

US Alaska Sablefish Fishery

**2007 Annual Surveillance Report
As Required Under the Marine Stewardship Council Program**

Prepared for:

Eat on The Wild Side and Fishing Vessels Owners Association

Prepared by:

Chet Chaffee, Ph.D., Scientific Certification Systems

General Information

Certified Fishery	US Sablefish Fishery	United States
Fishery Agency	NOAA Fisheries	United States
Species	<i>Anoplopoma fimbria</i>	
MSC Registration No.	SCS-MFCP-F-0019	
Certification Date	10 May 2006	
Certification Expiration Date	10 May 2011	
Certification Body	Scientific Certification Systems, Inc. (SCS)	2200 Powell St., Suite 725, Emeryville, CA 94608
Certificate Holder	Eat on The Wild Side	Room 232 4005 20 th Ave. West Seattle, WA 98199
Surveillance Team	Chet Chaffee, Ph.D. (SCS)	Project Leader
Surveillance Stage	1 st Annual Surveillance	2007

Preface

All facts in this report were provided to SCS by Eat on The Wild Side (ETWS) and Fishing Vessels Owners Association. However, the interpretation, opinions, and assertions made in this report as to the compliance of the fishery with MSC requirements are the sole responsibility of Scientific Certification Systems, Inc.

Executive Summary

This is the 1st Annual Surveillance Report (2007) prepared by SCS to meet the requirements of the MSC for annual audits of certified fisheries. It is SCS's view that the US sablefish fishery continues to meet the standards of the MSC and to comply with the 'Requirements for Continued Certification'. SCS recommends the continued use of the MSC certificate through to the next annual surveillance audit with no additional corrective action requests other than those from the original assessment.

Background

The sablefish fishery off the North Pacific coast of the United States was originally certified on 10 May 2006 by Scientific Certification Systems, Inc. The requirements of the Marine Stewardship Council (MSC) are that each certified fishery must undergo at a minimum an annual surveillance to ensure the basis of certification is still in place and that the fishery is meeting any conditional requirements from the original certification. Should a fishery fail the surveillance audit, and cannot address identified deficiencies in a reasonable period of time, then the use of the certificate and the MSC logo can be revoked by the certifier.

This report represents the first annual surveillance since the fishery was certified. The issues for the certifier are whether the fishery has sufficiently acted on the required conditions set forth in the original certification report, and whether a random check on the performance of the fishery verifies continued compliance with the MSC standards.

1st Annual Surveillance

The annual surveillance audit process (as always) is comprised of four general parts:

1. The certification body provides questions around areas of inquiry to determine if the fishery is maintaining the level of management observed during the original certification. In addition, the surveillance team requires that the client provide evidence that the fishery management system has taken the necessary actions to meet all conditions placed on the fishery during the initial certification assessment or any previous surveillance audits.
2. The surveillance/assessment team meets with the client fishery to allow the client to present the information gathered in answer to the questions asked by the surveillance team. The surveillance team can then ask questions about the information provided to ensure its full understanding of how well the fishery management system is functioning and if the fishery management system is continuing to meet the MSC standards.
3. The surveillance team presents its findings to the client fishery at the end of the site visit. The results outline the assessment team's understanding of the information presented and its conclusion regarding the fishery management system's continued compliance with MSC standards. Where indicated, the surveillance team may provide the client fishery with additional time to supplement the information provided if the surveillance team finds that there are still issues requiring clarification.

4. Where appropriate, the client fishery submits final information to the surveillance/assessment team for consideration in the surveillance findings and report. The surveillance team then reviews the final information and submits a final report to the client fishery and the MSC for posting on the MSC website. If there are continued compliance concerns, these are presented as non-conformances that require further action and audits as specified in the surveillance report.

Surveillance Meetings

The surveillance audit for 2007 comprised 4 parts:

1. An exchange of information indicating to the client the areas of inquiry by SCS for the surveillance audit. SCS provided a list of questions to the client.
2. A meeting with the client in July 2007. This meeting was to discuss the questions put forth by SCS.
3. An exchange of documents from the client to SCS through September 2007, in follow up to inquiries made during the meeting.

Results

Data Submitted to Assessment Team

ETWS answered questions put forward by SCS both in discussion and in the form of submitted documents. The documents compiled and submitted to SCS are:

- Melvin, E.E. and M.D. Wainstein 2006. Seabird Avoidance Measures for Small Alaskan Longline Vessels. Washington Sea Grant Program. Project A/FP-7.
- Melvin, E.E., M.D. Wainstein, K.S. Dietrich, K.I. Ames, T.O. Geernaert, and L.I. Conquest, 2006. The Distribution of Seabirds on the Alaskan Longline Fishing Grounds: Implications for Seabird Avoidance Regulations. Washington Sea Grant Program. Project A/FP-7.
- Summary of Seabird Bycatch in Alaskan Groundfish Fisheries, 1993-2004. Updated 13 April 2006.
- Observer Advisory Committee Report May 21 – 22, 2007 Alaska Fisheries Science Center, 7600 Sand Point Way, NE, Seattle, Building 4, Room 1055, May 21: 12:30 pm – 5 pm, May 22: 8:30 am – 4:30 pm.
- Alaska Sablefish Assessment for 2007. Hanselman, D.H., Lunsford, C.R., Fujioka, J.T., and Rodgveller, C.J. Dec 2006. Chapter 3 of 2006 North Pacific Groundfish Stock Assessment and Fishery Evaluation Reports for 2007 by the National Marine Fisheries Service.

1. Stock Status

The first two questions raised by SCS in the surveillance audit are whether the monitoring and assessment to determine the status of the stocks are still being conducted consistent to what was provided to the assessment team in the original assessment, and whether the status of the stock was still consistent with pre-determined reference points.

The indicators in the original assessment that cover monitoring and the status of the stock were 1.1.1.1, 1.1.1.4, 1.1.1.5, 1.1.1.6, 1.1.2.1, and 1.1.2.2, 1.1.2.3, 1.1.2.4, 1.1.3.1, 1.1.3.2, 1.1.5.1, 1.1.5.2, 1.1.5.3, 1.1.5.4, 1.1.5.5, 1.1.6.1, and 1.1.6.2.

The SAFE (Stock Assessment and Fishery Evaluation) Report on Sablefish (Black Cod) for 2006 (2007) reports that annual data collection, monitoring and stock assessments continue to be conducted. In general, the program is continuing as usual. However, it is worth noting that NMFS continues to research ways to improve the knowledge base and assessment methods for each of the fisheries it manages, including sablefish. For 2006, several new changes have been noted as occurring in the stock assessment and fishery evaluation of sablefish. The 2006 SAFE Report states that the following modifications have been made with regard to data collection, data incorporation, or model methods:

“Model changes: The model has been reconfigured as a split-sex model and now incorporates Gulf of Alaska trawl survey lengths and biomass estimates for depths 500 meters and less.”

“Input data: Relative abundance and length data from the 2006 longline survey, relative abundance and length data from the 2005 longline and trawl fisheries, and age data from the 2005 longline survey and longline fishery were added to the assessment model. In addition, the new model configuration uses Gulf of Alaska trawl survey abundance and length data.”

In terms of assessment results, the 2006 SAFE report notes that the fishery is “neither overfished nor approaching an overfished condition”. Specifically, the SAFE Report states: “..... that sablefish abundance increased during the mid-1960s due to strong year classes from the early 1960s. Abundance subsequently dropped during the 1970's due to heavy fishing; catches peaked at 53,080 mt in 1972. The population recovered due to strong year classes from the late 1970's; spawning abundance peaked again in 1987. The population then decreased because these strong year classes dissipated. The fishery abundance index decreased 4% from 2004 to 2005. The survey abundance index increased 8% from 2005 to 2006 and follows a 2.5% decrease from 2004 to 2005. Relative abundance in 2006 is 16% higher than the all-time low in 2000. Spawning biomass is projected to remain stable from 2006 to 2007.

The SAFE Report also notes that the spawning biomass is above threshold levels at 38% of unfished biomass. The SAFE Report authors point out that,

- “Abundance has increased from a low of 33% of unfished biomass during 1998 to 2000. The 1997 year class is an important part of the total biomass and is projected to account for 13% of 2006 spawning biomass. The 2000 year class

likely is above average and should also account for 13% of spawning biomass in 2007.”

- “Sablefish are managed under Tier 3 of NPFMC harvest rules. The updated point estimates of B40%, F40%, and F35% from [the 2006] assessment are “123,900 t (combined across the EBS, AI, and GOA), 0.092, and 0.109, respectively”. Projected spawning biomass (combined areas) for 2007 is 118,800 t (95% of B40%), placing sablefish in sub-tier “b” of Tier 3. The maximum permissible value of FABC under Tier 3b is 0.088 which translates into a 2007 catch (combined areas) of 20,100 t. The OFL fishing mortality rate is 0.104 which translates into a 2007 OFL (combined areas) of 23,750 t. “

As part of the assessment, NMFS biologists examined a “suite of alternate models”. From the assessment, a specific model was recommended for use as it produced results the assessment biologists felt were more in line with the data and more precautionary in terms of calculating ABCs. The new model recommended is a split-sex model for determining ABC (Model 3 of the six examined). According to the authors of the SAFE report, the model was chosen because:

“It provides a significantly better fit to the data than the base model. Since our biological reference points are formulated by considering number of female spawners per recruit, this split-sex model gives a more appropriate spawning biomass estimate to apply these benchmarks. In the majority of fisheries, preserving female spawning biomass is essential, not only because males can inseminate multiple females, but because in most instances females become mature later than males. Therefore, females are the limiting factor in reproduction and should be the benchmark of future population sustainability. Splitting the sexes is appropriate given the differences in growth between males and females. Finally, between splitting the sexes and adding the trawl survey index and lengths, we have more certainty in our recruitment predictions.

The authors note that the new model is just a stepping stone to other improvements that will eventually provide a more exacting assessment.

Interestingly, the stock assessment authors point out that they are recommending a model that lowers the ABC over what would have been projected using the former model. The authors' reasons specifically were about making conservative estimates that erred on the side of “preserving a sustainable spawning biomass”. A second reason stated for the precaution was “.....that the second piece of data on the horizon appears to be a potential change in growth”. Apparently, potential changes in growth could cause a marked change in the ABC. Recommending a lower ABC at this time compensates for this potential problem so that there is more protection for the spawning biomass.

The recommend ABC for 2007 was 20,100 mt and the authors point out that the spawning biomass is projected to remain stable through 2010. Although the long-term probability depends on future recruitment, this assessment will be updated each year as new data becomes available, thus allowing NMFS to make appropriate adjustments.

2. Ecosystem Impacts from Fishing

SCS asked for evidence that the fishery management system is still functioning to keep ecosystem based impacts from fishing at acceptable levels.

The indicators in the original assessment that cover ecosystem impacts were 2.1.1.1, 2.1.1.2, 2.1.2.1, 2.1.2.2, 2.1.3.1, 2.1.3.2, 2.1.3.3, 2.1.5.1, 2.1.5.2, 2.1.5.3, 2.2.1.1, 2.2.1.2, 2.2.2.1, 2.2.3.1, 2.2.5.1, and 2.2.5.2.

The same programs are in place as during the initial assessment to provide data on bycatch. Bycatch continues to be reported, as does lost gear.

Seabird avoidance devices were not only deployed, but several studies were completed that provide a better picture about interactions with seabirds on fishing grounds and the effectiveness of deployed seabird mitigation devices.

The updated compilation on seabird bycatch in Alaskan groundfish fisheries (1993-2004) shows a significant decrease in seabird bycatch across all groundfish fisheries.

The two papers by Ed Melvin and colleagues provide some suggestions regarding seabird interactions and bycatch.

Some excerpts, including recommendations, quoted directly from the Melvin E. et al. (2006) study on seabird distribution are quoted below to illustrate the current state of knowledge on the fishery interactions with seabirds:

- “Collectively, data from our surveys and all other available sources strongly suggest that longline fishing poses little to no risk to albatrosses and other tubenose seabirds in Alaskan inside waters. Although longline fishing may pose some small degree of risk to seabird species that were sighted in inside waters (northern fulmars and shearwaters in highly localized areas of PWS [Prince William Sound], and gulls in all inside waters), none of these species are USFWS [US Fish and Wildlife Service] identified birds of conservation concern. In addition, less than 5% of the longline take of these species occurs in the GOA [Gulf of Alaska], strongly suggesting that the relative risk to these species is low in this region.”
- “We recommend that seabird avoidance requirements be eliminated for longline vessels fishing in the inside waters of Prince William Sound (NMFS Area 649), Southeast Alaska (NMFS Area 659), and state waters of Cook Inlet. Currently, in inside waters, these regulations require vessels 26-32 ft and 32-55 ft (without masts, poles, or rigging) to tow one buoy bag line, and vessels 32-55 ft (with masts, poles, or rigging) and > 55 ft to tow a single streamer line. If implemented, this action would affect 42% of the Alaska longline fleet, which lands 10% of the

Alaska longline catch. Of this affected segment of the fleet, 85% are small vessels (≤ 55 ft) and over half fish with snap-on gear.

- “The presence of black-footed albatrosses, northern fulmars, and shearwaters in southern Chatham Strait and Dixon Entrance of the Southeast Alaska region suggests increased risk to seabirds from longline fishing in these small areas. If this risk is deemed significant, the definition of inside waters (for the purpose of seabird avoidance regulations) could be amended to exclude these areas. Specifically, ADFG statistical areas 345603 and 345534 in Chatham Strait, and 325431 and 325401 in Dixon Entrance could be reclassified as “outside waters”, where seabird avoidance regulations would continue to be required.”
- “Based on these data, we recommend that existing seabird avoidance requirements be maintained in all outside waters. For recommendations on small vessels fishing fixed gear in outside waters, see also *Seabird Avoidance Measures for Small Alaskan Longline Vessels* by Melvin and Wainstein (WSGP 2006, p.19).”
- “Our seabird sighting data have proven extremely valuable with regard to ecosystem-based fisheries management. We strongly support efforts to institutionalize the collection and management of seabird observation data from fish stock assessment surveys at NMFS and IPHC.”
- “We also strongly support making these data available through the NPPSD. We strongly encourage efforts to expand this seabird survey protocol to all Alaska and Northwest Fisheries Science Center surveys to broaden the temporal and spatial scope of this data set for application to other fisheries. Incorporating this protocol into North Pacific Groundfish Observer Program data collection should also be explored to expand temporal and spatial coverage.”

The recommendations from the study on seabird avoidance measures for small longline vessels in Alaska waters are shown below to illustrate the state of the knowledge on how to avoid seabird bycatch. All are directed quoted from the paper by Melvin, E.E. et al. 2006. Seabird avoidance measures for small Alaskan longline vessels. Washington Sea Grant Program. Project A/FP-7.:

“General

- An analysis of the extent of overlap between Procellariiform seabirds and longline fishing in Alaska’s inside waters should be given the highest priority. On the basis of the results of this risk analysis, seabird mitigation requirements should be adjusted or eliminated wherever risk of seabird mortalities is minimal or absent.
- Gear type and vessel setting speed (as opposed to vessel length) should be primary factors used to determine appropriate mitigation measures, as they best predict the risk posed to seabirds by longline fishing gear.
- Reduced vessel setting speeds should be considered as an option for a secondary seabird avoidance requirement (or “other device,” required by small vessels together with a single streamer line or buoy line when fishing outside waters [EEZ]). A slow setting speed can significantly reduce the likelihood of seabird mortality; however, because a maximum vessel setting speed requirement would

- prove difficult to enforce and a slow setting speed could lead to fouled gear, we do not recommend it as a primary mitigation measure.
- We strongly recommend that a lighter streamer line be designed and made available to longline vessels at no cost in addition to maintaining availability of the current design.
 - The following recommendations for vessels using snap-on gear and fixed gear are based on the assumption that longline fishing occurs in locations where Procellariiform seabirds are likely to be present.

Snap-on gear

- The current streamer line requirement for snap-on gear vessels over 55 ft with infrastructure (45-m streamer line and the minimum 20-m performance standard) is appropriate and practical and should be extended to all snap-on gear vessels >26 ft with infrastructure.
- Given that seabird avoidance measures are difficult to deploy from bowpickers (which typify vessels >26–32 ft without infrastructure), and that they pose the same or more risk to seabirds as do vessels with infrastructure using the same gear, we recommend that either the buoy line be adapted so that the buoy can be positioned over the sinking groundline without fouling on the gear or other mitigation options be developed.

Fixed gear

- Current measures for vessels >26–55 ft setting fixed gear and with mast, poles, and rigging (single streamer line with no mandatory material or performance standards) are unlikely to be able to provide sufficient protection to seabirds. We recommend that additional seabird avoidance measures be developed in consultation with industry. Alternatives might include using one or two lightweight 90-m streamer lines with a maximized aerial extent approaching 60 m.”

In terms of the MSC program, the 2008 surveillance audit will specifically be looking for evidence that NOAA Fisheries and the North Pacific Fishery Management Council (NPFMC) have reviewed this information and are taking action on the recommendations.

Based on the evidence presented, SCS is satisfied that the same level of work, or greater, is still occurring within the fishery to monitor and understand issues surrounding bycatch and fishery interactions.

3. Management and Regulation

SCS asked for evidence that the fishery management system is still functioning at the same levels that it was during the initial certification. SCS also asked about any pending litigation, and changes in enforcement.

SCS was told that new regulations are being proposed for seabird avoidance measures.

SCS was instructed that there have been no significant changes in enforcement and compliance.

NPFMC passed Amendment 80 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area.

Based on the evidence presented, SCS is satisfied that the same level of functionality, or greater, is still occurring with regard to the structure and function of the management system.

Progress on Conditions for Continued Certification

In addition to the random audit of the management system, SCS checked on the progress toward completing the Action Plan for meeting the Conditions for Continued Certification as stated in the original assessment Report. The table below shows each performance indicator that received a Condition for not scoring at least 80, the 80 Scoring Guidepost that is required to be met by addressing the Condition, and the progress that has been made toward meeting each Condition.

Performance Indicator	Indicator Language	Condition	Action Plan	Progress in 2007
3.3.1.1	<p><u>Performance Indicator</u> The management system provides for internal program evaluation and review.</p> <p><i>[Relates to MSC Criterion 3.3]</i></p> <p><u>80 Scoring Guidepost</u></p> <ul style="list-style-type: none"> The management system has a provision for an objective system for evaluation of management performance that is conducted periodically as need arises. The criteria for and results of the on-going evaluation of management performance are made public. 	<p>To improve the deficiencies in performance for this indicator, the fishery must demonstrate the existence of a periodic, candid and authoritative internal review process for black cod fishery management procedures and outcomes and publish the results of such a review process.</p> <p>The client can fulfill this condition by working cooperatively with other North Pacific fisheries that have been certified under the MSC program and are working with NMFS to address this same condition.</p>	<p>In order to meet these conditions, the Fishing Vessel Owners' Association and the Deep Sea fishermen's Union will cooperate with other North Pacific fisheries that have been certified under the MSC program and are working with NMFS to address these same conditions. In addition to this cooperation, the clients will schedule a meeting with NMFS in Seattle within six (6) months of certification to review the MSC conditions and request that NMFS begin an evaluation of the sablefish fishery relative to a Management Strategy Evaluation, which would examine the resource for its robust nature under different regime changes, such as</p>	<p>The client has been in contact with the clients for the BSAI pollock fishery, the Gulf of Alaska Pollock fishery, and the Pacific cod longline fishery to discuss what actions are taking place to meet these Conditions, as they are the same Conditions placed on the other certified fisheries. The client for the pollock fishery has indicated that there may be activities in place that will properly address this Condition, and these will be shared after they are made public.</p> <p>The client for sablefish certification has also been in touch with NMFS over this issue</p>

			<p>the movement of the “Aleutian Low” or Pacific Decadal Oscillation. The clients will provide SCS a report following the meeting with the NMFS.</p>	<p>as required. NMFS is assisting by providing information on the review processes within NMFS.</p> <p>SCS was provided with a verbal summary of the meetings, and found the summary acceptable for the first year of certification. In addition, the SAFE report provides some evaluation of different harvest strategies under consideration.</p> <p>The client will continue to work cooperatively with other certification clients and NMFS to come to a final answer to this Condition.</p>
3.3.1.3	<p><u>Performance Indicator</u></p> <p>The management system requires a response to outcomes of internal or external reviews.</p>	<p>Within the North Pacific groundfish management system there must be objective criteria regarding the responses of the system to</p>	Same as above.	Same as above.

	<p><i>[Relates to MSC Criteria 3.3, 3.7]</i></p> <p><u>80 Scoring Guidepost</u></p> <ul style="list-style-type: none"> • The management system has established objective guidelines for responding to internal and external reviews of management performance. • The management system shows evidence of improved performance based on the results of internal and external reviews of management performance. 			
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Summary

SCS finds that the halibut fishery management system is still in general compliance with the MSC standard and that the certificate for the fishery should be maintained.