APPENDIX R

Public Comments on the Draft Environmental Impact Statement on the Pelagic Fisheries of the Western Pacific Region: Summarized Transcript of Oral Testimony Given at Public Hearings, with Responses.

PUBLIC COMMENTS

Tracking No.	Commenter	Comment	Response
P1a	Maui - Ms Lembeck	Fishermen contribute to a fund to help endangered species, like this turtle.	The comments on the Draft EIS, both at public hearings and those submitted in writing, reflect a willingness on the part of the Hawaii longline industry to help address the problem of turtle conservation.
P1b	Maui - Ms Lembeck	Eventually you [NMFS]'re going to have to take a proactive stance in managing fisheries based on the function of the ecosystem before they become endangered. This EIS is reactive.	Comment noted. EIS considers cumulative and ecosystem linkages.
P2	Maui - Mr Hau	With the seasonal closure of all other areas to longline fishing, it sort of seems that fishermen would then move to other areas.	Agree - cumulative impact analyses point out this possibility and the potential negative consequences for turtle populations.
P3a	Kauai - Mr Hale	The expense rate for commercial and/or charter fishing, data by Hamilton in 96, 97 and 98. Vessel income versus cost breakdowns. Things have changed in those amount of years. There's a lot more number of boats fishing, fuel expenses, ice expenses, bait expenses have all gone up considerably compared to the numbers from what they're saying. Now the fuel has gone up in the last year, for diesel I pay 79 cents a gallon more at this time than I did at this time last year. The expenses they're saying is truck fuel at $11. It's $40 just to fill my gas tank in the last two days. Ice has gone up because electricity has gone up. Everything. It needs to be more researched and re-updated. It says charter boats operating out of Hawaii, five at one harbor, three at the other. Now it's more like 10 in one harbor, 10 in the other harbor and maybe 15 more that have raft permits that once in a while do this, as well as the numbers of commercial fishermen has gone up since this was done in the last three years. It's outdated information. We shouldn't be basing a 2001 decision on information that was compiled in 1996, because a lot of things have changed too quickly.	The need for updated information is discussed in Section 3.10. The analyses used best available published information. Where appropriate, it has been noted in the text that the pro forma income statements represent the situation in the late 1990s.

Tracking No.	Commenter	Comment	Response
P3b	Kauai - Mr Hale	There's a thing in here that says a lot of these charter boats are owned by big corporations with the intent of losing money. Well, that has changed. Now there's a lot of commercial fishermen guys who want to be home once in a while to see their kids grow and go to soccer games and that, so they've moved into the charter fishing industry. They're not out there to lose money. They're out there to feed their families and to pay the bills and keep a roof over their heads. Personally, I think this whole survey needs to be re-updated.	The EIS does not say that a lot of charter boats are owned by corporations. The motivation for commercial fishers is not relevant for the analysis. We used the best available sources for the analyses in this EIS.
P3c	Kauai - Mr Hale	p 3-102, bottom of 3rd paragraph, it says: Per capita seafood consumption by residents and visitors to Hawaii is twice the US average. Therefore, it is not surprising the local supply for certain grades and species of fish, demand is greater than the catch in HI waters. To meet these excess demands much fresh and frozen fish is imported to Hawaii. The main thing is basically tourism. If they have to eat fish that are brought in because the local fishermen are so restricted on all this stuff, to me that is wrong and I think some of this stuff needs to be re-evaluated.	Comment is an observation, opinion, suggestion or preference. No change required to document.
P3d	Kauai - Mr Hale	[re seasonal closure for Hawaii-based longline boats in April and May] So really, you're taking a few boats out of the picture, but the rest can still operate. So the vessels which are bigger than ours can still operate. I personally still don't see the point of closing off X number of boats, but the other ones can still fish in this two-month period. I have 14 dogs. If I feed them all, but I say five of you guys can't eat, the other ones are going to just eat all the food. So what did I save? Just five went hungry. This does not make sense.	Even if the Hawaii longline fishery is responsible for only a small portion of the total turtle mortality, NMFS must meet the legislative mandate under ESA. Fishers from other U.S. areas and foreign countries may indirectly benefit. Potential effects, including possible adverse effects on turtles, are identified and discussed in the EIS.
P3e	Kauai - Mr Hale	[re seasonal closure] Especially with Hawaii's struggling economy and the number of unemployed people we have already.	Even if the Hawaii longline fishery is responsible for only a small portion of the total turtle mortality, NMFS must meet the legislative mandate under ESA. Fishers from other U.S. areas and foreign countries may indirectly benefit. Potential effects, including possible adverse effects on turtles, are identified and discussed in the EIS.

Tracking No.	Commenter	Comment	Response
P3f	Kauai - Mr Hale	I don't see what advantage it is to close the Hawaii-based, but if I can come from California or from Taiwan or come from Mexico with my boat and make it here, I can still fish.	Even if the Hawaii longline fishery is responsible for only a small portion of the total turtle mortality, NMFS must meet the legislative mandate under ESA. Fishers from other U.S. areas and foreign countries may indirectly benefit. Potential effects, including possible adverse effects on turtles, are identified and discussed in the EIS.
P4a	Kauai - Mr Kalthoff	[re longliners] I would prefer to see them fishing but using some of the techniques that have been proven to be deterrents, such as the six or so we talked about [listed in the EIS], and maybe using more than two of them.	The EIS assumes that regulations will be forthcoming (by April 15, 2001) that implement the reasonable the prudent measures specified in the STAL BO. Three deterrents will be required for vessesls fishing north of 23° N. latitude, and this is reflected in the preferred alternative (Alternative 10), as well as Alternatives 2, 4, 5, 6 and 7.
P4b	Kauai - Mr Kalthoff	Rather than closing down areas or closing down seasons, I'd rather see them adapt their way of fishing to continue the supply. Because obviously, from what it says here [p 3-102 in DEIS] and from what we hear around here, there is not enough supply to meet the demand.	Alternatives 1, 2 and 5 have no seasonal closure. The new preferred alternative, Alternative 10, includes a seasonally-closed area, but will allow year-round fishing elsewhere. Swordfish-style fishing, however, as currently conducted, will not be permitted north of the equator.
P4c	Kauai - Mr Kalthoff	They [local restaurants]'re bringing in fish from New Zealand. I guess the thing that probably concerns me most is that a lot of these fisheries are being exploited. To restrict our fishermen over here, where obviously there's things they can do, deterrents they can use, and I think those just have to be put into practice and possibly forcibly, but I'd like to see them keep fishing.	Regulations will soon be in effect to mandate use of specific seabird deterrents. The fishing experiment included here as Option A is designed to test possible turtle deterrent measures.
P5	Kauai - Mr Medieros	[re seasonal closures] Fishing, you face the weather. There's times you cannot fish because of the weather. There's times there are no fish around and there's times when you have fish around, so then you've got to really work. You've got to make up for the time you cannot go.	The time closure period in the preferred alternative was selected to minimize potential interaction of the Hawaii-based longline fishery with sea turtles. In a practical sense, of course, weather patterns will impose their own restrictions on the fishery.

Tracking No.	Commenter	Comment	Response
P6a	AmSam - Mr Anderson	You mention here a study called Aguilar, 1992, which the study may be the best available information on sea turtle post-hooking mortality and other information regarding sea turtles. But in almost every paragraph of the summary talking about this study I see the words 'lacks detailed description', 'does not describe', 'no mention', 'does not include', 'does not report', 'uncertainties', 'not well understood', 'insufficient information.' Now, to make policy, which looks to be a govt policy that's going to affect us as fishermen, based on documents that 'do not describe' or 'do not include' really concerns me a lot.	We agree that additional research and analyses are needed. The latest information, including work done at the NMFS SWFSC-HL, is included in the Pelagics BO, and is reflected in Alternative 10.
P6b	AmSam - Mr Anderson	DEIS says that expert testimony given to the court in the CMC v. NMFS indicated that reduction of sea turtle takes and mortality in the Hawaii-based longline fishery alone would only have a minimal effect on the prospects of population viability and recovery of protected sea turtle species. It looks like we're trying to solve a world issue with shutting down a very small fishery.	We agree, and this is reflected in the cumulative impacts analyses on potential effects, including possible adverse effects on turtles, of the management alternatives. Nevertheless, even if the Hawaii-based longline fishery is responsible for only a small portion of the total turtle mortality, NMFS must meet the legislative mandate under ESA. Fishers from other U.S. areas and foreign countries may indirectly benefit. Potential effects, including possible adverse effects on turtles, are identified in the EIS.
P6c	AmSam - Mr Anderson	Most of these courses of action that are mentioned in here includes things like having to set deeper gear. *Alias*, particularly, shoot shallow gear, they don't have line setters. And that's the fish they're targeting, albacore, and our fishery are more of a surface-feeding species. I think this could have some very detrimental effects on us here in American Samoa.	One intent of the Pelagics BO, and of Alternative 10, is to eliminate a source of relatively frequent longline/turtle interactions, that being shallow-sets targeting swordfish in oceanic frontal zones to the north of Hawaii. The low latitude time area closure is intended to reduce interactions from deep sets targeting tuna. At this time, available data do not indicate a problem with turtle interaction with the shallow-set *alia* fleet in American Samoa. Consequently, the preferred alternative's prohibition of shallow sets applies only north of the equator.
P6d	AmSam - Mr Anderson	It said there could be a lot of boats in Hawaii that are going to say, let's go to Samoa, they have a lot of albacore and let's go get them. So I think that's what we've got to be looking at.	The preferred alternative includes the large vessel area closure and entry control date measures now being developed for American Samoa by the Council. If adopted, these measures would restrict relocation of vessels from Hawaii to American Samoa.

Tracking No.	Commenter	Comment	Response
P6e	AmSam - Mr Anderson	[re 15 July control date for entry] At the same time, we're now limiting the fishery to what's already here. Personally, I think there's a lot more room for expansion other than that.	The control date puts American Samoa longline vessel owners on notice that there may be future rule-making to establish a limited entry program. The July 15, 2000, date may or may not be incorporated in such a program.
P6f	AmSam - Mr Anderson	There's a statement mentioned in Chapter 2, it is not understood whether the subsurface albacore tuna taken in American Samoa in the small-scale longline fishery are primarily a local subpopulation or are part of a more widely distributed regional mass. My opinion, after chasing these albacore here for the past four years, I am of the opinion that they are part of a more widely distributed regional mass. These are not resident fish that we're catching here. These are fish that are moving around the ocean and we don't really know for sure where.	There is no evidence of an albacore tuna sub-population resident in the Samoa region but the possibility is the subject of scientific study.
P6g	AmSam - Mr Anderson	Alternative 7, the preferred alternative, I think is a very draconian measure. I think it over exceeds what really needs to be done. I don't see any problem in Alternative 2, to leave things as they are and to have the Council take appropriate steps as necessary as the situation develops, as issues come up, present those issues to Council, the Council decides what's fair, makes recommendations and then it becomes legitimate. Alternative 7 is very extreme. I think it's an excessive measure.	The current litigation will preclude a return to the management regime of Alternative 2. The new preferred alternative, Alternative 10, includes a time/area closure more restricted in scope than Alternative 7, but still results in the elimination of swordfish-style fishing under the Pelagics FMP north of the equator.
P7	AmSam - Mr Evans	[re 50 nm closure] At meetings, a desire was expressed, a consensus, for not only 50 nm closure around islands but also around the banks of American Samoa and I believe that desire is still strong.	The Pelagics FMP includes a "framework" procedure for adding area closures around banks through future Council and NMFS action. Information added to Chapter 2.
P8	AmSam - Mr McGuire	I suggest that the next time you hold a public meeting that you hold a public meeting that you access Channel 6 and put a video on maybe the night before so that – or two nights before, so that some of the people that are going to be affected by this, maybe it will sink in the impact a little bit if they know there's a program about what's going on and if they want to come down here and put in a public comment they have a better idea of what's going on.	Agree - Excellent suggestion. We'll look into the cost and logistics of that for future meetings in Samoa as well as elsewhere in the Region.

Tracking No.	Commenter	Comment	Response
P9a	Waianae- Mr Aila	[re cumulative effects graphic] There's no reference to Hawaiian culture, cumulative effects to the Hawaiian culture to fish – with large-scale fisheries beyond the small boat fishery. I don't see anything there that deals with that cumulative effect. We small-boat fishermen are constantly affected by the price of fish because of the amount of longline fish caught and brought in, the prices go up and down daily depending on how much is brought in. So I don't see anything listed there.	Factors that affect the price of fish in the Hawaii market are discussed in Section 3.10.2.3. The effect of a regional longline closure on the Hawaii small boat (troll and pelagic handline) fishery is treated as a direct effect and discussed in Section 4.9.8.2.
P9b	Waianae - Mr Aila	A lot has been said in the press about the longliners making the point of, why are you picking on us, what about the foreign boats, and things like that. I don't see any place in here where NMFS is saying, in order for us to take our place in the world stage we need to set an example. I think the EIS should sort of address that statement, that criticism from the longline industry that is saying, you're only picking on us, what about the others, what about the Taiwanese, what about the Koreans. The U.S. Government has to set an example with its own fishery before it can address those intl concerns, and I think this document at least starts that.	Agree - The time/area closure and gear restrictions of the preferred alternative will set an international example. The U.S. will encourage other nations to follow this example. Of more practical benefit, because of the "export" potential, will be results of any fishing experiment designed to develop turtle interaction deterrent measures.
P9c	Waianae - Mr Aila	I would like to testify in favor of the Preferred Alternative 7, but with a specific level of observer coverage, and that observer coverage be not less than 20%. You mentioned that you can't imagine that it won't be, but it should be stated in the preferred alternative and should be analyzed for what kind of an impact it's going to have on perhaps the percentage of turtles that are taken. I'd say Alt 7 without the observer coverage minimizes the value of Alt 7.	Based on information in the draft Pelagics BO, the preferred alternative (now identified as Alternative 10) has been adjusted from the Draft EIS and now specifies a minimum 20 percent level of observer coverage for the deep set component of the Hawaii-based longline fleet.

Tracking No.	Commenter	Comment	Response
P9d	Waianae - Mr Aila	Quote in Chapter 3 by McCoy and Ishihara: they briefly review the past and contemporary religious connection to sharks held by indigenous peoples in the US-flag Pacific islands. They note that much of the knowledge regarding the spiritual importance of sharks has been lost. I would definitely disagree with that statement. I think that statement should be removed. I don't think it's their place because they're not culturally qualified to make a statement like that and certainly does not belong in here. I would really like to see that removed when the next draft comes out.	Agree - sentence deleted.
P10a	Honolulu - Mr Tanoue	We are very concerned about NMFS suggesting a 2 month closure of the longline fishery. In the months of April and May 2000 we bought and sold approximately 2.5 million dollars of fresh seafood from the local auction and 90% was longline. The loss of sales and revenue will be very severe and I foresee a significant amount of jobs lost because of the closure. I request there be no closure.	The new Preferred Alternative (Alternative 10) includes a seasonally-closed area, but will allow year-round tuna-style fishing elsewhere.
P10b	Honolulu - Mr Tanoue	I have a suggestion where Earth Justice and the fishing industry can work together in a partnership. Why don't we create a fund that would be given to the Oceanic Institute to breed and raise turtles to be later released into the ocean. Instead of destroying livelihoods and spending money in court, it would create new jobs and ensure that for future generations our turtles would be saved. To fund this project, for every pound of fish that the longliners produce a certain tax would be assessed. Earth Justice would match our total contributions so that a perpetual fund can be created.	The comments on the Draft EIS, both at public hearings and those submitted in writing, reflect a willingness on the part of the Hawaii longline industry to help address the problem of turtle conservation. There has been a long history of efforts to rear sea turtles in captivity to support wild populations. Because of the complex nature of sea turtle life history, it is unclear how successful such efforts have been. In general, it is considered better to enhance natural reproduction on the nesting beaches. For leatherbacks the situation is even more difficult because leatherbacks do not adapt to captivity.

Tracking No.	Commenter	Comment	Response
P11	Honolulu - Mr Ross	Mexico fishing industry has environmental problems; in Hawaii people love the environment. Are you going to try to force us to go back to Mexico and these other countries where there's no monitoring and no programs [by closing down the fishery for two months]. How many turtles do you think they're going to kill and our financing them to expedite this increase in the fish population that we need to keep our businesses going? How many sea turtles do you think you're going to lose? A lot more than shown on these graphs here. Let's not push us over to Third World countries and make more addresses out of the sea turtle shells.	Cumulative impact analyses (Sections 4.11.7, 4.11.9) point out the possibility that fishing effort will relocate from Hawaii to unmonitored and poorly regulated fisheries outside the Pelagics FMP management area and the potential negative consequences for turtle populations.
P12a	Honolulu - Mr Barrows	I'm against the preferred alternative. It will stop all landings from longline vessels during the months of April and May. Over the last six years, 18% of my gross on my vessel has come from those two months. Last year alone 25% of my yearly gross was from those two months.	Information on the importance of fishing in April and May has been added, however, the new Preferred Alternative (Alternative 10) permits year-round tuna-style fishing outside of the seasonally closed area.
P12b	Honolulu - Mr Barrows	I am also against the abolition of swordfishing. I do believe that we can work together with NMFS and the environmentalists to solve these turtle problems. At the HLA, we are working on it. Trying to come up with different mitigation techniques and join with other people in experimental fisheries. Let's use 100% observer coverage to go out and experiment, and have a fund to get this experimental fishery going and get some mitigation techniques that work and export them to the whole world.	The Pelagics BO recommends prohibition of shallow-sets north of the equator. Option A, the fishing experiment, would allow swordfishing in a highly controlled manner while turtle interaction deterrent measures are evaluated. Under the ESA, Section 7 consultation may be reinitiated when significant new information becomes available.

Tracking No.	Commenter	Comment	Response
P13	Honolulu - Mr Kanemoto	I've recently met former crew members of foreign fishing longline vessels and during my conversations with them they've stated that when fishing aboard a foreign vessel if a turtle is caught it becomes a meal. What happens should the Hawaii longline vessels be barred or limited from fishing in those areas? More foreign vessels will fish those same intl waters and these crews, when they catch the turtles, they won't be released. These actions suggested by NMFS should be reviewed and they should take into account the number of foreign vessels that may indeed move into the restricted waters and fish and try to calculate turtle mortalities from that.	Currently, foreign vessels rarely have observers and even more rarely report interactions with protected species. The United States usually does not have access to any data that are collected. It is possible that foreign fleets have a higher mortality on captured turtles due to actions after their capture (e.g., consumption for food). Even if the Hawaii longline fishery is responsible for only a small portion of the total turtle mortality, NMFS must meet the legislative mandate under ESA. Fishers from other U.S. areas and foreign countries may indirectly benefit. Potential effects, including possible adverse effects to turtles, are identified and discussed in the EIS. Due to lack of information, projections as to actions of foreign fleets are speculative.
P14	Honolulu - Mr Costa	If the preferred alternative stands, Hawaii will still have a strong market for fresh fish. The vacuum will be filled by importing massive amounts of fish and the local trolling boats and the local handline boats will only be able to supply us with a little bit. If we as a state knowingly import tuna and other species from overseas, we will be systematically supporting an advanced level of turtle interaction as some foreign fleets have no EIS, no observers, or blind observers as they're called, and some nations actually target turtles.	The comment is an observation, opinion, suggestion or preference. No change required to document.
P15a	Honolulu - Mr Achitoff	The preferred alternative without the option of an experimental fishery will apparently be effective in substantially reducing the catch of turtles and seabirds.	The catch of seabirds will be substantially reduced by implementation of the deterrent measures prescribed by the STAL BO. These would attach to any selected alternative. In the short-term, a fishing experiment would delay a portion of the turtle take reduction while data are collected. However, an experiment has a large, long-term potential to decrease turtle takes both domestically and by foreign fleets. The net long-term benefits of a fishing experiment may be potentially greater than the benefits resulting from a ban on shallow sets by the Hawaii-based fleet.

Tracking No.	Commenter	Comment	Response
P15b	Honolulu - Mr Achitoff	Alternative 7 does not eliminate the catch of turtles, and currently the largest threat to the turtles is commercial fisheries. Not just this fishery, but this fishery (and all components of Hawaii longline) contributes to the problem. Allowing any continued killing of turtles is legally questionable (as NMFS acknowledged in CA/OR BO), so allowing a viable tuna longlining fishery to continue is a compromise.	The EIS identifies and discusses the varied sources and causes of turtle mortality including actions occurring at nesting beaches. The Pelagics BO establishes "Reasonable and Prudent Measures" to afford necessary protection to turtle populations.
P15c	Honolulu - Mr Achitoff	Re option of an experimental fishery, while doing it in general is a good idea, this is not a viable alternative from a strictly scientific point of view in the HI swordfish longline fishery. It is not going to give the kinds of statistically reliable results that are needed so that anyone can know whether it's circle hooks or blue dyed bait, or whatever it is, is an effective way to catch fish without catching turtles.	The description of Option A in the EIS has been expanded to provide details necessary to generate statistically reliable conclusions.
P16a	Honolulu - Mr Kraft	Hawaii is a leader in various seafood aspects. A great proposal was brought up by Glenn [Tanoue] to have a fund to finance turtle research to release turtles into the wild to help preserve them. I think that the longline fishery could be very active and proactive in developing techniques and methodology for not only avoiding interactions with turtles, but also in mitigating any harm that comes to them.	If Option A is implemented, the Hawaii-based longline fishery will be at the forefront of turtle interaction deterrent development. If not, research will be inhibited.
P16b	Honolulu - Mr Kraft	Instead of destroying the Hawaii longline fishery, which is what the preferred alternative would do, you can't hold your breath for one sixth of the year [i.e., seasonal closures] and expect to survive. This preferred alternative does not take into effect the economic impact which makes the entire fishery highly unstable.	Information on the importance of fishing in April and May has been added. Howeverm the new Preferred Alternative (Alternative 10) permits year-round tuna-style fishing outside of a seasonally closed area.
P16c	Honolulu - Mr Kraft	I question the use of the word 'take.' I think the word take misleads the public. It's an interaction. I think the terminology is skewed against the fishery and I resent that.	"Take" has a specific statutory meaning in relation to protected species. Therefore, within the context of this EIS this term must be used.
P16d	Honolulu - Mr Kraft	We need to come up with something that brings in cooperation and actually solves the problem that may exist, if we can define what that is.	The only cooperative effort currently anticipated is Option A. Favorable results in that experiment could well be grounds for re-initiating Section 7 consultation, revising the Pelagics BO, and revised incidental take levels.

Tracking No.	Commenter	Comment	Response
P17a	Honolulu - Mr Martin	The efforts in the Pacific of the Hawaii-based longline fleet basically consists of three percent of the effort in the Pacific.	Agree - the Hawaii-based fleet represents about 2.5 and 4.5 percent of the total longline effort in the Pacific and North Pacific, respectively. This is noted in Section 4.11.3.1.4
P17b	Honolulu - Mr Martin	The scientists I've talked to and work with [as opposed to Mr Achitoff's] don't agree that the Hawaii fishery cannot be part of a long-term solution. The industry here is very much wanting to participate in the solution to the problem, export the solution around the country and around the world, and we feel that we have the best opportunity to do that.	The long-term solution will require a global effort. Information has been added to Chapter 2 to indicate industry's willingness to participate in finding a solution. This has been evidenced at public hearings and in written comments.
P17c	Honolulu - Mr Martin	Speaking for many members of the HLA, we would like to support Alternative 1, no action for the tuna sector of the Hawaii-based longline fishery. Amend the Pelagic FMP to implement Option A, and continue with observer coverages that give the scientific people a higher level of confidence that the information that they're working with is valid and accurate.	Alternative 1 will not provide the required level of protection of turtle stocks. Further, because Option A is not a specific part of the Preferred Alternative, a separate permit to take turtles will be necessary for its implementation. The increased levels of observer coverage will provide improved data for the tuna sector of the fleet, but if Alternative 10 is adopted without Option A, no data on shallow sets will be generated.
P18a	Honolulu - Mr Mareck	I went through ten years of fish tickets and took a look at what April and May mean: between 15-25 percent of our fish every year. They're good months. I, with my other owners, am against the closure.	Information on the importance of fishing in April and May has been added. However, the new Preferred Alternative (Alternative 10) permits year-round fishing outside of the seasonally closed area.
P18b	Honolulu - Mr Mareck	I'm not really sure that the problems are as great as they appear. That little square over there [court-ordered closure areas] I think is 1500 miles on the side. That's something like 3 million square miles. The entire fishery puts out 12 million hooks a year. That's about four hooks per square mile per year. That's insignificant. If the whole fishery totally disappeared tomorrow the turtle and bird populations - the difference would be minuscule.	The significance of bycatch is not directly related to the number of hooks deployed in a potential closure area by the fisheries, but to the actual or potential impact the fishery as a whole has on the various albatross and turtle populations. The precautionary principal requires that, in the absence of data that suggest otherwise, conservative estimates of impact be regarded as the actual or likely level of impacts. Data presented in this document as well as the Pelagics BO demonstrate that the problem is not minor.
P19	Honolulu - Mr Asted	I've looked at the government and Sierra Club surveys online, and the biggest detriment to the turtle stocks is environmentalist and scientists roaming through the nesting areas and stepping on eggs. Who are we really picking on here and why?	The multiple sources of turtle mortality are identified and discussed in the EIS. There is no evidence that conservation activities (e.g. patrolling beaches on foot) on nesting beaches are detrimental to sea turtles.

Tracking No.	Commenter	Comment	Response
P20	Honolulu - Mr Truo	I think the fishing industry should be continued while we make some studies, some tests, to find the solution how to minimize the mitigation of the sea turtles. If you ban the swordfishermen there is no way, no chance, for you to find the solution how to solve the problem.	Fishing industry should be involved in finding solution to bycatch problem with sea turtles. If Option A is implemented, the Hawaii-based longline fishery will be at the forefront of turtle interaction deterrent development. If not, research will be inhibited.
P21a	Honolulu - Mr Myking	I don't agree with NMFS' preferred alternative. There is no justification or scientific basis in the EIS as part of the recommendation on no longline fishing during April and May or any other part of the year.	The new Preferred Alternative (Alternative 10) is anticipated to eliminate a source of relatively frequent longline/turtle interactions. The EIS and the Pelagics BO support the Preferred Alternative.
P21b	Honolulu - Mr Myking	It has already been mutually agreed by all sides in court that completely shutting down the Hawaii longline fishery would not have an effect on saving the leatherback turtle. So why would anyone think that no fishing for two months would have an effect?	Available data indicate a relatively high interaction rate for tuna sets south of Hawaii. This is the reason for the seasonally-closed area in the new Preferred Alternative (Alternative 10).
P21c	Honolulu - Mr Myking	Turtle interactions are very rare when fishing ahi, so why make any change at all to that fishery.	Available data indicate a relatively high interaction rate for tuna sets south of Hawaii. This is the reason for the seasonally-closed area in the new Preferred Alternative (Alternative 10).
P21d	Honolulu - Mr Myking	The reality for fishermen is that with the closure, it will be mid to late June before seeing a paycheck for that June trip - so three months of no income.	The new Preferred Alternative (Alternative 10) includes a seasonally-closed area, but allows year-round tuna-style fishing elsewhere.
P21e	Honolulu - Mr Myking	And June and the summer months are typically slow for us and the price of fish is down.	The new Preferred Alternative (Alternative 10) includes a seasonally-closed area, but allows year-round tuna-style fishing elsewhere.
P21f	Honolulu - Mr Myking	We will lose our local market to foreign imports during these months that we cannot land fish and markets are a difficult thing to gain back.	Information on the potential impacts of increased reliance on imported fish has been added to the EIS.
P21g	Honolulu - Mr Myking	Right when taxes are due and we pay them, we will have nothing to live on as 100 percent of our income comes from fishing.	The new Preferred Alternative (Alternative 10) includes a seasonally-closed area, but allows year-round tuna-style fishing elsewhere.
P21h	Honolulu - Mr Myking	This will force us into the food stamp line or force us to fish the unregulated fisheries, which are already showing signs of strain, and even more turtle interactions may occur.	The new Preferred Alternative (Alternative 10) includes a seasonally-closed area, but allows year-round tuna-style fishing elsewhere.
P21i	Honolulu - Mr Myking	I would support Alternative 1.	Alternative 1 will not provide the required level of protection of turtle stocks. NMFS must meet the legislative mandate under ESA.

Tracking No.	Commenter	Comment	Response
P22a	Guam - Mr Eads	[re shark finning] Domestic fishermen carry the burden. It wouldn't have an environmental impact because foreign fishing vessels would not have to comply with these regulations.	Agree - shark stocks are not currently overfished. NMFS must comply with the new federal statute banning the practice of finning.
P22b	Guam - Mr Eads	It [shark finning? the EIS?] doesn't have much to do with us. We appreciate, you didn't spend too much time on it, because, quite frankly, I don't think American vessels can compete here or in American Samoa, that's why they're not here. The reason they can't compete is because of the legislation that places US domestic vessels in unfair competitive situations.	Economic factors, rather than regulatory provisions, play a more important role in determining the geographic disposition of domestic fishing vessels. In fact, Magnuson-Stevens Act provisions are intended to be non-discriminatory, except for encouraging "sustained participation by fishing communities" and its recognition of indigenous rights. There are no regulatory barriers preventing U.S. domestic vessels from fishing in the EEZ waters anywhere in the Western Pacific Region. Recent amendment of the MSA by Congress to ban finning of sharks without retaining their carcasses applies only to U.S. vessels. Foreign vessels may continue the practice of shark finning.
P22c	Guam - Mr Eads	Transponders on foreign vessels. p3-382 shows distribution of foreign longline catch from 95 to 97 or 98. It looks to me like a few hundred thousand hooks per year in our EEZ. We've had a problem recently with vessels throwing Chinese immigrants off outside the reef. They've been dying. Lately it's been fishing vessels that come by the reef, throw the guys out. Nobody can catch the boats. If a vessel enters our EEZ without a transponder, it's suspect. Put a transponder on, let's get some real data about catches, real data about where people are, what they're doing and how they're doing it.	The illustration depicts longline fishing effort in an area of 5 degrees latitude by longitude. The area illustrated for Guam does not imply that fishing has occurred in the EEZ as the area also represents the northern EEZ of the Federated States of Micronesia where foreign fleets are active. As foreign vessels are not licensed to fish in the Guam EEZ there are no requirements for transponders.
P22d	Guam - Mr Eads	Our FADs our federally funded. We're not allowed to put anything on our FADs. No netting. No unlighted rope. No extra stuff except the bare buoy because we might entangle sea turtles. Every FAD that I've ever found discarded or lost by a purse seiner is covered by hundreds of feet of purse seine webbing.	Neither the Pelagics FMP nor apllicable international agreements include regulations on the construction or deployment of drifting FADs as used in the purse seine fishery.

Tracking No.	Commenter	Comment	Response
P23	Guam - Mr Huira	None of the comments brought up talk about here [Guam]. So, are we going to be considered as part of the US or are we going to be considered as Guam. [earlier discussion about whether Guam counts as a US port in relation to the shark finning ban.]	Alternatives 2, 8, 9 and the new Preferred Alternative (Alternative 10) specifically affect fishing in Guam and are analyzed in the EIS. Recent amendment of the Magnuson-Stevens Act by Congress to ban finning of sharks without retaining their carcasses applies to U.S. vessels in areas under U.S. jurisdiction. Guam is a U.S. port.
P24	Guam - Mr Tedfaotao	Sometimes I saw people offloading sharkfin from Western Pacific here, and they're packing here and going to send them to Hong Kong. You said you're going to control shark. What higher authority is looking into those cardboard boxes and find out if it is legal or illegal. Where is the proper authority to find this out.	Agree - the recent amendment of the Magnuson-Stevens Act by Congress to ban finning of sharks without retaining their carcasses applies to U.S. vessels. Foreign vessels on the high seas are not subject to U.S. jurisdiction and are expected to continue the practice of shark finning. Clarifying regulations are scheduled to be published.
P25a	Guam - Mr Duenas	My biggest problem with the commercial fisheries in regards to the Hawaiian experience is that it will affect us [Guam]. Those folks have to go somewhere and they may come here. We might have a gear conflict. It's a reality that their management plan will someday come to Guam, just as bottom fishing will soon come to Guam and CNMI.	Agree - the Pelagics FMP applies to the EEZ around Guam. There are framework measures in the FMP that will allow effort restrictions (e.g., vessel size limits), closed areas or limited entry in a Guam-based longline fishery. There is currently a longline exclusion area around the island to minimize gear conflicts and catch competition between longliners and smaller vessels participating in other fisheries.
P25b	Guam - Mr Duenas	There's the issue of shark finning. I don't understand why another alternative don't identify the boats that are finning and get rid of those boats in Hawaii.	Until the recent ban was enacted, it was not illegal to engage in the practice of shark finning. The proceeds from this activity represented a significant component of crew compensation. Penalties for violation of the new law will be specified in forthcoming regulations.
P25c	Guam - Mr Duenas	As far as Guam is concerned, there are issues regarding foreign boats offloading here, shark fins are being offloaded all the time.	The recent amendment of the Magnuson-Stevens Act by Congress to ban finning of sharks without retaining their carcasses applies to U.S. vessels. Foreign vessels may continue the practice of shark finning. Clarifying regulations are scheduled to be published.

Tracking No.	Commenter	Comment	Response
P25d	Guam - Mr Duenas	The whole issue of attacking the longliners in Hawaii is wrong. If you take all the numbers done by SPC, 20 percent of the world's catch in our area, 20 percent is us trollers, longliners, pole and line guys. You're talking about thousands of boats that catch 20 percent of the fish. So 80 percent is caught by 150 purse seiners and they caught enough last year to feed the world this year. To me, purse seiners should be addressed here. Everyone knows you use large nets to encircle fish you're going to catch everything in that net: sea turtles, birds that dive into the water.	Section 1.4.1 is intended to provide this context, by showing that total region-wide pelagic fishery landings (i.e., including foreign vessels) are much larger than fisheries managed under the Pelagics FMP. However, this EIS addresses issues raised by U.S. domestic pelagic fisheries that are actively managed pursuant to the Pelagics FMP. Purse seiners are considered in the Pelagics FMP (in the context of fishing in Pacific remote island areas) and no specific policies or regulations for regulating purse seiners outside the EEZ stem from the FMP. The purse-seine fishery represents about 60 percent of the pelagic fish caught in the western and central Pacific Ocean (WCPO, Section 3.14.3). Unlike the purse-seine fishery in the eastern Pacific, dolphins are rarely caught in the WCPO and discards in the WCPO fishery amounted to less than 0.5 percent of the total catch volume (Section 3.5).
P25e	Guam - Mr Duenas	I don't think it's right that I, as a U.S. citizen, don't have any more rights versus the guy that is foreign. There's much more advantage for me to go to the Philippines and become a Philippine-flagged vessel and return to Guam and to offload. I could fin.	The exemption of certain U.S. laws for the Territory of Guam is intended as an economic stimulus for Guam.
P25f	Guam - Mr Duenas	With all due respect to the Coast Guard, they cannot enforce the alien interdiction problem, want more boats fishing 50 miles out. We do have a closure area for longline. We do have three longline domestic boats. Who is going to monitor them to stay out 50 miles? No one.	The area closure could be enforced using VMS, but with the USCG's fiscal crisis they are reducing air and surface patrols in the region.
P26a	Guam - Mr Christensen	I just seem to see a continued indifference in the decline in the pelagics out here.	NMFS is very concerned about the status of the stocks of PMUS, NADS and protected species. The EIS and the new Preferred Alternative (Alternative 10) reflect these concerns.
P26b	Guam - Mr Christiansen	My suggestion would be to take the most conservative action possible until the data proves differently or proves what is the best plan to manage our fisheries.	All indicators suggest that no PMUS are overfished.
P27			

Tracking No.	Commenter	Comment	Response
P28	Guam - Mr Smith	My concern is as far as the law enforcement side is concerned. Here we notice [foreign] longliners unloading fish, there's thousands of pounds just being thrown away because they're freezer burned. We would like to have somebody come up to us and give us some federal status of what we can do about it, because I see too much fish being wasted.	Foreign vessels fishing on the high seas are not subject to U.S. regulations. Spoilage of stored product is an economic problem for the owner, and possibly a solid waste disposal problem subject to Guam regulations.
P29	Saipan - Mr Gurley	Basically we're regulating the American Hawaii fishermen and we're doing nothing to address the impacts of foreign-based or California. I don't understand the logic there.	This EIS concerns only those fisheries managed under the Pelagics FMP. Separate laws and regulations apply to other fisheries.
P30a	Kona - Mr McCoy	To decide what alternative we should use the idea of continuing some form of fishing, whether it be through Option A or a more realistic approach such as was offered by Dr. John Hampton (Appendix E).	The new Preferred Alternative (Alternative 10) has a much higher targeted turtle take reduction percentage over any of the time/area closure scenarios favored by Dr. Hampton. Option A, however, would be similar in many respects to his "enhanced monitoring and direct management of turtles" zone.
P30b	Kona - Mr McCoy	Dr. Hampton makes the key point that a lot of this closed area is still going to continue with foreign fishing. I am concerned about the bigger picture, the government and the public thinking no other fishing takes place and everything is hunky dory when we know that's not the case.	The EIS notes that the Hawaii-based fleet represents about 2.5 and 4.5 percent of the total longline effort in the Pacific and North Pacific, respectively. See Section 4.11.3.1.4.
P30c	Kona - Mr McCoy	But if we close all of the U.S. fishing, we're also going to close off any opportunity for data collection. Instead, define a high-take zone that would be subject to enhanced monitoring and then close if off to observed take when it reaches pre-determined levels. Otherwise we're not going to get any data on what's going on [with the foreign fleets that are fishing out there also.]	Option A would function much as you suggest. However, this will not improve our understanding of foreign fleet turtle interactions.
P30d	Kona - Mr McCoy	The U.S. effort at the MHLC is going to flop terribly if the approach of the U.S. is to first stop all fishing and then talk about how we're going to do it. Japanese, Koreans and Taiwanese won't come to the table to even discuss things unless we have some common ground. That common ground is going to have to be continuation in some form of a very large industry in the Central and Western Pacific.	The expressed concern may be valid and highlights the value of Option A.

Tracking No.	Commenter	Comment	Response
P30e	Kona - Mr McCoy	So I think the alternatives which allow some form of fishing, highly observed, 100 percent observers, that takes into account as Dr. Hampton has proposed, is probably the most logical and practical way to proceed. It would give us the opportunity to get where we want to get with incidental take of turtles.	Dr. Hampton's analysis is mindful of fishing effort disruption and consequent economic impacts. Under ESA, however, reduction of turtle takes is of paramount importance, and NMFS must fulfill its legislative mandate under ESA.
P31a	Kona - Mr Gaffney	This should be an ecosystem wide EIS focusing on the broader line of fisheries in the Western Pacific Region. In all the alternatives, I see that this EIS is focused almost solely on the longline fishery. I think this is a mistake, and I think that the Sustainable Fisheries Act, Magnuson-Stevens Act, NEPA all require of an FMP a much broader perspective.	Much of the western Pacific ecosystem lies outside U.S. jurisdiction. This EIS reflects the relative importance of the Hawaii-based longline fishery within the Pelagics FMP-managed fisheries in the Western Pacific Region. The infinite range of alternatives has been narrowed appropriately. In this case, there are no prohibitions that apply to any other specific pelagic fishery in the region, nor are there reporting and recordkeeping requirements, or even requirements for federal permits, for any other specific pelagic fishery. Where specific issues are apparent, such as the potential gear conflict issue in American Samoa, alternatives have been developed.
P31b	Kona - Mr Gaffney	The premise seems to be that the longline fishery is the dominant fishery, and that's an incorrect perception. I think there are a number of studies that would indicate that the recreational sport and charter fishery in the Western Pacific Region is superior in a number of ways. It employs more people, it has a greater economic impact, there's more vessels involved. In everything other that the total value of landed catch, depending on how you analyze the value of landed catch, the recreational fishery is in fact dominant.	No attempt is made in the economic analysis to identify any fishery as a dominant fishery. Information reported for the various fisheries may identify where each fishery ranks in comparison to the other fisheries for certain measures, but an overall dominance ranking is not attempted or provided.
P31c	Kona - Mr Gaffney	There are many, many, many errors when it comes to discussion of recreational fisheries in the region. There is, for instance the statement that there is no direct fishery for spearfish in the region. There is a very focused fishery on that species here in Kona. Literally people come from all over the world for that specific species, and they're successful in getting it here when they can't get it other places.	The text has been modified to recognize the emerging interest in spearfish as a sportfish in Hawaii.

Tracking No.	Commenter	Comment	Response
P31d	Kona - Mr Gaffney	That's typical I think for the kinds of short-sightedness or lack of research that's gone on. Of course, we all know that the database that's available to NMFS, to West Pac, with regard to recreational sport and charter fishing is extremely poor and that's the result of basically 25 years of neglect of that fishery.	The lack of data on recreational catch, effort and protected species interactions, is a significant impediment to our understanding of the effects of fisheries on the pelagic ecosystem in the western Pacific. Several programs are being designed and implemented to address this deficiency. In Hawaii, the Marine Recreational Fisheries Survey has recently begun again, after a gap of 20 years. This program includes a telephone survey, an angler intercept survey and a charter boat intercept survey.
P32a	Hilo - Mr Gilmartin	I find myself agreeing with the preferred alternative in the Pelagics. I think it is a good measure and a conservative way to manage these species.	In response to new information, comments and analyses, including the Pelagics BO, a new Preferred Alternative has been developed.
P32b	Hilo - Mr Gilmartin	I am opposed however to the inclusion of Option A because it would likely increase the take of turtles and from what I understand the low level of turtle takes would have to be done for an extremely long period of time in order to get the numbers to suggest a particular methodology may be a little bit better at saving turtles than another.	Option A is not a part of the Preferred Alternative. It would, however, offer the potential or solutions that could be exported internationally with significant positive impacts on world-wide turtle stocks.
P32c	Hilo - Mr Gilmartin	I would also suggest that the fishery continue at what is the current observer coverage, which I think is about 20 percent on the tuna fishery and 100 percent on the swordfish fishery.	The new Preferred Alternative (Alternative 10) specifies 20% observer coverage in the tuna fishery. If Option A is implemented as proposed, there will be 100% observer coverage of these shallow sets.
P33a	Hilo - Ms Tummons	There should be some minimum number of percentage of observer coverage established in the alternatives. Without some minimum level of observer coverage established in this document, I think we could see a return to this de minimis type of coverage that you had for many years, basically from '94 to '98 or '99 when this lawsuit was brought. A level of 20% for the tuna vessels seems reasonable.	The new Preferred Alternative (Alternative 10) specifies 20% observer coverage in the tuna fishery. If Option A is implemented as proposed, there will be 100% observer coverage of these shallow sets.
P33b	Hilo - Ms Tummons	You have one set of observers that is going to be required for the turtle interactions and in your rules for seabird interactions it seems you have put in place another set of observers, why not combine the two observers and have just one observer who is able to report the incidence of bycatch for the turtles and the seabirds.	NMFS' plans call for only one set of observers.

Tracking No.	Commenter	Comment	Response
P89	Lanai - Willie Orboro	Related story of one leatherback that nested there years back but eggs were watched and never hatched.	Comment is an observation. No response required.
P107a	Lanai - George Purdy	Everything around Lanai is "all fished out" as everyone comes there to go fishing, particularly on the calmer side. He used to be an onaga fisherman, but now onaga is small where it used to be 50lbs or more. He has other jobs for money now as you can't catch enough to sell for a living.	Territorial seas are not included under the Pelagics FMP.
P107b	Lanai - George Purdy	There are maybe 3 or 4 local boats that supply fresh fish sufficient to supply the resorts on the island. There are some charter and recreational boats that fish.	Comment is an observation. No response required.
P107c	Lanai - George Purdy	His idea for turtles and some of the target species is to breed them and let them loose. Do some studies and figure out how to raise them and release them. After all, if they can do green mice at the university, why not some protected and target species?	While it may be possible to develop techniques for the protection and hatching of turtle eggs, closure of the life cycle of a sea turtle species in captivity would be an even more difficult scientific undertaking, given the current paucity of information on turtle life cycles and migratory patterns.