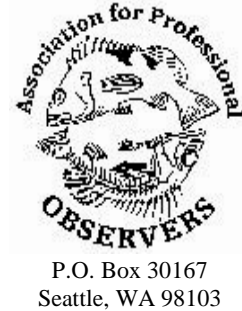


July 25, 2001

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Dear Ms. Gravel,

I am writing to provide comments on the Draft Programmatic Supplemental Environmental Impact Statement (PSEIS) for Gulf of Alaska and Bering Sea/Aleutian Islands Groundfisheries on behalf of the Association for Professional Observers (APO). The APO is a non-profit organization, which has advocated for a professional corps of fisheries observers in Alaska for six years and fully supports the collection of quality fisheries data.

The PSEIS is an impressive document and I applaud all of the people who assisted in its publication. Although I haven't read all 3000+ pages, the sections I have read make me feel like the time I've spent over the past 10 years working as a fisheries observer in the North Pacific has been worthwhile. The importance of observer data is evident in almost every section; observer data play a critical role in both the scientific and management realms in the North Pacific.

Regardless of which alternative is chosen as the NMFS preferred alternative, quality observer data are critical. The current North Pacific Groundfish Observer Program (NPGOP) has several serious flaws which are recognized by the agency but little action has been taken to change a potentially biased and extremely inequitable system. In fact, there was no discussion in the Draft PSEIS regarding of the adequacy (or lack thereof) of current coverage rates or whether coverage levels need to be modified in a statistically reliable way under any of the alternatives. We feel it is important to evaluate the following as a subsection of NMFS' preferred alternative in the Final PSEIS:

- Incorporation of uncertainty in natural resource management has become a catch phrase in the past decade. However, significant uncertainty is inherent in fisheries management and data collection and observer-collected data is no exception. As part of any sustainable management program, this uncertainty must be accounted for and minimized where possible. Observer data is a prime example of where some improvements could be made fairly easily. The Final PSEIS should:
 - Quantify uncertainty in observer estimates including confidence limits on total take of all FMP species;
 - Set goals for how precise the estimates should be in the future and use these goals to implement a rational observer placement and sampling plan;

- Use the most conservative method to calculate total removal (i.e. lower end of the confidence interval).
2. The current observer procurement system is wrought with conflict of interest and lack of accountability to NMFS by the service providers (i.e. the six observer contractors). The procurement system also places a larger economic burden on small vessels or vessels in marginal fisheries. NMFS has the authority to implement a fee system to fund data collection essential to management. Fees should be based on total catch (not on total fish retained). In the Final PSEIS, NMFS should evaluate to what extent the current system has biased management data and address options for change. This should include the lack of evaluations of the service providers and the industry's ability to manipulate the data.
 3. Data quality has suffered due to high turnover rates of observers, lack of support by NMFS, and NMFS' inability to place staff and/or observers on vessels based on a sound statistical design. Some of the most damaging fisheries have an *effective* sample rate of <20%. In the Bering Sea/Aleutian Islands area between 1993-1997, effective sample rate for what is considered a relatively "undamaging" fishery, the groundfish longline fishery, averaged 27% while the Gulf of Alaska effective coverage averaged 10%. The final PSEIS should address avenues to improve data quality including but not limited to:
 - **Increasing effective sampling rate** in fisheries of concern or where there are specific data needs. Observer coverage should be based on sound sampling design which at a minimum includes deciding when vessels take observers and which fisheries are observed to reflect where the most data collection is needed.
 - **Increasing the amount of detail observers collect.** Many of us feel that our skills as biologists are underutilized when the primary focus is on a few commercially important target species while management virtually ignores species that have the potential to be keystone species in the ecosystem. The analysis of Alternative 4 to increase protection to non-target species mentions repeatedly that we need to identify skates and other non-allocated species in the catch (or a random sub-sample of the catch) if we want to know whether we are harming these species. Observers should be provided with appropriate tools (i.e. dichotomous keys to the major species of fishes such as skates and sculpins, keys to the major phyla of invertebrates and also a photo verification guide like the one used by NMFS survey personnel, annual training and/or retraining of some of the more difficult species to identify such as skates and grenadiers).
 - Achieve a more balanced sampling regime and work load of observers to include the monitoring of protected species interactions with fisheries and the effectiveness of the techniques developed to reduce these interactions. It is also important to collect baseline data per vessel on the parameters known to effect these interactions. For example, effectiveness of seabird mitigation measures to decrease incidental mortality is dependent on certain fixed vessel parameters, such as, vessel length, vessel width, height of setting chute off the water, and

configuration of gear, yet this information is not currently collected in the NPGOP.

- Use available data to its fullest potential. There is currently no observer coverage in the halibut fishery. However, observers do go out on IFQ trips with mixed targeting of halibut and sablefish. To our knowledge data on bycatch in this fishery is not utilized in estimating total removals of groundfish such as rockfish.
2. For management purposes, observer data is used in two very different ways--to monitor Total Allowable Catch for large geographic areas and to monitor individual vessel removals of target and bycatch species during prosecution of MS-CDQ. Current sampling protocols are probably statistically adequate for the former but severely inadequate for the latter. However, more and more emphasis is being placed on the latter without changing sampling methods in a systematic way. The Final PSEIS should address the impact of the NPGOP's lack of clearly stated goals and objectives on the current management system and rectify the duality in the current data collection regime.

Although the issue of bycatch is slightly outside the scope of the APO's mission, we find the evaluation of bycatch reduction programs to be inadequate. The success of the IR/IU program, for instance, was not convincing to many of us who spend time on these vessels. Retained catch as reported by observers is a guess at best especially in trawl fisheries. We suggest that the analysis for IR/IU include a comparison of length-frequency distribution data from pre- and post-implementation of IR/IU by fleet (i.e. Pollock & cod target; catcher/processor and catcher vessel). If the differences are not significantly different, then a possible conclusion is that IR/IU is ineffective in **reducing** bycatch and therefore is not working. The main goal was to decrease the catch of unwanted fish not increase the amount of fish retained as fishmeal. As a second method to test the effectiveness of IR/IU as a bycatch reduction measure, the volume (tonnage) of fishmeal produced from pollock/cod trawl fisheries could be compared (after standardizing by some unit of effort) before and after implementation of IR/IU. If fishmeal production increased, then we would again conclude that IR/IU is ineffective.

We support effective bycatch reduction measures and the only way to monitor a measure's effectiveness is through a rational observer research plan. A rational observer research plan based on science is a critical component to the sustainability of Alaska's fisheries and we hope one will be included in the preferred alternative in the Final PSEIS.

Thank you for the opportunity to comment.

Sincerely,

Kimberly S. Dietrich

Executive Officer