

Overview of Extended Jurisdiction Section and Federal Fisheries Management

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Extended Jurisdiction Fishery Biologist**



Prepared for the Alaska Board of Fisheries
Statewide Pacific cod Meeting, October 2013

Extended Jurisdiction Section

4 staff members:

- Federal Fisheries Coordinator (Commissioner's Office):

Nicole Kimball

- Fishery Biologists (Commercial Fisheries):

Karla Bush and *Megan Peterson*

- Fishery Economist (Commercial Fisheries):

Brad Robbins

- Support Commissioner's seat on the North Pacific Fishery Management Council (council).
- Board of Fisheries coordination with federal fisheries.

State and Federal Management

- State of Alaska: Territorial Sea (0 – 3 nautical miles)
- Federal government: Exclusive Economic Zone “EEZ” (3 – 200 nautical miles)



Guiding Law for U.S. Marine Fisheries

Magnuson-Stevens Fishery Conservation and Management Act (adopted in 1976) established:

- The 3-200 nm EEZ [200 mile limit].
- National Standards and other requirements for conservation and management of resources.
- A system of 8 regional councils (composed of fishermen, other stakeholders, and government representatives) to develop fishery management plans and regulations for their area, subject to approval and implementation by the federal government (i.e., National Marine Fisheries Service).

FMPs, Exclusive Economic Zones by Regional Council

Nationwide:
 47 FMPs, 909 Fish Stocks
 Dept. Commerce
 2 Secretarial FMPs

North Pacific
 Fishery Mgt. Council
 5 FMPs

Pacific
 Fishery Mgt. Council
 4 FMPs

New England
 Fishery Mgt. Council
 7 FMPs

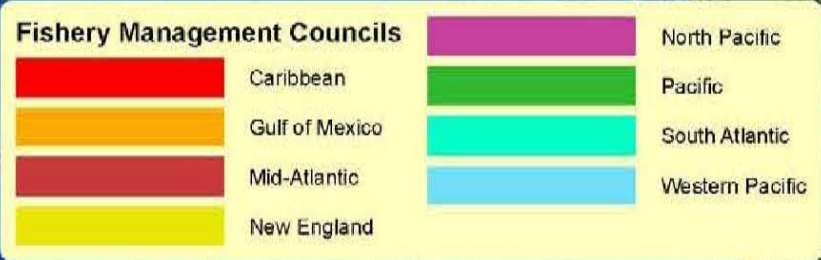
Mid-Atlantic
 Fishery Mgt. Council
 6 FMPs

South Atlantic
 Fishery Mgt. Council
 7 FMPs

Western Pacific
 Fishery Mgt. Council
 5 FMPs

Gulf Of Mexico
 Fishery Mgt. Council
 7 FMPs

Caribbean
 Fishery Mgt. Council
 4 FMPs



North Pacific Fishery Management Council

Structure: 11 voting members : Alaska(6), Washington(3), Oregon(1), and 1 from National Marine Fisheries Service (NMFS). **4 nonvoting members:** (USFWS, USCG, PSMFC, State Department). Council staff (12) prepares environmental and economic impact analyses, required by federal law, for decision making.

Function: The council develops plans and regulations for U.S. fisheries off Alaska, working with affected fishermen and public. Approval and implementation of these plans is effected through partnership with NMFS.

Process: Council meets 5 times per year, concurrently with its advisory groups:

- Advisory Panel (21 members from various constituencies)
- Scientific and Statistical Committee.

Numerous other committees provide advice on specific issues. Public testimony is taken at all meetings, for all issues.

Council Membership

Voting Members:



Eric Olson,
Anchorage



Dan Hull,
Anchorage



Ed Dersham,
Anchorage



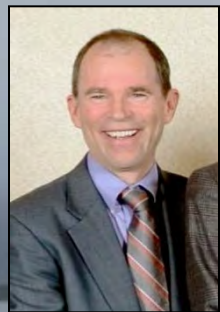
Duncan
Fields,
Kodiak



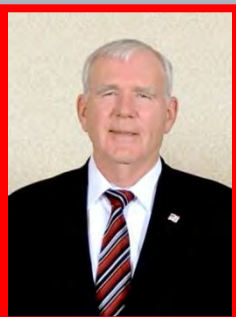
David Long,
Wasilla



Cora Campbell,
alt. - Nicole Kimball,
ADF&G



Bill Tweit,
WDF&W



Roy Hyder,
ODF&W



John
Henderschedt,
Seattle



Craig Cross,
Seattle



Jim Balsiger,
alt. - Glenn Merrill,
NMFS

Non-voting:
USCG – RADM
Tom Ostebo,
USFWS – Doug
McBride,
PSMFC – Dave
Hanson,
State Dept. –
Nicole Ricci

North Pacific Fishery Management Plans

- Bering Sea/Aleutian Islands (BSAI) groundfish
- Gulf of Alaska groundfish
- **BSAI King and Tanner crab**
- **Salmon**
- **Scallop**
- Arctic



Federal Jurisdiction off Alaska

- 3 nm to 200 nm from shore (EEZ).
- Federal requirements are sometimes extended to vessels operating with a federal fisheries permit (e.g., VMS and other monitoring requirements) inside 3 miles.
- Federal management of the Pacific halibut fishery is under the authority of the Halibut Act and extends from 0 – 200 nm.
- Coordination between state and federal management organizations is important and reliant on stakeholder input.

Fisheries Management off Alaska

	North Pacific Fishery Management Council	National Marine Fisheries Service	Alaska Board of Fisheries/ Alaska Dept. Fish & Game	International Pacific Halibut Commission
Groundfish (pollock, cod, flatfish, etc.)	Allocation & conservation	Implements Federal regulations	State and parallel (0-3 nm) fisheries	
Crabs (king, snow, Tanner crabs)	Bering Sea fisheries – joint management	Bering Sea fisheries - regulations	State & Jointly managed fisheries	
Scallops	License limits	License regulations	Fishery mgmt.	
Halibut	Allocation	Allocation regulations		Conservation
Herring			Fishery mgmt.	
Salmon			Fishery mgmt.	
Others shrimp, urchins, etc.)			Fishery mgmt.	

Fishing Fleets Managed by the Council

Catcher Vessels (deliver shoreside)

- 150 Trawlers: pollock, cod, flatfish, rockfish
- 500 Longliners: cod, halibut, sablefish
- 75 Jig gear vessels: cod
- 300 Pot gear vessels: cod, crabs

Catcher-Processors (process at sea)

- 35 Trawlers: pollock, flatfish, mackerel, rockfish
- 50 Longliners: cod, sablefish, turbot
- 10 Pot gear vessels: cod, crabs
- 5 Dredge gear vessels: scallops



Note: vessel numbers are rounded numbers based on recent participation.

MSA Reauthorization, signed 1/12/07

- Preserves and strengthens regional fishery management council systems.
- Mandates use of annual catch limits to prevent overfishing.
- Strengthens role of science in decision making.
- Establishes guidelines for limited access privilege programs (LAPPs).
- Improves data collection for better management.

10 National Standards

Conservation and management measures shall...

- NS 1 – **prevent overfishing** while achieving, on a continuing basis, the **optimum yield** from each fishery.
- NS 2 – be based upon the **best scientific information** available.
- NS 3 – manage, to the extent practicable, an individual **stock of fish as a unit** throughout its range, and interrelated stocks of fish a unit or in close coordination.
- NS 4 – **not discriminate between residents** of different States.

10 National Standards (*cont.*)

Conservation and management measures shall...

- NS 5 – where practicable, **consider efficiency** in the utilization of fishery resources, except that no such measure shall have economic allocation as its sole purpose.
- NS 6 – take into account and **allow for variations** among, and contingencies in, fisheries, fishery resources, and catches.
- NS 7 – where practicable, **minimize costs** and avoid unnecessary duplication.

10 National Standards (*cont.*)

Conservation and management measures shall...

- NS 8 –take into account the importance of fishery resources to **fishing communities**.
- NS 9 – to the extent practicable,
 - (A) **minimize bycatch**, and
 - (B) to the extent bycatch cannot be avoided, minimize the mortality of such bycatch.
- NS 10 – to the extent practicable, promote the **safety of human** life at sea.

Other Applicable Law

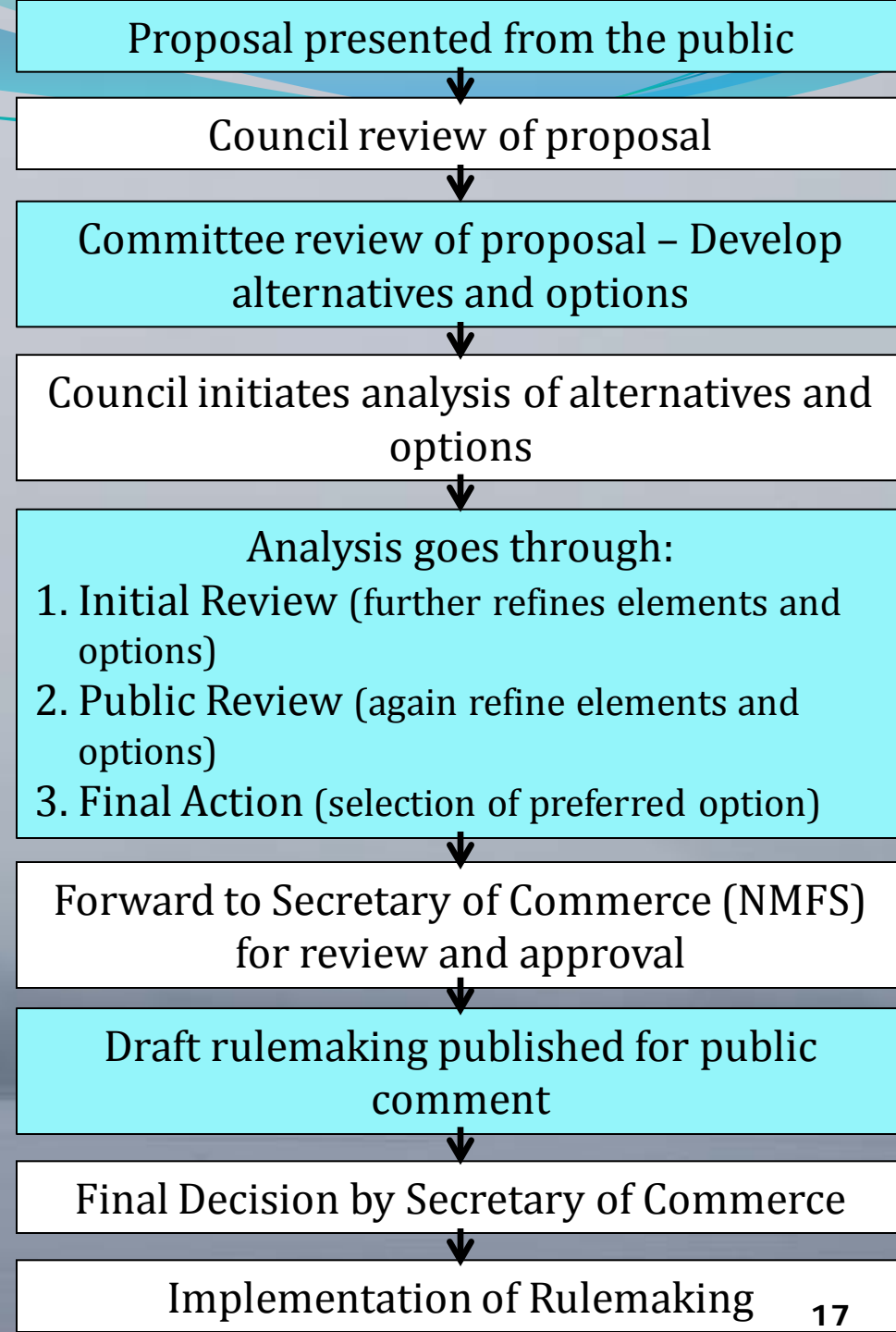
Many laws and presidential executive orders set requirements for environmental and socio-economic analysis on federal actions implementing FMPs.

Among the most important of these are the:

- *Endangered Species Act* - requires an assessment of impacts on ESA-listed species;
- *National Environmental Policy Act* - requires an analysis of environmental impacts;
- *Regulatory Flexibility Act* - requires an examination of adverse impacts on small entities/businesses;
- *Executive Order 12866* - requires an analysis of the costs and benefits of regulations and net benefits to the Nation; and
- *Other applicable federal law.*

Council process

Opportunities for public input into the process (blue boxes).



Preparation of Council action to the Secretary of Commerce (SOC)

- After the council takes action, Council/NMFS complete draft analysis of the preferred alternative.
- NMFS prepares draft regulations and other documentation supporting council action.
- NOAA General Counsel review and clearance of proposed action for publication and public comment.
- Council submits action to SOC for review and approval.

SOC Review and Approval Process

- Proposed FMP amendment published for 60-day public review and comment; associated regulations published for 30 – 45 day public review and comment.
- SOC approves, disapproves, or partially approves proposed FMP amendments.
- Final rule published with summary of comments and NMFS' response.
- Effective 30 days after publication.

Coordination with State of Alaska

- ADF&G Commissioner voting seat on council
- Annual updates on council and board proposals/ actions of mutual concern
- Joint Protocol Committee (or full meeting of council and board) meets as necessary
- Ongoing council/NMFS/ADF&G staff coordination

Joint Protocol between NPFMC and BOF, signed March 1997 – Updated Dec. 2009

- Purpose: To achieve coordinated, compatible, and sustainable management of fisheries within each organization's jurisdiction.
- Provide structure to support active consultation
- NPFMC and BOF activities under agreement:
 - Fall meeting – BOF reviews groundfish/shellfish proposals.
 - October or December – Proposals of mutual concern are forwarded to NPFMC for its consideration.
 - Annually – NPFMC presents to BOF on actions of mutual concern.
 - As necessary – Joint NPFMC-BOF committee meeting.
 - As necessary – Full NPFMC and BOF meeting.

Questions?

