

Annotated Agenda
MAFAC Meeting – October 23 - October 25, 2012
Silver Spring, MD

1. Title of Discussion: **Webinar on the Endangered Species Act (ESA) and Jeopardy**

2. Presenters:

ESA Section 7 and MSA Introduction

Helen Golde, Director, Office of Protected Resources

Craig Johnson, Protected Resources Fishery Biologist

Marian MacPherson, Management and Program Analyst, Sustainable Fisheries

Case Study I: 2012 Hawai'i long-line shallow set fishery

Patrick Opay, PIR Endangered Species Branch Chief

Paul Dalzell, Senior Scientist, Western Pacific Regional Fishery Management Council

Case Study II: Gulf of Mexico reef fish fishery

David Bernhart, SER Assistant Regional Administrator for Protected Resources

Kevin Anson, Vice Chair, Gulf of Mexico Fishery Management Council

Case Study III: Lower Columbia River Tule Fall Chinook Salmon

Bob Turner, NWR Assistant Regional Administrator for Salmon Management

Don McIsaac, Executive Director of the Pacific Fishery Management Council

3. Objective/Purpose: **[Informational]**

To help MAFAC and a newly formed Working Group become more familiar with ESA section 7 consultation requirements and current NOAA Fisheries practices. The presentation of case studies is to lay the foundation for the future work of the Working Group.

Similar to the panel discussion held at the May CCC meeting, the webinar will present different case studies from which the participants will look for best practices and consider potential areas for improvements in ESA consultations on MSA fishery management actions related to:

- The types of information and analytical methods used in biological opinions.
- How the ESA consultation and MSA fishery management processes are coordinated and carried out.

4. Background/Synopsis:

A full background is presented in the Terms of Reference for a new Endangered Species Act Working Group which can be found [here](#). This Working Group has been organized for the purpose of increasing confidence in the science and process used for Section 7 consultations under the Endangered Species Act (ESA) on Magnuson-Stevens Fishery Conservation and Management Act (MSA) fishery management actions. It is comprised of members from MAFAC, representatives from Fishery Management Councils, and NOAA Fisheries staff.

Regarding the presentation, NOAA Fisheries has identified representative case studies (listed above) to be presented by both NOAA Fisheries and Council staff to ensure various perspectives are provided to the group. The questions to be addressed by the webinar include:

- How were protected species considered during the development of the fishery management actions?

- What information was available on the species and how was it used?
- Would additional data have improved the consultation process?
- How did NOAA Fisheries interact with Councils and other parties throughout the process?
- How did NOAA Fisheries interact with Councils and others in developing reasonable and prudent alternatives and reasonable and prudent measures?
- How did the timing of the ESA consultation process fit with the timing of the RFMC development of fishery management recommendations and completion of the associated NEPA analysis?
- What were the lessons learned from the consultation?

As additional background, MAFAC has received general presentations about the ESA and NOAA Fisheries responsibilities under the Act in the past. For example, at the [June 2010 meeting in Juneau](#) the Director of the Office of Protected Resources provided general background information regarding the Protected Resources Program, how priorities are set and resources allocated, and the process of listing and delisting endangered species. Links to eight different fact sheets are provided on that [meeting page](#) (under 'Protected Resources Program').

Additionally, this [link](#) goes to the NOAA Fisheries webpage on Interagency Consultation (ESA Section 7)

5. Options listed from 1 to n: Not applicable at this time (N/A).

6. Preferred Recommendation (Include action/product/decision needed; responsible/accountable party; date/timeline/schedule for action): NA

Record of Decision:

Decision, Next Step(s) and/or Action:

Assigned to:

Due Date: