Council meeting, "the intention of these limits is to control bycatch within historically observed levels. Once the fishing industry adapts to these limits, they can be reduced over time (as has been done with crab and Chinook salmon limits)." The Council process already provides a mechanism for adjusting bycatch limits over time if the need arises.

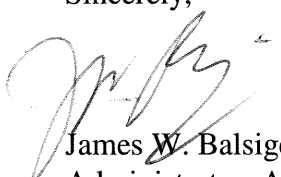
4. Analyze all components of Alternative 5B based on data from the same years.

The analyses for Alternative 5B, like those for the rest of the EFH EIS, were conducted with readily available data sets, which in some cases led to parts of the analysis being conducted with data from different years. It may be possible to utilize the 1998-2002 data to revise Alternative 5B, which could result in different closed and open areas. However, given the court-mandated schedule for the EFH EIS, we determined that the analysis needed to proceed using the best information available at the time the analysis commenced. If more recent data become available before the EFH EIS is finalized, we will have to determine whether those data are sufficiently different to warrant re-analysis.

5. Consider additional management measures to protect corals and sponges.

In your most recent letter you recommend that NMFS and the Council implement unspecified short-term precautionary measures to protect corals and sponges while we continue to pursue longer-term measures via the EFH EIS and the related process for considering identification and protection of Habitat Areas of Particular Concern. We understand and appreciate your concern for protecting sensitive habitats. The EFH EIS will provide the most comprehensive analysis to date of the effects of fishing on seafloor habitats in Alaska. A preliminary draft of that analysis will be available shortly. We urge you to review that analysis and recommend to the Council any specific management measures you believe are warranted.

Sincerely,



James W. Balsiger
Administrator, Alaska Region

cc: North Pacific Fishery Management Council