APPENDIX S

Public Comments on the Draft Environmental Impact Statement on the Pelagic Fisheries of the Western Pacific Region: Summarized Transcription of Written Testimony Submitted to National Marine Fisheries Service, Pacific Island Area Office, During the Official Public Comment Period of December 15, 2000 to January 29, 2001, with Responses.

WRITTEN PUBLIC COMMENTS

Tracking No.	Commenter	Comment	Response
P34	written - Mssrs. Mareck, Thompson, Aasted, Narrone	We are adamantly opposed to our fishing being stopped for the months of April and May. Those months account for 18-27 percent of our annual production [based on fish records for ten years].	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to Section 3.10.2.3. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the DEIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the EIS.
P35a	written - Gary Ishimoto	I purchase fish for a wholesale fish company that depends heavily on the Hawaii longline fishery for fresh pelagic fish at all times but especially during these two months, which include the Lenten period of high consumer demand.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to Section 3.10.3.1. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the DEIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the EIS.
P35b	written - Gary Ishimoto	To offset the large reduction in domestic fish supply, my company will have to import tuna and other pelagic fish species during the closure.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to Section 3.10.3.1. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the DEIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the EIS.
P35c	written - Gary Ishimoto	Section 4.11 of the DEIS indicates that many of the countries from which substitute products may be imported have fisheries with higher incidental catches of sea turtles than the Hawaii longline fishery. Your preferred alternative (and other alternatives that would stimulate more pelagic fish imports) has a good chance of increasing the net sea turtle mortality, rather than decreasing it.	"Exportation" of impacts along with demand is a possibility discussed in Section 4.11. In the case of swordfish, the demand would arise from areas outside of Hawaii, as the bulk of swordfish landed in Hawaii is exported. The preferred alternative permits tuna fishing year-round, although with an area to the South of Hawaii closed for two months.

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P35d	written - Gary Ishimoto	The closure during the months of April and May will ultimately hurt Hawaii's longline fishing industry, its support industries, and thousands of people that work in this industry.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to Section 3.10.3.1. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P36a	written - Garret Kitazaki	I purchase fish for a wholesale fish company that depends heavily on the Hawaii longline fishery for fresh pelagic fish at all times but especially during these two months, which include the Lenten period of high consumer demand.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to Section 3.10.3.1. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P36b	written - Garret Kitazaki	To offset the large reduction in domestic fish supply, my company will have to import tuna and other pelagic fish species during the closure.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to Section 3.10.3.1. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
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P36d	written - Garret Kitazaki	The closure during the months of April and May will ultimately hurt HI's longline fishing industry, its support industries, and thousands of people taht work in this industry.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to Section 3.10.3.1. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.

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P37a	written - Van Simpson	I am against the proposed closure of the fishing grounds, I feel it would cause a greater economic hardship than a benefit.	Comment is an opinion. No response required.
P37b	written - Van Simpson	We occupy a small part of total tonnage as opposed to the total tonnage taken by all fishing vessels in the proposed areas. It is unfair to select such a small percentage of fishermen and apply such stringent measures without any real proof that these actions would have any significant effects on the turtle population.	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.
P37c	written - Van Simpson	It is better through training and modifications of fishing techniques, to reduce the number of interactions.	NMFS is working to develop experiments that may lead to new longline fishing strategies or gear modifications for reducing sea turtle/longline gear interaction rates throughout the Pacific Ocean.
P37d	written - Van Simpson	Though a seasonal closure would not kill the fishing industry, it would cause unnecessary hardships.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to the EIS. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P37e	written - Van Simpson	This proposal would affect more than those who would actually catch the fish. The proposal will affect vendors, mechanics, electricians, electronic specialists, and others, therefore, resulting in hardships and relying on compensation and welfare to meet basic living standards.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added to the EIS. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P38a	written - Glenn Tanoue	We are very concerned that NMFS is suggesting a two month closure of our longline fishery. In the months of April and May 2000 we bought and sold approx. $2.5 million worth of fresh seafood from the local auction and 90 percent were from longline products. The loss of sales and revenues will be very severe and I foresee a significant amount of jobs lost because of the closure.	To better describe the economic effects of seasonal closures, a figure showing average monthly landings of tuna, PMUS, and bottomfish from 1979 through 1999 has been added. In addition, changes were made in 4.8.8 to reflect seasonal closure market issues. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in this Final EIS.

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P38b	written - Glenn Tanoue	I request that there be no closure and that NMFS and our fishermen work together to find alternative methods to set their lines that will result in fewer interaction with the turtles.	NMFS has considered this comment and all available scientific information and revised the preferred alternative in the Final EIS. The new preferred alternative will close the directed swordfish longline fishery and implement a two-month (April and May) area closure for the tuna fishery. The area closure will prohibit all longline fishing south of 16° N lat., north of the equator (0°lat.), between 145° W long. and 180° long., however, tuna longline fishing will be allowed throughout the year outside of the closed area. In addition, NMFS is working to develop experiments that may lead to new longline fishing strategies or gear modifications for reducing sea turtle/longline gear interaction rates throughout the Pacific Ocean.
P38c	written - Glenn Tanoue	Currently there is very little interactions between the tuna longliners and turtles.	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.
P38d	written - Glenn Tanoue	I suggest that EarthJustice and the fishing industry work together in partnership by creating a fund to breed and raise turtles to be released into the ocean. To fund this program, for every pound of longlined fish, a tax would be assessed. EarthJustice would match our total contribution so that a perpetual fund can be created.	NMFS is investigating all possible measures to help increase sea turtle populations and mitigate the population-level impacts of sea turtle mortality from longline gear interactions.
P39	Written - Steven Krown	I strongly urge you to stop longliners in Hawaii and American Samoa. The practice of incidental catch must be stopped to prevent the brutal destruction of sharks, sea turtles, sea birds, and low priced fish.	The preferred alternative, in conjunction with the STAL BO, the legislative ban on shark finning and the RPMs from the Pelagics BO will minimize bycatch and mortality of sharks, turtles and seabirds. At this time it is not possible to completely eliminate bycatch of non-target fish species in longline fisheries.
P40	written - Nancy Do	Banning longline fishing will put my family on the street. Fishing has been our source of income for over twenty years. The number one reason why we fish, is because we have to pay our bills. If you could think of a way to negotiate with the fishing industry, it would help everyone.	The EIS describes and analyzes the economic impacts of the various alternatives, as well as protected species considerations.
P41	written - Stacy Aly	I feel that banning longline fishing is an act that will cause more harm than good. By implementing this ban we will be forced to buy our fish from mainland suppliers at higher prices. Many fishermen will be out of employment unable to support their families and being a drag on our economy.	Additional information on the social and economic impacts have been made to reflect the impact of seasonal closure on market, supply, and alternative activity issues.

Tracking No.	Commenter	Comment	Response
P42	written - Joy Mitchell	I feel here in the islands there is a need for commercial fishermen. It is one of the most natural resources here in the islands. I feel that it should not be banned but that we should find a compromise for these longline fishermen. This is their means of supporting family needs and selves. Don't take this away from them.	Comment is an opinion. No response required.
P43	written - Rose Bau??h	Many HI residents make a living by fishing. Their only source of income is catching fish and selling them to local vendors. Banning fishing will make families struggle even more if they should ban them.	Additional information on the social and economic impacts of job loss and reduced income have been added.
P44	written - Cathy Sum Sung	I as an Islander feel we should never ban the longline fishery. We have the best tasting fishery; it is the most natural, no chemicals. These are hardworking people and this is their livelihood.	Comment is an opinion. No response required.
P45	written - Carrie Suru Freith	Here in the islands the need for longline fishing is something that can't be taken away. I believe first and foremost it needs not to be banned but a compromise should be instated. If fishing is banned for good we would have no choice but turn to the mainland for our fish then causing our prices to shoot up rapidly.	Comment is an opinion. No response required.
P46	written - Laura Kalubu	Re commercial longline fishing issue, we still need to keep the fishermen working. It is their livelihood and generates income of the industry as well as creating food for the people of Hawaii.	The new Preferred Alternative (Alternative 10) keeps the majority of longline fishers working year-round. Those fishers now targeting swordfish using shallow sets, however, must change fishing methods or leave the fishery. If Option A is implemented, some of the swordfish fishers may be able to fish under the Fishing Experiment.
P47	written - ??	I feel bad when the fishing industry in Hawaii is being banned because that's the only means of livelihood of people in Hawaii.	Comment is an opinion. No response required.
P48	written - Elena Takaki	Support the objectives listed for Preferred Alternative 7.	Comment expresses a preference for an alternative. No response required.
P49	written - Jonathan Wallace	Support for Preferred Alternative 7. An experimental fishery can not be justified in the Hawaiian fishery. The rate of turtle capture necessary to obtain statistically significant results would be unacceptably high considering the critically endangered status of these turtles.	The description of Option A in the Final EIS has been expanded to provide details necessary to generate statistically reliable conclusions.
P50	written - David Pittman	Suggest Alternative 7, without any experimental fisheries involvement. Longline fishing strictly prohibited.	Comment expresses a preference for an alternative. We assume the desired prohibition of longlining refers to shallow swordfish sets.

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P51	written - Peter Webster	Prefers Alternative 1 and Option A. From my experience the tuna fleet has a minimal interaction with turtles and other endangered species. I feel our fishing would provide important data for species in question.	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 the new Preferred Alterantive (Alternative 10) is adopted without Option A, no data on shallow sets will be generated.
P52	written - Julie Bickley + 7	Support for Alternative 8. No experimental fishery. Only a complete ban of longline will protect the turtles.	Comment states a preference for an alternative. No response required.
P53	written - Karin Baumgartner	Do everything possible to end this abhorrent practice [longline fishing].	Assume this comment reflects a preference for an alternative. No response required.
P54	written - Geoff Sweeney	Do everything in your power to limit and/or terminate the longline method of fishing. It is an ecological diaster and a moral outrage.	Assume this comment reflects a preference for an alternative. No response required.
P55	written - Samntha Freeland	Support Alternative 7 and oppose the plan for experimental fishing. On behalf of Earth Club at USC.	A new Preferred Alternative has been developed as a result of new information, comments and analyses, including the Pelagics BO. Option A is not part of the Preferred Alterantive, but may be pursued under an ESA Section 10 permit.
P56	written - Cecilie Davidson	Please do everything in your power to adopt only policies that reduce all species of turtle takes to the lowest possible levels. For Intl Year of the Tiger Foundation.	Assume this comment reflects a preference. No response required.
P57	written - Sharon Hurd	For Air Cargo Association of Hawaii Board of Directors We support HLA's request to stop NMFS from seasonal closures of all longline fishing areas because it would negatively impact the fishing industry in Hawaii and closures would do little to help the pacific wide turtle populations [as other nations will fish in the areas that are off-limits to Hawaii fishermen.]	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.
P58	written - Sabina Ludwig	I strongly urge NMFS to halt this wasteful practice [longline fishing]. Limiting longliners for only two months is not enough. The unconscientious brutal destruction of sharks, sea turtles, dolphins, seabirds, etc. must be stopped.	Assume this comment reflects a preference for an alternative. No response required.
P59	written - David Dewenter	Pacific leatherback are endangered and each member of the species is significant and needed for reproduction and survival. Alt 7 would provide the greatest safety for the different sea turtle species while providing for the continuation of the longline fishery and should be the course of action.	Comment states a preference for an alternative. No response required.

Tracking No.	Commenter	Comment	Response
P60a	written - Bonnie Bator	Stop the longline industry until such time that a baseline data of fish count be undertaken.	All indicators currently show that most PMUS stocks are stable, none are overfished.
P60b	written - Bonnie Bator	Also, the sustainability of target species needs to be established.	All indicators currently show that most PMUS stocks are stable, none are overfished.
P60c	written - Bonnie Bator	Moreover, if the longline industry is reinstated to fish in the WPR, honest oversight upon each and every ship needs to be mandated.	The new Preferred Alternative (Alternative 10) specifies 20 percent observer coverage in the tuna fishery. If Option A is implemented as proposed, there will be 100 percent observer coverage of these shallow sets.
P60d	written - Bonnie Bator	Lastly, the practice of incidental catch [of sharks, sea turtles, sea birds, monk seals and low-priced fish] must be outlawed. The penalty should be immediate surrender of ships and related asset foreclosure.	The new Preferred Alternative (Alternative 10) in conjunction with the STAL BO, the legislative ban on shark finning and the RPMs from the Pelagics BO will minimize bycatch and mortality of sharks, turtles and seabirds.
P61	written - Joey Fink	I fully support Alternative 8, complete ban of longline fishing in US waters and the banning of landings from vessels using longline gear.Preferred Alternative 7 not enough, experimental fishery should not be allowed.	Comment states a preference for an alternative. No response required.
P62a	written - Ward Graessle	Protest to the preferred alternative. I feel it is overly harsh.	Comment states an opinion. No response required.
P62b	written - Ward Graessle	It would seem that increasing coverage of the observer program would be a better alternative.	NMFS is considering and analyzing methods of collecting information on sea turtle mortality that results from all the various types of pelagic fishing methods utilized in the Pacific Ocean by both domestic and foreign fishers. NMFS agrees that adequate observer coverage is needed to collect statistically reliable information on fishery bycatch. The new Preferred Alternative (Alternative 10) requires at least 20 percent observer coverage in the Hawaii-based longline tuna sector. However, it is important to note that the presence of observers onboard fishing vessels, or increasing the level of observer coverage, does not reduce the level of sea turtle take by longline fisheries.
P62c	written - Ward Graessle	I would like to see NMFS make their decision based not on the demands of the vocal minority but on the best science and data available and what the scientists say sustainable.	The sustainability of the turtle population is at the heart of this matter. It is NMFS's responsibility to carry out its mandate under the ESA. The new Preferred Alternative (Alternative 10) represents a precautionary approach, given the paucity of good data on turtle interactions, post-hooking mortality and other key parameters.
P63	written - Sarah Bajarin	Urge Alternative 8, complete abolishment of longline is essential to protect the endangered species.	Comment states a preference for an alternative. No response required.

Tracking No.	Commenter	Comment	Response
P64a	written - Rebecca Do	By banning the longline industry a lot of people will lose their jobs and be forced to go on welfare. The longlining industry is the main source of income for my family.	The EIS describes and analyzes possible alternate uses of vessels and the fact that some current participants in the fishery may leave.
P64b	written - Rebecca Do	Many of the workers are not good at English and that will give them a hard time finding work outside the industry.	Agree - no response required.
P65	written - Julie Do	I understand we have to protect our endangered species but the public has to understand that fishing is my father's life and the only way he can promise his children a bright future. Banning fishing for a few months or limiting a vast area of the ocean from longliners is not a compromise.	The EIS attempts to describe the economic impacts of the various alternatives. However, management measures must address protection of endangered species under the ESA.
P66	written - Jimmy Do	Fishing in the longline fishing industry is how my father gets the money to pay bills for house, boat, food and college.	The EIS attempts to describe the economic impacts of the various alternatives. However, management measures must address protection of endangered species under the ESA.
P67a	written - Peter Craig	DEIS purports to provide a "comprehensive examination" yet it does not address the bycatch of a key ES in American Samoa, the hawksbill sea turtle. Hawksbills are in serious trouble in our region. The recent NMFS/FWS Recovery Plan (1998) states that "in the Pacific this species is rapidly approaching extinction" and that they have become "seriously depleted" in the Paciific.	From 1992-1999, the take of sea turtles in the American Samoa longline fishery included at least four hard-shelled sea turtles (three released alive, and one mortality), one leatherback and one unidentified turtle. These figures are from federal logbooks; there is no observer coverage in this fishery. The new Preferred Alternative (Alternative 10) includes a provision for observers throughout the Western Pacific Region where feasible.
P67b	written - Peter Craig	Although the Recovery Plan does not specifically list fisheries bycatch as a main threat to hawksbills in American Samoa, its text [written in ~1994] predates the rapid expansion of American Samoa's new longline 'alia' fishery (which began about 1996.) This fishery indeed has a turtle bycatch according to logbooks.	From 1992-1999, the take of sea turtles in the American Samoa longline fishery included at least four hard-shelled sea turtles (three released alive, and one mortality), one leatherback and one unidentified turtle. These figures are from federal logbooks; there is no observer coverage in this fishery. The new Preferred Alternative (Alternative 10) includes a provision for observers throughout the Western Pacific Region where feasible.
P67c	written - Peter Craig	There is a need for an American Samoa-specific FMP that addresses local turtle bycatch issues, and a need for obsevers to quantify turtle interactions.	The Regional Council process and the existing Pelagics FMP include sufficient ambit to accommodate area-specific management issues and needs.
P68a	written - Theresa Menard	P3-103a says there are no reports of interaction between hawksbills and Hawaii-longline. This statement is not in agreement with Skillman and Kleiber 1998 who reported "3 turtles were logged as hawksbill turtles in 1995" and 4 in 1996. In the interest of clarity, please add a few sentences to the DEIS to let the reader know why this was not discussed in the DEIS.	NMFS does not rely on logbook data for protected species data interactions because of the unreliability of species identifications. NMFS observers have never seen a hawksbill interaction in this fishery.

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P68b	written - Theresa Menard	The criteria for evaluating a vessel operator's opinion should be stated in the DEIS (or cited somewhere). Some criteria may be more valid than others. For instances the lack of a 'hawksbill' on an adult might be a good reason to disagree with the vessel operator's determination. Whereas the finding of a juvenile hawksbill outside its known range might not be an appropriate reason given we know so little about the foraging behavior of hawksbills in the Pacific.	NMFS does not rely on logbook data for protected species data interactions because of the unreliability of species identifications. NMFS observers have never seen a hawksbill interaction in this fishery.
P68c	written - Theresa Menard	If Skillman and Kleiber used correct numbers, then the allowable take of hawksbills (2 per year as established in the 1994 BO) was exceeded in 1995 and 1996. Given the "underreporting of turtle takes" in the logbook data (S&K 1998) it seems likely the take was even higher. Because hawksbill turtles are critically endangered and the statistical models to derive take estimates are of questionable accuracy, whenever the number of turtles logged by vessel operators exceeds the allowable amount, the logbook data should override the modeled estimates.	NMFS does not rely on logbook data for protected species data interactions because of the unreliability of species identifications. NMFS observers have never seen a hawksbill interaction in this fishery.
P69a	written - Capt Steve Gates	I am deeply concerned about Alternative 7. This alternative will make it economically impossible to operate a viable longline fishery from Honolulu. For the past three years 23-37 percent of my yearly gross has been taken in April and May. Loss of this revenue would not allow me to sustain my operation during the slower and less profitable summer months, and the rest of the year barely covers itself. With the recent increases in other operating cost, especially fuel which has increased almost 75 percent in the last year, any loss of fishing effort would force me to relocate or quit and the latter is not an option.	Changes were made in 4.8.8 to reflect seasonal closure market issues. New cost information was not added to the vessel cost model due to lack of available information. Also, fuel price increases may, or may not, be long term relative to fish prices.
P69b	written - Steve Gates	Also any benefit to the turtle stocks would be offset by increased foreign activity especially in the areas directly adjacent to the U.S. EEZ around Johnston Island and Palmyra Atoll. The presence of the domestic longline fleet generally keeps the foreign vessels farther south to avoid gear conflicts.	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 assess the potential adverse impacts for turtle populations.
P69c	written - Steve Gates	The displacement of any of the domestic fleet could also have a negative effect. If I were forced to relocate to Central or South America my area of operation and target species would greatly increase my likelihood of interactions with endangered sea turtles and could potentially have negative impact on less stable fish stocks.	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 assess the potential adverse impacts for turtle populations.

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P69d	written - Steve Gates	Any time closure would also have a long term negative effect on the overall marketing of fresh Hawaii fish as seafood buyers are dependent on a steady product supply to remain competitive. When forced to locate new sources for this steady supply of a fresh product, they are often reluctant to return to the old sources if the steady supply is going to continue to be a problem. When Hawaii fish is again available, the buyers would use the foreign import availability as leverage to hold the domestic price down even though the domestic product is of much higher quality.	Changes were made in 4.8.8 to reflect seasonal closure market issues. We have no evidence that higher quality local fish prices would suffer due to market pressure from imported fish that is different than those pressures in the present time. The text acknowledges that there will be changes to the imports and exports of fish and that for tuna and swordfish it is an international marketplace. Information on the increased reliance on imported fish has been added. However, the new Preferred Alternative (Alternative 10) allows tuna-style fishing year-round subject to time/area closures.
P69e	written - Steve Gates	The lower quality product would tarnish Hawaii's reputation for some fo the finest quality product available, as imports would likely be marketed as Hawaii fish.	Information on tuna quality emphasis in Hawaii pelagic fish marketing and the difficulty of substituting lower quality imports for domestic product has been added to Chapter 4.
P69f	written - Steve Gates	There are some major issues with saving endangered turtle populations that need to be addressed other than interactions with the longline fleet. The loss of nesting habitat, coastal pollution, the Chilean Gilnet fishery, the harvesting of turtle meat and eggs that still continues, just to name a few.	These issues have been addressed in the EIS.
P69g	written - Steve Gates	Please consider an alternative that continues to allow what is a very clean fishery by commercial standards to operate while at the same time working to develop new mitigation methods and continuing the collection of accurate data for assessing stock and migratory information. I believe the preferred alternative is Alternative 1.	NMFS has considered the range of alternatives in the Draft EIS, as well as the best available scientific information, in determining the preferred alternative in the Final EIS. NMFS is investigating all possible measures to help increase sea turtle populations, to mitigate the population-level impacts of sea turtle mortality from longline gear interactions, and to collect data on sea turtle mortality that results from all the various types of pelagic fishing methods utilized in the Pacific Ocean by both domestic and foreign fishers.
P70a	written - Glynn Ross	I am in opposition to any closure of the longline fishing industry in Hawaii. To close an industry for two months which would cause a lag time of an additional two-four weeks, would be devastating to the seafood industry.	Comment states an opinion. No response required.
P70b	written - Glynn Ross	One of the seafood industry's largest most profitable times in the year is during the Easter - Lent season.	A figure has been added to Chapte r 3 showing monthly landing trends. Changes were made in 4.8.8 to reflect seasonal closure market issues. The new Preferred Alternative (Alternative 10) minimizes tuna-style closure.

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P70c	written - Glynn Ross	There are no regulations or at least no enforcement of any reasonable standards dealing with sound environmental practices, let alone those dealing with the care or concern of the mortality rate of the sea turtle in many of these third world countries and yet closing the Hawaii fishing industry for a period of time will no doubt force the substitution of imported products from areas which will in turn increase sea turtle mortality many times over compared to that of the Hawaii fishing industry.	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 with potential adverse effects for turtle populations.
P71a	written - James Anderson	I strongly endorse Alternative 9, that the Council define and evaluate the costs and benefits to alternatives to limit entry or effort of longline fishing within the limits of the American Samoa EEZ, and to draft an FMP for that purpose. The longline fishery in American Samoa is in its infant stages of development and as such we need our fishery to be protected from outside forces that could easily remove these resources from under our noses in vast quantities and funnel the profits to outside bank accounts.	Comment states an opinion or a preference. No response required.
P71b	written - James Anderson	I endorse Alternative 5 as a reasonable course of action to limit interactions between the Hawaii-basedbased ll fishery and endangered species. Alternatives 1 and 2 are not considered since they are less restrictive than Alternative 5. Alternatives 3,4,6,7,8 are unacceptable as they exclude certain areas to longline fishing. Such an exclusion is detrimental as by closing these areas to the Hawaii fleet merely opens them to foreign fleets who at the present time avoid those areas due to gear conflicts with their U.S. counterparts.	Alternative 5 is the same as Alternative 7 but without a seasonal closure of the Hawaii tuna longline sector. Comment states an opinion or a preference. No further response required.
P71c	written - james Anderson	Additionally, it is stated on p2-23 that a nearly negligible effect on the mortality rates of endangered sea turtles will result from even the most extreme restriction placed upon the HI longline fishery alone. Expert testimony in CMC v NMFS further supports this statement.	Even if the Hawaii-based longline fishery is responsible for only a small portion of the total turtle mortaility, NMFS must meet the legislative mandate under ESA.
P71d	written - James Anderson	Furthermore, American Samoa longline fishing could be adversely affected by an inundation of boats seeking refuge from the regulations that would be imposed upon them in Hawaii.	Large vessel area closures around American Samoa are proposed as part of Alternatives 2-7 and Preferred Alterantive 10 as a precautionary measure. Alternative 9 would evaluate the need for limited entry in American Samoa longline fishery. The potential of displaced vessels shifting to American Samoa is discussed in Section 4.9.

Tracking No.	Commenter	Comment	Response
P71e	written - James Anderson	I strongly suggest that whatever alternative is applied to Hawaii longline fishing is not necessarily applied to the American Samoa FMP, particularly regarding the deeper setting of gear. American Samoa alia fishermen do not and cannot install line shooters or similar equipment due to boat design.	The Preferred Alternative provides restrictions on the use of shallow-set gear north of the equator.
P72a	written - Chris Evans	Need to develop a territory-specific FMP for the pelagic fisheries resources of American Samoa. American Samoa's longline fishery for albacore is quite different in nature to that of Hawaii. It differs significantly in vessel type/size, line-length, hook set depth and in that there is a high participation rate by local, traditional fishermen. A separate FMP for American Samoa developed in close consultation with the traditional fishermen to fit seamlessly with the existing regional FMP would undoubtedly provide an instrument that would increase the local effectiveness of commercial fisheries management. Alternative 9 provides for the large vessel area 50 nm closure plus control date for limited entry in American Samoa. It also provides for implementation of a comprehensive research plan that will enable catch interactions to be more thoroughly evaluated and appropriate management action to be taken. I would urge the adoption of this management option. A proposal for a comprehensive oceanic fisheries research program for American Samoa has been developed by DMWR and already submitted to PIAO.	The Regional Council process and the existing Pelagics FMP include sufficient ambit to accommodate area-specific management issues and needs.
P72b	written - Chris Evans	Need for establishment of local fisheries management structure. The present vehicle for small-scale commercial fishermen in AS (the *alia* fishing operators) to put forward their concerns over fisheries management issues to the Council moves with insufficient communication and participation, and consequently lacks speed and power to effectively contribute to local Territorial commercial fisheries management. Establishment of a Small-Scale Commercial Tuna Fisheries Management Committee well represented by, and staffed chiefly by, local commercial *alia* fishermen and boat owners, is needed to rectify this situation. There is a valuable lesson to be learned from the precedent of Independent Samoa, which in recent years established a Commercial Fisheries Management Advisory Committee and set a limit on the number of tuna boat operators at 185.	The Regional Council process and the existing Pelagics FMP include sufficient ambit to accommodate area-specific management issues and needs.

Tracking No.	Commenter	Comment	Response
P72c	written - Chris Evans	At the meeting between Paul Bartram and the *alia* fishing operators in American Samoa held on 29th Sep 2000 the fishing operators confirmed their desire to establish a 50 nm zone around the islands of American Samoa and to establish the limited entry program for the pelagic fishery 50-200 nm offshore of the islands. They also expressed a desire to increase the 50' minimum vessel length to 60' to accommodate the larger existing vessels in the domestic fishery. They said that there is a need to move fast on this so as to protect the resource and traditional fishing rights from increased resource exploitation that may result from the displacement of longline fishing vessels from Hawaii's pelagic fishery and the attractions of vessels from Hawaii and mainland north America to this fishery. Paul Bartram reinforced the urgency in his fax to me of 7th Dec and the desire to have draft regulations for discussion sometime in 2001.	The Regional Council process and the existing Pelagics FMP include sufficient ambit to accommodate area-specific management issues and needs.
P72d	written - Chris Evans	At the [above-mentioned] meeting the fishing operators expressed a desire to apply to the WPRFMC to establish a 50 nm zone around banks as well as islands. There is data available on the aggregation effects of seamounts, in the scientific literature relating to the Hawaii pelagic fishery. There is also a most relevant precedent as the Territory of Guam has a small boat zone around both islands and banks. A GIS exercise, to explore how much additional area might be closed if the proposed 50 nm closure were extended to seamounts as well as islands in the American Samoa EEZ, indicated that not much more area would be added. However, protection of several additional, and valuable offshore banks outside of the proposed island 50nm zone would be enhanced by a banks closure. We would also point out that it is not so much the area that is important but conservation of the oceanic (pelagic and bottomfish) resources and the maintenance of traditional rights to fish them. There remains a strong desire amongst the fishing operators - resources users and owners for a 50nm zone around the banks as well as the islands, as a modular attachment to the Council's Pelagic FMP, or a provision of a Council FMP specifically developed for American Samoa.	The Regional Council process and the existing Pelagics FMP include sufficient ambit to accommodate area-specific management issues and needs.

Tracking No.	Commenter	Comment	Response
P72e	written - Chris Evans	There appears to be a need to cap fishing effort in the domestic, near-shore pelagic fishery, 0-50nm from shore, by limitation of the number of licenses at a level appropriate to the best economic return for effort, despite the probability that the fishery is still in the developing phase: 1. Catch rates of albacore tuna have declined in recent years in both Independent Samoa (Samoa Fisheries Division Reports, Mike King) and American Samoa (for 1996-99, demonstrative Figure) - this may be due to inter-annual climate variability or to local depletion or to both. 2. License limitation of the *alia* pelagic fishery in Independent Samoa to 185 vessels has recently been developed by Samoa's Commercial Fisheries Management Advisory Committee. 3. There has been a move towards open access of the *alia* fleets in Samoa and American Samoa within the proposed 50 nm zones ("2 Samoas" talks). 4. Larger domestic tuna vessels (super-*alias*) are currently being test by the Government of Samoa, with the assistance of the SPC.	The Regional Council process and the existing Pelagics FMP include sufficient ambit to accommodate area-specific management issues and needs.
P72f	written - Chris Evans	Concerns over measures proposed in the DEIS to limit bycatch of turtles. Hook set depth in the American Samoa *alia* longline fishery is currently 1-5 fathoms (based on a sample of 6 *alias*, January 2001). This may well be a depth that involves interaction with turtles. Information from fishermen's log books has suggested interactions with turtles and further data analysis is being undertaken by NOAA. A problem is that line shooters (or similar equipment) to set hooks deeper (that the 100m recommended) cannot be installed on *alia* due to the design of the vessels.	The Draft EIS notes that the level of sea turtle interaction in the American Samoa longline fishery is reportedly very low based on logbook reports. Observer data would be helpful in validating logbook reports. Interviews with fishers suggest that 45 fm is the targeted mainline depth in the American Samoa longline fishery.
P73a	written - John LaGrange	I find it rather odd that in such an exhaustive document there is no consideration of any impacts that might be considered positive. For instance, there is considerable discussion of the take of albatross by longline vessels, but there is no consideration of benefit the albatross receive from feeding around the longline boats. A conservative estimate would be 4,000 lbs of offal and discarded bait per swordfish trip made available to albatross. This gives over a million pounds of high quality food per year to the birds. This may have a particularly beneficial effect since much of it is made available relatively close to the nesting areas. With good bird interaction reduction measures in place it is not inconceivable that the longline fishery could have a net positive effect on the albatross population in the future.	We disagree because there is no scientific evidence in the global literature suggesting that albatrosses or other seabird populations have increased or benefited from the availability of bait or offal provided by fisheries.

Tracking No.	Commenter	Comment	Response
P73b	written - John LaGrange	In the case of sea turtles, there is no mention of the mortalities avoided by the fishery harvesting large pelagic sharks. Personally I have caught two sharks in the last year that were large enough to swallow a good sized turtle whole. However one may feel about shark fishing, it would be difficult to deny that removal of some of these large sharks has a beneficial effect on the turtle population. Why is this not considered in the EIS?	While it is well documented that sharks consume turtles, at least occasionally, the level of such predation is entirely unknown. For pelagic waters, where turtles may diffuse, such predation may actually be low. Further, few sharks attain a large enough size to prey upon all but the smallest sea turtles.
P73c	written - John LaGrange	One seeming contradiction in the DEIS re catch rate of leatherback turtles. During the time period of the observer program, the catch rate of these turtles has not significantly changed. Normally constant CPUE in a fishery indicates a stable population. In this case the population is said to be decreasing rapidly. I would like to see a cogent discussion of this contradiction in the EIS.	The duration of data collection by the observer program and the limited quality of data preclude such an analysis.
P73d	written - John LaGrange	I find a rather odd disconnect between the analysis and the conclusion. The preferred alt does not seem to be supported by the data presented. This alt would stop all swordfish fishing, action resulting from the immediate need to reduce leatherback turtle mortalities. The analysis, however, does not conclude that stopping swordfish longlining in the Hawaii fishery would accomplish any reduction. In fact, it strongly suggests that due to relocation of effort and increased imports, the mortalities of leatherback turtles would be increased. Of the swordfish fisheries that we have any data on, the Hawaii fishery has the lowest levels of turtle bycatch. Shifting effort from Hawaii to any other fisheries will surely cause more turtles to die.	Even if the Hawaii-based longline fishery is responsible for only a small portion of the total turtle mortaility, NMFS must meet the legislative mandate under ESA. Based on new information, comments, and analyses, including the Pelagics BO, a new Preferred Alternative (Alternative 10) has been developed.
P73e	written - John LaGrange	A number of projects designed to reduce turtle takes by gear modifications are already underway. p4-192 says "turtle mortality may be significantly lower under alternatives that attempt to alter fishing methods than under more restrictive measures that eliminate Hawaii effort and therefore superficially appear more effective." and the conclusion p4-193 "regulations that remove vessels from the fleet appear to be a relatively ineffective tool for lowering the global mortality of turtles and seabirds.' Why then does the preferred alt propose to remove the entire swordfish fleet? This is a lose-lose (fishing fleet and turtles) alternative.	Even if the Hawaii-based longline fishery is responsible for only a small portion of the total turtle mortaility, NMFS must meet the legislative mandate under ESA. Based on new information, comments, and analyses, including the Pelagics BO, a new Preferred Alternative (Alternative 10) has been developed.
P74a	written - John & S Myking	Strong opposition to the preferred alternative. We do not feel the Preferred Alt is supported in the DEIS, and especially so when considering any closure whatsoever of the Hawaii longline fishery.	Comment expresses a preference. No response required.

Tracking No.	Commenter	Comment	Response
P74b	written - John & S Myking	The recommendation to close the longline fishery during April and May has no scientific basis or justification,	Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P74c	written - John & S Myking	but it will have a devastating impact on us personally, on our crew and their families, and on the State of Hawaii as a whole. Personally, 100 percent of our income is from fishing. This will mean almost three months of no income to our family because we will not get paid until late June for a June trip. Typically April and May are fair fishing months with fair fish prices, while June and the summer months are typically slow for us and the fish price is down.	Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P74d	written - John & S Myking	We as fishermen pay our federal taxes on March 1, and our state taxes in April. How would we be able to cover these payments, while having no income to live on from April through June. We certainly cannot afford to take a two-three month lay-off.	Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P74e	written - John & S Myking	We also cannot afford to lose our local market for fish. This would be a disgrace! Once the importing of foreign fish takes over, it will be very difficult to gain our market back.	Information on the increased reliance on imported fish has been added. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P74f	written - John & S Myking	And yet, the foreign fisheries are not under any turtle regulations.	United States has no jurisdiction over foreign fleets on the high seas.
P74g	written - John & S Myking	The State of Hawaii also cannot afford to lose the longline industry. It will have a severe chain reaction across the state. We generate a lot of business in this state, just in maintenance and supplies on the boats.	Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.

Tracking No.	Commenter	Comment	Response
P74h	written - John & S Myking	Turtle interactions are very rare when fishing ahi, so why make any change at all to this fishery. It should continue with its current 20% observer coverage and with no closures. The swordfish fishery should be reopened, with 100% observer coverage to gather necessary data on turtle interactions in that fishery. We would be in favor of a research data collection program, in favor of attending protected species workshops, and in favor of gear modifications for swordfish. We may also be in favor of other means to eliminate turtle interactions, as they are presented.	The new Preferred Alternative (Alternative 10) will permit a year-round tuna longline fishery, although the time/area closure will impact operations and profitability. If Option A is implemented as proposed, there will be 100 percent observer coverage for the experimental swordfish sets.
P74i	written - John & S Myking	We ask you to please reconsider the recommendation of the preferred alternative. Closing the longline fishery (for any amount of time) is not the answer to protecting turtles. However, it would force us into the unemployment and food-stamp lines, or force us to fish the unregulated fisheries, which already show signs of strain and where even more turtle interactions may occur.	The new Preferred Alternative, Alternative 10, permits year-round tuna longlining, although with a time/area closure. If Option A is implemented as proposed, swordfish fishers could continue to fish under close supervision. If gear or fishing techniques are developed to significantly reduce turtle interactions with shallow sets, that could be grounds for re-initiation of the Section 7 consultation and production of a new BO.
P75a	written - Frank Goto	NMFS has proposed Alternative 7 which will harm small business and economic diversification, and thus will negatively impact Hawaii during a critical period of both economic recovery and economic diversification.	Changes were made in 4.8.8 to reflect seasonal closure market issues. Past Hawaii economic conditions are not acknowledged in the text since the overall U.S. economy is robust. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P75b	written - Frank Goto	Alternative 7 proposes closing Hawaii's tuna longline fishery for two months every year, shutting off 90 percent of the fresh tuna supply for those two months. The fresh fish export trade has been built over the past decade by local marketers and the State will be crippled and tuna imports will be substituted for locally produced fish. Economic damage would not be limited to Hawaii's seafood industry. Local longline fish is cross-merchandised with tourism. It is an integral part of the foundation of Hawaii's world-renowned regional cuisine. Consuming tuna and other pelagic fish that is actually caught in the waters around Hawaii is part of the unique experience of a Hawaii vacation.	Changes were made in 4.8.8 to reflect seasonal closure market issues, however, the new preferred alternative permits year-round tuna-style fishing outside of the seasonally-closed area. Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.

Tracking No.	Commenter	Comment	Response
P75c	written - Frank Goto	The Hawaii longline fishery faces these severe closures and impacts due to government's lack of responsibility. Environmental organizations have taken aim at closing fisheries through the use of environmental legislation such as ESA, NEPA and MMPA. Because federal agencies fail to prepare proper impact statements or biological opinions under these acts, the fishing industry, which has complied with federal regulations, has taken the brunt of the court ordered actions. In Hawaii's case, the fishing industry is comprised of small business people who can't absorb attorney fees, media campaigns and other non-operational costs. Our longline industry is now faced with losing a $33 million swordfish fishery because it has played by the rules.	NMFS is in the process of comprehensively examining all U.S. fisheries to determine the best strategies for maintaining compliance with the legal requirements of ESA, NEPA, the MMPA, and other applicable laws in order to avoid future legal challenges to U.S. fisheries, including the HI longline fishery. The ESA requires NMFS to implement reasonable and prudent measures to avoid the likelihood of jeopardizing the continued existence of endangered species, such a sea turtles. In order to reduce economic effects from fishery reductions, NMFS is investigating measures to help increase sea turtle populations and to mitigate the population-level impacts of sea turtle mortality from longline gear interactions. The decision to close the directed swordfish fishery is based on sea turtle population declines and on data that show most of the sea turtles takes in this fishery were by vessels targeting swordfish or a mixture of swordfish and tuna using shallow set longline gear. Recognizing that the Hawaii-based longline fishery is a small portion of the total amount of total fishing effort in the Pacific Ocean, NMFS plans to conduct research needed to develop gear technologies and fishing strategies for reducing sea turtle mortality resulting from longline gear interactions.
P75d	written - Frank Goto	Alternative 7 will also put sea turtles in further jeopardy. Section 4.11 analyzes who the cumulative effects would bring about a higher net mortality of sea turtles: 1. By displacing Hawaii swordfish longline effort to areas where takes and mortalities of turtles are likely to be higher; 2. By the U.S. market substituting fresh swordfish imports from foreign fisheries with higher turtle take/mortality rates; 3. By the Hawaii market substituting fresh tuna import from foreign fisheries with higher rates of protected species interactions and wasted bycatch to replace domestic tuna production during the seasonal closure. Therefore the DEIS does not follow the 'precautionary approach' which supposedly guides NMFS fishery conservation policy.	NMFS has considered this comment and available scientific information and revised the preferred alternative in the Final EIS. The new preferred alternative will close the directed swordfish longline fishery and implement a two-month (April and May) area closure area for the tuna fishery. The area closure will prohibit all longline fishing south of 15° N lat., north of the equator (0° lat.), between 145° W long. and 180° long., however, tuna longline fishing will be allowed throughout the year outside of the closed area. In addition, NMFS is working to develop experiments that may lead to new longline fishing strategies or gear modifications for reducing sea turtle/longline gear interaction rates throughout the Pacific Ocean. This research may lead to new fishing methods to target swordfish that have much fewer interactions with sea turtles than existing swordfish longlining techniques.
P75e	written - Frank Goto	Because of the turtle's Pacific-wide life history, international nature of the fishery, and global economy, any true resolution to this issue will be addressed in its totality on a Pacific-wide, if not global, scale.	Agree. No response required.

Tracking No.	Commenter	Comment	Response
P75f	written - Frank Goto	Chapter 1 notes that NMFS is striving for 'ecosystem' management in U.S. fisheries policy. The sea turtle problem is an ecosystem problem - one that involves sea turtles worldwide as well as human populations, seafood marketing and consumption worldwide.	Agree. No response required.
P75g	written - Frank Goto	Our industry has repeatedly demonstrated its leadership. [e.g., emphasizing tuna quality, fresh fish cuisine, discards to many items, system for assuring seafood safety. Controls established by the Council include limited entry, closed areas, logbook, shipboard observer and VMS requirements. Our industry is willing/capable to lead again to contribute to sea turtle conservation efforts. Option A will improve the scientific basis for sea turtle conservation and encourage modifications in fishing gear and tactics that could be exported worldwide. As the DEIS p4-193 says, until other countries adopt regulations similar to those of the Hawaii fleet, regulations that remove vessels from the fleet appear to be ineffective as will simply transfer the fish harvests and interactions to unregulated fisheries.	Agree. No response required.
P75h	written - Frank Goto	The two-month closure of the Hawaii tuna longline fishery would shut down 90 percent of the State's fresh pelagic fish supply, causing at least temporary unemployment for all longline crews and for approx 80 percent of workers in support marketing businesses. Alternative 7 would also totally displace the Hawaii swordfish longline fishery, all swordfish vessel crews and all workers in support services and marketing businesses.	Although Alternative 7, which had a complete two-month closure of the fishery was the preferred alternative in the Draft EIS, Alternative 10, which permits tuna fishing in some areas year-round, is the preferred alternative in the Final EIS.
P75i	written - Frank Goto	By substituting legalisms for science-based management, the preferred alt actually works against the long-term survival of the sea turtle species. Alternative 7 is lose-lose for both Hawaii seafood industry and the sea turtles. When longline closures are put in place, the demand for swordfish and tuna will still exist. Products will be supplied through other sources where poorly regulated fisheries will continue to have adverse effects on protected species.	Although the preferred alternative has changed to permit year-round tuna longlining, prohibition of shallow sets may result in swordfish boats relocating to other areas with less restrictive management regimes and swordfish market demand being filled from foreign sources. If Option A is implemented as proposed, some swordfish fishers could continue to fish under close supervision. If gear or fishing techniques are developed to significantly reduce turtle interactions with shallow sets, that could be grounds for re-initiation of the Section 7 consultation and production of a new BO.

Tracking No.	Commenter	Comment	Response
P76a	written - Wayne Samiere	The problem with Alternative 7 and other alts based on the model is the wide confidence intervals of the predicted effects on sea turtle takes. The possible error is so great that an alternative predicted by the model to produce a larger reduction in 'takes' than other alts might actually produce a larger take than other alternatives. This problem causes the alts to overlap one another so much, when the possible error of the estimates is considered, that their potential effects cannot be clearly distinguished.	While the Kobayashi-Polovina model is technically correct, we agree that the paucity of data results in uncertainty in the analysis. As the same assumptions are used to model all the alternatives, the results are useful for comparative purposes. The analyses recognize the limitations of the model.
P76b	written - Wayne Samiere	Two alternatives, including the preferred, prohibit shallow sets due to higher interaction rate with turtles. Yet nowhere in Chapter 2 is there an alternative that considers the much higher rate of turtle interactions with squid-baited longline hooks (characteristic of shallow sets), as opposed to fish-baited longline hooks (characteristic of deep sets). This omission is a serious oversight, although one that could be corrected by incorporating Option A as part of a revised preferred alt.	The hypothesis of the commenter has been added to the Chapter 2 discussion of Option A.
P76c	written - Wayne Samiere	Consider the foraging behavior, Chapter 3.6. The diet of the leatherback consists of cnidarians, it obviously does not feed on squid baited on longline hooks so it is logical that leatherbacks bite on squid because of its resemblance to the light-colored, gelatinous creatures that are its major prey items. Do not implement your preferred alternative without testing if simply changing the appearance of the bait (or switching to fish bait) could significantly reduce longline fishing interactions, at least with the leatherback.	The hypothesis of the commenter has been added to the Chapter 2 discussion of Option A.
P76d	written - Wayne Samiere	The Hawaii longline fishery is the place to do the tests. The fact that the turtle interactions are rare is not an argument against experimental fishing any more than it was an argument against the modeling and management actions ordered by the court or against the DEIS alternatives.	The long-term solution will require a global effort. Information has been added to Chapter 2 to indicate industry's willingness to participate as evidenced by public testimony on the Draft EIS both at public hearings and in written submissions.
P76e	written - Wayne Samiere	Sea turtle takes and mortalities associated with fishing are a serious global problem. The DEIS should not ignore an alternative, such as switching to fish bait or coloring squid bait, that may have promise for reducing sea turtle interactions on a broad scale if successfully tested and exported worldwide through education and outreach programs.	The long-term solution will require a global effort. The hypothesis of the commenter has been added to the Chapter 2 discussion of Option A.

Tracking No.	Commenter	Comment	Response
P76f	written - Wayne Samiere	Implementation of NMFS' preferred alternative could put sea turtles at greater risk (as per sec 4.11). When there is so much uncertainty, conservative action should be taken, following the precautionary principle. Testing simple means for possible reductions in sea turtle takes is the more conservative action, whereas regulation based on model predictions with a wide range of possible error is not precautionary.	Based on new information, comments, and analyses, including the Pelagics BO, a new Preferred Alternative (Alternative 10) has been developed. Even if the Hawaii-based longline fishery is responsible for only a small portion of the total turtle mortaility, NMFS must meet the legislative mandate under ESA. While Option A, the fishing experiment, is not part of that alternative, it offers the promise of developing turtle interaction deterrent measures applicable to both domestic and foreign fisheries.
P77a	written - Rufo Lujan	None of various Chamorro rights organizations on Guam were consulted on the impact of the DEIS to the Chamorros. The application of federal laws and regulations without first consulting the Chamorros is un-democratic and a blatant abuse of authority. If the non-consultation was based on ignorance on the existence of Chamorro organizations then I hope that this testimony will have served a useful purpose.	A public hearing was held on Guam to accept any and all comments on the Draft EIS, the alternatives, and the analysis. The EIS recognizes that Guam's indigenous Chamorros are the single largest group of the total resident population of Guam.
P77b	written - Rufo Lujan	Guam legislature has claimed jurisdiction over all living and non-living resources within Guam's EEZ. Chamorro indigenous rights groups claim self-determination for Guam from the U.S. federal government [which would include jurisdiction over their own EEZ.]	One of the issues identified during scoping focused on jurisdictional matters (DEIS ES-8). At present, the position of the U.S. government is that the United States claims, and will exercise in the manner provided for in the Magnuson-Stevens Act, soverign rights and exclusive fishery management authority over all fish within the exclusive economic zone, and, in defined instances, beyond the EEZ. Additionally, however, the Magnuson-Stevens Act recognizes the importance of fishery resources adjacent to a Pacific Insular Area such as Guam, and seeks to ensure these resources are explored, developed, conserved, and managed for the benefit of the people of such areas and the United States.

Tracking No.	Commenter	Comment	Response
P78a	written - Eric Gilman (Natl Audubon Society)	The preferred alternative should be amended to make it consistent with the non-discretionary terms and conditions required by the Albatross BO. Furthermore, the preferred alternative should be consistent with the UN FAO's IPOA–Seabirds and the U.S. draft National Plan of Action being prepared to comply with the FAO IPOA - Seabirds. The U.S. FWS BO requires the use of thawed and blue-dyed baits, strategic offal discharge, and night setting for Hawaii longline vessels targeting swordfish and conducting mixed sets, and requires thawed and blue-dyed baits, strategic offal discharge, and use of a line setting machine with weighted branch lines for Hawaii longline vessels targeting tuna. The BO also requires fishers to attend an annual educational workshop, requires the production and distribution of an identification card on the short-tailed albatross, includes provisions for onboard observer coverage, outlines a protocol to handle and release injured short-tailed albatross, and specifies a protocol to process dead short-tailed albatrosses. The IPOA-Seabirds provides guidance for the contents of national plans, stating that they may contain provisions for assessments to determine the extent and nature of a State's incidental mortality of seabirds in longline fisheries, prescribe appropriate longline fishery-specific mitigation measures, contain plans for research and development, prescribe outreach and education activities, and provide guidance for data collection programs. As currently written, the second bullet of Alternative 7 is unclear and not consistent with either the BO or IPOA - Seabirds.	The EIS and all alternatives have been revised to address the content and terms and conditions of the short-tailed STAL BO. It is currently unclear to what extent the FAO International Plan of Action [IPOA] - Seabirds, and the draft U.S. National Plan of Action [NPOA] (if and when they are adopted by the United States), will require any modification to fishery-related activities beyond that which will be required as a result of the BOs and EIS.

Tracking No.	Commenter	Comment	Response
P78b	written - Eric Gilman	The DEIS preferred alternative would result in the elimination of the HI swordfish longline fishery, and therefore would result in a significant reduction of seabird bycatch in Hawaii longline fisheries. However, implementation of a suitable combination of seabird deterrent measures could also achieve a significant reduction in seabird mortality in the Hawaii longline fisheries without eliminating the swordfish fishery. Reductions in excess of 90 percent in seabird catch rates in longline fisheries can be achieved immediately using cost-effective and likely cost-saving mitigation techniques and procedures already developed, but enforcement of some of these mitigation measures can be problematic. Enclosed please find a 17 August 2000 letter to your office commenting on the July 2000 proposed rule to reduce the incidental catch of seabirds in the Hawaii pelagic longline fishery, and the enclosure that accompanied that letter. As explained in this enclosed letter, night setting and seabird deterrent measures that entail fixed gear requirements are effective and enforceable and could achieve significant reductions in seabird mortality in Hawaii pelagic longline fisheries. I recommend that the DEIS require Hawaii longline vessels operating north of 23° N. latitude to employ a combination of these referenced effective and enforceable measures. This may result in the DEIS requiring more stringent measures to avoid and minimize the incidental mortality of seabirds in Hawaii longline fisheries than is required under the terms and conditions of the short-tailed albatross BO.	Implementation of the various mitigation measures required by the STAL BO will significantly reduce seabird bycatch in either deep or shallow longline sets The prohibition of shallow sets is intended to reduce turtle interactions, a more difficult problem. Enforcement of required mitigation measures will be the responsibility of the NMFS and USCG.
P78c	written - Eric Gilman	The environmental consequences of the preferred alternative on seabirds are currently not specified in Section 4. Research conducted by Garcia and Associates, Chris Boggs (NMFS Honolulu Lab), and NMFS' statistical analysis of observer data collected in Hawaii longline fisheries to infer the effects of night setting and area closures on seabird interactions provide data for estimating the effect of the preferred alternative on seabird bycatch rates in the Hawaii longline fisheries. Furthermore, predictions of the effect from prohibiting shallow sets and requiring seasonal closures on seabird bycatch rates in the Hawaii longline fisheries also should be straightforward. This information on the effects on seabird interactions in the Hawaii-based longline fisheries needs to be included in the section on environmental consequences of the preferred alternative.	The environmental consequences of all alternatives are addressed in Chapter 4, to the degree that the data, and assumptions in the models, are reliable. Given the inherent weaknesses of the available quantitative data, assessments of actual environmental consequences of all alternatives can only be relatively qualitative in nature. It should be noted that most of the alternatives are expected to result in the significant (order of magnitude) reduction of seabird bycatch. It is impossible to predict or accurately estimate the actual quantitative effects of the various mitigation measures especially in combination as required by the STAL BO.

Tracking No.	Commenter	Comment	Response
P78d	written - Eric Gilman	The discussion of seabird mitigation measures evaluated for the Hawaii longline fisheries (Section 2.4.2) should be expanded to also include information on the enforceability of each measure. The measure on strategic offal discards should be amended to state that hooks should be removed from any offal discarded at sea, and I recommend that, although inconsistent with the short-tailed albatross BO, the preferred alternative should include prohibiting offal discharge at sea, as there is disagreement internationally regarding the long-term effect on seabird bycatch rates from strategic offal discards (e.g., CCAML studies have shown that vessels consistently discharging offal attract larger numbers of birds to the vessels and creates increased seabird bycatch rates), and there is some concern by ornithologists that oiling of seabirds from discarded offal may be an additional unobserved threat. (NOTE: Oil on feathers severely reduces a bird's ability to float and thermoregulate, as the physical presence of oil on feathers disrupts the normal architecture of the feather, allowing water to leak through the plumage to the skin. For information on the potential adverse effect on seabirds from fish oil from offal discarded by fishing vessels, please contact Linda Elliot, International Bird Rescue Research Center.)	The STAL BO was not available when the Draft EIS was prepared. Information and requirements of the BO have been added to Final EIS. CCAML studies refer to offal discharge rather than strategic offal discharge. Strategic means when necessary to distract seabirds from baited hooks.
P78e	written - Eric Gilman	p2-40, last paragraph, the higher rate of seabird catch in the Hawaii swordfish fishery compared to the tuna fishery is also likely a result of the location of swordfish effort coinciding with high densities of foraging seabirds, as you discuss on p3-106.	Agree. No response required.
P78f	written - Eric Gilman	p2-41, last paragraph of section 2.4.2, the seabird deterrent measures as currently prescribed by the WPRFMC and NMFS are not anticipated to result in any changes in seabird bycatch rates, for reasons explained in the enclosed letter. However, this point is moot as the non-discretionary measures of the US FWS albatross BO offer more protection to seabirds than the previous measures proposed by the WPRFMC and NMFS.	All alternatives in the EIS have been will be revised to reflect the non-discretionary mitigation actions required by the STAL BO.
P78g	written - Eric Gilman	Section 3.7.1, the IUCN classifications of the three Northern Hemisphere albatross species need to be updated using the IUCN 2000 Red List of Threatened Species. The section also needs to be updated now that the U.S. FWS has released the short-tailed albatross BO.	The EIS has been revised to include updated IUCN status information, and to reflect the STAL BO.

Tracking No.	Commenter	Comment	Response
P78h	written - Eric Gilman	Section 4.11.5, additional adverse effects on the three North Pacific albatross species that should be covered in the section on cumulative effects include; overfishing of seabirds' prey stock by commercial fisheries; marine pollution through external contact or ingestion (e.g., large oil spills and chronic oil discharges cause direct mortality, hatching failure, and developmental impairments; organochlorines cause local mortality and reproductive impairment and failure; heavy metals cause toxic effects; plastics entangle and kill seabirds and accumulate in the digestive tracts; and eutrophication from sewage and agricultural runoff eliminate seabird's prey); incidental bycatch in recreational fisheries, gillnets, trawls, and other commercial fisheries, but the incidence of this is relatively minor relative to seabird bycatch in longline fisheries; roosting and nesting habitat degradation; artificial increases in natural predators and predation by introduced species; unnatural sources of food from aquaculture and commercial fisheries waste; human disturbance from tourists and other visitors (for a number of seabird species, human visitation has been linked with breeding failure); and climate change and relative sea level rise may cause flooding of nesting areas and loss of nesting habitat.	Additional adverse effects are briefly discussed in the EIS. Although some of the potential effects noted here may affect albatross, limited time does not allow a detailed discussion. The STAL BO considered and discussed many of these issues. Much information can be found there.
P79a	written - Rick Gaffney	The DEIS is a wholly inadequate document that is flawed in so many ways, that it makes a mockery of the NEPA process and the requirements of the Magnuson-Stevens Act and the Sustainable Fisheries Act.	Comment states an opinion. The EIS incorporates best available information to present the analysis required by NEPA.
P79b	written - Rick Gaffney	The three post binding makes reviewing the document a struggle, with many words obscured and the information in the margins hard or impossible to decipher. That inadequacy alone would argue for a republication of the document and an extension of the time allotted for comment. At the very least, the publication of the FEIS, must be bound so as to make the document readable and all its infomration accessible to the public.	The Draft EIS may be easily disassembled for easier reading. In the Final EIS, page margins adjacent to the binding have been widened to allow foreasier reading.
P79c	written - Rick Gaffney	As an active member of the fishery community in the WPR I was surprised at how difficult it was to obtain this document. Delays in shipping and distribution, and failure to fulfill my several requests for a copy of the DEIS in a timely fashion, also suggests an extension of the public comment period is warranted.	Distribution of copies of the Draft EIS to an initial mailing list including individuals expressing interest during the scoping period was accomplished when the document was filed with EPA. Mailing to additional requesters was accomplished as requests for copies were received, and the document was made available on the internet. Announcements of availability of the document appeared in the Federal Register and in local newspapers. Extensive public comment has been received, and no extension of the 45 day public comment period is anticipated.

Tracking No.	Commenter	Comment	Response
P79d	written - Rick Gaffney	The public hearing process was another travesty. Notices of the public hearings were all but non-existent. Many people found out about the public hearing through friends less than24 hours in advance of the hearing, and therefore had no ability to digest the DEIS and comment in any depth. The failure to inform the public would appear to be a violation of the APA and there should be a new series of publicly announced public hearings on the DEIS before the process advances.	A cover letter was transmitted with the Draft EIS and contained the public hearing schedule. Hearings were delayed until after the New Year to allow adequate review time and avoid conflicts with holiday functions.
P79e	written - Rick Gaffney	There are many indications throughout the document that the FMP preparation and DEIS development process has been rushed, which is entirely inappropriate for a document of this import, magnitude and nature. If the Council/NMFS believe that haste is critical due to the legal issues raised by the federal court, they should issue interim regulations, not an entire FMP.	In this comment as well as in comment P79a, the author confuses NEPA compliance with FMP production. The Draft EIS is not an FMP. Neither does it contain regulations. It is true that the Draft EIS production was expedited due to the Court-ordered completion date. This does not, however, compromise the conclusions of the document, which are based on the best available scientific information.
P79f	written - Rick Gaffney	On the opening page of the document, the address to which the comments are to be submitted is incomplete.	The address is complete in the Final EIS.
P79g	written - Rick Gaffney	This DEIS/FMP fails in its requirement to fairly and completely consider all the fisheries it purports to cover. It fails to broadly consider the cumulative environmental and social impacts of those fisheries and of each of the alternatives presented by the DEIS/FMP.	The comment is an opinion. No response required.
P79h	written - Rick Gaffney	The pro-commercial fishing bias of this DEIS/FMP is obvious in nearly every paragraph of the document. The presumption and bias seems to be that the highest and best use of each species considered, is in its landed value.	When determining industry impacts it is important to use commercial prices. The landed value is not the total value but is a useful proxy for impacts to the fleet itself. As stated in the text, landed value does not cover the overall impact to the economy which includes an impact multiplier. There is little to suggest that the closure will reduce the overall, international mortality of swordfish or tuna so other types of values may not be applicable.
P79i	written - Rick Gaffney	At the same time considerations of “essential fish habitat” are virtally ignored.	EFH designations are discussed in Sec 3.3.1-3.3.2.

Tracking No.	Commenter	Comment	Response
P79j	written - Rick Gaffney	This DEIS/FMP is heavily focused on responding to recent litigation and therefore the impacts of the longline fishery on turtles and seabirds. While worthy of concern, current litigation should not impact the conclusions (as they seem to therein) nor overshadow the other pressing aspects of an EIS or a FMP, as they do in this document and its conclusions.	The focus of the EIS reflects the relative importance of the Hawaii-based longline fishery within the Pelagics FMP-managed fisheries in the Western Pacific Region. NEPA is structured to encourage analysis of issues that are ripe for decisionmaking. Where such issues have not yet emerged, development of alternatives is merely hypothetical. 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.
P79k	written - Rick Gaffney	This DEIS/FMP is clearly a continuation of the old "fishery specific management approach", when what has been mandated by Congress is an ecosystem approach. What we need is a new fisheries ecosystem management plan, what we have apparently been given herein is NMFS/WESPAC preferred list of alternative for their favored commercial fisheries.	The author confuses the Draft EIS and the FMP. The document fulfills NEPA requirements. It discloses the likely impacts of a broad range of potential alternatives. It is not intended to establish fishery policy or regulations. These processes will progress independently.
P79l	written - Rick Gaffney	According to the list of fisheries listed in the abstract as covered by the DEIS, the document ignores several other fisheries including subsistence and artisanal fisheries, as well as the non-troll charter, sport tag and release and recreational pelagic fisheries. The lack of adequate information about the various recreational fisheries in the Western Pacific is one of the huge failings of this document.	The focus of the EIS reflects the relative importance of the Hawaii-based longline fishery within the Pelagics FMP-managed fisheries in the Western Pacific Region. NEPA is structured to encourage analysis of issues that are ripe for decisionmaking. Where such issues have not yet emerged, development of alternatives is merely hypothetical. 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.

Tracking No.	Commenter	Comment	Response
P79m	written - Rick Gaffney	The constant implication throughout the document is that commercial fishing is the 'dominant' form of fishing in the region (ES.1.2, 1.4.3). Yet, including the value of the charter sport fisheries of the region, recreational fishing clearly outpaces all other forms of fishing in terms of the economic value. There are more charter sport fishing boats than longliners in Hawaii; there are more recreational fishermen than commercial fishermen in the region; recreational fishing expenditures have a higher multiplier than commercial fishing; the recreational/sport/charter segment of the fishery therefore has the highest economic value. In almost every category, save the market value of the landed catch, recreational fishing is clearly the 'dominant' pelagic fishing activity in the region, yet this DEIS/FMP constantly suggests otherwise.	This document is a NEPA document for an FMP. As an EIS it necessarily narrows the infinite range of alternatives. Chapter 3, the affected environment, does discuss recreational and charter pelagic fisheries in the region. Clearly, as the comment suggests, the importance or "value" of any given fishery can be assessed in different ways based on the number of participants, total landings, direct revenues, indirect economic benefit, or social value. For this reason, people may disagree on which fishery is most important or valuable. This EIS does not argue (or imply) that commercial fisheries are more important, it simply focuses on these fisheries because they generate more environmental impacts.
P79n	written - Rick Gaffney	ES.1.1 says comprehensive examination, but as fails to consider conditions in all of the pelagic fisheries, isn't; also doesn't detail all possible mutual or cumulative effects or social impacts.	The assessment of the social impacts of alternatives is based on the best available information.
P79o	written - Rick Gaffney	Es.1.2 conflicts with information ES.8 "technical data available is incomplete and uncertain" and deficiency in availability of catch and effort data for the recreational sector. How then can the DEIS conclude that Hawaii longliners dominate the other fisheries if it admits that the data are incomplete and uncertain?	All data strongly support the supposition that the Hawaii longline fleet is the largest Hawaii-based fleet interacting with endangered species in terms of number of boats, species targeted, etc.
P79p	written - Rick Gaffney	pES-3 "there is some chance of local catch competition": more than a chance, there is actual NMFS documentation based on tag and release studies of the blue marlin that this occurs. Also for yellowfin tuna and broadbill swordfish, their availability has declined dramatically since the advent of large-scale Hawaii longlining.	All available data indicate that the availability of PMUS in Hawaii waters is determined by the strength of broader pan-Pacific populations. The impact of the Hawaii longline fleet on these populations (especially blue marlin and yellowfin) is negligible when compared to total effort. There are no foreseeable scenarios that would results in the Hawaii longline fleet causing local (coastal) catch competition for marlin.
P79q	written - Rick Gaffney	ES.2 does not include Use Conflicts under Areas of current controversy.	The Executive Summary includes a description of the emerging issue of gear conflicts in American Samoa. Gear conflicts around Hawaii and Guam have been minimized by the imposition of longline exclusion zones around those islands. Those are no longer current issues requiring analysis of alternatives.
P79r	written - Rick Gaffney	pES-7 details the weaknesses of the data collection process while ignoring the dearth of data on the recreational/sport/charter fishery until the last sentence.	The Executive Summary is a concise overview of issues and conclusions. More details can be found in the body of the text.

Tracking No.	Commenter	Comment	Response
P79s	written - Rick Gaffney	pES-8 (also 2-22) refers to "possible" impact of Hawaii longline on marlin catch; not possible, documented by NMFS.	All available data indicate that the availability of PMUS in Hawaii waters is determined by the strength of broader pan-Pacific populations. The impact of the Hawaii longline fleet on these populations (especially blue marlin and yellowfin) is negligible when compared to total effort. There are no foreseeable scenarios that would results in the Hawaii longline fleet causing local (coastal) catch competition for marlin.
P79t	written - Rick Gaffney	Social characteristics of the sport/charter/recreational fisheries are virtually ignored in the DEIS/FMP (contrary to Magnuson-Stevens Act guidelines) yet they are arguably the most significant component of the "value" of those fisheries.	The social characteristics of various groups that participate in Hawaii's pelagic fisheries, including sport/charter/recreational fishers, are discussed in Section 3.11.
P79u	written - Rick Gaffney	p1-11 Six of the ten standards of the Magnuson-Stevens Act are not met by this document (1,3,5,6,8,9).	Magnuson-Stevens Act National Standards apply to FMPs; this document is an EIS. This document does not need to demonstrate whether or not the Pelagics FMP meets national standards. (This is demonstrated in the FMP and each of its amendments.)
P79v	written - Rick Gaffney	p1-12 WESPAC has never facilitated participation by the recreational/charter/sport fishing community [contrary to council system purpose]. Description of Council workings do not reflect the reconfigured WESPAC advisory councils which further disenfranchise community interests from the staff-directed politically-driven management of the WPR fisheries.	The discussion in Section 1.3 is generic rather than specific to the Council. The structure and function of the Council are outside the purview of this EIS, which focuses on the impacts of fisheries covered by the Pelagics FMP. This EIS cannot change the council system or the structure and function of the Council. Please note that the Council was not directly involved in production of this EIS, although they kindly provided data and reports.
P79w	written - Rick Gaffney	p1-13 third paragraph. WESPAC is in fact completely controlled by commercial fishing interests to the virtual exclusion of most other fisheries [contrary to intent of enabling legislation].	The discussion in Section 1.3 is generic rather than specific to the Council. The structure and function of the WPRFMC are outside the purview of this EIS, which focuses on the impacts of fisheries covered by the Pelagics FMP. This EIS cannot change the council system or the structure and function of the Council. Please note that the Council was not directly involved in production of this EIS, although they kindly provided data and reports.
P79x	written - Rick Gaffney	p1-14 re the RFA: DEIS/FMP fails to consider the broad impact of fishery management regulations on small sport fishing charter busines in Hawaii, Guam, CNMI, American Samoa.	This discussion of laws and regulations applies to the preparation of FMPs, not EISs. As stated, RFAs analyze the economic impacts to those directly regulated by proposed regulations and are part of FMPs and amendments. If sports/charter fishing were to be regulated pursuant to a FMP/amendment, the economic impacts would be analyzed. (Currently no federal regulations pursuant to the Pelagics FMP apply to non-commercial fisheries.)

Tracking No.	Commenter	Comment	Response
P79y	written - Rick Gaffney	DEIS also required to include a detailed impact analysis and fully consider both the beneficial and adverse ecological, economic, and social impacts of proposed management measures - fails, particularly re subsistence, artisanal, recreational, sport and charter fishermen as well as overall impact of commercial fisheries.	The analysis uses the best available data to determine impacts to the affected sectors of the economy.
P79z	written - Rick Gaffney	Section 1.4.1 historic assertion is grossly incomplete. This section also fails to mention the lengthy history of sportfishing, and the importance of the species that cause anglers to visit Hawaii and other Pacific islands as early as 1914 in pursuit of fish.	The meaning of "historic assertion" is unclear but it is acknowledged that this section focuses on commercial fisheries. This introduction is meant to be a concise summary of pelagic fisheries within the context of the alternatives and actions discussed in the EIS. The EIS focuses on the impacts of commercial fisheries, and in particular the Hawaii-based longline fishery. For this reason, most attention is given to the distant water fisheries that target the same or related fish stocks. Although recreational and charter fisheries could be discussed in more detail in this summary, it does not seem germane as an introduction to the issues addressed by this EIS.
P79aa	written - Rick Gaffney	Table 1-3 is incorrect. Suggests Hawaii troll charter and handline fleet consists of "several thousand vessels"; actually, closer to 10,000 active vessels. Details listed for PRIAs troll and handline also incorrect, and most of the vessels fished there are active only on a seasonal basis.	Clarifications have been added to the EIS.
P79bb	written - Rick Gaffney	Section 1.4.3 charts in this section detail catch in terms of mt landed, but fail to measure the catch in terms of economic value and or impact.	This is meant to be a very brief overview of pelagic fishing, focusing on the commercial sector. Other sections of the EIS, such as section 3.10, discuss economic value and impacts.
P79cc	written - Rick Gaffney	p1-22 incorrect assertion "no scientific evidence that other sectors have suffered as a result of longline fishing". There is evidence (NMFS tagging records). And there are few if any efforts made to measure the impact of this fishery on the other sectors.	Both here and elsewhere in the EIS peer-reviewed papers and reports are cited as a basis for this assertion.

Tracking No.	Commenter	Comment	Response
P79dd	written - Rick Gaffney	p1-22 suggests that swordfish landings rose dramatically early in the longline fishery but fails to note that they decline dramatically for sport and handline fisheries over the same period.	Accurate time series data on landings and catch composition for non-commercial fisheries are not available so it is difficult to substantiate a decline in catches. Swordfish are not a primary target species for charter and sports fishermen (see Sections 3.10.3.2.2-3.10.2.2.3 of the EIS) and fishing grounds for the Hawaii-based longline fleet and non-commercial fishermen are different. (Longline vessels fish farther offshore.) Longliners may intercept some swordfish that might otherwise be caught by charter and sports fishermen but it is not possible to demonstrate a causal link between increases in swordfish landings by longliners and (undocumented) changes in non-commercial landings.
P79ee	written - Rick Gaffney	p1-26 incorrect suggestion that blue marlin may be the only species threatened, when it is clear that both swordfish and various sharks are also threatened.	It is not clear that Hawaii-based longliners are catching swordfish at unsustainable levels (see Section 3.4.1.1 of the EIS). The issue of shark finning and concerns about sustainability are identified in this chapter and this discussion has been expanded slightly in the Final EIS.
P79ff	written - Rick Gaffney	Annual quota of 50,000 sharks set by the FMP is unrealistic in light of the Congressional action to ban finning. There should be no shark fishery in the WPR based on the collapse that has ensued with every pelagic shark that has ever been pursued.	The EIS has been revised to reflect the new U.S. law prohibiting shark finning and discard of carcasses at sea. This law was not enacted at the time of Draft EIS preparation.
P79gg	written - Rick Gaffney	p1-26,27 question re sustainability of blue marlin very important and is given short shrift in the DEIS/FMP. The balance of discussion is inadequate. The highest and best use of blue marlin is in the recreational/charter/sport industry and there should zero retention allowed by the longline fleet.	This introductory chapter is meant to briefly touch on the many issues raised by pelagic fishing in general and the Hawaii-based longline fishery in particular. Issues surrounding blue marlin are in fact given more attention than other issues that may be of equal concern to other interest groups. Since Hawaii-based longline vessels do not target marlin and post-hooking survival is likely very low, a zero retention policy would not significantly reduce the fishing mortality of marlin and therefore would not make more fish available to the non-commercial sector. No benefit would accrue while such a policy would incur some cost since incidentally caught marlin could not be retained and sold.
P79hh	written - Rick Gaffney	p1-29 points out taxpayers fund management-related expenses; as such should have a reasonable expectation of balanced management of "their" fishery by NMFS/Council, but they do not so long as the current exclusion of recreational/sport/charter fisheries is continued.	This paragraph has been deleted in the Final EIS.

Tracking No.	Commenter	Comment	Response
P79ii	written - Rick Gaffney	Sc 2.1 suggests that pelagic fish are "harvested" which implies that the fishery has been managed, which it has not. Further an economically and historically important portion of the pelagic fishery involves catch and release which is not "harvest."	Section 2.1 is a brief summary of pelagic fishing activities in the EEZ. Catch-and-release fishing is a component of sport fishing, which is mentioned.
P79jj	written - Rick Gaffney	Because of the many failings of the DEIS/FMP the only reasonable alternative is Alternative 8. All other alternatives include unacceptable levels of bycatch, continued kills of endangered and threatened species, additional take of blue marlin, various sharks and swordfish which are in decline and continued conflict with other pelagic fisheries of much higher value.	Comment expresses a preference for an alternative. No response required.
P79kk	written - Rick Gaffney	All of eight alternatives in the DEIS/FMP are focused on the domestic longline fleet and this document is supposed to be a Pelagic FMP.	The focus of the EIS reflects the relative importance of the Hawai i-based longline fishery within the Pelagics FMP-managed fisheries in the Western Pacific Region. NEPA is structured to encourage analysis of issues that are ripe for decisionmaking. Where such issues have not yet emerged, development of alternatives is merely hypothetical. 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.
P79ll	written - Rick Gaffney	Obj 2.3 of FMP is Optimal Yield - no discussion possible without inclusion of all pelagic fisheries. Discussion of economic overfishing has already been reached in the swordfish fishery and is being threatened in the yellowfin tuna and blue marline fisheries as the sport fisheries are impacted by the longliners.	The Draft EIS reviewed objectives of the Pelagics FMP but did not define them. All available scientific information was considered in the review.
P79mm	written - Rick Gaffney	2.3 also suggests goal to promote "domestic fishery values" (this is undefined and must be defined) "by enhancing the opportunity for satisfying recreational fishing experiences." These have been in dedine since the mid-80s when expansion of longline - so this objective of the FMP is unmet.	The Draft EIS reviewed objectives of the Pelagics FMP but did not define them. All available scientific information was considered in the review.
P79nn	written - Rick Gaffney	Study referred to at the top of p 2-23 does not cite the study reported.	The reference for the study is listed in the pertinent paragraph.

Tracking No.	Commenter	Comment	Response
P79oo	written - Rick Gaffney	2.3.4 This paragraph invalidates virtually the entire DEIS/FMP because it admits to the lack of technical data required to manage the fishery. There can be no scientific justification for any management decision without the basic scientific data required to make that decision.	There is a difference between a NEPA analysis and an FMP. Ongoing management requires use of best available data, as is used in this EIS.
P79pp	written - Rick Gaffney	2.3.4 Fails to note the lack of adequate species biology, a problem of equal and perhaps greater import than the lack of catch and effort data. Can't develop reasonable legitimate FMPs without this data.	There is a difference between a NEPA analysis and an FMP. Ongoing management requires use of best available data, as is used in this EIS.
P79qq	written - Rick Gaffney	2.3.6 speaks of precluding waste of PMUS yet fails to include any mention of blue marlin, a species wasted regularly by longliners	Blue marlin taken for food value is not discarded, hence not wasted.
P79rr	written - Rick Gaffney	2.4.3 discusses measures to reduce mortality of sharks. There is no concurrent discussion of reducing the mortality of blue marlin, and there should be.	Given the extremely low impact of the Hawaii-based longline fishery on blue marlin populations and given the fact that blue marlin are marketed for human consumption in Hawaii, even successful methods for the reduction of blue marlin mortality in the longline fishery would have little impact.
P79ss	written - Rick Gaffney	3.3.1 breaks PMUS into marketable and non-marketable species but fails to suggest that some of those fish detailed as marketable were made so by the industry (and taxpayer dollars) after appearing initially as by-catch and they are still not target species (e.g. opah)	The categories of marketable and non-marketable were taken from Amendment 8 of the Pelagics FMP.
P79tt	written - Rick Gaffney	Question of marketability also fails to consider the marketing of Hawaii's internationally renowned Pacific blue marlin fishery and the consequent "market value" of blue (and other) marlin. Market value herein, should not just include landed value.	The value of Hawaii's internationally renowned Pacific blue marlin is reflected in its landed price and is properly accounted for. If the value is not so accounted then the market is not accurately reflecting the value. All indications are that any difference made by the commercial fishery on stocks and local availability are so minor as to be undetectable.
P79uu	written - Rick Gaffney	The EFH discussion fails to meet the requirement that it consider the impacts on that habitat of the harvest of any individual species from that habitat - the cumulative changes imparted on the EFH by the removal of one or more species	The effect of harvesting an individual species in a portion of its geographical range on the total pelagic EFH cannot currently be determined.
P79vv	written - Rick Gaffney	It also fails to report data that indicate that some species numbers (spearfish) have increased dramatically in parallel with increased longline effort.	An increase in spearfish numbers, if documented, could be the result of numerous factors, and currently has not been documented as an effect of the longline fishery.

Tracking No.	Commenter	Comment	Response
P79ww	written - Rick Gaffney	p3-11 "little is known about migration of Pacific swordfish." That said, FMP cannot manage swordfish in one part of their unknown range without risking adversely impacting the stocks.	The salient point of swordfish biology is that catch statistics are steady in the face of current fishing pressure. Additional biological information is therefore desirable (such as migration data) but not critical to evaluating the viability of the fishery.
P79xx	written - Rick Gaffney	The scientific equipment (pop-off satellite tags) required to be fairly certain about the migration of swordfish is readily available and well proven on bluefin tuna. No mention is made of obtaining this kind of data.	The salient point of swordfish biology is that catch statistics are steady in the face of current fishing pressure. Additional biological information is therefore desirable (such as migration data) but not critical to evaluating the viability of the fishery.
P79yy	written - Rick Gaffney	The impact of declining swordfish catches on the charter sport fishing fleet is nowhere detailed in this document, yet that is a critical component of any consideration of the impact of the swordfish longline fishery.	Swordfish catch by the charter sport fishing fleet is reported as catches by the commercial troll category. We are unaware of data to distinguish charter sport fishing catch from that of other commercial troll vessels. In addition, between 1987 and 1998, annual reported swordfish landings were typically in the range of 1,000 pounds, although catches in 1988 and 1989 were 2,000 pounds. Since 1987, swordfish have typically represented less than ½ of one percent (0.005%) of total combined marlin and swordfish catches for the commercial troll fleet, which includes the charter sport fishing fleet. It is difficult to document declining swordfish catches or to claim that swordfish catches are important to the charter sport fishing fleet.
P79zz	written - Rick Gaffney	3.4.1.2 is largely based on one study of black marlin published in 1985. There is a lot more biological information available on this species (Australia, etc.)	This comment is inaccurate. Extensive biological information is not available for this species.
P79aaa	written - Rick Gaffney	Black marlin is an important component of Hawaii's sport/recreational/charter catch, in part because Hawaii is the only place in the world where both blue and black marlin over 1000 lbs have been taken by one charter boat captain. Recognition of the part this species plays in the sport fishery must be included.	The fifth sentence in the introductory paragraph to Section 3.10.3.2.2 Charter Sport Fishery has been changed to acknowledge black marlin. The sentence should read as follows: "The Kona Coast of the Island of Hawaii has a long-standing reputation as a premier location to fish for big blue and black marlin, …"

Tracking No.	Commenter	Comment	Response
P79bbb	written - Rick Gaffney	3.4.1.3 is also inadequate for its lack of credible biology, and contains patently incorrect information, such as: there is no special fishery for spearfish." In fact, there is a world-famous directed fishery for spearfish in Kona that has a substantial positive annual impact on the industry. The statement "caught with extreme rarity, if at all in recreational fisheries," is patently false. In season, as many as a half dozen spearfish may be caught in a single day in the Hawaii sport/recreational/charter fishery, and these sorts of numbers have contributed to a new growth sector of the charter industry; fly fishing. Virtually all of the shortbill spearfish world records on fly rod have been taken off Kona, prompting international anglers seeking every species of billfish on fly to come to Hawaii to get a fish they will rarely catch elsewhere.	The statement in question has been amended to reflect the targeting of spearfish by sport fishers. See section 3.4.1.5, last sentence of Life History subsection.
P79ccc	written - Rick Gaffney	This section also fails to note that spearfish are a recent component of the commercial and recreational/charter/sport fishery. The increasing no. of this once rare species may be related to the increased harvest of predatory species, and must therefore be thoroughly considered as part of this FMP.	This document is not an FMP. There is no scientific evidence for the hypothesized relationship.
P79ddd	written - Rick Gaffney	3.4.2 states that "wahoo are not a target species in fisheries" which is absolutely incorrect. They are an important species for nearly every recreational/charter/sport fisherman in WPR, and often make the difference between a successful and an unsuccessful day of recreational/charter fishing.	The pertinent sentence has been modifed to reflect that some trollers do target *wahoo* on an occasional basis.
P79eee	written - Rick Gaffney	Recent NMFS tag data regarding a 1300 mile migration of a wahoo tagged and released off Midway is not included herein, and the information that is provided is inadequate to determine the environmental impact of the wahoo fishery or to manage the larger fishery in which this species exists.	The single recapture of a tagged fish does not consitute a significant input into understanding the biology of this species. It is correct that little is known about the biology of *wahoo* but, equally, there are no indications in catch data that this species is heavily exploited.

Tracking No.	Commenter	Comment	Response
P79fff	written - Rick Gaffney	3.10.3.2.2, the description of the Hawaii Charter Sport Fishery is also flawed, weak and incomplete. Numbers cited are old and not representative of current activity/value; the import of the catch and release fishery is not mentioned; value of target species is not quantified; there are charter sport fishing boats on every populated island in the State of Hawaii and the significant economic and social impact of sport fishing tournaments is not included.	Comments on old data were addressed in response to comment P3a. The report indicates the average number of fish released by surveyed charter boats, and the economic effect of catch and release fishing is included in the available data for the charter sport fleet. We are unaware of other existing information on the importance of catch and release fishing to the charter sport fleet. The following sentences have been added to end the of second paragraph in Section 3.10.3.2.2 Charter Sport Fishery: "Information on landings and prices paid for fish sold by the charter sport fleet are unavailable because charter sport fleet landings are reported as commercial troll landings. Historical price information for pelagic species landed by commercial troll, handline, and other gear types was provided in Figure 3.10.3.2-4."
P79ggg	written - Rick Gaffney	The quantification of the economic contribution of Hawaii's pelagic charter fishing industry is based on old figures which are not accurate today and incomplete. Also it does not include tournament data, which is significant.	The available data were for "active" charter sport vessels in 1997 and the information presented in the DEIS includes all islands identified as having "active" charter sport vessels in that year. Sections 3.11 and 4.9 in the EIS provide additional information on the relationship of island communities to the pelagic fishing industry. The effect of sport fishing tournaments on the charter sport fleet is included in the charter gross revenues for a typical charter vessel, and subsequently through the regional economy. The EIS does not attempt to estimate the economic impact of other spending (for example, hotels and airfare) by persons that participate in charter sport fishing because most people visit Hawaii to participate in a number of activities, of which sport fishing is only one. It would be misleading to claim the visitor's total expenditures for charter sport fishing. We are unaware of data that would permit us to estimate the number of persons that come to Hawaii solely for charter sport fishing.
P80a	written - Paul Achitoff (Earthjustice)	We want to emphasize that we consider the elimination of swordfish longlining out of Hawaii and the other proposed restrictions on the longline fleet not only justifiable, but essential for the conservation of turtles and other protected species.	Comment is an opinion. No response required.
P80b	written - Paul Achitoff	According to a report NMFS produced for Judge Ezra, the resulting benefits will <u>not</u> be undermined by increases in turtle takes by foreign vessels. That report indicates that foreign fleets are unlikely to catch sea turtles protected by restricting the Hawaii-based swordfish longline fleet, for a number of reasons:	Due to lack of information, projections as to actions of foreign fleets are speculative.

Tracking No.	Commenter	Comment	Response
P80c	written - Paul Achitoff	First, the NFMS analysis (Exhibit A to declaration of Charles Karnella filed June 15, 2000) indicates that foreign fleets are not likely to increase their fishing effort in response to restrictions places on Hawaii longline fishing. The report suggests that foreign fleets are likely already fishing as much as they want, and that those fleets are unlikely to gain access to the domestic fresh fish markets currently served by the Hawaii longline fleet. Furthermore, existing effort variability by the foreign fleets exceeds the catch of the Hawaii longline fleet, so changes in the catch of the Hawaii fleet are not likely to be large enough to alter the behavior of the foreign fleets.	Due to lack of information, projections as to actions of foreign fleets are speculative.
P80d	written - Paul Achitoff	Second, longline vessels targeting swordfish set their gear differently than vessels targeting tuna, and the sea turtle take in sets targeting swordfish is approximately ten times greater than sea turtle take in sets targeting tuna (Table 7, EA Dec 15 1999). This difference in sea turtle bycatch is the basis for placing restrictions on swordfish fishing while placing relatively few restrictions on tuna fishing.	The new Preferred Alternative (Alternative 10) recognizes this difference and is constructed accordingly.
P80e	written - Paul Achitoff	Most foreign fleets catch swordfish while targeting tuna, using methods that are most similar to sets targeting tuna by the Hawaii longline vessels. NMFS' report to Judge Ezra notes: "longline vessels from Japan, Korea, and Taiwan target bigeye and yellowfin tuna, in the Pacific (and other oceans) for the sashimi market... In recent years, swordfish has not generally been a target species of these fleets but may be targeted at certain times of year, by certain fleets operating in certain areas (e.g., Japanese fleet fishing off eastern Japan) (Takahashi and Yokawa 1999)." Since the foreign longline vessels fishing near Hawaii primarily target tuna, the foreign fleets appear to be unlikely to take sea turtles at nearly rate as Hawaii vessels targeting swordfish. Thus, it appears unlikely that foreign fleets would take the sea turtles that would be protected by restricting the Hawaii swordfish fleet.	Sea turtles are vulnerable to accidental capture throughout their range of migration. The Japanese longline fishery which targets swordfish in the western Pacific does not overlap with the Hawaii-based swordfish fishery but nevertheless takes the same species and animals during migrations across the Pacific.
P80f	written - Paul Achitoff	Eliminating swordfish longlining is the <u>only</u> measure that has been shown to reliably and substantially reduce turtle bycatch other than, of course, eliminating all longlining effort. Since swordfish longlining is far more environmentally destructive than tuna longlining, it seems appropriate to place most of the burden on the fishery that is causing most of the problems.	The new Preferred Alternative (Alternative 10) recognizes this difference and is constructed accordingly.

Tracking No.	Commenter	Comment	Response
P80g	written - Paul Achitoff	Because no bycatch reduction measures have been developed that would allow swordfish longlining to continue without unacceptable impacts on turtles, we are firmly opposed to the implementation of any Hawaii-based experimental longline fishery. We are eager to see NMFS develop turtle bycatch reduction techniques or technology, and to see such methods employed in longline fleets throughout the world. It would be entirely inappropriate, and, we believe, unlawful, however, to allow longline fishing at the expense of critically endangered animals under the guise of experimentation. Such an approach would not be scientifically sound or in the best interests of the endangered turtles, which can no longer afford the luxury of being killed while NMFS seeks an eventual solution to the bycatch problem with a speculative, trial and error approach. Particularly in light of the length of time it would take to obtain reliable data on the effectiveness of any bycatch reduction devices in this fishery, any possible benefit to the species from such a program would be far outweighed by the continued loss of individuals from a population that NMFS, in its most recent biological opinions, has pointed out is very quickly running out of time. If field experiments with unproven methods must be performed, they should be done in a fishery with a higher rate of bycatch, and where the ESA does not place the strict limits on harming turtles that apply in the Hawaii fishery.	A new Preferred Alternative has been developed as a result of new information, comments and analyses, including the Pelagics BO. Option A is not part of the Preferred Alterantive, but may be pursued under an ESA Section 10 permit.
P80h	written - Paul Achitoff	While we understand that closing the entire fishery during April and May will have economic repercussions, we strongly support the closure. The rate of turtle bycatch in the tuna fishery is substantially lower than that in the swordfish fishery, but it is by no means insignificant in view of the species' dire predicament, and while this differential may justify treating the two fisheries differently, it does not justify ignoring the impacts of tuna longlining. A two-month closure during the season when the best available data shows an increased likelihood of leatherback bycatch is necessary to meaningfully reduce the fishery's impact. As a result of an inadequate response, nationally and internationally, to dramatically falling turtle populations and increasing fishing effort, the prospects for the Pacific leatherback are now so dim that we cannot view any level of bycatch as acceptable, and the reduction that would be produced by implementing the proposed changes without the annual two-month moratorium would not be even minimally adequate.	A new Preferred Alternative (Alternative 10) affords the necessary protection to sea turtles, and includes an April-May time/area closure element.

Tracking No.	Commenter	Comment	Response
P80i	written - Paul Achitoff	Adequate observer coverage is a critical component of any effective bycatch reduction plan, but the DEIS does not propose a minimum level of observer coverage. Experience has shown that observers are needed if there is to be any reasonable assurance that regulations designed to reduce bycatch are being followed, that they are working as expected, and that protected species are handled in the proper manner. Although fishermen can be useful for obtaining data, observers are still necessary to obtain reliable information about the number and type of protected species interactions. The historical level of coverage in the Hawaii fishery, less than five percent, has been consistently described by all – NMFS, industry, and the conservation community – as woefully inadequate. As a result of the litigation, many more observers are now trained and available for work in this fishery. We strongly support 30 percent coverage in the tuna fishery. (Since we oppose any swordfish or experimental fishery, the obvious need for complete coverage in such fisheries is moot.)	NMFS agrees that adequate observer coverage is needed to collect statistically reliable information on fishery bycatch. The new Preferred Alternative (Alternative 10) requires at least 20 percent observer coverage in the Hawaii-based longline tuna sector.
P80j	written - Paul Achitoff	In conclusion, we view the Preferred Alternative as far from ideal in conservation perspective. Under that regime the longline fishery will continue to cause serious adverse environmental impacts. It represents a compromise, allowing a viable tuna fishery to remain while scaling back the impacts of a fishery that was not suited to the North Central Pacific marine environment. On that basis, we cautiously support the Preferred Alt, without an experimental fishery and with 30 percent observer coverage.	The comment expresses a preference for an alternative, although the preferred alternative has been developed for the Final EIS. The new Preferred Alternative (Alternative 10) requires at least 20 percent observer coverage in the Hawaii-based longline tuna sector.
P81a	written - Sean Martin (HLA)	NMFS arrival at Alternative 7 as preferred is based on inadequate and inconsistent economic and biological impacts analyses, and may in fact have far greater cumulative biological impacts than stated due to underestimated vessel relocation, calling into question its validity under ESA, RFA and EO 12866.	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.
P81b	written - Sean Martin	This proposal is not economically feasible as required by NMFS regulations (an alternative is "reasonable and prudent" if it can be implemented "in a manner consistent with the intended purpose of the action," and "is economically and technologically feasible..." 50 CFR 402.02).	NMFS disagrees with the commenter's interpretation of its regulations. The alternative may be costly and unpalatable to some, but it is economically and technologically feasible.

Tracking No.	Commenter	Comment	Response
P81c	written - Sean Martin	HLA with scientific community has developed a proposal that incorporates experimental fishing concepts and that, while not fully alleviating economic hardship for swordfish fishermen, is economically feasible and ensures the strict protection of the current sea turtle population. Most importantly, this proposal creates the opportunity for identification of measures that may make it possible in the future for swordfish fishermen to participate in the fishery without adversely affecting sea turtle populations.	The EIS considered a range of alternatives including an experimental fishery option. NMFS plans to conduct the research fishing experiment under an ESA Section 10 permit.
P81d	written - Sean Martin	These comments and proposals are not intended to represent all of the concerns and ideas HLA might have were it given an opportunity to review NMFS' draft BO. The DBO will contain an analysis of the preferred alternative in the context of the "jeopardy" standard, something that the DEIS does not include. Without reviewing NMFS' jeopardy analysis, it is difficult for HLA to define with specificity in its proposed alternative the required limits on experimental fishing, or to comment on the reasonableness of the preferred alternative.	The Pelagics BO is available. If gear or fishing techniques are developed to significantly reduce turtle interactions with shallow sets, that could be grounds for re-initiation of the Section 7 consultation and production of a new BO.

Tracking No.	Commenter	Comment	Response
P81e	written - Sean Martin	The DEIS wrongly cites effort switching as a viable option for swordfish vessels. DEIS claims that by effort switching, the swordfish fishermen could "break even" (4-34, 4-89); it is unclear what portion of fishermen the DEIS expects to successfully switch. These conclusions are highly speculative and should not be relied upon. Contrary to NMFS' assertions, effort switching is not a viable option for swordfish vessels. Scattered throughout the DEIS is evidence that effort-switching is neither technicalongliney nor economically feasible. 4-29 admits NMFS is uncertain whether vessels could bear the costs and the period of reduced productivity from switching. 4-29 swordfish vessels are not ideal tuna vessels in configuration or size, meaning overheads greater/uneconomical for tuna fishing. 4-89 to 4-90 fleet is expected to bear a $129,000 cost for purchase of line shooters to comply with Alternative 7. 4-29 significant learning curve for switching.4-34 thus the excessive costs of switching alone may cause swordfish fishery to be "all but eliminated." 4-30 also swordfish vessels require $414,000 to break even vs. tuna's $298,000. 4-30 but while swordfish vessels generate $693 per trip, tuna fleet loses $713. 5-5 thus the operating costs and debt payments for financed swordfish boats are "too high to be recovered by the revenue typicalongliney generated by tuna longline fishing." 4-29, 4-92, 4-93 also new tuna effort is unlikely to be as productive as current due to two month closure proposed under Alternative 7. 4-92 DEIS admits effort switching is unlikely to be as successful as predicted by its model. THUS inadequate and misleading to assert that some level of effort switching will mitigate impact of ending swordfish longline.	Text has been added to clarify this point. The Draft EIS does not suppose effort switching, it suggests it as a "corner" solution to bound impacts (likewise, no effort switching provides the other bound). No supposition is made in the Draft EIS as to how much if any of the fleet might switch effort. However, comments by the HLA (letter from S. Martin, Director HLA to Dr. R. Lent, NMFS, dated January 29, 2001) note in VII.A. that NMFS regulations should "permit swordfish fishermen to relocate to the tuna fishery if they so choose."
P81f	written - Sean Martin	DEIS fails to analyze the negative biological effects resulting from vessel relocation. Since effort switching is not a viable option for swordfish vessels, the likely alternative for those vessels is to relocate to areas not covered by the preferred alternative. Pacific longline fisheries that aren't regulated by this FMP have already increased in response to Court-ordered emergency rules (4-173, 5-5). While the DEIS recognizes the high potential for longline vessel relocation, it fails to adequately address the biological impacts of this likely scenario, resulting in a determination that severely underestimates the indirect impacts of the preferred alternative on sea turtles and other sensitive species.	It is true that some swordfish vessels will probably relocate to other U.S. swordfish fisheries and this is acknowledged in the EIS. Data to estimate these impacts are not available to the drafters nor is the basis to speculate on the magnitude.

Tracking No.	Commenter	Comment	Response
P81g	written - Sean Martin	DEIS ES-5 acknowledges that the relocation may result in a cumulative negative impact to listed species yet NFMS' final determination on the impact of relocation on sea turtles nevertheless states that it will have "no significant cumulative effect." (Table ES-2) Despite this, the final determination for sea birds and marine mammals appropriately finds that relocation may have a cumulative adverse effect on those species (Table ES-2).	The table referred to has been clarified in the Final EIS, and now appears in Chapter 2.
P81h	written - Sean Martin	The DEIS fails to adequately consider the "transferred effects" of increased foreign fishing. To the extent of the closure of the swordfish longline and seasonal closure of tuna longline, the market demand previously met by the Hawaii fishery wilongline be met by foreign supplies (4-203 to 4-212, 5-5). These fisheries are already less strictly regulated than the Hawaii fishery and result in significantly greater impacts to protected species (4-207) and their increased impacts could eliminate any nominal benefit created by closing the Hawaii fishery producing "greater adverse cumulative effects" on these populations (4-191, 5-5, also Kleiber declaration of June 15 2000).	Information has been added to the EIS to clarify transferred and cumulative effects of the new Preferred Alternative (Alternative 10) on sea turtles.
P81i	written - Sean Martin	4.11.9 discusses the impact to sea turtles from an increase in foreign fishing. Although the DEIS does not include a comprehensive list of fishing fleets and their take numbers, still it anticipates takes many times in excess of the Hawaii fleet (4-208, 4-209).	None of the alternatives in the EIS may reduce the cumulative effects on sea turtles, due to potential transfers of fishing effort to unregulated fisheries with higher interaction rates, such as in fisheries in central and/or South America (Section 4.11.9.5). The EIS acknowledges that analysis of the full scope of transferred effects on protected species is hampered by the relative lack of accurate fisheries statistics, observer coverage and measures provided for protected species by international fleets.
P81j	written - Sean Martin	NMFS expects that the closure of the Hawaii longline fishery will lead to a poorer conservation record in other fisheries. To the extent that foreign fishing replaces lost Hawaii longline effort, 'we would expect a higher level of potential interactions and sea turtle mortality' (Charles Karnella).	NMFS must meet the legislative mandate under ESA.

Tracking No.	Commenter	Comment	Response
P81k	written - Sean Martin	Regulations that remove vessels from the Hawaii fleet appear to be "a relatively ineffective tool" for limiting total mortality of turtles (4-219). How then, does NMFS come to a determination that the best alternative is one that closes the Hawaii swordfish fishery and, for periods, the tuna fishery, and encourages an increase in foreign fishing? The answer would be clearer, and HLA believes, different, had NMFS attempted to calculate the additional number of takes that would occur in foreign fleets as a result of each alternative and included those together with its discussion of the intended benefits of various management actions.	The EIS acknowledges that analysis of the analysis of the full scope of transferred effects on protected species is hampered by the relative lack of accurate fisheries statistics, observer coverage and measures provided for protected species by international fleets.
P81l	written - Sean Martin	The DEIS fails to base its analyses on sound science, and the resulting preferred alternative is unreasonable. The DEIS contains fundamental biological and relational uncertainties that seriously undermine the preferred alternative. The DEIS acknowledges that there are vast uncertainties regarding the actual total level of sea turtle mortalities associated with the Hawaii longline fishery. Specifically, the DEIS states that it has "insufficient information about the size and age structure and movement patterns of sea turtle populations to evaluate the effects of these interactions on long-term population viability and recover." (ES-6, 2-31; also 2-30.)	The EIS incorporates best available information to present the analysis required by NEPA. Additionally, NMFS must meet the legislative mandate under ESA.
P81m	written - Sean Martin	Of the remaining information that the DEIS might rely upon to gain insight into sea turtle behavior and their interaction with the longline fishery, the most important is observer data. As NMFS itself acknowledges, however,"observers were not placed randomly in the fleet, but instead were placed on longline fishing vessels likely to encounter sea turtles." (3-175) Also, "since sampling is not random a simple extrapolation of data is likely to be biased." (3-175) This same observer data was used to generate estimates of annual incidental catch of turtles, along with data from NMFS logbooks (3-176, table 3.10-Longline20). The result is an observed 22 mortalities out of 3,252 observed sets. It follows that the actual relationship between the number of sets and mortalities is much lower. However, it appears from the DEIS that NMFS has performed a straight extrapolation despite its own admission that such an extrapolation would result in biased estimates (3-177 to 3-178)	NMFS agrees that given a sampling bias, a straight extrapolation of data is likely to produce biased results. NMFS does not agree that it has used simple extrapolations for the analysis referenced. NMFS has sought by use of various models, multipliers and design accommodations, to adjust for sample bias.

Tracking No.	Commenter	Comment	Response
P81n	written - Sean Martin	NMFS claims to have taken the "most precautionary" (2-15) approach in choosing its preferred alternative. That is to say, that lacking crucial data as outlined above, NMFS has chosen not to develop that data but, instead to eliminate the swordfish fishery. While the purpose of ESA is to protect listed species, it also requires that NMFS base its determinations on te best scientific and commercial data available in order to avoid unnecessary economic impacts. HLA believes that other alternatives may exist, such as adaptive management measures could be implemented to limit interactions now, while placing a priority on understanding sea turtle life cycles and how they interact with fishing vessels in order to incorporate that information as it is learned. Unfortunately, the preferred alternative does not include adaptive management measures but instead unduly limits immediate options for acquiring such knowledge and future options for implementing more appropriate and less damaging strategies for conserving sea turtle species.	The new Preferred Alternative (Alternative 10) is responsive to the jeopardy finding of the Pelagics BO, and conforms with the "Reasonable and Prudent Alternative" contained in the Pelagics BO. While Option A, the fishing experiment, is not part of that alternative, it offers the promise of developing turtle interaction deterrent measures that could be used in both domestic and foreign fisheries.
P81o	written - Sean Martin	The DEIS fails to properly analyze and incorporate experimental fishing options. In order to ensure that fishing restrictions are based on the best scientific and commerical data available, NMFS preferred alternative should incorporate methods for developing the requisite data on sea turtle interactions with fishing vessels. Over time, this data may alonglineow NMFS to construct reasonable, long-term fishing techniques that conserve sea turtles and other sensitive species. Not only could the development of such methods benefit sea turtles that might interact with restricted Hawaii longline fishing, but these methods might also be exported to international fisheries that have high sea turtle interaction and mortality rates in order to reduce worldwide impacts to sea turtles.	The experimental fishery option has been described in more detail in the EIS.

Tracking No.	Commenter	Comment	Response
P81p	written - Sean Martin	NMFS' failure to adopt an experimental fishing program is based on the DEIS' flawed analysis of the positive and negative impacts of such a program. The DEIS states that the "no action" alternative, which represents current fishing practices, will have no significant cumulative impact on sea turtles, yet the restricted experimental fishing measures designed to identify fishing methods with less impact than those currently in use are found to have significant cumulative effects. (Table ES-2) This failure to take into account the long-term benefits of this option is not repeated for marine mammals. For those species, the experimental fishery is more appropriately defined as having a "temporary increase in take" that "could result in methods for long-term reduction of take." (Table ES-2). Similarly, for sea birds, experimental fishing is found to have no significant impacts. (Table ES-2). NMFS' failure to consider the long term biological benefits to sea turtles is mirrored throughout the DEIS' evaluation of the experimental fishing program.	The potential for experimental fishing to have positive significant cumulative effects is clarified in the summary table at the end of Chapter 2.
P81q	written - Sean Martin	One reason the DEIS may so seriously undervalue the benefits of an experimental fishing program is because its analysis is restricted to possible negative impacts from experimental fishing. For example, at one point the DEIS admits that studies indicate that certain changes in fishing practices and gear may have promise for reducing turtle interactions. (2-17). Additionally, in its explanation of one experimental tactic, the DEIS states that "circle hooks may have the potential to increase the survivorship of sea turtles take in longline fishing and further investigation is warranted." (2-18). Despite these positive indicators, the DEIS' impacts analysis addresses only the possible negative impact that experimental fishing might have on take levels, while failing entirely to address the long-term benefits that might accrue from identifying methods that can be adopted to minimize sea turtle take worldwide (4-105 to 4-107). Similarly the DEIS fails to consider that vessel involvement in an incidental fishery will lower the incidence of relocation to less regulated fisheries, resulting in a net benefit to protected species who might otherwise be negatively impacted by such relocation. In failing to discuss and analyze these beneficial impacts of experimental fishing, NMFS has structured the analysis of this option in such a way as to ensure that experimental fishing is discounted. The result is a misleading analysis and an unsound conclusion.	The distinction between possible short-term effects and long-term benefits of experimental fishing has been clarified in the EIS.

Tracking No.	Commenter	Comment	Response
P81r	written - Sean Martin	The DEIS fails to adequately analyze the economic impacts of selected alternatives. The DEIS fails to present sufficient background information and analysis to permit decision makers and stakeholders to understand the likely economic impacts of each alternative. Moreover, the DEIS fails to conform to NMFS' draft guidelines for FMP economic analyses (NMFS, August 2000). Consequently, this means the procedural and analytical requirements of EO 12866 and the RFA have not been met. Further, by relying on economic information contained in the DEIS, NMFS will be unable to determine if a reasonable and prudent alternative based on this information is economically feasible as required by NMFS' ESA implementing regulations.	NMFS guidelines acknowledge that not all information will be available for analysis or for decisionmakers and that they must use the best available information. Since information is always being gathered and generated, it is also acknowledged that the analysis must be made at a particular point in time with the information available at that time. A memorandum summarizing the information requiments and the information provided in the EIS is included in the Adminstrative Record.
P81s	written - Sean Martin	The DEIS fails to analyze the associated economic benefits that might accrue to Hawaii swordfish fishermen both in the short term while being alonglineowed at least some limited fishing opportunity, and in the long term if the result is the eventual return to fishing with the sue of proven turtle avoidance gear. The DEIS approximates beneficial economic effects for just one swordfish longline vessel.(4-105). According to the DEIS, however, it is possible that more than one full-time vessel will be needed to provide reliable and valid information. In fact, HLA believes that numerous vessels could be allowed restricted fishing access under an experimental program designed to identify fishing methods that cause fewer impacts to sea turtles. Nevertheless, the DEIS refuses to address those possible benefits, stating that "more concrete estimates cannot be made until the experimental design protocols of the program are established," and that it would be "impractical" to project the economic impacts of an option the design of which is not finalized. (4-28, 4-105). In fact, the beneficial effects of the experimental fishing option are not even reflected in the DEIS' table summarizing economic impacts of the alternatives on longline vessels (table 4.8-1).	The Draft EIS could go only so far as the alternatives allowed - speculation beyond alternatives presented is unfounded and out of context. Option A, the fishing experiment, has been developed more fully for the Final EIS. It recommends a number of sets that would determine the number of vessels involved.

Tracking No.	Commenter	Comment	Response
P81t	written - Sean Martin	The DEIS' failure to recognize the long-term benefits of an experimental fishing program results in a preferred alternative that will not recover declining sea turtle populations. Expert testimony in CMC v NMFS advised that even complete closure of the Hawaii longline fishery will not significantly change the prospects for population viability and recovery of sea turtle species. NFMS acknoweldges this fact (2-32, 5-2), yet fails to recognize that experimental fishing can address this weakness by developing practices that can be exported internationally, and which might be adopted by foreign fishermen more readily than restrictive time and area closures. Therefore, the preferred alternative alone, by NMFS' own admission, will not accomplish its goal of recovering sea turtle populations. An alternative that incorporates some level of experimental fishing, however, does have the opportunity to accomplish recovery.	The EIS recognizes long-term solution will require a global effort.
P81u	written - Sean Martin	HLA believes that alternatives exist that will better achieve the goal of reducing impacts to listed species, while minimizing economic harm the Hawaii economy. This alternative consists of (1) implementation of a controlled, experimental swordfish fishery to obtain key information that can be used in this and other fisheries; (2) implementation of an adaptive management strategy that permits real-time management of incidental take and related impacts; and (3) implementation of an aggressive conservation strategy to conserve and protect sea turtles nesting beaches and other critical habitat areas.	The results of experimental fishing could be applied through adaptive management. Turtle nesting habitat conservation should be part of a comprehensive management strategy. Information has been added to the EIS to clarify these issues.
P81v	written - Sean Martin	(1) Experimental swordfish fishery: A significant obstacle to sea turtle recovery is the lack of information about the impacts of fishing gear on these species. The Hawaii swordfish fishery presents an excellent opportunity for NMFS to design and test experimental fishing protocols in a controlled fashion. Such protocols, once proven successful, could be applied in this fishery,	The long-term solution will require a global effort. The experimental fishery option has been described in more detail in the EIS.
P81w	written - Sean Martin	(1) and abroad where the overwhelming majority of take occurs. (Longline fishing effort other than Hawaii fishing accounts for 95.5 percent of the total fishing effort in the Pacific. 4-163.)	The EIS includes this information.
P81x	written - Sean Martin	(1) An additional benefit would be that Hawaii fishermen would be encouraged to remain in Hawaii as opposed to relocating to other, less regulated fisheries where turtle interactions may in fact increase.	Information on this possible benefit has been added to the EIS.

Tracking No.	Commenter	Comment	Response
P81y	written - Sean Martin	(1) HLA proposes that NMFS design an experimental fishing protocol for the swordfish fishery. All swordfish vessels would be subject to the requirements of this protocol. To insure strict compliance, NFMS should require 100 percent observer coverage in the swordfish fishery. Further, NMFS should establish an incidental take level which, if met, would permit swordfish fishermen to relocate to the tuna fishery if they so choose. Incidental take occurring in the swordfish fishery should be reported in real-time using existing VMS technology. A controlled fishery conducted in this way would provide an important source of scientific information, as well as minimize impacts to turtle species by producing exportable fishing technologies and cumulative effects associated with fisher relocation.	NMFS has considered this and other public comments, the alternatives in the Draft EIS, as well as the best available scientific information, in determining the preferred alternative in the Final EIS. NMFS is investigating a variety of measures to help increase sea turtle populations, to mitigate the population-level impacts of sea turtle mortality from longline gear interactions, and to collect data on sea turtle mortality that results from all the various types of pelagic fishing methods utilized in the Pacific Ocean by both domestic and foreign fishermen. NMFS plans to conduct research needed to develop gear technologies and fishing strategies for reducing sea turtle mortality resulting from longline gear interactions. This research may lead to new fishing methods that have much lower interactions with sea turtles than existing longlining techniques, and such technologies would be exportable to foreign longline fisheries.
P81z	written - Sean Martin	(2) Implementation of conservation measures: NFMS and other experts have recognized that the level of incidental take occurring in the Hawaii longline fishery is low, and does not significantly affect the likelihood of sea turtle recovery. (Charles Karnella, 16 Sep 1999; P Dalton, June 9 2000). Rather, NMFS has recognized that a key to sea turtle recovery is protection of nesting beaches and other key species habitats. To further the goal of sea turtle recovery, HLA and NMFS should work jointly to develop and implement mechanisms for funding specific sea turtle conservation projects. E.g., HLA could contribute money to a fund earmarked for beach restoration and conservation activities. HLA could likewise work with NMFS to secure funding for a variety of scientific research and other projects to further the recovery of these species. These conservation measures, taken in conjunction with reasonable management measures, will produce far greater sustainable benefits for these species than the preferred alternative.	NMFS has considered this and other public comments, the alternatives in the DEIS, as welongline as the best available scientific information, in determining the preferred alternative in the EIS. NMFS is investigating a variety of measures to help increase sea turtle populations, to mitigate the population-level impacts of sea turtle mortality from longline gear interactions, and to collect data on sea turtle mortality that results from all the various types of pelagic fishing methods utilized in the Pacific Ocean by both domestic and foreign fishermen. NMFS plans to conduct research needed to develop gear technologies and fishing strategies for reducing sea turtle mortality resulting from longline gear interactions. This research may lead to new fishing methods that have much lower interactions with sea turtles than existing longlining techniques, and such technologies would be exportable to foreign longline fisheries.

Tracking No.	Commenter	Comment	Response
P81aa	written - Sean Martin	Underlying assumptions for the suggested alternative. First to permit a meaningful experimental fishery to take place, NMFS would need to allocate an acceptable amount of incidental take to this fishery to enable a sufficient amount of trips. Further, remaining incidental take allocated to the tuna fishery would need to be sufficient to permit the relocation of swordfish fishermen if they choose to do so. Finally, for HLA to fund conservation measures, a sufficient amount of incidental take must be available generally to enable the tuna fishery to remain viable. HLA believes that conservation measures taken in combination with an experimental fishery must be considered by NMFS when establishing incidental take limits.	Information has been added to the EIS to industry's willingness to participate in an experimental fishery as evidenced by testimony received on the Draft EIS both at public hearings and through written submissions.
P81bb	written - Sean Martin	Of utmost concern to HLA is the proposed April through May closure of the entire Hawaii longline fishery. Such a closure is wholly unwarranted for the tuna fishery. As plaintiffs in the CMC v NMFS litigation recognized, the swordfish fishery, occurring primarily in northerly latitudes, accounts for about 87 percent of the sea turtle bycatch occurring in the longline fishery. Plaintiff's attorney P Atchitoff as well as NMFS supports this. This information clearly indicates that an April and May closure of the tuna fishery is not supported by the record, and will serve no purpose other than to inflict serious economic harm on the longline fishery.	Alternative 10, the new preferred alternative, allows year-round effort in the tuna sector of the Hawaii-based longline fishery.
P81cc	written - Sean Martin	Imposing such unwarranted and economically devastating measures on the tuna fishery may also seriously undermine HLA's efforts to work collaboratively with NMFS and other interested parties in devising conservation measures for listed turtle species. The DEIS fails to establish by evidence a relationship between the very limited impact of the Hawaii tuna fishery only and the necessity for an April through May closure of this fishery.	Alternative 10, the new preferred alternative, allows year-round effort in the tuna sector of the Hawaii-based longline fishery.
P81dd	written - Sean Martin	Indeed, the closure raises serious equal protection concerns because NMFS has failed to regulate or otherwise enforce the ESA with respect to other activities that have a far greater impact on sea turtle species (e.g. Hawaii recreational fisheries) than the Hawaii tuna fisheries.	Most protected species interactions with the Hawaii recreational fisheries occur in the territorial seas and are under the jurisdiction of the State of Hawaii.

Tracking No.	Commenter	Comment	Response
P82a	written - Hans Radtke	The DEIS purportedly includes estimates of the economic effects from the alternative actions considered for changes to pelagic fishery management. We conclude that the economic analysis fails to adequately show the economic effects. The DEIS does not present background information and analysis results in an acceptable professional manner for decision makers and stakeholders to understand the alternative action's impacts.	The analysis presents the available background information in significant detail. The assessment of alternatives is based on the best available scientific information and is presented in a manner that allows decisionmakers and stakeholders to understand the impacts. 0However, we have made changes to the text that should further clarify the analysis.
P82b	written - Hans Radtke	NMFS' draft guidelines for FMP economic analyze (NMFS, August 2000) were not followed. This means the procedural and analytical requirements of EO 12866 and the RFA were not met.	The draft guidelines were reviewed. A memo summarizing the suggested information requirements put forth in the draft guidelines and corresponding sections within the EIS is now included in the administrative record. Some text changes have been made.
P82c	written - Hans Radtke	The analysis results as stated in the DEIS are not easily understood and underestimate the economic effects of the alternative actions. Short shrift is given to the basic tenets of any economic analysis: risk and uncertainty, short term and long term profitability, and distributional consequences among fishery setors and fishery user groups, including a non-consumptive user group economic valuation (Edwards 1990).	NMFS believes the quantitative analysis goes as far as the reliability of the available data allow. The commenter's statement about underestimated economic effects appears to be related to the inaccurate statement that Type I multipliers were used. An assessment of risk requires detailed stochastic information on catch, effort, prices and costs. Such information was not available to the contractors nor would it have been practical to use. The uncertainty of outcomes under Alternatives 3, 5 and 7 was captured in the use of switching and non-switching scenarios, which provided upper and lower bounds of the effects of the alternatives. Estimates of profitability, whether short or long-term, were impractical and inadvisable given that the available cost data were collected in 1993 and did not provide reliable estimates of profitabilty (tuna vessels were estimated to lose money on every trip, yet they continue to fish). Distributional affects of the alternatives are summarized in Section 4.9. An entire section and appendix regarding non-consumptive uses of resources is provided in the EIS.

Tracking No.	Commenter	Comment	Response
P82d	written - Hans Radtke	Also, the primary measurement used to describe impacts was industry output rather than personal income and estimates of total employment. Output multipliers calculate how much money is "stirred up" in the economy, but do not mean that someone in the local area is making a wage or profit from this money. The differences between output multipliers and income coefficients are often confused, leading to misuse. Decision makers need to know and understand what type of multiplier or coefficient is being used in the assessment of the proposed changes.	Section 3.10.2 provides a detailed description of the types of multipliers used and their derivation. While output multipliers are often misused we believe the description in Section 3.10.2 provides sufficient clarity. Income and employment multipliers were not used because their use in conjunction with the output multipiers would have caused confusion. Instead we provided estimates of direct income and employment.
P82e	written - Hans Radtke	The static "break even" analysis presented in the DEIS does not adequately account for increased costs mandated by the changes in management. For example, the vessel budget will change to respond to significant additional cost items such as observer programs. Running costs will increase due to the area closures. Estimates bracketed by uncertainties for the differential costs should be included in the analysis.	Reliable cost information was not available for use in this analysis. Collection of reliable cost information sufficient to make useful estimates of the changes in costs that would be incurred was not possible. Furthermore, the model that was used was not developed to assess changes in travel costs, which may in fact decrease. Given these constraints, the breakeven analysis provides sufficient information with which to assess the impacts of the alternatives.
P82f	written - Hans Radtke	The alternative actions' economic effects should be presented in a way that net economic benefits are understood. We agree that data for a benefit and cost analysis is difficult to obtain, however qualitative discussion offered for analysis sorely lack the depth of explanation needed and expected to understand the economic burden from the alternative actions. Instead, the DEIS offers a confusing "break even" analysis with misused units-of-measurements for the results. The attendant changes to other fishery groups (recreational and non-consumptive) due to resource availability increases and decreases are not modeled.	The economic benefits of the alternatives are not clear. As pointed out in the Section 3.10.4 no estimates of the non-market valuation of turtles or seabirds are available. Reductions in turtle and seabird mortality are the primary benefits of the alternatives, and while these effects are noted in terms of numbers of animals saved, the full extent of the economic burden of the longline fleet to produce these savings is not clearly stated. Finally, the alternatives are not expected to create major changes to the other fleets. We do acknowledge that non-longline fleets may benefit from higher fish prices if the longline catches are reduced.
P82g	written - Hans Radtke	It was particularly disturbing that sound economic analysis methods were not used in the DEIS, because data was available to develop estimates of regional economic impacts. While a quantitative cost-benefit analysis to show consumer and producer surplus may not have been possible, we discovered relevant research information on fleet characteristics and fishery prosecution that would have allowed a more thorough regional economic impact analysis.	The analysis used the best available information in assessing cost and benefits. Available information on operating costs in the longline fleet was outdated and did not appear to produce reliable results. While the regional economic impact model was developed by using these data, Sharma's estimates were for the longline fleet as a whole and did not attempt to differentiate between swordfish fishers, mixed fishers and tuna fishers. It appears that the ability to use a higher level of aggregation mitigated the inconsistencies apparent when looking at data for specific sectors.

Tracking No.	Commenter	Comment	Response
P82h	written - Hans Radtke	In our attempt to follow the DEIS' economic effects methods, we developed our own regional economic impact model (REIM). Below we discuss our methodological approach and present our results. REIMs are based on an I/O description of an area's economy (Radtke 1987). The description approximates the area's economy by expressing economic relationships among economic sectors. The area economy may be a county, a city, a state, or any other boundary where sufficient data about the relationships exist. Economic relationships are measured by dollar values of purchases or sales among economic sectors. Each sector, such as the longline fishing sector, purchases goods and services from itself or other sectors and sells goods and services to itself or other sectors. The annual dollar values of these transactions provide the basic data for constructing the I/O model. These data are organized into a table called a "transaction matrix." The transaction matrix provides the information used to derive response coefficients and multipliers used to measure the importance of any activity.	A similar description of the I/O model used is found in Section 3.10.2. We believe that the Sharma model is the best available model for fisheries in Hawaii. We are familiar with the models developed by the commenter, and while they are generally accepted as providing reliable estimates for the fishery in which they have been through rigorous peer review.
P82i	written - Hans Radtke	The DEIS based their analysis on an I/O model completed by Sharma et al (1999) that accurately presents multipliers and response coefficients for Hawaii's fisheries and agricultural sectors. However, to describe the effects of longliner vessels, the DEIS only uses a Type I output multiplier. Type I multipliers exclude induced economic effects (Edwards 1990). They, in effect, only model the total impacts of purchases from supporting industries, and do not include the regional impacts of crew wages and net income that ripple throughout the economy. Type II multipliers are correctly used for the charter and recreational sectors (3-100). The estimated economic contribution from pelagic fishing is presented in terms of direct jobs and total output (3-101). This presentation again uses a modified Type I output multiplier for the commercial sector and the Type II multiplier for the recreational sector. The DEIS then uses these basic relationships to estimate the economic impact of the alternatives considered. The problem with their analysis is twofold. The first problem is in the use of total output multipliers. Economic impacts that affect communities should be displayed in terms of total personal income or jobs that may be affected.	The analysis uses Type II output multipliers developed by Sharma. Dr. Sharma has reviewed drafts of Section 3.10.2 and has indicated that we have correctly used his model results. Whether to use output multipliers or to use income or employment multipliers to estimate total effects is a decision that is left up to the analysts. Each type of multiplier has its advantages and disadvantages. In the case of the EIS, we chose to use the output multiplier because it is a measure that is often used by decisionmakers, and because we believed that significant complexities that develop with the very ratio the intermediate demand seen in the longline fishery could best be explained with the use of output multipliers.

Tracking No.	Commenter	Comment	Response
P82j	written - Hans Radtke	The second problem is their exclusion of induced effects for the commercial sector. Spending by households that receive income from the fishing industry has a real effect on communities that depend on these expenditures for the wellbeing. In the long run, a change in purchasing patterns wilongline be felt by suppliers of the fishing industry and by suppliers to households.	The model uses Type II multipliers. The estimated total output resulting from the longline fishery is lower than expected because of the relatively low proportion (49 percent) of the longline sector's output that is estimated by Sharma to contribute to final demand. This effect is explained in detail in Section 3.10.2. The text has been supplemented to further clarify the estimates of economic impacts.
P82k	written - Hans Radtke	We have used our own I/O modeling approach to estimate the amount of personal income generated by the Hawaii longline pelagic fishery. We calongline our model the Fishery Economic Assessment Model (FEAM). The FEAM includes available budgets for harvesters and primary processors to estimate the economic impact of the fishing industry. In I/O jargon, the fishing sector is disaggregated into specific harvesting and primary processing modes.	The FEAM models are an alternative method of producing estimates of total economic impact of management actions. The FEAM are based on IMPLAN which is an Input-Output Model that is calculated and calibrated on a nationwide basis. In general IMPLAN and the FEAM models are useful tools, and their use would have been recommended if the Sharma model was not available. The Sharma model was explicitly developed to estimate fishery impacts in Hawaii. It is based on fishery expenditures that were estimated from surveys of Hawaii-based fishers and reviewed and developed by Hawaii-based economists. The results projected by the FEAM are analogous to the results provided in the EIS. There are likely to be differences because of aggregation levels, and because of varying degrees of the two model's ability to capture relationships within the economy.
P82l	written - Hans Radtke	The FEAM relies on the most recent State of Hawaii IMPLAN model to generate multiplier coefficients for the harvester and processor expenditure categories. The expenditure categories are for crew and worker wages, fuel and oil, supplies etc. The basis for disaggregating the expenditure patterns is our past information about the Hawaii longline fleet and the study by Hamilton et al (1996). The budgets are also shown in the DEIS (3-172). The results of the FEAM analysis are displayed in terms of long term total personal income and jobs created by the Hawaii longline fishery. The impacts are also displayed in terms of the difference between the status quo and other considered actions. Short term impact analysis results are included as an attachment.	

Tracking No.	Commenter	Comment	Response
P82m	written - Hans Radtke	We relied on our knowledge of the processing industry to include a $0.65 per round pound primary processing margin. This includes labor for washing, packing, etc. and general plant overhead. In order to convert this to ex-vessel revenues by species types, we used the 1993 [1998 - probable typo] price per landed pound averages.	This statement reveals some of the differences in IMPLAN/FEAM compared to the Sharma Model. Primary processing of fishery output in Hawaii is not a significant industry. The costs of cleaning, washing and marketing fish to wholesalers are paid by fishers to the auction house and as such are included in the expenditure estimates produced by Hamilton *et al.* (1996). Adding an additional $0.65 margin double counts these expenditures and will tend to produce higher estimates of total economic activity. This result underscores the importance of using existing information that was developed specifically for Hawaii. Forward linkages in the Hawaii economy from the fishing industry developed in Sharma *et al.*(1999) are estimated to add an additional $4 million in direct margins to and $6 million worth of total direct indirect and induced output to Hawaii's economy. We have added text that discusses these forward linkages.
P82n	written - Hans Radtke	The purchase patterns of harvesters and primary processing from the Hawaii longline fishery were modeled for the eight alternatives under two separate scenarios. The first scenario accepts the assumptions of the DEIS. That is, that the vessels will return to "break even" point in the long term. These disaggregated purchases are then multiplied by the appropriate IMPLAN based sector total income coefficients. The results, in terms of total personal income generated by fishing under the alternatives modeled, are displayed in Table 1. Total personal income in the region may decline by as much as $17 to $39 million under the preferred alternative (Alternatives 7A and 7B). This is equivalent to a loss of 693 to 1551 full-time equivalent jobs.	The Sharma model generates different estimates, that preclude double counting that often occurs with the misuse of input-output models. Estimates of the changes in total economic output and changes in direct employment and income, as well as direct changes in input purchases are included in the EIS for each scenario and alternative analyzed. For Alternative 7, reductions in total economic output range from $10 to $22 million.

Tracking No.	Commenter	Comment	Response
P82o	written - Hans Radtke	The second scenario models the increased costs associated with increased running time and other increased costs that may be included in the alternatives. Also included in these scenarios is the income that is available to crew members from shark finning under the first three alternatives. In the short term, boats will not have time to adjust to increased costs and reduced available resources. A result may be that a negative return may bring money into the industry. The region may actually experience a short-term increase in economic activity and therefore a shift of personal income from savings and increase in debt to purchases for boat activities. But this is not expected to last. The second scenario models the fleet that has adjusted to the break even point that was assumed in the DEIS. With costs increasing, and profit staying even the total gross revenues per boat increases. This is at the expense of a number of boats that will be removed from the fishery in some of the alternatives. With other alternatives, the number of boats may actually increase as they switch from one type of fishing to other types.	The commentors assume that running time will increase under the alternatives. While the model developed by Kobayashi and Polovina does not produce an estimate of mean distances to fishing grounds, an examination of the alternatives indicates that closed areas will be more distant than the areas that remain open meaning that running times will be reduced rather than increased, particularly if the vessels continue to fish out of Hawaii. The EIS does include estimates of other fixed costs necessary to comply with the alternatives including the costs of purchasing and installing line-shooting equipment. The second scenario suggested by the commenter assumes that gross revenues per vessel increase. We see no basis for this scenario at least as explained.
P82p	written - Hans Radtke	As the fishing industry adjusts to greater costs associated with increased running time and reduced profitability, some boats will go out of business. In order to return to the "break even" point of profitability, there is a reduction in swordfish boats and an increase in smaller tuna boats. Once this has happened, the amount of total personal income that is associated with the harvesting and processing of the Hawaii longline fishery is estimated to range from $25 million to $45 million under the preferred alternative. This represents a loss of 1012 to 1819 jobs.	While the analysts do not believe that the running cost increases envisioned by the commenter will occur, we do indicate that vessels that switch from swordfish fishing to tuna fishing will experience lower catches per unit effort and will have difficulty covering costs with the larger and faster vessels typically employed in the swordfish fishery. We do not have sufficiently detailed cost information to quantify how many vessels will switch to tuna fishing and whether they will be financially viable. Making such quantitative projections without adequate data becomes speculative, and would not be appropriate for inclusion in an EIS.
P82q	written - Hans Radtke	Our analysis only includes the alternatives developed in the DEIS. The DEIS may not have included other alternatives that could have been developed based on a more complete understanding of the Hawaii fishing sector impacts on the region's economy. By including both the direct impacts and jobs, as well as indirect and induced impacts, an overall impact of the proposed actions to minimize interactions with sea turtles in this area may be included. Affected are not only those industries that sell supplies and services to these boats, but also the people that work in the processing plants that prepare these fish for export or for local distribution. Others that work in supporting industries or in the general economy, such as a grocery checker in the local supermarket, will also realize changes in their income resulting from proposed alternatives.	The analysis includes estimates of direct, indirect, and induced economic effects, as well as estimates of direct effects on supply sectors, and impact on protected species for a full range of alternatives.

Tracking No.	Commenter	Comment	Response
P82r	written - Hans Radtke	Because of an incomplete understanding of the impacts on the region's economy, the DEIS may not have included an appropriate range of alternatives. The overall impact of the proposed actions should not only include direct income and jobs, but also indirect and induced impacts. Affected are not only those that crew on these boaters, but others that may work in supporting industries. Grocery store clerks in the local market and professional accountants hired by fishing industry businesses will also realize changes in their income resulting from the proposed alternatives. Because of the inherent flaws in the offered descriptions of the economic effects, we believe the procedural and analytical requirements of EO 12866 and the RFA are not being met.	We believe that the analysis provides sufficient information for reasonable reviewers to differentiate between the alternatives and to make judgements as to their relative effectiveness. The information guidelines developed in the NMFS Draft Guidlines for FMP economic analysis (NMFS, August 2000) were reviewed, and to the extent practicable, they were followed by the analytical team. Additional analysis may be required for any FMP amendment or regulatory action.
P83a	written - Gerald Winegrad (ABC)	[American Bird Conservancy] We are primarily concerned that any management strategy adopted for the U.S. pelagic fishery in the WPR and the FEIS include effective measures to eliminate or at least reduce by at least 95 percent the incidental catch of seabirds in the Hawaii longline fishery.	Decrease of albatross bycatch by 95 percent could not be accurately determined in the future because existing bycatch data is of questionable reliability.
P83b	written - Gerald Winegrad	We think the discussion at p3-113(a) of the DEIS should be deleted, wherein the IUCN listing [of the Black-footed Albatross as Vulnerable in 1998] is contested.	There was no intention to question the listing. Language has been added to the FEIS to clarify this issue.
P83b	written - Gerald Winegrad	We note that the DEIS appears to focus on sea turtles and is driven by the Federal District Court's decision, including the hurried completion schedule of 1 April 2001. Much of the discussion seems to minimize the seriousness of the seabird bycatch problem. Estimates of mortality in longlines is minimized, population data is used that selectively chooses years to indicate increases rather than using the longest data sets indicating declines, very little discussion is included of the endangered Short-tailed Albatross, terms of the 29 November BO are not included, and seabirds are excluded from alongline discussion under Option A at pp2-16 to 2-19.	The EIS includes additional information on the short-tailed albatross and the STAL BO.

Tracking No.	Commenter	Comment	Response
P83c	written - Gerald Winegrad	Mitigation measures to avoid seabird mortality should be detailed. We completely support Alternative 7's provision that all longlines must be set so that the deepest point between any two floats is deeper than 100m. This would assist in reducing seabird mortality as most seabirds are killed in the shallow sets of swordfish and mixed set longlining (3-106(a)). It is imperative that this measure be adopted and if not, the closure in Alternative 8 should be seriously considered. We also support the closure of all longline fishing in April and May, which although done because of sea turtle interactions, will have some benefit for seabirds as well.	Mitigation measures to avoid seabird mortality are detailed in the EIS.
P83d	written - Gerald Winegrad	The DEIS does not outline other adequate measures to be employed on board longline vessels to avoid the killing of protected seabirds, including the endangered Short-tailed Albatross.	Incorporation of discussion of the STAL BO requirements in the EIS includes handling measures to avoid the killing of short-tailed albatross.
P83e	written - Gerald Winegrad	We do not support such a "pick any two" menu approach that the WPRFMC adopted and that was published as a proposed rule by NMFS. This is a flawed approach, it has not worked well in Alaska, and will not work in Hawaiian waters. We were clearly told by Council staff when we expressed concerns over the menu approach that "preliminary discussion leads me to believe that the regulations will not be a menu selection but mandated." Except for the enforced line setting of Alternative 7, other mitigation measures continue the current Council positions.	Alternatives in the EIS incorporate mandated mitigation measures established in the STAL BO.
P83f	written - Gerald Winegrad	These mandatory terms and conditions from the BO [blue dyed and thawed bait, line setter with 45g weight attached within onem of hook, line shooting faster than vessel speed, strategic offal discharge] are already mandatory for alongline deep sets, and should be incorporated for shallow sets under any alternative.	Alternatives in the EIS incorporate mandated mitigation measures established in the STAL BO.
P83g	written - Gerald Winegrad	Should the longline fishery continue, we also would support the use of paired bird scaring lines on alongline longline vessels as these have proven to be extremely effective in other fisheries, such as Alaska's groundfishery (9f4% reduction, Melvin et al 2000).	Alternatives in the EIS incorporate mandated mitigation measures established in the STAL BO.
P83h	written - G Wine-grad	The use of C hooks to replace J hooks should also be required.	Alternatives in the EIS incorporate mandated mitigation measures established in the STAL BO.

Tracking No.	Commenter	Comment	Response
P83i	written - Gerald Winegrad	All of these mitigation measures should be obligatory on Hawaii longline vessels fishing North of 23° N latitude and regardless of whether fishing in the EEZ or beyond, just as required under the FWS BO. The proposed NFMS regulations on mitigation measures suggested by the Council apply only to above 25° N latitude and note that only 33 percent of the average annual fleet effort occurs above 25° N latitude.	Alternatives in the EIS incorporate mandated mitigation measures established in the STAL BO.
P83j	written - Gerald Winegrad	Adequate observer coverage should be detailed in EIS. We are at a loss to explain the absence of any observer coverage mentioned in any of the alternatives. Clearly, such a limited percentage of both trip coverage [ten percent for tuna and three percent for swordfish] and setting and haulback coverage is unacceptable. The FWS BO requires five percent observer coverage on all longline vessels in 2003, beginning with 1% in 2001. These FWS mandated observers would be provided by NMFS and primarily tasked with observing Short-tailed Albatrosses and other endangered species interactions during sets and haulbacks. All seabird interactions would be observed. We urge that observer coverage be at a 30 percent rate to detail seabird and sea turtle interactions and mortality and the effectiveness of the avoidance measures.	The EIS incorporates and discusses the requirements of the STAL BO as it relates to observer coverage.
P83k	written - G Wine-grad	A fee system, as exists in Alaska, could be implemented to help pay for these observers.	Discussion of the Alaska fee system approach has been included in section 4.10 of this EIS.
P83l	written - Gerald Winegrad	Emphasize seriousness of Hawaii longline seabird mortality. We are concerned that the DEIS concentration on sea turtles and its quick production in response to the requirements of Judge Ezra have compromised the seabird aspects of the DEIS. We urge the writers of the FEIS to re-write sections of the DEIS to more accurately reflect the serious threat that Hawaii longline presents to short-tailed, black-footed and Laysan Albatrosses.	The EIS has been revised to include more information on the potential effects of bycatch, especially on short-tailed albatross.

Tracking No.	Commenter	Comment	Response
P83m	written - Gerald Winegrad	The DEIS includes detailed discussions of each species of sea turtle affected as well as charts on these species. For seabirds, all are lumped together and there is one column for all seabirds on the charts of the alternatives' impacts. We suggest that short-tailed albatross be considered separately. The detailed provisions of the BO outline the risk that the Hawaii longline fishery poses to the endangered Short-tailed Albatross. Despite the endangered status of this seabird and its limited breeding areas and total population of about 1200 animals, the DEIS does not discuss details of the potential impacts on this species and fails to utilize data and analyses in the recent BO.	The EIS will be revised to include information provided in the STAL BO.
P83n	written - Gerald Winegrad	The DEIS does not discuss the mandatory Terms and Conditions of the BO to eliminate or minimize the take of Short-tailed Albatross by the Hawaii longline fishery or to monitor the level of take.	The EIS has been revised to include discussion of the required Terms and Conditions of the STAL BO.
P83o	written - Gerald Winegrad	p 3-109(a) "NMFS observer data show that fishery/seabird interactions regularly occur between the Hawaii longline fishery and two species of albatross: BF and LA. There have been no reports of interactions ... could change in the future as the short-tailed albatross population continues to increase." With the limited NMFS observer coverage cited above, we suggest that paragraph be changed and reflect the sightings of Short-tails around Hawaii longline vessels and that, even though mortalities have not been recorded, this does not imply they have not occurred and they may still occur.	The EIS has been revised to include more information on short-tailed albatross interactions with the Hawaii-based longline fleet.
P83p	written - Gerald Winegrad	We recommend that the EIS include a detailed discussion of the Short-tailed Albatross' population biology and vulnerability to longlining mortality using data and analysis from the BO and include the mandatory terms and conditions and conservation recommendations in the preferred alternative and in its analyses of alternatives. The DEIS is deficient in not discussing these provisions above for the Short-tailed Albatross. Potential impacts to this endangered bird need to be included in all proposed alternatives. This should be rectified.	The EIS incorporates pertinent information from the short-tailed albatross BO, including potential impacts.
P83q	written - Gerald Winegrad	In the chart on page ES-11 and throughout charts in the DEIS analyzing alternatives, the Short-tailed Albatross should have a separate column, as do sea turtles. The E.S. at pES-6 also fails to discuss the Short-tailed Albatross population and the impact of the fishery on it.	The E.S. in the EIS has been revised to reflect the enhanced concern and additional available information regarding short-tailed albatross.

Tracking No.	Commenter	Comment	Response
P83r	written - Gerald Winegrad	Seabird population and mortality data revisions are needed. We disagree with a basic tenet of the DEIS that "For purposes of this EIS, NMFS has elected to provide and use the statistical analyses that result in lower take estimates, and corresponding overall reduced estimated impacts, especially for Black-footed Albatrosses" (p3-105(a)). Under the precautionary principle supported by the U.S., we should base decisions on species on the conservative side of conservation and use the higher estimates. Therefore we urge the FEIS to use the higher estimates for albatross mortality from the non-log transformed data.	Statistical treatments of observer data have been revised to reflect all the alternative analysis outcomes, including worst case scenarios.
P83s	written - Gerald Winegrad	We disagree with p2-32 that "these average annual incidental catches represent about .6 percent and .06 percent of the estimated BF and LA albatross populations respectively." This is based on underestimated annual mortality data and rates. Many hooked seabirds fall from the hooks before they are retrieved on deck. Reported mortality can be underestimated by 30-95 percent (Gales 1998). Any mortality figures should be presented as minimums and Gales should be cited to substantiate that the mortality numbers may be nearly double that cited. The FEIS should establish a method and discuss the determination of a rate for dead seabirds that fall off of longline hooks.	Varience in possible mortality rates is discussed in the EIS.
P83t	written - Gerald Winegrad	At p3-105(a), we also recommend better use of population data. The DEIS is presenting a skewed picture of albatross populations in picking time frames indicating increases in certain populations of albatrosses. For example, Midway Atoll, Laysan Island, and French Frigate Shoals represent 75 percent of the breeding population of BF Albatross. From 1992-2001, the breeding pairs on these islands have declined from 48413 pairs to 43781 pairs, a decrease of nearly 10%. For Midway Atoll, the numbers declined from 1992-2001 from 19,757 breeding pairs to 18,493; at French Frigate Shoals, from 3926 pairs in 1980 to 3899 in 2001. See charts from Flint (FWS) 2001. This is quite a contrast from the statements at p3-105(a) of the DEIS that "FWS census data suggests that during the last decade the number of breeding pairs of BF albatross in nesting colonies in the NWHI has increased by eight percent." The same is true for the selective use of data to show increases in the Midway and French Frigate Shoals populations. The figures for LA Albatrosses cited also should reflect the longest period of the data set and these clearly show a substantial dedine.	The Draft EIS and Final EIS discuss weaknesses in all existing data sets, including those for NWHI breeding albatrosses. Data interpretation has been revisited.

Tracking No.	Commenter	Comment	Response
P83u	written - Gerald Winegrad	Assess albatross mortality in nests due to parent mortality. The DEIS should assess nestling mortality when a parent albatross is killed or severely injured from a longline hook. The DEIS recognizes such mortality at p3-122(a) but no data is presented. Each albatross pair has only one egg and, if hatching is successful, one chick to care for. The unfledged young are wholly reliant on parents for sustenance and the death of one parent usually means the nestling will not survive to fledge. Further, since the albatrosses pair for life and mate and produce only one egg a year, the death of an adult means the mate may not breed again for two years or more. Any analysis of population effects of killing adult albatrosses during breeding season should include this added mortality factor and depressed reproductive cycle.	The Final EIS discusses potential population effects of the loss of adult albatrosses that may have nests with eggs or chicks.
P83v	written - Gerald Winegrad	Support for protected species workshops for alongline owners and operators of Hawaii longline vessels. The BO requires such workshops.	Such workshops are a part of the preferred alternative.
P83w	written - Gerald Winegrad	We suggest that all crew members be required to attend as well and that these sessions be held jointly with the FWS. However, these workshops should not be seen as alternatives to meaningful mandatory avoidance measures to end the killng of seabirds. In the past NMFS and the Council have promoted education and outreach to the fishers without any success in avoiding seabird mortality. Nothing changed in fishing practices that anyone can discern.	The EIS has been revised to include discussion of the required Terms and Conditions of the short-tailed albatross STAL BO.
P83x	written - Gerald Winegrad	Recognition of special duties of U.S. to eliminate seabird mortality. The U.S. is under special trust and international leadership responsibilities to end seabird mortality in longline fisheries. In addition to the ESA, MBTA, NEPA requirements, NOAA's own operating principles dictate that bycatch be minimized. Intlially, the DEIS barely touches on the FAO International Plan of Action - Seabirds, and the U.S. NPOA for the Reduction of Incidental Catch of Seabirds in Longline Fisheries near completion at NMFS.	The EIS has been revised to reflect additional available information relating to seabird protection initiatives.

Tracking No.	Commenter	Comment	Response
P83y	written - Gerald Winegrad	The DEIS notes that fishing mortality by other nations may affect the Northern Hemisphere albatrosses and some of the alternatives under consideration in the DEIS may displace the fishing fleet elsewhere. This rationale should not be used to lessen efforts to stop the kilonglineing of albatrosses and other seabirds on Hawaii-based longlines. As noted in the DEIS 96 percent of the BF Albatrosses breed in the NWHI as do 99 percent of the world's LA Albatrosses. Also known to forage around and follow Hawaii longline vessels is the Short-tailed Albatross. This alone places the Hawaii fishery at the center of the need to adopt meaningful measures to protect these birds.	The EIS has been revised to include more information on short-tailed albatross interactions with the Hawaii-based longline fleet.
P83z	written - Gerald Winegrad	Scientists have documented an urgent necessity for actions to be taken covering alongline the world's longline fleets on all the world's oceans to prevent a collapse in seabird populations. The FAO Intl Plan of Action - Seabirds is a first step to gaining the cooperation of each longlining nation to end the unnecessary slaughter of seabirds. The U.S. has a unique oportunity to lead by example on this issue and nothing serves as a better model than setting an example in eliminating seabird mortality in our own fisheries. The U.S. delegation to the FAO consultations in Rome took strong, decisive positions on the negotiations, but many of the U.S. positions are not complied within our own fisheries in Hawaii and Alaska. The FEIS should carefully examine the U.S. positions taken by the State Dept. of Commerce/NOAA/NMFS and FWS and comment on compliance in the EIS. I can attest to the need for U.S. leadership by example in Hawaii and in Alaska to end the mortality so as to gain the support of other longlining nations.	The EIS has been revised to reflect additional available information relating to seabird protection initiatives.
P83aa	written - Gerald Winegrad	As part of this leadership, the U.S. has obligations under migratory bird treaties with Canada, Mexico, Russia and Japan. Our country needs to fully enforce the MBTA concerning seabird mortality in the Hawaii longline fishery.	NMFS is committed to fulfilling its international obligations relating to protected species.
P84a	written - Kitty Simonds (Council)	Chapter 1: Well written and informative. 1-18 Table 1-3 The number of active vessels (24) differs from the numbers of permits (40) and vessels (68) on page 2-24	Twenty-four vessels were active in 2000 of 68 holding general longline permits on July 15, 2000. In 1998, 40 vessels had general longline permits.
P84b	written - Kitty Simonds	1-21 May wish to add FCMA to the list of Acronyms	The acronym has been added to the EIS.

Tracking No.	Commenter	Comment	Response
P84c	written - Kitty Simonds	1-26 The numbers of BF and LA albatrosses noted is inconsistent with the numbers reported in Table 2-2. Also, need to update paragraph on the issuance of the FWS BO (issued Nov 28 [29?] 2000).	The STAL BO was not available in time for inclusion in the Draft EIS. These numbers have changed and the estimates for 1998 from the BO are included in the EIS. Reference to the publication of this BO is also inserted in revisions. The number on page 1-26 is an average of six years of data in Table 2-2.
P84d	written - Kitty Simonds	1-29 Section 1.6 May want to also include the FMP measures to reduce the incidental catch of seabirds.	Included.
P84e	written - Kitty Simonds	Chapter 2: well written and informative, except for the tables presented on pp 2-45 to 2-49. These tables are inaccurate and need attention.	The tables have been revised in the EIS.
P84f	written - Kitty Simonds	Punctuation marks need attention as there are many periods that are missing.	General proofreading and editing have been accomplished for the EIS.
P84g	written - Kitty Simonds	2-3 Section 2.1. Midway is under the management of the FWS, and Palmyra and Kingman Reef may also be managed by them in the future.	Information has been added to the EIS to define the shoreward boundaries of the EEZ. At Midway and other NWR, the EEZ extends to the shore because there is no territorial sea.
P84h	written - Kitty Simonds	2-19 Section 2.2.10. Document states that declines in albacore catch by longline fisheries in American Samoa and Samoa may reflect local reduced densities. If there are other possibilities what would they be?	Information has been added to the EIS to indicate that inter-decadal shifts in ocean climate are another possible contributing factor.
P84i	written - Kitty Simonds	2-21 Objective 8 in Section 2.3.8 is not listed here.	Objective 8 is stated in FMP, but it is an EIS objective.
P84j	written - Kitty Simonds	2-33 See pp 4-17 and 4-47. Inconsistency with the numbers of mortalities reported for LA and BF albatrosses. Perhaps values on 4-47 should be used throughout the document as they were used in the analysis. Comparison to other fisheries would be interesting. Cite Cousins and Cooper (eds), 2000, not Cousins et al, 2000, for the last sentence of first paragraph.	The inconsistency has been eliminated in the EIS and the citation corrected.
P84k	written - Kitty Simonds	2-41 Check the values in Table 2-9 as they have been updated by M McCracken of the NFMS Honolulu Lab. This update is available from the Council's framework adjustment to the Pelagics FMP on measures to reduce the incidental catch of seabirds.	The information has been updated in the EIS.

Tracking No.	Commenter	Comment	Response
P84l	written - Kitty Simonds	2-46 Alternative 2. Table does not consider the fact that the use of line-setting machines, blue-dyed bait and night setting in the seabird measures could also lead to a reduction in sea turtle takes. For comparative purposes and to be consistent, an estimated reduction in these takes need to be included for Alternative 2.	Information has been added to the table in the EIS.
P84m	written - Kitty Simonds	2-47 Alternative 2. The "potential adverse effects for seabird take" is incorrect. The Council actions to reduce the catch of seabirds in the Hawaii longline fishery is expected to reduce seabird catch by up to 97 percent.	Information has been added to the table in the EIS.
P84n	written - Kitty Simonds	3-109 Table 3.7-1 The values in this table differ with the values presented in Table 2.2.	The inconsistency has been eliminated in the EIS.
P84o	written - Kitty Simonds	3-110 Note that in Dec 2000, a new breeding pair of short-tailed albatrosses was just found on another island near Japan: Yomejima Island, a deserted island located southernmost among the Mukojima Islands, as part of the Ogasawara Island chain.	Comment noted.
P84p	written - Kitty Simonds	3-111 Table 3.7-2 Year 1999-1997 should be 1996-1997	Addressed in EIS.
P84q	written - Kitty Simonds	3-120 Section 3.7.22 Spacing between values and percent. Please note the citation for the statement that LA albatrosses consume more plastic than BF albatrosses. Also, note that one reason LA albatrosses consume high amounts of plastic is that the birds forage in a different area of the Pacific (near the "great garbage patch, a massive ocean gyre system to the east of Oregon and Washington") and target different prey. BF albatrosses have more fine netting in their boluses, whereas the Laysan albatrosses have large and long plastic items. Also it appears that LA albatrosses target items that are red over items that are blue or green (you can cite Kinan and Cousins 2000). With regards to impacts on the population, the document should reflect that adult albatrosses are also impacted by plastic ingestion, in that they could be more exposed to harmful toxins (i.e., PCBs), and that they must exert more foraging time to obtain more nutrients. This could impact the population, as more adults would be forced to take more years off breeding for molting and care of their own feathers. These comments could also apply to Section 3.9.7.	Comments noted.

Tracking No.	Commenter	Comment	Response
P84r	written - Kitty - Simond	3-132 Section 3.9 Contaminants. Suggest a section on PCBs. Currently, PCBs are impacting seabirds, turtles and HI monk seals, as welongline as the fisheries around Tern Island, French Frigate Shoals. The FWS is preparing an EA to build a seawalongline, most likely to contain the PCBs while it is removed. Stilongline, the presence PCBs while it is removed. Stilongline the presence of PCBs could be impacting the coral reef, fishes, turtles, birds and seals immediately surrounding Tern. PCB contamination can make some animals lethargic, and perhaps more vulnerable to being incidentally caught on fishing gear.	Comment noted, paragraph re-written to reflect additional input on PCB contamination at Tern Island.
P84s	written - Kitty Simonds	3-178 Reference for tables should be Appendix G, not Appendix D. Also, it may be helpful to put estimated mortalities for the heading of Table 3.10-L22.	Recommended changes made to Tables 3.10.3-12 and 22
P84t	written - Kitty Simonds	3-179 Table 3.10-Longline23. Table inconsistent with Table 2.2	Inconsistency has been resolved in the Final EIS.
P84u	written Kitty Simonds	3-180 Figure already shown on pp 3-108(a).	We believe that the table is useful in both locations.
P84v	written Kitty Simonds	With the exception of Sections 4.6, 4.11, this chapter is generally well written and very informative. Section 4.11.9.5 is especially interesting.	Comment is an opinion. No response required.
P84w	written Kitty Simonds	A lot of information is presented in Chapter 3 on trolling, charter and recreational fisheries targeting pelagic sepcies, but to a large extent the evaluations in Chapter 4 ignore these fisheries. Some effort should be given to consider these other fisheries and their overall impacts, there must be some impacts; to the environment (note that Section 4.8 acknowledges why the analyses only concentrated on the Hawaii longline fishery.)	The EIS reflects the relative importance of the Hawaii-based longline fishery within the Pelagics FMP-managed fisheries in the Western Pacific Region. It also responds to the practical goal of complying with the Court-ordered delivery of an EIS focused on that fishery. NEPA is structured to encourage analysis of issues that are ripe for decisionmaking. Where such issues have not yet emerged, development of alternatives is merely hypothetical. 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.
P84x	written Kitty Simonds	4-3 Section 4.2.1 Last sentence - If there was a large regime shift such as an El Nino in 1999, could this have a bearing on a lot of the data, especially population numbers or trends presented for 1999 (i.e. sea turtle foraging positions, seabird breeding pair counts, etc. ...).	The analysis of the effects of climate fluctuations on these components of the ecosystem have not been completed.

Tracking No.	Commenter	Comment	Response
P84y	written Kitty Simonds	4-12 Alternative 2. Document should also discuss the consequences of fishermen using seabird deterrent methods on sea turtle takes.	Due to the lack of reliable data, quantitative analysis is not possible.
P84z	written Kitty Simonds	4-15 Section 4.6. This entire section could be much improved. Certainly, some of the unreliability in the seabird catches make the evaluation difficult, but still, the Hawaii NMFS observer data are some of the best seabird incidental catch data available today and some detailed evaluation can be made. The authors should read the Council's document on measures to reduce the incidental catch of seabirds, or contact our office for assistance.	The reference document has been evaluated for the EIS.
P84aa	written - Kitty Simonds	4-17 Second paragraph. It is unnecessary to use figures from New Zealand for seabird mortality, except for comparative interest, when values are given on p4-47. Also, see p2-33 Alternative 3, second paragraph, the values given for the estimated reduction in seabird interactions are incorrect. According to Table 2-8 the values are BF 83-98 percent and LA 40-97 percent.	Addressed in EIS.
P84bb	written - Kitty Simonds	4-119 4th paragraph. Vessels may also be fishing near or relocating to Mexico as mentioned on p 4-173.	The vessels may be fishing in a number of different locations, but the information available suggests that the majority of displaced vessels are based in California.
P84cc	written - Kitty Simonds	4-156 Section 4.11 As a suggestion, the authors may want to separate the direct and indirect effects from Section 4.11, presenting them earlier in Chapter 4. This may make it easier for the reader to follow. After presenting the direct and indirect effects, then present the cumulative effects (cumulative effects are effects of any other actions or activities that can also impact the affected environment), followed by an overall summary. Also, the listing of the alternatives is repeated with little discussion of how the effects in combination (direct, indirect, cumulative) relate to the alternatives (i.e., what are the total effects?)	Cumulative effects, as defined by the CEQ, are the total effects, including both direct and indirect effects, on a given resource, ecosystem, or human community. To describe cumulative effects, direct and indirect effects must be discussed in the context of exogenous factors, and thys it facilitates understanding of the cumulative effects must bediscussed in the context of exogenous factors, and thus it facilitates understanding of the cumulative effects to combine then discussion with that of the indirect effects.
P84dd	written - Kitty Smionds	4-159 Section 4.11.2.1.3 Vessel Groundings. Vessels other than vessels covered by the FMP are considered here, but some vessels covered by the FMP have grounded in the NWHI, for instance, and should be covered in direct effects.	This section includes impacts of all vessels, regardless of origin.
P84ee	written - Kitty Simonds	4-159 Section 4.11.2.1.4 Marine Debris: most debris is from fisheries other than the Pelagic fisheries considered in the DEIS, but some debris does come vessels under the FMP, such as lightsticks and some longline gear.	The amount of debris generated by the Hawaii-based pelagic fisheries is insignificant in comparison to that of the North Pacific trawl fisheries.

Tracking No.	Commenter	Comment	Response
P84ff	written - Kitty Simonds	4-160 Section 4.11.2.2 Direct Effects (See comments for p4-159). The grounding of a vessel offshore of Rose Atoll is an exogenous effect as it is a vessel (Asian longline vessel) not covered by the FMP.	This section has been modified to clarify that the Asian vessel was not operating under the Pelagics FMP.
P84gg	written - Kitty Simonds	4-161 Section 4.11.2.3 No explanation is given to what these effect are or why their impact would be minimal.	These impacts are already listed in Section 4.2.2.
P84hh	written - Kitty Simonds	4-167 Section 4.11.4.1.1 Heading should read, "Harvesting Effects" not "Fishing Effects."	Section 4.11 has been revised, and this heading no longer appears.
P84ii	written - Kitty Simonds	4-169 3rd paragraph. Recreational take of turtles is a direct effect not an exogenous effect, unless it was recreational fisheries not covered under the FMP.	The take referred to is by recreational shore fishing, not pelagic fishing; hence, it is exogenous.
P84jj	written - Kitty Simonds	4-173 Section 4.11.4 May want to include discussion regarding American Samoa closure to vessels greater than 50 ft. How does this impact sea turtles?	Agree - text added to reflect comment.
P84kk	written - Kitty Simonds	4-177 Section 4.11.5 Could include a discussion on contaminants (i.e. PCBs, lead ingestion, oil spills, etc.)	Discussion of contaminants discussed elsewhere.
P84ll	written - Kitty Simonds	4-179 Section 4.11.5.3 Note that the coasts of Washington, Oregon and California are historical foraging grounds for the endangered short-tailed albatross, as described in the literature. Also, no discussion of the Alaska fisheries, or Canadian fisheries is given.	Addressed in EIS.
P84mm	written - Kitty Simonds	4-186 Figure 4.11-1. Note that there should be arrows pointing back from other Hawaii pelagic fisheries to protected species. In fact, this discussion is minimal in Chapter 4, and perhaps could be enhanced.	Comment noted.
P84nn	written - Kitty Simonds	Chapter 5 is well written and informative. 5-5: note that the coasts of Washington, Oregon and California are historical foraging grounds for the endangered short-tailed albatross	Information has been added to the EIS.
P84oo	written - Kitty Simonds	7-13 Please note that "Cousins et al in press" is now "Cousins et al 2000". Remove Cousins et al no date.	Changes have been made to the EIS.

Tracking No.	Commenter	Comment	Response
P84pp	written - Kitty Simonds	Cousins K., P. Dalzell, E. Gilman. 2000. Managing pelagic longline-albatross interactions in the North Pacific Ocean. Information paper presented to the Second International Conference on the Biology and Conservation of Albatrosses and other Petrels, Honolulu. 10 p. Kinan I. and K. Cousins. 2000. Abundance of plastic debris and ingestion by albatross on Kure Atolongline, Northwestern Hawaiian Islands. Submitted as a poster to the Second International Conference on the Biology and Conservation of Albatrosses and other Petrels and the International Marine Debris Conference. Held in Honolulu.	References have been added to the EIS.
P84qq	written - Kitty Simonds	NMFS making fishery policy. The proposed alternative is brutal. It may achieve the desired reduction of turtle takes but does not offer any prospect of saving swordfish or mixed (swordfish/tuna) fishing in Hawaii. Indeed it is clear that NFMS has decided that shallow pelagic longlining for swordish is to be outlawed in the U.S. Clearly this is a policy issue for the management authority, Regional Fishery Management Councils and not for NMFS to insinuate using the NEPA process. Logically, following this approach then we should look to ban all gears that have interactions with protected species such as demersal trawls, gillnets and purse seines.	NMFS is investigating all possible measures to help increase sea turtle populations and to mitigate the population-level impacts of sea turtle mortality from longline gear interactions. The decision to close the directed swordfish fishery is based on sea turtle population declines and on data that show most of the sea turtles takes in this fishery were by vessels targeting swordfish or a mixture of swordfish and tuna using shallow set longline gear. Recognizing that the Hawaii-based longline fishery is a small portion of the total amount of total fishing effort in the Pacific Ocean, NMFS plans to conduct research needed to develop gear technologies and fishing strategies for reducing sea turtle mortality resulting from longline gear interactions. This research may lead to new fishing methods to target swordfish that have much lower interactions with sea turtles than existing swordfish longlining techniques.
P84rr	written - Kitty Simonds	Contraction of longline fleet: loss of swordfish fishery. There are two scenarios for the preferred alternative, one where some swordfish boats switch to tuna targeting and the other where no switching occurs. The prospect of many swordfish vessels switching to tuna fishing is bleak. Most swordfish vessels have relocated to California, and are shedding their permits.	The text covers this point of not knowing the level of switching which will occur.
P84ss	written - Kitty Simonds	It should also be noted that the impacts for swordfish targeting vessels will be borne almost entirely by Vietnamese-Americans, adding a racial dimension to NMFS desire to outlaw longline fishing in the western Pacific.	The effects of the alternatives on Vietnamese Americans are discussed in Section 4.9.

Tracking No.	Commenter	Comment	Response
P84tt	written - Kitty Simonds	Hawaii will likely have a fishery that is two thirds the size of its usual fleet size over the past decade (110-120 vessels). The loss of income from the swordfish fishery will ripple through Hawaii's economy with employment losses likely to range 500-2000 jobs, based on various economic forecasts, which will be significant in a population of one million, in a state with an economy which is less diverse than those on the mainland.	The text covers this point of overall economic impacts.
P84uu	written - Kitty Simonds	Hardships for remaining tuna fleet. Further the two April-May month closure of the tuna fishery is particularly harsh for a fishing industry whose options are now limited to tuna targeting. How will most of the vessels which are essentially small businesses survive a two-month period without any income but with costs through that two-month period? There is no analysis or modeling of the effects of the two-month dosure on the individual vessels in the fleet.	Text has been added to discuss closure. The impacts are not measurable in part due to the lack of monthly data.
P84vv	written - Kitty Simonds	It is possible that the longline vessels may gear up to conduct other methods of fishing such as pelagic handlining, vertical longlining, shrimp trapping etc., but these alternative methods are at additional costs and there are likely to be learning curves associated with entering new fisheries.	The text covers this point of not knowing the level of switching which will occur.
P84ww	written - Kitty Simonds	Further, handline fishing for tuna may bring the longline vessels into conflict with the offshore handline fishery operating out of the Big Island, particularly if vessels fish on the Cross Seamount or NOAA weather buoys, both in terms of crowding on these fishing grounds and also flooding the markets with juvenile tuna.	Although the point is well taken, it is too far down the chain of speculation to quantify.
P84xx	written - Kitty Simonds	Impacts more than lost revenues. Effectively some 500-600 fishermen will have to endure two months without wages, but continue to have to provide for their families, pay mortgages, school fees, medical bills etc., etc. The vessel owners will still have to pay vessel mortgages, mooring fees and be able to re-supply the vessel for fishing again at the end of the closed period. The impacts of all these measures on families is also likely to be severe. There are plenty of examples of the effects of wholesale employment loss or employment uncertainty in the U.S. and elsewhere, where this kind of stress leads to family breakups, alcohol and drug dependency, juvenile crime etc. etc. All these impacts have to be paid for by taxpayers in terms of welfare checks, hospital bills, extra policing etc., etc.	Additional information on the social and economic impacts of job loss and reduced income has been added.

Tracking No.	Commenter	Comment	Response
P84yy	written - Kitty Simonds	Small vessel tuna fishery cannot make up shortfall. If the Hawaii longline fishery contracts, it is extremely unlikely that the Hawaii small vessel fishery can make up the shortfall. The small vessels collectively catch between five-six million pounds, annually. The swordfish catch alone from mixed and swordfish fishing represents about six million pounds, worth $13 million which the small boat fleet simply cannot match through lack of capacity and inability to fish in all weathers. Instead, we are likely to see increased imports of fish into the State, possibly reaching levels which may reduce the price of domestically-caught fish, delivering a double blow for both to any remaining longliners and small vessel fleet.	The text covers this point of overall economic impacts.
P84zz	written - Kitty Simonds	Ecological consequences of reducing fishing mortality on sharks. The EIS does not discuss sufficiently the mortality rates of marine turtles, or the agents of natural mortality, particularly predation by sharks. Predation on Hawaii green turtles by tiger sharks is well documented yet is not included in the Chapter 3 discussion of Hawaii green turtles. However, later in the DEIS there is some discussion of the role of sharks and their effects on turtle populations from simulation models for the Eastern and West-Central Pacific Ocean. Because pelagic fisheries reduce the abundance of large sharks (Kitchel et al., 1999), pelagic ecosystem models which incorporate predation by pelagic sharks, along with estimates of shark and sea turtle mortality caused by fishing, suggest that reductions in fishing have overall negative impacts on sea turtle populations. This is because the increased abundance of, and predation by, sharks outweighs the reduced fishing mortality of sea turtles (IATTC, 1999) (see p 4-158 to 159).	While it is well documented that sharks consume turtles, at least occasionally, the level of such predation is entirely unknown. For pelagic waters, where turtles may diffuse, such predation may actually be low. Further, few sharks attain a large enough size to prey upon all but the smallest sea turtles.
P84aaa	written - Kitty Simonds	The preferred alternative will greatly reduce shark catches by the Hawaii longline fishery, since half the catch of swordfish targeting are sharks, principally blue sharks. While this is likely to have only a small effect on turtle populations Pacific-wide it may have some affect on turtle populations around Hawaii. Further, other measures such as the longline area closures around the Hawaiian islands may have reduced the catches of near-shore species such as tiger sharks and Galapagos sharks. These species are known to prey on turtles and other protected species such as monk seals and seabirds, yet there is no discussion of the possible impacts of the closed areas on these shark populations and subsequent predation on protected species.	While it is well documented that sharks consume turtles, at least occasionally, the level of such predation is entirely unknown. For pelagic waters, where turtles may diffuse, such predation may actually be low. Further, few sharks attain a large enough size to prey upon all but the smallest sea turtles.

Tracking No.	Commenter	Comment	Response
P84bbb	written - Kitty Simonds	No impact on turtle populations. Further, the loss of the swordfish fishery will create a hole in the U.S. market which will be filled by foreign imports, caught in fisheries with far less regulation than U.S. swordfish fisheries. This is likely to mean the number of turtles killed may actually increase as foreign fisheries expand to cater for the drop in U.S. supply.	NMFS must meet the legislative mandate under ESA. Additionally, due to lack of information, projections as to actions of foreign fleets are speculative.
P84ccc	written - Kitty Simonds	The plaintiffs in the litigation argue that statement about turtle takes elsewhere by foreign vessels or U.S. longline vessels from the West Coast are irrelevant and that while we cannot regulate these fisheries, we can regulate vessels with Hawaii limited entry longline permits. While this is true, in the broader context if the well being of turtles is not improved, then the question remains, what is the point of the litigation and the subsequent measures recommended in the EIS?	NMFS must meet the legislative mandate under ESA.
P84ddd	written - Kitty Simonds	Other alternative measures. Clearly swordfish fishing without mitigation measures for turtles is not going to be acceptable to the environmental community, and a short-term contraction of swordfish fishing will have to be endured by the fishery. However, some other possible options to save swordfish and swordfish/mixed fishing are given below. Due to differences in fishing methods between the Hawaii longline tuna and swordfish fisheries, sea turtle interactions are much greater for vessels targeting swordfish than for those targeting tuna. The reasons for this are: 1) swordfish gear is set much shallower than tuna gear, at a depth where sea turtles are more likely to occur; 2) the swordfish fishery uses lightsticks which might attract sea turtles; 3) the swordfish fishery occurs farther north than the tuna fishery and could be in areas of higher turtle densities. This is unconfirmed for many turtle species, but appears to be true for the loggerhead sea turtle. 4) Squid bait is attractive to some turtle species such as loggerheads. For these reasons, the following suite of options is put forth as a new alternative.	Introductory statement. No response required.

Tracking No.	Commenter	Comment	Response
P84eee	written - Kitty Simonds	Proposed Alternative 1. For the tuna sector of the Hawaii longline fleet, continue 20 percent observer coverage for a period of one year. At the end of one year, the data should be analyzed to determine if this amount of coverage effectively confirms the rarity of sea turtle takes as noted with three-five percent coverage. If this level of coverage does confirm the validity of the estimated sea turtle takes, then a minimum coverage level of no less than five percent can be applied to this sector of the fishery. This will free up additional observer resources for where they are most needed in the swordfish fishery. For the swordfish sector of the Hawaii longline fleet, allow the fishery to operate pending Council actions (i.e. Alternative 2), conducting the experimental fishery proposed under Option A, but require 100 percent observer coverage. Vessels will be asked to cooperate in testing the various mitigation methods described in Option A. Note that above 23° N. all vessels will in any case have to use blue-dyed bait after April 15, 2001, and therefore this option will effectively allow for the testing of this mitigation measure under normal fishing conditions. There will be a quarterly evaluation of the operations of the swordfish fishery, particularly with respect to the level of leatherback and loggerhead sea turtle takes, if any.	A new Preferred Alternative (Alternative 10) has been developed in response to comments and concerns and availability of information in the Pelagics BO. Observer coverage of 20% in the tuna longline fishery is part of the Preferred Alternative. Option A has been more fully developed in the EIS.
P84fff	written - Kitty Simonds	Proposed Alternative 2. This Alternative would continue to prohibit vessels from targeting swordfish except under a strictly controlled NMFS experimental regime. It assumes that all vessels in the Hawaii longline fleet will be targeting tuna using deep sets. Vessels wanting to target swordfish will have to apply to fish under a strictly controlled experimental regime developed by NMFS, and will have 100 percent observer coverage. Sets made to target swordfish will be limited, and will have specified hard target take limit for each sea turtle species. Once a target take limit is met, all vessels targeting swordfish fishing will cease, but vessels will be allowed to conduct normal tuna fishing operations. Since the catches of vessels fishing for swordfish may be constrained by the nature of the experimental regime, some form of financial compensation may be required. Vessels targeting tuna will have a 20 percent observer coverage and a separate take level for each sea turtle species will be estimated for this sector of the Hawaii longline fishery. There will be separate hard and soft take levels depending upon species. For example, exceeding the take level for Olive Ridley sea turtles would simply reinitiate the Endangered Species Act Section 7 Consultation whereas for leatherback sea turtles, and possibly loggerheads, it may result in a temporary fishery closure.	The new Preferred Alternative (Alternative 10) and Option A, the fishing experiment, incorporate many aspects of this proposed alternative. NMFS plans to conduct the research fishing experiment under an ESA Section 10 permit.

Tracking No.	Commenter	Comment	Response
P85a	written - John Stimson (UH Manoa)	The Hawaii longline fishery has been increasing since 1991 in terms of the number of hooks fished (Fig 3.10-Longline4 p3-128). This means that the potential for takes and kills of turtles by Hawaii longline boats has been increasing over the past decade. Presumably the foreign longline fishery in the area has increased too.	Data in Section 3.10 reflect the most recent trends for the Hawaii longline fishery.
P85b	written - John Stimson	The allowable take and kills of turtles have been consistently modified upward (with the exception of the take of Greens) in the successive BOs, but no biological basis has been given to justify these increases. The impression one gets is that the allowable take has been increased to match the estimated take. The failure to justify the take values is disturbing. The audacity of the statements about the allowable takes is alarming: "NMFS has determined that these maximum anticipated incidental take levels (formerly allowable take levels) are not likely to jeopardize the continued existence of any of the listed sea turtle populations affected by the Hawaii longline fishery." (BO 3 Nov 1998)	Information from the Pelagics BO has been incorporated into EIS.
P85c	written - John Stimson	A great deal of statistical effort (Skilonglineman and Kleiber 1998, McCracken 2000, Kobayashi and Polovina 2000, and reviews by Sissenwine 2000, Crowder 2000, and Hampton 2000) has gone into estimating and evaluating the takes and kills of these turtles. This level of effort was made necessary by: the low proportion of boats with observers, the difference between observer reports of takes and the logged reports those submitted by vessel operators) and the low absolute incidence of takes.	Statement is an observation. No response required.
P85d	written - John Stimson	Unfortunately, a commensurate effort has not gone into developing the values of allowable takes. Nowhere in the BOs (on which the Impact Statement is dependent) is a biological argument presented for how the allowable takes have been developed. The EIS does say (ES-5): "Due to the complex life history of sea turtles and their highly migratory nature total population estimates are difficult to obtain and are thus not reported in the literature." This is evidently a justification for not using the numerous published counts of nesting females, an index which almost universally indicates declines in turtle numbers. Asking for total population estimates is unreasonable, because fisheries biologists don't even have such numbers for fish populations, which are the subject of much more intensive study than turtle populations.	Information from the Pelagics BO has been incorporated into EIS.

Tracking No.	Commenter	Comment	Response
P85e	written - John Stimson	The report does however go on to say that for the "purpose of determining trends in turtle abundance or population status, sea turtle populations are usually assessed from annual counts of nesting females which can be measured with accuracy. However, it must be acknowledged that a trend analysis requires a minimum of six-nine years of nesting beach surveys before the trend can be elucidated." It is not clear where the range six-nine years was obtained, but the essence of the second statement is true, because individual turtles do not re-nest for three or more years, and because like other natural populations, there are undoubtedly fluctuations in population size. Published reports of declines in annual counts of nesting females over periods of six-nine years or longer are available and could have been referred to in developing allowable take values in the BOs.	The 6-9 year time period is due to the 2-3 year time period between nesting seasons for indivdual turtles (or cohorts). For a trend to be determined requires at least three data points.
P85f	written - John Stimson	The Impact Statement acknowledges that turtle populations are almost universally in decline. "As reflected by their listing in the ESA, alongline sea turtle population(s) in the Pacific have declined to the point where their future is uncertain" p3-88(a). Or: "...it can be concluded that most sea turtle population in the Pacific are declining and are in danger of extinction;..." p4-10. Some of these declines are current and ongoing. Spotila et al 2000 report the decline of leatherbacks in Costa Rica (over 11 years), Chua 1988 and Limpus 1995 and J Mortimer 1992 report the decline in leatherbacks in Malaysia: 3103 nesting in 1968, 600 in 1978, 200 in 1980, 20 in 1993 and 2 in 1994. Spotila et al 1996 document numerous other examples of declines. Despite the generality and size of these declines throughout the Pacific, this evidence has been disregarded.	These values have been accounted for in the document.

Tracking No.	Commenter	Comment	Response
P85g	written - John Stimson	The EIS criticizes these data on declines in the abundance of nesting turtles (pES-6 and 4-10), yet these are firmer data about the change in abundance of a pelagic marine species (involving fewer assumptions) than anyone can generate for pelagic species of fishes. The EIS states that there is a lack of basic life history information on these turtle species which the EIS suggests (p4-10) invalidates the counts of nesting turtles. More specifically, the EIS says, for example, there is no information about sex ratio. This seems irrelevant; it is females that come out onto the beaches to lay eggs and are counted year after year and it is the survivorship of females (and their fecundity) which is essential for calculating estimates of population growth. The EIS says there is a lack of information about juvenile/adult ratios, presumably meaning survivorship to the age of first reproduction, and a lack of annual survivorship rates. These points are true; it would be useful to have these age specific survivorship figures, but their absence does not alter the fact that almost all populations of turtles are declining as indicated by nesting turtle counts. Fisheries biologists almost never have population counts, here they are available, but they are apparently being ignored when making the decisions about allowable takes.	The reviewer has misinterpreted the text. The EIS uses best available scientific data.
P85h	written - John Stimson	It seems difficult to justify biologically the upward revisions of take (Fig. 1) and kill numbers through the 1990s when turtle stocks were plainly in serious decline. There is no evidence that continuance or increase of the present allowable take and kill values are justifiable.	The new Preferred Alternative (Alternative 10) has been developed based on new information, comments, and analyses, including the Pelagics BO.
P85i	written - John Stimson	The history of management of fisheries of pelagic species has been consistently to destroy fish stocks. Few have been managed successfully without a system for limited entry. The fish stocks involved in this longline fishery probably face the same fate. Fishing effort does not decline quickly enough in the face of declining stocks and declining CPUE. The evidence of decline is rarely strong enough to convince government officials, bankers and fishers of the need to reduce or stop fishing. The irony is that in this case there is firm evidence that endangered species are being taken and killed by this longline fishery during a time of turtle population decline. If fisheries biologists had evidence this firm about any pelagic fishery they would clearly be able to justify the closure of the fishery at least temporarily. In this case, no one is willing to shut down a fishery which is contributing to the destruction of an endangered species.	In response to comments and concerns and availability of information and the Pelagics BO, a new Preferred Alternative (Alternative 10) has been developed.

Tracking No.	Commenter	Comment	Response
P85j	written - John Stimson	U.S. agencies should be temporarily shutting down this fishery and encouraging other countries to shut down their own longline fisheries. There should be international efforts to protect the turtle nesting grounds and rebuild the breeding populations. There should be research into the movements of the targeted fish and the turtle (using genetic identification of stocks and satellite tracking of individuals.) Once movements of these species are better understood and breeding colonies rebuilt, fishing can be reopened and targeted in space and time in a way which produces good catches but avoids the turtles.	NMFS is investigating possible measures to help increase sea turtle populations and to mitigate the population-level impacts of sea turtle mortality from longline gear interactions. The decision to close the directed swordfish fishery is based on sea turtle population declines and on data that show most of the sea turtles takes in this fishery were by vessels targeting swordfish or a mixture of swordfish and tuna using shallow set longline gear. Recognizing that the Hawaii-based longline fishery is a small portion of the total amount of total fishing effort in the Pacific Ocean, NMFS plans to conduct research needed to develop gear technologies and fishing strategies for reducing sea turtle mortality resulting from longline gear interactions. This research may lead to new fishing methods to target swordfish that have much lower interactions with sea turtles than existing swordfish longlining techniques.
P86a	written - Dave Raney (Sierra Club)	We strongly urge adoption of Alternative 7, the preferred alternative. We note the projected reduced take, and in view of threats to the survival of all these species, these are significant benefits.	The comment expresses a preference for an alternative. No response required.
P86b	written - Dave Raney	We do not support Option A in the context of the Hawaii longline fishery. Although we recognize the potential for new methods to be developed that may further reduce turtle bycatch, we cannot support an option that might inadvertently result in an increased take of turtles in the geographical area under discussion.	The comment expresses an opinion. No response required.
P86c	written - Dave Raney	Also, it appears to us that the turtle populations in this area are too small for the results of experimental methods to be significant.	Option A, a fishing experiment, is not a part of the Preferred Alternative. Specific time periods and numbers of sets required to generate statistically valid results are provided in the EIS.
P86d	written - Dave Raney	We consider observer coverage to be key to documenting, and perhaps deterring, interactions with marine sea turtles. Accordingly, we support continuation of observer coverage of the longline fishery at the current levels of 100 percent for swordfish and a minimum of 20 percent for tuna.	These levels are contained in the new preferred alternative and Option A.
P86e	written - Dave Raney	We also support the requirement that two seabird deterrent devices or methods by employed north of 25° (or 23°) N. latitude.	Mandatory deterrents listed in the STAL BO are included in Preferred Alternative 10.
P86f	written - Dave Raney	We further recommend that at least one seabird deterrent be required to be used at alongline times on all longline vessels operating in this fishery, regardless of the zone that they are fishing in.	Mandatory deterrents listed in the STAL BO are included in Preferred Alternative 10.

Tracking No.	Commenter	Comment	Response
P86g	written - Dave Raney	Sierra Club is already on record as supporting the ban on shark finning in all pelagic FMP-managed fisheries, and strongly supports the prohibition of domestic or international transshipment of shark fins through U.S. ports in the WPR.	Federal legislation banning shark finning has been made a part of the preferred alternative, Alternative 10 in the EIS.
P86h	written - Dave Raney	It is unfortunate that it took a lawsuit to force adequate consideration of the impacts of longline fishing on turtle populations. A more proactive and precautionary approach by the WPRFMC and NMFS could have spared all parties, including the longline fishers, a lot of pain. Nevertheless, we commend NMFS for selecting Alternative 7 as the preferred alternative. We urge you to stand firm on this alternative in the face of objections from longline fishing interests.	A new Preferred Alternative, Alternative 10, has been developed based on new information, comments, and analyses, including the Pelagics BO.
P87a	written - Jonathan Lee	I'm in for Alternative 1. I been fish or fishing related work ever since I was 14 years old, and tell you the truth, I saw turtle caught on the line only once.	The comment states a preference for an alternative. No response required.
P87b	written - Jonathan Lee	Our 65 percent income revenues is depended on those two months of April and May. Also most active months of the years. By dosing these two months not only drag fishermen into more death financially, and also put more strain on income heading into slower part of the years (June, July, and August.)	Alternative 10, the new preferred alternative, allows year-round effort in the tuna sector of the Hawaii-based longline fishery.
P88a	written - Linda Paul	The Hawaii Audubon Society would support Alternative 7, pending proposed adjustments to the Pelagics FMP (Alt 2) and without Option A, as long as it included: 1) NMFS proposal (DEIS 2-10) setting forth mandatory seabird bycatch mitigation measures,	The comment states a preference for an alternative. No response required. The mandatory measures established in the STAL BO are included in the preferred alternative.
P88b	written - Linda Paul	2) A prohibition on the use of lightsticks to help mitigate albatross chick mortality,	The comment states a preference for an alternative. No response required. The mandatory measures established in the STAL BO are included in the preferred alternative.
P88c	written - Linda Paul	3) A prohibition on longline fishing within 200 miles of the NWHI during the months of November through March when albatross are foraging near the islands to feed very young chicks,	The comment states a preference for an alternative. No response required.
P88d	written - Linda Paul	4) A mandatory VMS installed on every vessel monitored 24 hours a day by computer (automated) to enforce these prohibitions,	The comment states a preference for an alternative. No response required.
P88e	written - Linda Paul	and 5) An observer coverage requirement: 100 percent for the swordfish longline fishery; 25 percent for the tuna longline fishery.	The Pelagics BO mandated levels of observer coverage are attached to the preferred alternative in the EIS.

Tracking No.	Commenter	Comment	Response
P88f	written - Linda Paul	We do not support adding Option A to the preferred alternative because it would open the door to longline fishery in closed areas during closed times and thus cancel out the bycatch-avoidance benefits of the preferred alternative. To date none of the current methods suggested to mitigate turtle bycatch other than closed areas and times have proven effective and/or enforceable. The rate of turtle interaction is too low to allow statistically reliable results unless this "experimental" fishery continues for a very long time. By the time a mitigating gear type may be proven effective, one or more of the turtle species vulnerable to this fishery could become extinct. Field experiments should be conducted where there is a higher rate of interaction with species and populations not approaching extinction, and in locations not covered by the U.S. ESA, i.e., the Azores, where such experiments aer currently being conducted.	Option A nas been more fully developed in the EIS. Specific time periods and numbers of sets required to generate statistically valid results are provided.
P89	ORAL		
P90a	written - Henry Sesepasara	The publicity for the hearing was good as far as the local media is concerned. We heard about the hearing on the local radio station, and read in the local newspaper. The date scheduled for the hearing was a very poor choice. I thought that your agency is aware of the transportation problems we have here in American Samoa. With only two flights a week between Honolulu and Pago Pago, scheduling a meeting or hearing on the next day of flight arrival is not a safe schedule. The local fishermen and boat owners planned their fishing trips around the time you advertised for the public hearing. When Hawaiian Airlines canceled its flight, the local fishermen could not change their fishing schedule any more.	The hearing schedule was quite compressed and travel itineraries were as efficient as possible. We could not predict the unexplained 24-hour delay in the Hawaiian Airlines flight.
P90b	written - Henry Sesepasara	I found out that there was no local fishermen or boat owner that attended the hearing. Most of those attended are staff of the DMWR, and two other Palagi (white men). I was also told that these are boat owners of the bigger longliners from outside of American Samoa. The same size of longliners that we are very much concerned about.	The comment is an observation. No response required.
P90c	written - Henry Sesepasara	Most fishermen want to discuss the issue of the area closure, and wanted some more information from your agency representatives at the haring. Some cannot put their comments in writing but want some kind of informal discussion. If you had scheduled this public hearing on Monday rather than Saturday, we would have made our plans accordingly.	Because of the cancellation of the Friday flight, the hearing was rescheduled for Monday.

Tracking No.	Commenter	Comment	Response
P90d	written - Henry Sesepasara	If you need help to schedule future hearing, the Tautai-o-Samoa Fishing Association can help coordinate for your agency. I'm the Secretary of the Association and you can reach me through WPRFMC, DMWR or (684) 633 5908 or 733 2385.	Thank you for the offer. We will seek your assistance in scheduling future hearings.
P90e	written - Henry Sesepasara	American Samoa Area Closure. We appreciate the fact that you have considered an area closure for American Samoa, although we are not getting the original 100 miles we requested some three years ago, induding some alternatives such as the limited entry time frame and vessel size limits.	Comment noted; 50nm American Samoa incorporated in Alternatives 2, 4-7, and 10.
P90f	written - Henry Sesepasara	Section ES.1.2, you mentioned that the U.S. purse seiners "fishery is not discussed in detail in the EIS because it has not raised any major management issues addressed by the Council." How can you not discuss this fishery in detail when it is this fishery that has voiced a strong opposition to our request for a 100-mile area closure. I believe that you should make sure that this issue is addressed now and not later when a conflict comes up.	Addiitional information about the U.S. purse seine fishery is contatined in other sections of the EIS.
P90g	written - Henry Sesepasara	The ES points out the rapid growth in the Hawaii-based longline fishery due to influx from mainland vessels, which were larger and had more fishing capacity... small boat fishers were concerned that they might be intercepting fish migrating towards inshore areas thus reducing opportunities. These are the same concerns we have in American Samoa. We now are witnessing the addition of bigger longliners with more fish capacity than our existing *alia* fleet. Please consider these problem issues in Hawaii that they can also happen in American Samoa.	A 50nm American Samoa incorporated in Alternatives 2, 4-7, and 10. Also, Alternative 9 proposes examination of catch competition issues throughout the Western Pacific Region.
P90h	written - Henry Sesepasara	The American Samoa fishing community supports the restriction of shark finning in our fishing area. It is the Samoan culture that the whole fish should be utilized and not to be wasted.	The comment expresses an observation. No response required.
P90i	written - Henry Sesepasara	Turtle is important to our culture and we have several stories and legends that relate to these animals. We have requested through the WPFC to include American Samoa on turtle studies as was done for CNMI about a year ago. I would like to remind you that same request again.	Request noted.

Tracking No.	Commenter	Comment	Response
P90j	written - Henry Sesepasara	There are no information and data on any of the sea birds and turtles that are caught on the local longline fisheries or any other fishery. This has never been a problem in American Samoa.	While turtle takes have been documented in logbook data for American Samoa, the lack of observer coverage in that fishery has not permitted confirmation. The new Preferred Alternative (Alternative 10) includes a provision for observers throughout the Western Pacific Region where feasible.
P91a	written - William Gilmartin	I agree that Alternative 7 presents the best management strategy for these fisheries. I am strongly opposed to inclusion of Option A.	The comment expresses a preference. No response required.
P91b	written - William Gilmartin	Observer coverage of the pelagics fisheries is critical and should be maintained at the current levels: 20 percent minimum on tuna longline boats and 100 percent on swordfish longline boats.	These are the levels specified in the new Preferred Alternative (Alternative 10) and Option A.
P92a	written - Gene Vander Hoek	Once again the powers that be have found a way to ignore the economical and social impact that the Hawaii charter and recreational boat industry has on these Hawaiian islands.	An analysis of social and economic impacts on the charter and recreational fishing industries have been included in the EIS to the extent that data permit.
P92b	written - Gene Vander Hoek	Let's take one customer who lives on the west coast and fishes at least five days a year here in Kona on our boat. He pays $675 per day total $3375. He stays a minimum of seven days in order to fish five. Let's say $200 a day on average hotel total $1400. He, his wife and child pay at least $1800 to fly roundtrip to and from the mainland. While here during that week they spend on food and other miscellaneous items at least another $2000. That puts his total to come here to Kona and fish five days for our blue and striped marlin and shortbill spearfish and yellowfin tuna at $8575. We fish close to 200 days a year with all of those people contributing similar numbers. His cost down to a one day per fishing expenditure comes out to $1715 per day fished times 200 comes out to $343,000 spent by our clients alone! Now count the working charter boats in the Hawaii chain.	Visitors to Hawaii engage in a number of activities while they are here; it is not valid to attribute the entirety of their expenditure in Hawaii as generated by charter boat industry.
P92c	written - Gene Vander Hoek	What we should win is some respect from government agencies that have anything to do with the fish that we fish for that bring in so much money to so many. It appears that the Charter and Recreational fleet is the one to back. To use a English phrase "at the end of the Day" we can insure there will be something to catch in the future, whereas the longliners can only insure the almost complete elimination of the billfish here in the Hawaiian Islands.	The comment is an opinion. No response required.

Tracking No.	Commenter	Comment	Response
P92d	written - Gene Vander Hoek	If I may just briefly touch on te environmental aspects of large scale slaughter of billfish and underdeveloped yellowfin and bigeye tuna. It is clearly a fact that any longline fleet whereever it fishes out of U.S. waters does so until there is very little left to fish for and then they move on to destroy the next fishery. The tuna boats that are based out of the Hawaiian Islands to fish our seamounts are systematicalongliney eliminating Yellowfin & Bigeye Tuna from our future.	The data from various segments of the high seas fleets indicate that no PMUS species are overfished and, in fact, most species are stable or increasing under current conditions.
P93a	written - Joe Arceneaux	I wonder how important experimental design is to NMFS when closing down the fishery for two months in addition to the permanently closed area "A" is based on scant and insufficient evidence that independent reviewers state can't be used to say anything. There's not even enough data to show a trend.	Alternative 10, the new preferred alternative, allows year-round effort in the tuna sector of the Hawaii-based longline fishery.
P93b	written - Joe Arceneaux	The saddest result is the fact that there are large fleets of longliners, non-U.S. flagged, fishing in the area closed to U.S. flagged longline fishing effort. Just a portion of these fleets fish in two-three months the same amount of hooks the Hawaii fleet fishes in an entire year. This closure option does nothing to save any turtles, and in fact serves to ensure that more sea turtles will be killed (re: eaten) than would be the case if the Hawaii fleet still operated across its former (re: pre-decision) range.	The possibility of increased takes of protected species by displaced Hawaii vessels operating in other fisheries is discussed in Section 4.11.
P93c	written - Joe Arceneaux	By this same logic, why doesn't the FWS use this decision to support a ban on cars in south Florida, because it's proven that every other year or so, very endangered Florida panthers are hit and killed by autos. Or why not place a seasonal ban on cars on the road that passes near Kealia Pond on Maui. They hit gravid female sea turtles crossing the road to nest, and the nesting season is known.	The recommended actions are outside the scope of this EIS.
P94a	written - Michael Fujimoto (HIDAR)	State of Hawaii, Division of Aquatic Resources.The DEIS seems to be well-written and comprehensive, and our compliments go to the authors for producing a generally good document under a great deal of pressure.	The comment is appreciated.
P94b	written - Michael Fujimoto	We have some concerns about the alternatives in the DEIS, but lacked the time necessary to submit full comments from the Department, given the size of the draft and the short 45 day comment period allowed. We look forward to another opportunity to provide comments at some time in the future.	Opportunities for future comment include a 30-day period following availability of the EIS, Council meetings, and hearings associated with development of regulations.

Tracking No.	Commenter	Comment	Response
P95a	written - W Muffett, Y Borreson (Defenders of Wildlife)	Because of the brevity of the public comment period, however, our comments herein are restricted to the Hawaii longline fishery. By focusing our comments on this one fishery, we do not intend to suggest that no other area or gear type raises significant conservation issues.	Introductory statement. No response required.
P95b	written - Wilonglineiam Muffett, Yvonne Borreson	Defenders commends the drafters for the considerable effort represented by the DEIS. We appreciate the scope, level of detail and general candor of the draft and believe it provides an excellent foundation for a comprehensive review of the environmental impact of the U.S. pelagic fisheries.	The comment is appreciated.
P95c	written - W Muffett, Y Borreson	We recommend that a new alternative be explored in the FEIS which combines elements of Alternatives 6 and 7 with additional measures to further reduce seabird mortality.	The EIS has been revised to include information provided in the STAL BO.
P95d	written - W Muffett, Y Borreson	FEIS should summarize the aggregate environmental impact of longline fisheries. The DEIS makes no effort to paint a composite picture of the negative environmental externalities of longlining. Those wishing such a picture must cobble it together from hundreds of pages of text addressing individual species or taxa, or find the relevant figures buried among the table in chapter 4. In order to allow users to better evaluate the information provided, we recommend that an overview of the environmental impact of longline fisheries be included in the ES of the FEIS and that a longer discussion of the aggregate impacts, reflecting the effects of longlining on all non-target species, be incorporated into Chapter 3 or 4.	The Executive Summary and Chapter 4 have been revised for the EIS.
P95e	written - W Muffett, Y Borreson	Strong Measures are Warranted to Protect Sharks. Defenders supports the proposal in Alternative 6 to institute seasonal closures in alongline Hawaii longline fisheries and to permanently close the are north of29° N. latitude to longline fishing. The closure of this area to longliners will be of particular benefit to blue sharks because of its proximity to the blue shark nursery in the NPTZ.	The comment is an opinion or a preference. No response required.

Tracking No.	Commenter	Comment	Response
P95f	written - W Muffett, Y Borreson	Defenders also recommends that the FEIS provide additional information on the impact of longlining on mako and thresher sharks, which will not benefit significantly from the Shark Finning Prohibition Act. Although commercial interest in these species would probably not support a directed fishery, local markets nonetheless for their meat. As a result, a high proportion of mako and thresher sharks incidentally taken by longliners are ultimately landed. The numbers of these sharks taken are small when compared to the number of blue sharks taken. Nonetheless, the numbers of some species are sufficiently large to warrant a fuller investigation of their possible population impacts. For example, the K-P Model estimates a one-year take for thresher sharks of 17,78 individuals. (Table 4.8-5) Observer data on sharks caught in the longline fishery indicate that the bigeye thresher accounts for the vast majority of the threshers taken as bycatch. (Table 3.4-4) The bigeye thresher is a late-breeding species with low fecundity. The rapid collapse of thresher shark fishery in California in the 1980s, together with its low fecundity, suggest that the species may be particularly vulnerable to over exploitation. For this reason, we recommend that the FEIS include additional analysis of the potential impact of longlining on this and similarly-situated species.	The data concerning the stock characteristics and distribution of this species are insufficient to allow more refined estimates of the impact of the Hawaii longline fleet on population dynamics. However, compared to international fleets, Hawaii's harvest of this species is believed to be small.
P95g	written - W Muffett, Y Borreson	Stronger measures are required to protect seabirds. Defenders commends NMFS for recognizing the need to reduce the incidental catch of seabirds in the Hawaii longline fishery; however, we have grave concerns about the adequacy of the preferred alternative to protect albatross and other seabirds from dying as a result of longline fisheries. Thousands of seabirds die each year after becoming entangled in or hooked by longline fishing gear. We ask NMFS to incorporate within its preferred alternative additional measures to reduce interactions between seabirds and longline fisheries.	The seabird deterrent measures mandated by the STAL BO are incorporated into the preferred alternative.
P95h	written - W Muffett, Y Borreson	Many nations are taking steps to reduce the incidental catch of seabirds in longline fisheries and are adopting NPOA, as required by the FAO IPOA-Seabirds. As other nations craft their NPOA, they will look to the U.S. as an example because of our strong stance during the creation of the IPOA. Although our own NPOA is not yet complete, our actions will speak loudly. The U.S. is in the position to be a strong leader in the conservation of seabirds by demonstrating to other nations that this is a matter that is taken seriously and that the incidental take of seabirds is not acceptable.	NMFS is committed to fulfilling its international obligations relating to protected species.

Tracking No.	Commenter	Comment	Response
P95i	written - W Muffett, Y Borreson	The DEIS does not adequately protect seabirds. The preferred alternative should be strengthened, with the goal of virtually eliminating seabird bycatch. All Hawaii longline vessels should be required to weight their lines and use a bird scaring line. Weighting lines is the most effective method available to reduce seabird bycatch. According to FAO-published *Incidental Catch of Seabirds by Longline Fisheries: Worldwide Review and Technical Guidelines for Mitigation*, 3-7x more birds may be caught on light gear and than if the proper weight and position on lines are used, incidental catch of seabirds could be largely avoided. Bird scaring lines are also very effective in reducing seabird bycatch almost universally and should be mandatory on all longline vessels. The publication state that bird scaring lines can reduce seabird bycatch by as much as 70 percent, which is a conservative estimate. Both bird scaring lines and weighting lines are relatively inexpensive and easy to implement. FAO estimates that seabird bycatch is reduced by 85 percent in pelagic fisheries when bird scaring lines and weighted lines are used together. Requiring the use for these techniques is vital to reducing seabird mortality due to longline fisheries.	The seabird deterrent measures mandated by the STAL BO are incorporated into the preferred alternative.
P95j	written - W Muffett, Y Borreson	We have grave concerns regarding using a "pick list" or menu-like system in which boat crew choose two of six seabird mitigation methods as required in Alternatives 2 and 7. The effectiveness of two of the methods is highly questionable and, therefore, should not be available as the sole method of deterring seabirds. Mitigation techniques included in the EIS should be scientifically proven to be effective. According to *The Incidental Catch of Seabirds by Longline Fisheries: Worldwide Review and Technical Guidelines for Mitigation*, strategic discharge of offal during setting or hauling, while providing a distraction from baited hooks, can also attract birds to the vessel. Dumping offal while longline gear is being set or hauled succeeds in attracting a larger number of birds to the area which increases the number of birds that could come in contact with baited hooks. For these reasons FAO generally does not recommend this mitigation technique. The use of blue-dyed bait as a mitigation method has not been proven effective although early tests are promising. Until further study has been done and blue-dyed bait has been proven an effective mitigation method, the use of this technique in combination with strategic offal discharge should not be advocated. The mitigation techniques used by longline vessels must be proven effective in eliminating seabird bycatch.	The seabird deterrent measures mandated by the STAL BO are incorporated into the preferred alternative.

Tracking No.	Commenter	Comment	Response
P95k	written - W Muffett, Y Borreson	Seabird avoidance measures should apply to all waters. We strongly encourage NMFS to reconsider applying the DEIS to a management area north of 25° N lat (or 23 ° N lat) for Alternative 2. The goal of the DEIS should be to eliminate seabird bycatch; therefore, every measure should be taken to ensure no birds are killed due to the longline fishery. The FWS' Nov 2000 BO for Short-tailed Albatross states that requiring seabird deterrent measures north of 25° N latitude "does not adequately cover areas where the short-tailed albatross may occur." Further, fig 3.10-LL20 on p3-180 of the DEIS demonstrates that a large number of interactions occur south of 25° N latitude. Increasing the area to which the alternative wil apply will lead to fewer deadly seabird interactions with longline fishing vessels.	The seabird deterrent measures mandated by the STAL BO are incorporated into the preferred alternative.
P95l	written - W Muffett, Y Borreson	All alternatives should include observer coverage. The preferred alternative should include mandatory expanded observer coverage to at least 25 percent coverage throughout the longline fishery to monitor interactions with seabirds and other non-target species. Prior to 2000, fewer than four percent of the fishing trips were being observed. When 12 of 14 observers in Hawaii were dismissed from their duties last year, this figure dropped well below one percent. Observer data is critical to assess the frequency of seabird interactions and seabird mortality. Observers must be given proper training in marine species identification and boat owners and operators must be required to cooperate with the observer while that person is onboard.	The new Preferred Alternative (Alternative 10) includes mandated observer coverage of 20%.
P95m	written - W Muffett, Y Borreson	We applaud the inclusion of NMFS' annual protected species workshop and requiring attendance of Longline boat owners and operators in Alternative 2.	This requirement is also contained in the preferred alternative.
P95n	written - W Muffett, Y Borreson	The FEIS should include a new alternative which combines Alternatives 6 and 7. In order to improve outcomes with respect to both seabirds and sharks, Defenders respectfully requests that NMFS incorporate the recommendations set forth herein into the FEIS as a new preferred alternative. This alternative should include all the management measures currently contained in Alternative 7, as well as the following additional measures: 1) permanent closure of the area above 29° N latitude to longline fishing as outlined in Alternative 6; 2) the application of seabird protection measures to longline fishing operations north of 25° N latitude; 3) the application of the additional seabird protection measures as above; and 4) increased observer coverage on alongline longline vessels.	The new Preferred Alternative is (Alternative 10) compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning.

Tracking No.	Commenter	Comment	Response
P96a	written - Jerry Zak	A two-month closure of longline fishing will cost me 25-30 percent of my gross income for the year, which amounts to a loss of $90,000 to $108,000. The peak revenue producing months are December to the end of June.	Alternative 10, the new preferred alternative, allows year-round effort in the tuna sector of the Hawaii-based longline fishery.
P96b	written - Jerry Zak	I don't understand how longline fishing has much of an impact on turtles. Most fisherman I have spoken to have either never seen a turtle or may have seen two or three turtles in their fishing career.	Interactions by the Hawaii-based longline fisheries have been documented by NMFS observers.
P96c	written - Jerry Zak	American fishermen are actually turtles best friend. Longline fishermen believe that live turtles are good luck. It is bad luck for them to injure or kill a turtle.	The comment is an observation. No response required.
P97a	58 form letters	I am writing to express support for the objectives listed for preferred Alternative 7. Specificaliy I support efforts that reduce turtle takes by stated percentages. Without significant measures to reduce their take in commercial fisheries, they may go extinct in 5-10 years (Spotila et al 2000).	The new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning.
P97b	58 form letters	I am opposed to any "experimental fishery" that could increase incidental take of sea turtles above the proposed take levels rates described in preferred Alternative 7. The rate of turtle capture necessary to obtain statistically significant results would be unacceptably high considering the critically endangered status of these turtles.	Option A has been developed more fully in the Final EIS.
P98a	91 form letters	I am writing to express my support for Alternative 8 in the DEIS. While the objectives listed for preferred Alternative 7 are a significant improvement over the current management regime, the take reduction that Alternative 7 calls for may be insufficient to protect these species. Without significant measures to reduce their take in commercial fisheries, they may go extinct in 5-10 years (Spotila et al 2000).	The new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning.
P98b	91 form letters	I am also opposed to any "experimental fishery" that could allow incidental take of sea turtles. The rate of turtle capture necessary to obtain statistically significant results for an "experimental fishery" would be unacceptedly high considering the critically endangered status of these turtles.	The comment is an observation, opinion or preference. No response required.

Tracking No.	Commenter	Comment	Response
P99a	135 form letters	I work for a Hawaii seafood company. The business would not survive without a year-round supply of fresh tuna and other fish from the Hawaii longline fishery. Another good job would be hard to find if there is no work for two months. The preferred alternative endangers my job and jeopardizes the survival of my family and community.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P99b	135 form letters	I do not understand the preferred alternative. The document actually says that eliminating Hawaii's swordfish longline fishery and closing the tuna longline fishery for two months every year Alternative 7 could make things worse for sea turtles worldwide. The preferred alternative would move fishing and turtle impacts to other places, where there is a weaker tradition of conservation than in Hawaii.	The possibility of increased takes of protected species by displaced Hawaii vessels operating in other fisheries is discussed in Section 4.11. However, a new Preferred Alternative (Alternative 10) has been developed which allows for year-round tuna longline fishing in some areas.
P100a	30 form letters	I am a manager/owner of a Hawaii seafood company. The majority of our total sales consists of fresh tuna and associated species landed by the Hawaii longline fishery. The proposed two-month closure of the entire Hawaii longline fishery in preferred alternative would force me to a) suspend business, or b) purchase imported tuna to substitute for the absence of domestic longline tuna during the two-month closure.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P100b	30 form letters	The DEIS is accurate in stating that Hawaii wholesalers will have difficulty in importing tuna of equivalent high quality. The lower-grade tuna commonly offered for sale by importers will not satisfy my customers and I will lose sales. Even after the Hawaii longline fishery is reopened in June, our sales will not fully recover to pre-closure levels because of low market exposure for two months. This patter of closing and opening the Hawaii longline fishery will cause attrition that is likely to eventually bring about much greater dependence by Hawaii's consumers on imported tuna over the long term.	Information on the increased reliance on imported fish added to the EIS. However, a new Preferred Alternative (Alternative 10) has been developed which allows for year-round tuna longline fishing in some areas.
P100c	30 form letters	We are asked to make this sacrifice to reduce "takes" and mortalities of sea turtles in the HI Longline fishery. However, during the 2 month closure our company wilongline depend on fresh tuna imports from a global supply system. As the DEIS point out, many of the potential sources of substitute tuna products are poorly-regulated fisheries which have much higher takes of protected species than the HI Longline fishery. The DEIS explains how such cumulative effects of the pref alt have a good chance of resulting in a net increase in global sea turtle mortality. The DEIS does not explain how this leads to the choice of pref alt.	The possibility of increased takes of protected species by displaced Hawaii vessels operating in other fisheries is discussed in Section 4.11.

Tracking No.	Commenter	Comment	Response
P100d	30 form letters	The DEIS does not explain how a net increase in sea turtle mortality could possibly follow the "precautionary principle" that is supposed to guide NMFS' actions.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas. However, NMFS must meet the legislative mandate under ESA.
P100e	30 form letters	When my customers ask about the origin of imported tuna and about possible impacts on sea turtles and other protected species, I am no longer able to give them hard data from the Hawaii longline fishery. This will be an unfortunate outcome of the preferred alternative - seafood marketers and consumers will have to worry about the adverse impacts on protected species that we are importing with every pound of substitute fish to replace Hawaii longline fish.	The comment is an observation, opinion or preference. No response required.
P101a	59 form letters	NMFS' preferred alternative would have a severely negative impact on my livelihood. The April-May closure would make it impossible for me to maintain sufficient income to operate my business.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P101b	59 form letters	I would request a change in the preferred alternative to Alternative 1 with Option A. Doing this would allow tuna vessels having a low turtle interaction rate to continue fishing while at the same time keep the swordfish vessels operating on an experimental basis. This would allow the fishery to develop new turtle mitigation devices which could then be exported to other foreign longline fleets and thus have a very positive effect on the turtle problem.	The comment is an observation, opinion.
P102a	6 form letters	Hawaii longline fish have a reputation in restaurant markets as wholesome, versatile and exotic. This is a distinct marketing advantage for chefs both in Hawaii and on the U.S. mainland. Hawaii chefs have created a unique Hawaii regional cuisine that reinforces the special image of the islands and appeals to visitors. The NMFS preferred alternative would reduce the supply of locally-caught fresh pelagic fish by 85 percent during the months of April and May, when the Hawaii tuna longline fishery would be closed. If I substitute imported fish, our restaurant will just be serving food, rather than providing a true Hawaii experience. Opportunities for restaurants to cross market diversified agriculture products from Hawaii wilongline also be lost because it will make no sense to feature local greens, fruits or seaweed with fish products from Indonesia, the Philippines or South America.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.

Tracking No.	Commenter	Comment	Response
P102b	6 form letters	Your preferred alternative is bad for restaurants, for suppliers of Hawaii products, for tourism and for all seafood consumers who love fresh Hawaii fish. The federal government is, in effect, dictating what appears on our menus. By forcing Hawaii longline fishing to go elsewhere and by forcing restaurants in Hawaii and the U.S. mainland to substitute fresh tuna and swordfish imports for Hawaii products, the preferred alternative could increase sea turtle mortality overalongline. How do I explain this to my customers?	The possibility of increased takes of protected species by displaced Hawaii vessels operating in other fisheries is discussed in Section 4.11.
P102c	6 form letters	The power of the consumer and market place can be harnessed for sea turtle conservation, as described in Section 4.11 and 5 of the DEIS. Hawaii is a good place to start because fishermen, marketers and chefs already have a track record for solving resource problems. Through marketing and promotion, the Hawaii seafood industry has created sufficient demand to absorb virtually all of the non-tuna species caught incidentally in the tuna longline fishery.	The comment is an observation, opinion. The willingness of the industry to assist in sea turtle conservation has been noted in testimony on the Draft EIS.
P103a	5 form letters	The considered seasonal closure of the Hawaii longline fishery could result in a shortage of reasonable priced fish from April through late June. This closure would come at a time when the demand for fish is high. Lent, Mother's Day, high school graduations, weddings, Father's Day and summer luaus are some of the events creating this strong demand for fish. The people in Hawaii eat a lot more fish per person than any other state.	The text covers this point of overall economic impacts and seasonal (and holiday) closures. What is now landed from local boats may have to be imported in the future but since there is not a world shortage and since overall tuna landings are not anticipated to change significantly, the international market should be able to satisfy local demand if, possibly, at a somewhat higher price.
P103b	5 form letters	The April-May closure is supposed to reduce accidental interactions with sea turtles by Hawaii longline fishery boats. The DEIS points our that many of the potential sources of substitute tuna products (imports) are poorly regulated fisheries which have much higher "takes" of protected species than the Hawaii longline fishery. If the DEIS acknowledges Alternative 7 could likely result in a **net increase** in global sea turtle mortality, how can Alternative 7 be considered a "preferred" alternative?	The possibility of increased takes of protected species by displaced Hawaii vessels operating in other fisheries is discussed in Section 4.11. However, a new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P104a	written - Richard Gallimore	This new ban is going to severely hurt the fishing industry in Hawaii, along with Hawaii's economy. I really think the ban is both unfair and economically disastrous to Hawaii's fishing industry.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.

Tracking No.	Commenter	Comment	Response
P104b	written - Richard Gallimore	There are other U.S. fisheries that catch probably ten times more turtles than we do, but they have not had any restrictions placed on their fishing. Why are we restricted by this ban when there is no ban for vessels from Alaska, Washington, Oregon, California, Japan, Korea, etc.?	Biological Opinions and new regulations are currently being developed for other Pacific domestic fisheries. The United States has no jurisdiction over foreign fisheries.
P104c	written - R Gallimore	The fisherman in Hawaii would like to know why they have been singled out to pay the price for the restoration of the turtles.	NMFS has a legislative mandate under ESA to undertake species protection.
P105a	written - Sean Timoney	I am writing in opposition of the proposed April-May closure of the longline fishing industry. The proposed two month closure will mean the loss of income for myself, my captain and crew and their families. Cutting these people off for two months will create unjust economic hardships.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P105b	written - Sean Timoney	The proposed two-month closure will mean the loss of Hawaii's premier fresh fish market. This State has worked hard to promote the fish that we produce and Hawaii-caught fish is now synonymous with the best quality you will find anywhere in the world. Closing us down for two months will force fish buyers to look elsewhere to provide the fish that locals and tourists alike have come to enjoy and expect. When fish buyers go elsewhere, how do we really know that these fish don't come from places that have complete disregard for the environment including unreported turtle-takes?	The possibility of increased takes of protected species by displaced Hawaii vessels operating in other fisheries is discussed in Section 4.11. However, a new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P105c	written - Sean Timoney	When fish buyers have found other suppliers, is there a guarantee that they will be willing to support us after the closure? Will we ever get our market back? A closure will have a stronger effect than most people realize. Our market is a fragile entity that has been worked on for years. We could easily be closed down for good by this proposed closure.	Economic theory and actual evidence indicate that markets are very flexible. If product is available, and it is of equal or better quality than is available from other sources, the market will be there to buy the fish. Few fisheries around the world are year-round, and almost all have no problems selling their product.
P105d	written - Sean Timoney	The proposed two-month closure will tie boats up to the docks. With no income, how can everyone pay for the State-required insurance and the per diem harbor fees that accrue with each day? Is NMFS prepared to reimburse 100+ boats? Will the State be prepared to handle that many boats? Boats are expensive to keep operational, let alone tied to a dock. This alone may force some boats out of business.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.

Tracking No.	Commenter	Comment	Response
P106a	written - Jong Il Paik	I submit this comment for myself and on behalf of Korean longline fishermen incapable of the English language. Through dedication and persistence we have contributed much to gain benefit and prosperity to the tuna industry and the economy of our State. We stand united in opposition to the April-May "closure" drafted by NMFS. It will adversely affect our lives, our livelihood, and eventually lay waste and desolation to the tuna and swordfish industry.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P106b	written - J I Paik	Longliners do not impact the existence of birds and turtles.	Observer coverage in the Hawaii-based longline fishery has documented interactions with protected species.
P106c	written - Jong Il Paik	Loss of fishery jobs during the period of time will diminish our work force, and send them away to find land jobs or seek unemployment benefits.	The comment is an observation.
P106d	written - Jong Il Paik	Once the work force leaves and enjoy unemployment benefits, they will be tempted not to return until benefits fully expire. Unemployment will increase.	The comment is an observation.
P106e	written - Jong Il Paik	Those who find jobs on land where it is safe and nearer to their loved ones, will not return to fishing. Will the "skilled" workforce be available after two months idle? It is uncertain they will.	The comment is an observation
P106f	written - Jong Il Paik	Tedious recruiting and training will be required after each year closure, presenting a serious hardship to boat owners and captains.	The comment is an observation
P106g	written - Jong Il Paik	Having unskilled workers on vessels is hazardous and dangerous. In desperation, we may not have any alternative.	The comment is an observation
P106h	written - Jong Il Paik	Re-hiring skilled workers will be burdensome and may be difficult to find, especially during the summer low catch months when tuna is scarce and the hard work is not attractive, when pay is nil. No catch, no pay.	The comment is an observation
P106i	written - Jong Il Paik	To prevent skilled fishermen (without benefits) from quitting, may require boat owners to subsidize them, to provide living expenses for continuous employment during closure months.	The comment is an observation.
P106j	written - Jong Il Paik	Only those vessels that can "afford" to provide temporary subsistence to non-employment benefit workers will thereby be at a greater advantage over those vessels who are not able to afford to do so.	The comment is an observation.

Tracking No.	Commenter	Comment	Response
P106k	written - Jong Il Paik	Hawaii is isolated and unique, surrounded by ocean, whose fishery is different from coastal States. The majority of boats here are small, regulated, family-operated, whereas huge conglomerate corporations exist in other mainland fisheries, boats are many and larger size than in Hawaii. Why must a vast closure regulation be imposed upon us so unfairly, in light of our different fishing style and small boat operations?	Neither small vessel size nor small corporation size would provide a fishery exemptions from protected species laws and regulations. These same laws and regulations are being applied to other U.S. fisheries that interact with protected species.
P106l	written - Jong Il Paik	No fishing, no money for two months. How can we fisheries feed our families, educate our kids, pay our mortgages, loans, rents, workers, numerous operational costs?	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P106m	written - Jong Il Paik	Will our government or environmentalists answer our questions and provide help regarding "our" impact? Doubtful, because it is obvious that our opponents have an agenda and best interest to destroy our fishing industry.	The comment is an observation.
P106n	written - Jong Il Paik	Can our government or environmentalists who support the closure, provide a subsidy to fishers for financial losses during the dosure months? Very doubtful.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P107	ORAL		
P108a	written - Sheila Nakagawa	I don't agree with NMFS' preferred alternative for shutting down the longline in the spring months. NMFS observers have already recorded that there are only rare turtle interactions with *ahi* longline and certainly not enough to justify shutting down the fishery.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.
P108b	written - Sheila Nakagawa	Winter and spring are the seasons that our crew and we usually try to save as much money as possible to get by in the summer slow season. Without these two months of fishing, I can't even begin to think what might financially happen to our family and our crew's family.	A new Preferred Alternative (Alternative 10) has been developed which is compliant with measures contained in the Pelagics BO, the STAL BO and the Prohibition on Shark Finning, and which allows year-round tuna longline fishing in some areas.

Tracking No.	Commenter	Comment	Response
P109a	written - David Burton (Dept of State)	Chapter 5, section 5.10.1. The DOS has serious reservations about the current drafting of Part 3 of this Section. The chapeau of Section 5.10.1 identifies this section as listing "some of the possible ways in which unavoidable adverse effects of the alternatives might be mitigated. *No attempt has been made define specific and detailed programs for implementation of any of the possible mitigation measures* [emphasis added]." In fact, Part 3 of this section outlines in significant detail how an eco-labeling program for "sea turtle safe swordfish" could be established and implemented, including the types of criteria that would have to be met by "qualified fisheries." Part 3 further outlines what would constitute an unqualified fishery and what the penalty could be (i.e., a loss of access to the U.S. market or market demand).	Agree - text has been rewritten.
P109b	written - David Burton	This section combines two distinct concepts: eco-labeling and government-imposed import restrictions based on environmental concerns. In our view, market-driven measures, such as eco-labeling, should be discussed in this document in only the most general terms. The issue of eco-labeling is currently under consideration in a number of international fora, and many of the issues associated with the use of such measures are still being developed. Furthermore, the unilateral use of such labels or other trade measures (such as import prohibitions) to restrict U.S. markets has had significant implications for U.S. foreign policy and has resulted in actions under the GATT, and in the WTO.	Agree - text has been rewritten.
109c	written - David Burton	Therefore, the DOS requests that this section be re-drafted to: (1) strengthen the bilateral, multilateral, and international efforts section (Part 1) and (2) include a reference to only the possibility of market-driven mitigation measures or import prohibitions.	Agree - text has been rewritten.
109d	written - David Burton	Part 1 should be expanded to include a description of multilateral actions that could be taken through the appropriate regional fisheries management organizations or commissions and to the bycatch provisions of the UNFSA and the FAO Code of Conduct for Responsible Fisheries.	Agree - text has been rewritten.
109e	written - David Burton	Part 3 should only identify market-driven measures as an approach the market or consumers themselves might take, disassociated with any U.S. government initiative. The new Administration has not yet reached agreement on this issue and thus such measures should not be advocated as a possible mitigation measure in a U.S. Government document.	Agree - text has been rewritten.

Tracking No.	Commenter	Comment	Response
P109f	written - David Burton	In addition, Part 3 should distinguish between eco-labeling initiatives and federal regulations that would restrict imports. Any discussion of possible import prohibitions should be general and note that unresolved issues remain concerning the efficacy of such prohibitions and their consistency with U.S. obligations under international trade rules.	Agree - text has been rewritten.
P109g	written - David Burton	Finally, we recommend that the Office of the U.S. Trade Representative be given the opportunity to examine this section before it is finalized.	Once the Final EIS is published, there is a thirty day comment period before the Record of Decision is published.
P109h	written - David Burton	Chapter 1, p20. In the paragraph that describes the recently concluded MHLC negotiations, the text should read (seventh line from the bottom): "The seventh and final meeting was held in Honolulu in September 2000, where the participants voted to adopt the Convention."	The suggested changes have been made.
P109i	written - David Burton	Chapter 1, p20. In the paragraph that describes the recently concluded MHLC negotiations, the text should read (seventh line from the bottom): "The Preparatory Conference, scheduled for 2001, will draft the rules, regulations, and procedures that will govern the functioning of the Commission, once the Convention enters into force."	The suggested changes have been made.
P109j	written - David Burton	Chapter 4, p192 (continuation of Section 4.11.7.2.5). In the final paragraph of Section 4.11.7.2.5, the second sentence should read: "These less restrictive alternatives, however, will leave more of Hawaii's fishers active in the fishery and consequently stimulate less activity by [delete "unregulated"] fleets elsewhere [insert] that are not required to use fishing methods that reduce sea turtle mortality." Please also make this change in Section 4.11.7.3 where "unregulated fisheries" is used again in the last sentence.	The suggested changes have been made.
P109k	written - David Burton	Chapter 4, p206 (Section 4.11.9.5). In the first paragraph, the last sentence should read: "Adverse transferred effects can also result as the market shifts from a declining domestic supply to an increased reliance on imported swordfish supplies from areas with [delete "questionable"] [insert] unknown [delete resource] [insert] protected species monitoring and management efforts."	This change has been made.

Tracking No.	Commenter	Comment	Response
P110a	written - David Farrell (EPA)	EPA commends the comprehensive, ecosystem-based approach taken by NMFS to analyze and improve the fishery. We strongly advocate an approach which addresses the entire ecosystem, managing for sustainable fisheries and naturally functioning systems. We are pleased the NMFS has provided substantial information in the DEIS on the environmental, economic and social impacts of alternatives for managing the Western Pacific Pelagic fishery.	The comment is appreciated.
P110b	written - David Farrell	EPA recognizes the significant challenges in managing a complex international resource, and balancing the environmental, social and economic demands. We also recognize that there is inadequate scientific information available to decision makers regarding the highly variable, environmentally sensitive species of the pelagic fisheries ecosystem. As such, we recommended management alternatives which take a conservative approach to fishing practices and liberally estimate their impacts, and are pleased that the preferred alternative identified by NMFS takes this approach.	The comment is appreciated.
P110c	written - David Farrell	We also recommend that a research component, such as the ones outlined in Alternative 9 and Option A, be incorporated into the preferred alternative in the FEIS.	At this time, Option A is not a part of the preferred alternative, but NMFS will attempt to permit and conduct this fishing experiment.
P110d	written - David Farrell	We have several unresolved concerns about impacts of proposed actions due to a lack of critical information in the DEIS. As such, we have rated this DEIS as category EC-2, Environmental Concerns - Insufficient Information.	Comment noted. Additional information is being supplied in the Final EIS.
P110e	written - David Farrell	In particular, we are disappointed that the ESA BO of sea turtles for the longline fishery in Hawaii was not completed and included in the DEIS. Not including the BO in the DEIS compromises the extent and quality of information available to decision makers and the public in reviewing the alternatives.	The EIS incorporates the Pelagics BO.
P110f	written - David Farrell	In addition, the DEIS lacks adequate description of the relationship between this comprehensive evaluation and similar ongoing or future activities in other related fisheries, such as the recently released Amendment 9 for this WP Pelagics Fishery, the Coral Reef Ecosystem FMP, the FMP for Pacific Coast highly migratory species. There are direct and indirect linkages between these activities and further discussion of their coordination should have been provided in the DEIS.	The preparers of the FMP for Pacific Coast highly migratory species were contacted and asked to provide information for inclusion in this EIS. However, their draft document was still undergoing revision, and no specifics were yet available. Discussions of the other listed documents have been integrated into the EIS. Note that the Council's draft Amendment 9 was revised at the recent Council meeting to bring the amendment into conformity with the recent federal ban on shark finning.

Tracking No.	Commenter	Comment	Response
P110g	written - David Farrell	Lack of Information Regarding Biology/Ecology of Pelagic and Associated Species. Through the DEIS, NMFS acknowledges and attempts to address the lack of information on many of the pelagic ecosystem species evaluated under this FMP. The Agency acknowledges, and EPA agrees, that sound scientific information about population size and recruitment is lacking for many pelagic fisheries and other species associated with this ecosystem, including the four species of sea turtles (leatherback, loggerhead, green, olive ridley) and two species of albatross (laysan and black footed) under the domain of this FMP.	NMFS acknowledges that there is a need for more scientific information about the species evaluated under this FMP.
P110h	written - David Farrell	No ESA BO for Sea Turtles included in the DEIS. EPA is concerned that a BO for the sea turtles which have known interactions with the Hawaii longline fishery was not completed and included in the DEIS. NEPA explicitly states that federal agencies should integrate and coordinate NEPA and ESA procedures during the DEIS stage. While an excerpt of the Pacific Coast BO for CA/OR Drift Gillnet Fishery covering the same species of sea turtles was included in the appendix, EPA believes it does not provide adequate analysis for the impacts of the longline fishery and these species in the WPR. The fishery types differ and, based on information provided elsewhere in the DEIS, the level of interaction with protected species appears to be different in the Hawaii longline fishery. Given that the previous 1998 BO was the focal point for litigation which preceded this comprehensive evaluation of the pelagic fishery, we think it is critical that the BO be completed and induded at the draft stage.	EIS includes information from the Pelagics BO.
P110i	written - David Farrell	Recommendation: If the BO, when completed, contains information which will have a bearing on the proposed action or its environmental impacts, then NMFS should circulate it as a supplement to the DEIS pursuant to 40 CFR 1502.9 (c)(1)(ii) and 1502.9 (c)(4) before completing the FEIS.	Information in the Pelagics BO has been incorporated into the Final EIS.

Tracking No.	Commenter	Comment	Response
P110j	written - David Farrell	Lack of Research Component in preferred alternative. As noted above, there is a lack of scientific information available about target pelagic fish species and other related species in this ecosystem. In order to manage our fisheries in a sustainable manner, and protect populations of threatened and endangered species, we should make every effort to conduct research which provides more accurate information on population size, recruitment, and viability of these species, as well as research on impacts from interactions among fisheries and with protected species. Alternative 9 proposes some research, but focuses only on catch interactions among pelagic fisheries. A broader research effort on population biology of target, protected and other keystone species in the pelagics fishery would be more appropriate. An additional "Option A" is presented in the DEIS which would develop a planned experimental fishery geared toward evaluating the effectiveness of innovative gear and techniques to avoid sea turtle takes. While there is a risk that this approach could have short-term negative impacts on protected species, the information provided and the potential transferability of effective techniques to other fisheries could have a significant beneficial effect for protected species worldwide.	Alternative 9 was formulated to address the specific issue of competition for resources among pelagic fisheries. There are numerous ongoing research efforts by NMFS, academic scientists, and NGOs aimed at the population biology of target, non-target and protected species. What has not yet been effectively focused on is measures to deter interactions of sea turtles with the longline fishery. Although, not part of the preferred alternative, the narrowly-focused fishing experiment developed herein as Option A.
P110k	written - David Farrell	Recommendation: Both a research and experimental fishery component should be included in a final preferred alternative.	Although it is not part of the preferred alternative, there is included in the EIS a narrowly-focused fishing experiment developed as Option A.
P110l	written - David Farrell	Coordination with Related Ongoing/Future FMPing Activities. NMFS has several ongoing or planned evaluation efforts in this or related fisheries, which have not been significantly discussed in the DEIS. Amendment 9 for this particular WP Pelagics fishery was just released for review, a DEIS for the counterpart pelagics fishery on the Pacific Coast is currently being completed, and a DEIS for the WP Coral Reefs FMP has just been released. There are numerous direct and indirect linkages and impacts among management alternatives for these fisheries. The DEIS does not adequately address the relationship of this comprehensive evaluation to the other ongoing and planned activities.	The preparers of the FMP for Pacific Coast highly migratory species were contacted and asked to provide information for inclusion in this EIS. However, their draft document was still undergoing revision, and no specifics were yet available. Discussions of the other listed documents have been integrated into the EIS. Note that the Council's draft Amendment 9 was revised at the recent Council meeting to bring the amendment into conformity with the recent federal ban on shark finning.
P110m	written - David Farrell	Recommendation: The FEIS should include a thorough discussion of the connection between alternatives under this FMP and other related fisheries in the Pacific Coast and WPR.	With the exception of information on the FMP for Pacific Coast highly migratory species, which was unavailable to the authors of this document, the EIS includes information on relevant concurrent FMPs, biological opinions, executive orders, federal and state laws and regulations, and their interrelationships with the various alternatives analyzed herein.

Tracking No.	Commenter	Comment	Response
P110n	written - David Farrell	NMFS has addressed many of social, cultural and economic impacts on affected fishing communities of the various management alternatives presented in the DEIS. However, there is no significant discussion of previous or planned efforts to involve the public, native Hawaii groups, or the other communities primarily affected, in identifying, reducing and mitigating impacts on any one segment of the community. The Vietnamese American fishing community in particular will be impacted by the preferred alternative which essentially eliminates the Hawaii longline swordfishery.	The impact of closure of the Hawaii-based longline fishery targeting swordfish on the Vietnamese American fishing community is discussed in the EIS in Sections 311 and 4.9.
P110o	written - David Farrell	Recommendation: NMFS should undertake extensive public outreach and collaboration with respective governments of the U.S. Pacific Islands, all potentially affected communities, and other interested local, private, state and federal entities before completing its FEIS.	NMFS is cognizant of responsibility and works to maximize opportunities through the Council and public scoping and comment periods and on-site hearings. Twelve such public hearings were held on the Draft EIS, in various locations of the Hawaiian Islands, the Territories of American Samoa and Guam, and the Commonwealth of Northern Marian Islands.
P111a	written - Patricia Sanderson Port (Dept of Interior)	The DEIS is deficient in assessing effects of the proposed action on certain fish and wildlife resources. In addition, the DEIS does not propose mitigation measures commensurate with the range of potential adverse impacts anticipated to result from the proposed actions. As a result, we believe that the deficiencies in the DEIS preclude its use as a basis for meaningful analysis of anticipated project-related impacts to fish and wildlife resources identified in these comments. Therefore, we recommend that the DEIS be revised to include more complete information on the proposed action, an alternative analysis/impact assessment based on a commitment to avoid and minimize project-related impacts, and proposed mitigation measures that minimize unavoidable impacts and compensate for significant unavoidable impacts.	Without a more specific list of the "certain fish and wildlife resources" deemed inadequately analyzed, a specific response cannot be formulated. The rationale for the very broad range of alternatives analyzed was to examine the effectiveness of mitigation of impacts to protected species represented by a range of restrictions on fishery participants, particularly time and area closures and seabird interaction deterrent measures. The EIS provides a better summarization of environmental impacts of the pelagic fisheries in the western Pacific region and the respective mitigation measures proposed to minimize those impacts. Additionally, the Preferred Alternative of the EIS incorporates recommended measures of the STAL BO, the Pelagics BO and te Congressional Prohibition on Shark Finning.

Tracking No.	Commenter	Comment	Response
P111b	written - P S Port	Fish and Wildlife Coordination Act and National Migratory Bird Act. U.S. pelagic fishing activities have been documented to adversely affect fish and wildlife resources that occur both within and outside the National Wildlife Refuges (NWR) managed by the Deptment in the Pacific. The DEIS fails to thoroughly describe the DOIs trust resources and document fishery-related impacts to those resources. NWRs in the Pacific region (see attachment for NWR descriptions) that support enormous numbers of nesting migratory seabirds and are potentialongliney affected by the Pelagic FMP include: Hawaiian Islands NWR, Midway Atoll NWR (NWHI); Baker Island NWR, Howland Island NWR, Jarvis Island NWR, Johnston Atoll NWR, Palmyra Atoll NWR, Kingman Reef NWR (Central Pacific); Rose Atoll NWR (American Samoa); Guam NWR (Territory of Guam).	Thank you for providing this information. It has been incorporated into the EIS.
P111c	written - P S Port	ESA. The NWRs provide breeding habitat for federally listed endangered Hawaii monk seals and nesting habitat for threatened green sea turtles. The NWRs provide forage and shelter habitat for migratory shorebirds and federally listed endangered short-tailed albatrosses, endangered hawksbill sea turtles, and endangered leatherback sea turtles. NWRs also contain rich coral-reef ecosystems that support hundreds of species of reef fishes, algae, and thousands of species of invertebrates.	Comment noted.
P111d	written - P S Port	NWR Administration Act. The DEIS does not discuss the NWR Administration Act of 1966, as amended. The DEIS does not analyze how that law may affect implementation of the proposed Pelagic FMP. Similarly, the DEIS does not discuss various EOs that give the Deptment-specific instructions for managing waters of previously mentioned NWRs. Lacking a clear discussion of marine boundaries may lead to confusion and negatively impact federally protected resources that occur within these NWRs. We recommend that a revised DEIS analyze the proposed action and its compatibility with the primary purpose or purposes for which NWRs were established and the mission of the NWR System. We also recommend that a revised DEIS also analyze impacts of pelagic fishing on NWHI Coral Reef Ecosystem Reserve, as established by EOs 13178 and 13196.	Discussions of these laws and EOs have been expanded in the EIS. There is currently disagreement among agencies on respective jurisdictions in some marine areas. A “clear” discussion will still not resolve these ambiguities.

Tracking No.	Commenter	Comment	Response
P111e	written - P S Port	Also, NMFS has estimated that Hawaii longline fishing operations have resulted in mortalities to seabirds. Between 1994 to 1999, NMFS estimates about 8300 BF albatrosses and 7050 LA albatrosses were killed as a result of interaction with Hawaii longline fishing gear. The 95 percent confidence bounds for this estimation indicate that mortalities may range between 6681-10,213 for BF albatrosses and between 4956-9838 for LA albatrosses. Both the BF albatrosses and LA albatross are afforded protection under the MBTA. We recommend that the DEIS be revised to include a discussion of plans to begin implementing conservation measures into the Hawaii longline fishery to prevent violations of the MBTA.	NMFS and other agencies interpret the MBTA to apply only within the 3nm territorial waters, not out to the limits of the 200 nm EEZ, and not on the high seas. The STAL BO mandates use of several seabird interaction deterrents, and these have been made a part of the new preferred alternative, Alternative 10.
P111f	written - P S Port	In the Short-tailed Albatross BO, the FWS estimated that 15 short-tailed albatross may be taken during the seven-year period addressed in this consultation, based on an estimate of 2.2 birds taken per year from 2000 through 2006, as a result of the Hawaii longline fishing activities regulated by NMFS. The incidental take is expected to be in the form of morality or injury. We are especially concerned that the DEIS does not analyze the level of risk that the Hawaii longline fishery poses to the endangered short-tailed albatross. The DEIS does not discuss data and analyses presented in the BO. Furthermore, the DEIS does not discuss the mandatory Terms and Conditions of the BO to minimize attraction of short-tailed albatross to fishing gear used by the Hawaii longline fishery, monitor the level of take and measures to minimize take, and ensure the survivability of injured short-tailed albatrosses. We recommend that a revised DEIS discuss data, analyses, and the Terms and Conditions presented in the BO, so that the best methods may be considered to reduce interaction with Hawaii longline gear and avoid adverse impacts to endangered short-tailed albatross.	The STAL BO was unavailable at the time of the Draft EIS. It has been incorporated into the alternatives, as appropriate, in the Final EIS.

Tracking No.	Commenter	Comment	Response
P111g	written - P S Port	We believe the DEIS does not accurately portray all Hawaii longline fishing operations-related adverse impacts to migratory seabirds when estimating mortality for BF and LA albatross. We believe that a larger number of seabirds may actually be injured or killed during fishing-related operations, but that these impacts are not documented by NMFS. NMFS has indicated that at the time when fishing gear is deployed, baited hooks present a lethal target for seabirds. Hooks are deployed for several hours, at depth, and if a seabird is hooked, it is likely to be drowned. NMFS bases its mortality estimate of seabirds on birds that are counted when fishing gear is retrieved. However, hooked birds may "fall-off" the fishing gear as they are subjected to gear deployment operations, currents, predation, or cut-off by fishers during gear retrieval operations. Birds that may be hooked, but fall off fishing gear, are not included in NMFS' mortality estimate for seabirds. Therefore, we recommend that the revised DEIS include a discussion of the rate seabirds may fall off from fishing gear. The DEIS should discuss how NMFS intends to collect this information to estimate adverse impacts in the future. Documenting adverse impacts to seabirds will help the NMFS and the FWS gauge the effectiveness of seabird deterrent devices and, ultimately, help reduce the risk of interaction between short-tailed albatross and Hawaii longline gear.	The EIS was revised to include a higher mortality rate for hooked birds.

Tracking No.	Commenter	Comment	Response
P111h	written - P S Port	The DEIS fails to adequately assess past and potential future impacts of fishing vessel groundings on the DOI's trust resources. For instance, since 1998, two federally permitted Hawaii longline vessels have run aground on coral reefs located within the NWHI. The F/V Paradise Queen No. 2 ran aground on the coral reefs at Kure Atoll, State of Hawaii (October 1998), and the F/V Swordman 1 ran aground on the coral reefs at Pearl and Hermes Atoll, Hawaii Islands NWR (May 2000). The F/V Swordman 1 was removed from the reef and scuttled in deep water before the vessel deteriorated, resulting in only minor physical impacts to the reef and moderate risks of exposure of petroleum products to wildlife. The removal of this wreck was expedited because of the immediate risk it posed to endangered Hawaii monk seals observed swimming in the vicinity of the wreck, migratory seabirds and coral reef resources that occur within the refuge. The cost to the Federal government in terms of financial resources to remove and scuttle the wreck was an expenditure of $1,688,591 (USCG - Marine Safety Office - Honolulu, HI). The F/V Paradise Queen No. 2 broke apart on the reef margin at Kure Atoll (a designated State of Hawaii Wildlife Sanctuary), risking exposure of released petroleum products and fishing gear to monk seals, sea turtles, migratory seabirds, and marine organisms. Substantial physical damage to the reefs resulted from the initial impact, as well as from subsequent vessel movement on the exposed windward side of the atoll. Today the wreck is scattered on the reef, and continued risks to coral reefs in the immediate vicinity are not well understood. However, it has been documented that elevated iron in the water column resulting from the decay of a vessel's hull (e.g., F/V Jin Shiang Fa grounding at Rose Atoll NWR) contributes to an artificial increase in the development of blue-green algal mats. Large concentrations of blue-green algae are capable of degrading corals and disrupting the entire benthic community equilibrium within the affected area.	Comment appreciated. The NEPA analysis identifies and analyzes effects of a range of alternatives, including the status quo, on the human environment. Fishing vessl groundings are included in the discussion of marine pollution. As infrequent occurances they are not the focus of concentrated analysis.

Tracking No.	Commenter	Comment	Response
P111i	written - P S Port	The DEIS lacks a discussion of how NMFS plans to prevent introductions of terrestrial and marine alien species spread by transportation-related activities and vessel groundings, especially at remote island sites within the NWRs. Introduction of alien species is one of the greatest threats to the biological health of NWRs in the Pacific. Invasive aliens, such as rats or marine organisms carried in ballast water or attached to the hull of ships, can potentially out-compete and eliminate many native species. The Department recommends that the revised DEIS address this threat and discuss detailed measures for preventing the spread of alien species on refuge lands and waters, including how alien species would be eradicated in the event of accidental introductions.	The accidental introduction of alien species through ballast water or attached to ships is not considered a serious threat. The majority of vessels governed by the FMP are based locally and are subject to State Department of Agriculture regulations.
P111j	written - P S Port	Also, in light of EOs 13178 and 13196 (NWHI Coral Reef Ecosystem Reserve) and 13089 (Coral Reef Protection), the Department is very concerned about adverse impacts to coral reef resources that have resulted from federally permitted fishing vessel groundings in the NWHI. We recommend that the revised DEIS discuss how vessel groundings may be reduced or eliminated from occurring in the NWHI in future. We suggest that "safe transit corridors" be designated that allow fishing vessels to transit between NWHI in a manner that reduces or eliminates accidental groundings. If future vessel groundings are an unavoidable consequence of these activities, we recommend that the revised DEIS discuss mitigation as a possible consequence for adversely impacting federally protected resources.	Comment appreciated. The NEPA analysis identifies and analyzes effects of a range of alternatives, including the status quo, on the human environment. Fishing vessl groundings are included in the discussion of marine pollution. As infrequent occurances they are not the focus of concentrated analysis.
P111k	written - P S Port	es-4: ES.I.3 - Alt, para 3 : DEIS states "Alt & require Hawaii-based vessels to use line-shooters and/or weighted branch lines to set longline gear & close all areas to longline fishing by the Hawaii-based vessels during April & May every year; pending actions from Alternative 2." Preferred alternative is not consistent with mandatory Terms & Conditions in the BO. We recommend mandatory Terms & Conditions contained within BO be incorporated in revised DEIS.	Agree - STAL BO Rerms and Conditions have been incorporated into the EIS.
P111l	written - P S Port	ES-6: ES.3, Para 4: DEIS discusses seabird population sizes affected by Hawaiian longline fishery, neglects to include endangered short-tailed albatross in discussion. Recommend discussion of size of short-tailed albatross population be incorporated into this section. Refer to BO that was communicated to NMFS on 11/29/00.	Agree - This has been done.

Tracking No.	Commenter	Comment	Response
P111m	written - P S Port	ES-11: ES.2: Recommend short-tailed albatross be included in table, separate row, direct/indirect & cumulative effects of alternatives under consideration be summarized accordingly.	Agree - This has been done.
P111n	written - P S Port	Pg 1-9: 1.2.2, para 1, sent 5: DEIS states, "The provisions focus on swordfish fishing because this gear - in contract to tuna gear - is set at shallower depths & at night, thereby presenting a greater hazard to sea turtles." We have not reviewed data or reports that support the statement that sea turtles risk a greater chance of interacting with fishing gear when swordfish fishing operations are conducted at night compared to operations occur during day. Based on data made available to us in the DEIS, we believe the depth at which fishing gear is set may be a greater contributing factor toward fishing gear interaction with sea turtles than time of day. Recommend the revised DEIS fully/clearly document this statement as it may influence the Department's future recommendations concerning management alternatives. If claim is scientifically unsubstantiated, we recommend this statement be removed.	The suggested changes have been made.
P111o	written - P S Port	Pg 1-26: 1.4.4, para 1, last sent: DEIS states the BO is still in preparation. BO was finalized on 11/28/00. Recommend revised DEIS reflect date on which BO was finalized.	The suggested changes have been made.
P111p	written - P S Port	Pg. 2-3: 2.1, para 1: DEIS mentions EEZ, but does not discuss inner boundaries of EEZ differ for various locations mentioned in this para. Without clear understanding of inner boundaries, area in which the Pelagics FMP applies to federally permitted fishing vessels is left in question. Therefore, recommend DEIS indicated in this section the inner boundaries of the EEZs for following locations: American Samoa, Guam, CNMI, State of Hawaii & NWRs previously mentioned in this communication.	The suggested changes have been made.
P111q	written - P S Port	Pg. 2-3: 2.2 Description of Alt: This section does not consider or discuss the endangered short-tailed albatross in any of proposed alternatives. We consider DEIS, in its current form, to be incomplete. Therefore, we recommend a revised DEIS analyze potential adverse impact to endangered short-tailed albatross for each proposed alternative.	The suggested changes have been made.

Tracking No.	Commenter	Comment	Response
P111r	written - P S Port	Pg 2-5: 2.2.1 Alt No 1, para 1, sent 2: DEIS states "There are no other regulations currently in place for domestic pelagic fishing activities in those areas." The Naional Wildlife Refuge Admin Act of 1966, as amended, applies to and precludes conduct of, commercial pelagic fishing activities within marine boundaries of previously stated NWRs. Recommend this statement be removed as it suggests no other Federal regulations apply to marine environment around U.S. Pacific Island areas, which is not so.	The suggested changes have been made.
P111s	written - P S Port	Pg. 2-8: 2.2.2 Alt 2, para 1: DEIS describes protected species workshop to be conducted by NMFS for Hawaii-based longline vessel owners & captains. DEIS discusses procedures for handling/releasing sea turtles. However, document does not mention similar protocols for handling/caring for health of fishery-related injured endangered short-tailed albatross. Recommend this section acknowledge vessel owners/captains will receive similar instructions for caring/handling injured short-tailed albatross at mandatory protected species workshops.	The suggested changes have been made.
P111t	written - P S Port	Pg 2-9: 2.2.2 Alt 2, para 1, sent 1: DEIS states "The Council has proposed area adjustment to Pelagics FMP that would require Hawaii-based longline vessel operators to use at least two seabird deterrents they choose from list of options when fishing north 25 degrees north latitude." Presentation of these options as alternatives gives the reader impression these options may be considered as potential management alternatives. We do not consider these to be management alternatives as they fall short of mandatory Terms & Conditions stated in 11/28/00, BO. Recommend mandatory Terms & Conditions of this BO be incorporated into revised DEIS.	The suggested changes have been made.
P111u	written - P S Port	p2-9, Para 2, Sent 3: DEIS states "Measures included in this BO are not reflected in this DEIS, but will be included in the Final EIS." Recommend the revised DEIS not only include mandatory Terms & Conditions of the BO, but also include data & analyses contained within BO, where appropriate. Revised DEIS will offer us opportunity to ensure accuracy & quality of information pertaining to endangered short-tailed albatross.	The suggested changes have been made.

Tracking No.	Commenter	Comment	Response
P111v	written - P S Port	p2-9, Para 3, Sent 1: DEIS states, "Tuna fishers would be required to:...or (b) if deploying Japanese tarred mainline with basket-style branch lines, use weighted branch lines that have at least 45g of weight attached within one meter of the hook." This style of fishing gear has not been tested for its effectiveness as a seabird deterrent. Furthermore, this method of fishing was not evaluated in the BO or included in the mandatory Terms and Conditions. Therefore, we recommend that you remove "Japanese tarred mainline with basket-style branchlines" from consideration as an alternative.	The suggested changes have been made.
P111w	written - P S Port	p2-9, para 4, sent 1: The DEIS states, "Swordfish and mixed target fishers would be required to: ...(a) use a line-setting machine with weighted branch lines that have at least 45g of weight attached within one meter of the hook." This style of fishing gear has not been tested for its effectiveness as a seabird deterrent for swordfish and mixed sets. Furthermore, this method of fishing was not evaluated in BO or included in mandatory Terms & Conditions. Therefore, we recommend that you remove "line-setting machines with weighted branch lines that have at least 45g of weight attached within one meter of the hook" from consideration as alternative.	The suggested changes have been made.
P111x	written - P S Port	Pg 2-12: 2.2.4 Alt 4: Close areas north of 29 N latitude from July thru January of every year to longline fishing by Hawaii-based fishery, Para 3: DEIS presents option that "Requires Hawaii vessel operators to use at least two seabird deterrents when longline fishing north of 25 degrees (or 23 degrees) No. latitude (or prescribe different sets of measures for swordfish and tuna-directed section of fishery). Some of same deterrents (e.g., blue-dyed bait, use of a line-shooter, weighted branch lines) would be expected to achieve further reductions in sea turtle takes below level of reduction that would be expected to results from proposed time/area closure." This alternative is not consistent with Terms & Conditions of BO, we recommend it be revised in next DEIS to conform to mandatory Terms & Conditions of BO.	The suggested changes have been made.

Tracking No.	Commenter	Comment	Response
P111y	written - P S Port	Pg 2-13: 2.2.5 Alt 5, para 3: DEIS states NMFS will "Require Hawaii vessel operators to use at least two seabird deterrents when longline fishing north of 25 degrees (or 23 degrees) north latitude (or prescribe different sets of measures for swordfish and tuna-directed sectors of fishery). Some of same deterrents (e.g., blue-dyed bait, use of line-shooter, weighted branch lines) would be expected to achieve further reductions in sea turtle takes below level of reduction that would be expected to result from proposed time/area closure." This alternative is not consistent with Terms & Conditions of BO and we recommend it be revised in next DEIS to conform to mandatory Terms & Conditions of BO.	The suggested changes have been made.
P111z	written - P S Port	Pg 2-14: 2.2.6 Alt 6, para 3: DEIS states NMFS will "Require Hawaii vessel operators to use at least two seabird deterrents when longline fishing north of 25 degrees (or 23 degrees) north latitude (or prescribe different sets of measures for swordfish and tuna-directed section of fishery). Some of same deterrents (e.g., blue-dyed bait, use of line-shooter, weighted branch lines) would be expected to achieve further reductions in sea turtle takes below level of reduction that would be expected from proposed time/area closure." This alternative is not consistent with Terms & Conditions of BO, we recommend be revised in next DEIS to conform to mandatory Terms & Conditions of BO.	The suggested changes have been made.
P111aa	written - P S Port	Pg 2-15: 2.2.7 Alt 7, para 3: DEIS states NMFS will require Hawaii vessel operators to use at least two seabird deterrents when longline fishing north of 25 degrees (or 23 degrees) north latitude (or prescribe different sets of measures for swordfish and tuna-directed sections of the fishery). Some of same deterrents (e.g., blue-dyed bait, use of line-shooter, weighted branch lines) would be expected to achieve further reduction in sea turtle takes below the level of reduction that would be expected to result from proposed time/area closure." This alternative is not consistent with Terms & Conditions of BOP, recommend be revised in next DEIS to conform to mandatory Terms & Conditions of BO.	The suggested changes have been made.

Tracking No.	Commenter	Comment	Response
P111bb	written - P S Port	Pg 2-16; 2.2.8 Opt A: Section describes experimental measures could be tested to determine their effectiveness as measures to reduce interaction between Hawaiian longline fishing gear and sea turtles. Recommend these measures be evaluated for their consistency with mandatory Terms & Conditions of BO when testing these measures above 23 degrees north latitude after 4/15/01, when BO is implemented by NMFS. Also recommend revised DEIS discuss experimental measures that could be tested and considered to reduce interactions with seabirds and Hawaiian longline fishing gear.	The suggested changes have been made.
P111cc	written - P S Port	Pg 2-32: 2.3.8, para 2, sent 4: DEIS states "these average annual incidental catches represent about 0.6% of estimated black-footed & Laysan albatross populations respectively." Do not concur with this estimation since it is based, in part, on NMFS's annual mortality estimates for black-footed & Laysan albatross. We believe the NMFS annual mortality assessment may significantly underestimate number of seabirds might be killed because does not factor in rate at which birds "fall-off" from fishing gear. Recommend data be presented in terms of minimum percent of black-footed & Laysan albatross populations that are adversely affected.	The suggested changes have been made.
P111dd	written - P S Port	p2-32, Para 2, sent 5: DEIS states "an estimated 70 percent of incidental longline catch of Laysan albatross & estimated 80 percent of incidental longline catch of black-footed albatross are mortalities." We believe a representation of composition of seabirds killed in fishery could be underestimated since fall-off rate is not incorporated into this assessment. Also, rate of mortality for birds that have ingested hooks is likely to be high. Recommend data be represented in terms of minimum percent of composition of black-footed and Laysan albatross may be killed by fishery-related activities. Recommend rate of seabird fall off from fishing gear and post-hooking mortality be discussed in revised DEIS.	The suggested changes have been made.
P111ee	written - P S Port	Pg. 2-38:2.4.2, Table 2-7, Disc. Column: DEIS states "If setting gear at night is mandatory, strategic offal discharge would be rendered ineffective." For Hawaii longline fishery, no data exist that support this statement with regards to endangered short-tailed albatross. Recommend this statement be removed from DEIS.	The suggested changes have been made.

Tracking No.	Commenter	Comment	Response
P111ff	written - P S Port	p2-38 Table-Row B, disc. Column: DEIS states "If setting gear at night is mandatory, strategic offal discharge would be rendered ineffective." For Hawaii longline fishery, no data exist support this statement with regards to endangered short-tailed albatross. Recommend statement be removed from DEIS.	The suggested changes have been made.
P111gg	written - P S Port	Pg 3-4: 3.2.2, para 1, sent 2: DEIS states "The increased level of biological productivity in these zones attracts higher tropic-level predators such as swordfish, tunas, seabirds and sea turtles and ultimately a complete pelagic food web is assembled."	The comment restates a portion of the DEIS. No response required.
P111hh	written - P S Port	p3-4, Para 3, sent 1: DEIS states "These frontal zones have also been found to be likely migratory pathways across Pacific for loggerhead turtles." We understand these biologically rich zones, such as Kuroshiro Current, extend across Pacific and support higher assemblages of organisms, such as sea turtles, may use these zones as pathways to migrate across Pacific. DEIS states "Based on genetic analysis of DNA of loggerhead turtles encountered in Hawaii-based longline fishery, majority are derived from Japanese nesting populations. Possible short-tailed albatrosses use same pathways to migrate from primary breeding colony at Torishima, Japan to northwestern Hawaiian islands? Recommend revised DEIS evaluate/discuss possible migration of short-tailed albatross across Pacific via "Frontal zone pathways" that appear to be used by other migratory organisms.	This will be discussed in the Short-tailed albatross section.
P111ii	written - P S Port	Pg 3-104(a): 3.7.1, para 4, sent 1: Suggest replaced first sent with "Hawaii-based longline fisheries result in annual mortality of thousands of protected black-footed and Laysan albatrosses that next on northwestern Hawaiian islands." Also suggest adding "A third species of albatross, short-tailed albatross, also forages in area affected by these fisheries and has been shown to be extremely vulnerable to mortality in longline fisheries in other part of world.	The change has been made.
P111jj	written - P S Port	p3-104(a), Para 4, sent 4: Suggest replacing sentence beginning with "Neither" with "Neight the black-footed nor the Laysan albatross is listed under the U.S. ESA, but both are protected under U.S. MBTA and black-footed albatross is listed as Vulnerable on IUCN Red List of Threatened Animals. Short-tailed albatross is listed as Endangered in all parts of its range under U.S. ESA.	The change has been made.

Tracking No.	Commenter	Comment	Response
P111kk	written - P S Port	Pg 3-105(a), para 1, sent 5: Suggest adding after last sentence, "Additionally estimates thought to be underestimate of actual mortality because do not account for those birds killed that fall from hook before lines are retrieved. This error can be as high as 30-95 percent (Gales 1998)."	This has been added to Chapter 3.
P111ll	written - P S Port	Pg 3-105(1), para 2: DEIS states "For purpose of EIS, NMFS has elected to provide/use statistical analyses that results in lower take estimates and corresponding overall reduced estimated impacts, especially for black-footed albatrosses." Appropriate estimate to use for conservation purposes is one producing higher estimates (non-log transformed data) if there are no compelling statistical reasons to use log transform in this case. This allows worst-case scenario to be evaluated and its impact assessed. Particularly when there are other reasons to believe the estimates of mortality are lower than actual take, the higher estimates should be used. Take estimates for black-footed and Laysan albatross are used to evaluate effectiveness of seabird deterrent devices with regards to reducing impacts to short-tailed albatross interactions with Hawaiian longline fishing gear. Rate which black-footed albatross are killed is factored into estimating number of short-tailed albatross that may be taken by Hawaiian longline fishery. It is U.S. Fish & Wildlife Service's policy during consultation with another agency to err on side of species, particularly when Federal action may adversely affect federally listed species. In this case, log transformed data may underestimate adverse impacts to black-footed and Laysan albatross. Recommend non-log transformed data be used to calculate mortality estimates for black-footed and Laysan albatross.	We have used the statistical treatment FWS found appropriate for use in the STAL BO.
P111mm	written - P S Port	Pg 3-105(a), para 4: Recommend paragraph be replaced. DEIS is misleading to report only those intervals of time which there was large increase in population. For each colony you should take difference between beginning & end of time series over which values have been collected in consistent standardized way. For French Frigate Shoals, using difference between 1980 & 2001. Longest time series for which there are consistently-collected data for largest colonies representing approximately 75 percent total world population presented in Figure 1. Population at these sites has declined from 48,413 pairs in 1992 to 43,781 pairs in 2001 indicating a decrease of about 10 percent.	Chapter 3 has been revised to include data for albatross colony size estimates as provided by FWS.

Tracking No.	Commenter	Comment	Response
P111nn	written - P S Port	Pg 3-106(a), para 3, sent 2: DEIS states "Data collected by NMFS observers show when Hawaii-based longline vessels target swordfish, incidental catch of seabirds is far higher than when vessels target tuna." We believe this information is helpful towards understanding differences for longline interactions with seabirds for different styles of fishing that occur in Hawaiian longline fishery. Recommend table be created that contains "bird catch/set" for swordfish, mixed, tuna sets for years between 1994-1999, by seabird species.	Information has been included in the EIS.
P111oo	written - P S Port	Pg 3-109(A0, table 3.7-1: Same table presented on page 2.7, numbers in Table 3.7-1 do not match numbers in Table 2.2. Recommend explain why numbers in these tables do not match.	Correction made.
P111pp	written - P S Port	Pg 3-109(a), para 1: DEIS states "NMFS observer data show fishery/seabird interactions regularly occur between Hawaii-based longline fishery and two species of albatross: black-footed and Laysan albatross. There have been no reports of interactions between endangered short-tailed albatross & Hawaii-based longline fishery, but could change in future as short-tailed albatross population continues to increase." Between 1994 & 1999, NMFS observers have covered average of 4.3 percent, or about 46 observed trips, for 1078 trips annually of all Hawaiian longline fishing trips to record fishery and protected species information. NMFS observers work about 10 hours/day and reserve enough time to observe about 10 percent of each set during tuna trips and 3 percent of each set during swordfish trips.	As a result of the current injunction, observer coverage has increased to over 20 percent. A minimum 20 percent observer coverage is mandated in the new Preferred Alternative, Alternative 10.
P111qq	written - P S Port	p3-109(a) par 1: Peak interaction period when seabirds interact with longline gear is during the set, although some interaction does occur during the haulback. At present very little time dedicated to looking for endangered short-tailed albatross during set when seabirds most likely to interact with longline fishing gear. Recommend statement to conditioned to reflect our concern although no interactions have been reported, does not mean interactions between endangered short-tailed albatross and Hawaiian longline fishing gear have not occurred, given level of unobserved risk that may exist.	Potential for under-reporting these interactions has been added to the text.

Tracking No.	Commenter	Comment	Response
P111rr	written - P S Port	Pg 3-111(1), Tbl 3.7.2: Table incomplete as represents basic population data for short-tailed albatross colony at Torishima, Japan from 1977 thru 1999. Furthermore, data represented in several columns are inaccurate or have been omitted. Recommend incorporate data contained in table "Short tailed albatross basic population data." Table can be found in BO, Attachment H. Table contains population information about short-tailed albatross colony at Torishima Island, Japan from 1947-1900. Also identifies year, number of birds observed, November colony count, eggs laid, young fledged, percent success and observer. Recommend you clearly identify these categories and associated data in revised DEIS.	Table has been clarified.
P111ss	written - P S Port	Pg 3-111(1), para 2, sent 1&2: Discrepancy in number of birds believed to be at Minami-Kojima colony. Please clarify. Is it 30 breeding adults as implied by number 454 or 30 pairs in revised DEIS?	30 breeding adults. Text has been clarified.
P111tt	written - P S Port	Pg 3-113(a), 3.7.1.1.2, para 1, sent 6: Unit of time over which population decline occurs would indicate vulnerable status is three generations for long-lived organisms such as seabirds. Black-footed albatrosses have generation time of 15 years, criterion for vulnerable status is a 20 percent decline over 45 years. Since there are not good census data from 45 yrs ago, IUCN evaluates average annual rate of decline over period of time that data do exist and extrapolates to 45 years. Ten-year period is used for short-lived species, not seabirds. Recommend these points be incorporated in revised DEIS.	IUCN criteria have been used as appropriate in estimating declines in relation to vulnerable status.
P111uu	written - P S Port	p3-113(a), Para 2, sent 1: DEIS states "Direct counts of active nests during egg stage have been completed for Midway Atoll from 1991 to 1999, Laysan Island from 1907 to 1999, French Frigate Shoals every year since 1979." Recommend you provide citation for source of this information.	Unpublished data were provided by FWS.
P111vv	written - P S Port	p3-113(a), Para 3: Criterion of 20 percent decline is for species population as whole, not colony by colony. Recommend revised DEIS omit this paragraph.	The text has been clarified. All available recent population data have been included in tabular form in Chapter 3.
P111ww	written - P S Port	Pg 3-114, fig 3.7.2: Recommend curve indicating population size of black-footed albatrosses at Laysan as measured by quadrant sampling (labeling extrapolated) should include confidence intervals for those estimates.	Quadrant sampling results were not available.
P111xx	written - P S Port	Pg 3-115(a) 3.7.1.1.3, para 2, sent 7: Recommend revised DEIS substitute "active nest" for "bird."	Suggested change has been made in the FEIS.

Tracking No.	Commenter	Comment	Response
P111yy	written - P S Port	Pg 3-117(a), 3.7.1.2, para 1, sent 1 & 2: Recommend revised DEIS add scientific names of booby species first time mentioned in test.	Done.
P111zz	written - P S Port	Pg 3-122 (a), 3.7.3.4, para 1, sent 3: DEIS states, "In addition to seabirds killed in fishing year, often certainly ancillary mortality of nestlings if adults provisioning young are killed in fishing gear and thereby unable provide sufficient food to sustain young at nest." Agree fishing-related injuries to migratory seabird populations reach far beyond impacts to just adults, but also unfledged chicks, particularly during breeding season. However, DEIS does not present data or discuss adverse population effects. Recommend revised DEIS estimate population effects of killing adult migratory birds during breeding season and incorporate these estimates into total mortality estimates, particularly for black-footed and Laysan albatross.	Potential population effects of killing adult breeding albatross are discussed in the FEIS. There are insufficient data to provide a quantitative estimate of this effect.
P111aaa	written - P S Port	p3-122(a), Para 3, sent 4: Recommend adding these comments to this paragraph: Another poorly understood impact is effect of harvest-related reduction of biomass of large pelagic fish on seabirds that are obligate commensal of these fish. Almost all species of seabirds in tropics relay on large fish to aggregate prey and force it to surface where it will be available to them. Reductions in large fish populations affect prey availability to birds.	This discussion has been included in the FEIS.
P111bbb	written - P S Port	Pg 3-137(a), 3.9.7, para 3, sent 5: Recommend inserting following sentence after...affect seabirds. "Oil contamination affects seabirds directly and immediately by destroying waterproof nature of their plumage and disrupting thermoregulation & buoyancy."	This has been inserted.
P111ccc	written - P S Port	p3-137(a) Para 4, sent 1: DEIS states "The effects of ingested plastic on growth and survival of Laysan and black-footed albatross chicks were studied by Sivert & Sileo." Please note the genus for both species of albatross is *Phoebastria*.	Text has been changed.

Tracking No.	Commenter	Comment	Response
P111ddd	written - P S Port	Pg 3-138(a), 3.9.7, para 2, sent 2: DEIS states "A point source of contaminants (PCBs leaking from discarded generators) on Tern Island was identified as potential threat to monk seals and other components of ecosystem at French Frigate Shoals." We are concerned only one location in Hawaiian archipelago was analyzed for potential contaminant impacts to Hawaiian monk seals. Recommend revised DEIS examine other locations for potential contaminant impacts to Hawaiian monk seals which should include Niihau, Kauai, Oahu, Maui, Molokai, Lanai, Hawaii & other locations in northwestern Hawaiian islands.	The paragraph has been re-written to reflect the possibility that other such sites in the Hawaiian Islands may exist.
P111eee	written - P S Port	Pg 3-82, tbl 3.10.2-OV2: DEIS states in table that "P. alatus (2 reported sightings, no encounters)." Recommend this statement be amended to read "no reported encounters" given the low observer effort dedicated by NMFS for observing seabird interactions when longline gear is set.	All sighting information has been removed from the table. Information on longline encounters is found in Section 3.10.3.1.5.
P111fff	written - P S Port	Pg 3-86, fig 3.10.2-OV3: Illustrates nearshore closed areas, Hawaiian waters, three-mile State waters and EEZ. However, figure does not illustrate marine boundaries for NWRs that occur in this region. Recommend you identify marine boundaries for Midway Atoll NWR, Hawaiian Islands NWR, Johnston Atoll NWR, Baker Island NWR, Howland Island NWR, Jarvis Island NWR, Kingman Reef NWR & Palmyra Atoll NWR in this figure.	Unfortunately, at the small scale of the map, the boundaries in question will not show up.
P111ggg	written - P S Port	Pg 3-120; 3.10.2.4, para 1: DEIS states "This section of DEIS summarizes important issues involved with estimating economic value of turtles, albatross and other species and resources that may be affected by fisheries managed under western Pacific Pelagics FMP." Recommend revised DEIS include discussion of economic value of fish and wildlife resources are described in this document. We feel this discussion should provide same level of detail as is provided in describing the economic value of U.S. pelagic fishing industry.	Background information is both provided in summary form and incorporated by reference. Estimates of non-market value of resources are not currently available and the process of discovering these values is time-consuming, expensive, and beyond the scope of this document.
P111hh	written - P S Port	Department of Interior believes the deficiencies in DEIS preclude its use as basis for meaningful analysis of anticipated project-related impacts to certain fish/wildlife resources and that release of DEIS was premature. Recommend be revised with more complete information, improved analyses of alternatives and potential impacts, clearer commitment to avoid unnecessary impacts, minimize unavoidable impacts, compensate for significant unavoidable impacts. Look forward to working with Department of Commerce to provide data, analyses, reports that would bolster revised DEIS for future review process.	EIS uses best available data to present a range of alternatives and a Preferred Alternative identified in the Final EIS as Alternative 10.

Tracking No.	Commenter	Comment	Response
P112a	written - Roy Yamaguchi (Reid Dist.)	I am writing you to urge you to reconsider your preferred option of closing longline fishing to Hawaii boats only during the months of April and May.	The new preferred alternative, Alternative 10, would permit year-round fishing by the tuna segment of the fishery.
P112b	written - R Yamaguchi	There is not enough factual statistics to fault Hawaii's longline tuna boats and subject them to this extreme judgement to cease fishing for two months. Instead, why isn't more time being considered to collect facts through observation before this sort of extreme is taken? Aren't the measures being adhered to presently by Hawaii's swordfish boats enough to eliminate the majority of turtle mortalities so studies can be made?	The new preferred alternative would permit year-round fishing by the tuna segment of the fishery. Option A would allow controlled swordfish fishing while data on the effectiveness of turtle interaction deterrents are gathered.
P112c	written - Roy Yamaguchi	This action would cause a devastating financial burden on my business, being that 98 percent of my ahi is caught by longline tuna boats. My business would not be able to survive a two-month closing. I have just invested a huge sum of my savings in a new facility to meet FDA requirements.	The new preferred alternative, Alternative 10, would permit year-round fishing by the tuna segment of the fishery.