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# Fish News

July 26, 2011

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## **Letter Campaign Launched Surrounding USCG Dockside Commercial Vessel Examination Program**

*By Rick Marks, AEB Lobbyist*

The 2010 U.S. Coast Guard Reauthorization Act includes a provision requiring the United States Coast Guard (USCG) to initiate a dockside vessel examination program by October 2012 and to inspect commercial fishing boats every two years. We recently learned the USCG cannot meet the 2012 deadline and that vessels may not be allowed to leave the dock until they can be examined. Vessels in other marine sectors are inspected only once every five years while we would be inspected every two years.

The House Transportation & Infrastructure Committee/Subcommittee is beginning to look at whether or not to address these issues during this Congress. So we have an opportunity to press for a positive change in the law.

I took the liberty of drafting a template letter. It is attached to this email. The letter is self-explanatory and is already addressed to the key Members who serve on the committee/subcommittee of jurisdiction over USCG issues.

If you agree with the template (you are free to edit if you wish, just do not change the factual content), please do the following –

- 1) Put the letter on your association/company/tribal letterhead and add the correct date;
- 2) Save the document as a pdf file;
- 3) Email the document to [Geoff.Gosselin2@mail.house.gov](mailto:Geoff.Gosselin2@mail.house.gov) and [Ken.Kopocis@mail.house.gov](mailto:Ken.Kopocis@mail.house.gov) and “cc” Rick Marks at [rem@hsgblaw-dc.com](mailto:rem@hsgblaw-dc.com);
- 4) Please complete this task before August 1<sup>st</sup>;

Many thanks & best regards!

Rick Marks  
Hoffman, Silver, Gilman & Blasco

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## **Independent Scientific Panel Disagrees with NMFS’ Steller Sea Lion Biological Opinion**

An independent panel disagrees with the National Marine Fisheries Services’ Bering Sea - Aleutian Islands Fisheries Management Plan Biological Opinion (BiOp). In its draft review of the BiOp, the panel concludes that NMFS misinterpreted crucial evidence from statistical studies of relationships between fishing and sea lion demographics. The panel’s draft review is now available on the Washington Department of Fish and Wildlife website.

Last February, the Alaska Department of Fish and Game and the Washington Department of Fish and Wildlife assembled an independent panel to scientifically review the BiOp concerning the impact of groundfish fisheries on Steller sea lions. The goal of the panel was to determine whether NMFS used all relevant scientific information and impartially considered those facts in the final BiOp for the Bering Sea, Aleutian Islands and the Gulf of Alaska groundfish fisheries issued last November.

Many fishery managers, scientists and industry stakeholders expressed concern about the credibility of the BiOp when it was issued last fall. The biological opinion served as the

basis for significant fishery closures and restrictions in the western Aleutians that went into effect January 1, 2011. Lawsuits by the State of Alaska and other organizations followed. State officials were concerned that the restrictions would result in fishing losses up to \$66 million and would affect about 900 people employed by commercial mackerel and cod fisheries fleet. They also believe the BiOp failed to provide sound scientific justification that the restrictions were necessary.

In the executive summary, the independent review panel said:

*“We do not agree with the finding of jeopardy of adverse modification for Steller sea lions in the western and central Aleutian Islands as concluded in the BiOp for the FMP. We find that NMFS misinterpreted crucial evidence from statistical studies of relationships between fishing and sea lion demographics. NMFS also failed to scientifically support their explanation of how fisheries affected sea lions (fishery-driven nutritional stress), and disregarded or misreported evidence that refutes the fishery-driven nutritional stress hypothesis. And finally, NMFS did not seriously consider alternative ecologically mediated explanations for declines in sea lion numbers not involving fisheries (environmentally-driven nutritional stress and the killer whale predation hypothesis).”*

To read the draft review by the independent panel, click on the link below:

[http://wdfw.wa.gov/conservation/steller\\_sealions/fmp\\_biop\\_ind\\_sci\\_rev\\_21july2011.pdf](http://wdfw.wa.gov/conservation/steller_sealions/fmp_biop_ind_sci_rev_21july2011.pdf)

A public review meeting is scheduled for August 22, 2011 at the Hilton Hotel in Anchorage.

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