

AMENDMENT 19 (ESSENTIAL FISH HABITAT)

At the June 2005 meeting, the Council identified their preferred alternative for the Pacific Groundfish Fishery Management Plan (FMP) Essential Fish Habitat (EFH) Designation and Minimization of Adverse Impacts Environmental Impact Statement (EIS). The preferred alternative will be described with the associated supporting analysis in the final EIS, scheduled for publication in December 2005.

At their September meeting, the Council reviewed draft FMP amendment language, which incorporates the appropriate elements of the preferred alternative into the groundfish FMP as Amendment 19. They directed staff to make several revisions to the FMP text, based on recommendations made by the Habitat Committee, the Groundfish Management Team, and the Groundfish Advisory Subpanel in their reports. In addition to the advisory body recommendations, the Council directed staff to revise the description of the Habitat Conservation Framework in Section 6.2.4 so that a new standing committee, the Essential Fish Habitat Oversight Committee, would be responsible for the review process for bottom trawl closed areas described in that section. This Committee would also review habitat area of particular concern (HAPC) designations through the process described in Section 7.3.2. The Council approved the modified text for release as a public review draft, which was made available as an electronic document on the Council's website on September 27, 2005, and is included as Agenda Item H.6, Attachment 1. As noted under Agenda Item H.6, there is substantial overlap between the parts of the FMP addressed by Amendment 18 (bycatch mitigation) and Amendment 19. For this reason a combined document incorporates both Amendment 18 and Amendment 19 changes.

The Council's task is to review the portions of the public review draft relevant to Amendment 19 and take final action to approve the text with any additional changes. The amendment package, with any revisions, will then be submitted to the National Marine Fisheries Service (NMFS) for the Secretarial review process described in §304(a) of the Magnuson-Stevens Fishery Conservation and Management Act. If approved, the text will then be incorporated into the groundfish FMP.

NMFS also provided at the September Council meeting, as a supplemental item, preliminary draft regulations for Council comment (Agenda Item H.7.a, Attachment 2). The Council asked its advisory bodies to review the regulations and provide any additional recommendations at the November meeting. Defining gear types in order to effectively enforce areas where bottom contact gear or all fishing gear is prohibited is of primary concern. The Council also asked its advisory bodies to review the definition of bottom contact gear in the draft Amendment 19 text and in the preliminary draft regulations in order to ensure consistency. NMFS indicated that revised draft regulations will be provided as a supplemental item for the November Council meeting. Any Council recommendations may be forwarded to NMFS for their consideration in drafting the proposed rule, which is scheduled for publication in mid-November.

Council Action:

Adopt Final FMP Text for Public Review and Regulatory Language Recommendations

Reference Materials:

1. Agenda Item H.7.a, Attachment 1: Draft FMP Appendices (on CD-ROM)
2. Agenda Item H.7.a, Attachment 2: Draft EFH Regulations
3. Agenda Item H.7.c, Public Comment: Letters from Mendonoma Marine Life Conservancy and California Coastal Commission

Agenda Order:

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt Final FMP Text and Regulatory Language Recommendations

PFMC
10/14/05

[Preamble]

For the reasons set out in the preamble, 50 CFR part 660 is proposed to be amended as follows:

PART 660--FISHERIES OFF WEST COAST STATES AND IN THE WESTERN PACIFIC

1. The authority citation for part 660 continues to read as follows:

Authority: 16 U.S.C. 1801 et seq.

2. In § 660.301, the purpose and scope, subpart (a) is modified as follows:

(a) This subpart implements the Pacific Coast Groundfish Fishery Management Plan (PCGFMP) developed by the Pacific Fishery Management Council. This subpart governs fishing vessels of the U.S. in the EEZ off the coasts of Washington, Oregon, and California. All weights are in round weight or round-weight equivalents, unless specified otherwise.

3. In § 660.302, a definition for "essential fish habitat or EFH" is added, the definition for "fishing gear" is renamed as "fishing gear, legal" and revised, and a definition for "fishing gear, prohibited" is added to read as follows:

§ 660.302 Definitions.

* * * * *

Essential Fish Habitat (EFH). (See §600.10).

* * * * *

Fishing Gear, Legal includes the following types of gear and equipment used in the groundfish fishery:

(1) Bottom Contact Gear. Fishing gear designed or modified to make contact with the bottom. It includes beam trawl, bottom trawl, dredge, fixed gear, set net, demersal seine, dinglebar gear, and any other gear designed or modified to make contact with the bottom. Mechanized harvest of bottom dwelling organisms and fishing by hand (via diving) is also considered bottom contact gear for purposes of regulation if contact with the bottom occurs as a routine part of such activities.

(2) Bobbin trawl. The same as a roller trawl, a type of bottom trawl.

(3) Bottom trawl. A trawl in which the otter boards or the footrope of the net are in contact with the seabed. It includes roller (or bobbin) trawls, Danish and Scottish seine gear, and pair trawls fished on the bottom. Any trawl not meeting the requirements for a midwater trawl in §660.322 is a bottom trawl.

(4) Breastline. A rope or cable that connects the end of the headrope and the end of the trawl fishing line along the edge of the trawl web closest to the towing point.

(5) Chafing gear. Webbing or other material attached to the codend of a trawl net to protect the codend from wear.

(6) Codend. (See §600.10).

(7) Commercial vertical hook-and-line. Commercial fishing with hook-and-line gear that involves a single line anchored at the bottom and buoyed at the surface so as to fish vertically.

_____ (8) Demersal seine. A net designed to encircle fish on the seabed. The Demersal seine is characterized by a lead line without bobbins or rollers and is fished without the use of otter boards (trawl doors). Scottish and Danish Seines are demersal seines.

_____ (9) Dinglebar Gear. One or more lines retrieved and set with a troll gurdy or hand troll gurdy, with a terminally attached weight from which one or more leaders with one or more lures or baited hooks are pulled through the water while a vessel is making way.

(10) Double-bar mesh. Two lengths of twine tied into a single knot.

(11) Double-walled codend. A codend constructed of two walls of webbing.

(12) Fixed gear (anchored nontrawl gear). Longline, trap or pot, set net, and stationary hook-and-line (including commercial vertical hook-and-line) gears.

(13) Gillnet. (See §600.10).

(14) Headrope. A rope or wire attached to the trawl webbing forming the leading edge of the top panel of the trawl net.

(15) Hook-and-line. One or more hooks attached to one or

more lines. It may be stationary (commercial vertical hook-and-line) or mobile (troll).

(16) Longline. A stationary, buoyed, and anchored groundline with hooks attached, so as to fish along the seabed. It does not include commercial vertical hook-and-line or troll gear.

(17) Mesh size. The opening between opposing knots. Minimum mesh size means the smallest distance allowed between the inside of one knot to the inside of the opposing knot, regardless of twine size.

(18) Midwater (pelagic or off-bottom) trawl. A trawl in which the otter boards and footrope of the net remain above the seabed. It includes pair trawls if fished in midwater. A midwater trawl has no rollers or bobbins on the net. Trawl gear which otherwise qualifies as a midwater trawl but is intentionally operated to be in contact with the seabed is not considered to be a midwater trawl for purposes of regulation.

(19) Non-groundfish trawl gear. Any trawl gear other than bottom or midwater trawl gear authorized for use in the limited entry groundfish trawl fishery. Non-groundfish trawl gear generally includes trawl gear used to target pink shrimp, ridgeback prawns, California halibut and sea cucumber.

(20) Nontrawl gear. All legal commercial groundfish gear other than trawl gear.

(21) Pot. A trap.

(22) Roller trawl (bobbin trawl). A trawl with footropes equipped with rollers or bobbins made of wood, steel, rubber, plastic, or other hard material that keep the footrope above the seabed, thereby protecting the net. A roller trawl is a type of bottom trawl.

(23) Scottish Seine. A demersal seine using long lengths of rope designed to encircle fish on the seabed. The Scottish seine is characterized by long lengths of light stiff rope with a lead core to provide slight negative buoyancy. No steel cables or otter boards (trawl doors) are used.

(24) Set net. A stationary, buoyed, and anchored gillnet or trammel net.

(25) Single-walled codend. A codend constructed of a single wall of webbing knitted with single or double-bar mesh.

(26) Spear. A sharp, pointed, or barbed instrument on a shaft.

(27) Trammel net. A gillnet made with two or more walls joined to a common float line.

(28) Trap (or pot). A portable, enclosed device with one or more gates or entrances and one or more lines attached to surface floats.

(29) Trawl fishing line. A length of chain or wire rope in the bottom front end of a trawl net to which the webbing or lead ropes are attached.

(30) Trawl riblines. Heavy rope or line that runs down the sides, top, or underside of a trawl net from the mouth of the net to the terminal end of the codend to strengthen the net during fishing.

(31) Troll Gear. A lure or jig towed by fishing line behind a vessel. Troll gear is used in commercial and recreational fisheries.

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Fishing gear, prohibited includes the following types of gear and equipment prohibited for use in the groundfish fishery, as well as any gear not explicitly authorized for use in federal waters under § 600.725:

(1) Beam Trawl Gear. A type of trawl gear in which a beam is used to hold the trawl open during fishing. Otter boards or doors are not used.

(2) Dredge Gear. A gear consisting of a mouth frame attached to a holding bag constructed of metal rings or mesh.

4. In § 660.306, paragraphs (a)(13) and (a)(14), and (h)(4) through (h)(9) are added to read as follows:

§ 660.306 Prohibitions.

In addition to the general prohibitions specified in § 600.725 of this chapter, it is unlawful for any person to:

(a) * * *

(13) Fish with dredge gear, as defined in § 660.302.

(14) Fish with beam trawl gear, as defined in § 660.302.

* * * * *

(h) * * *

(4) Fish using bottom trawl gear (defined in § 660.302) in all waters within the EEZ seaward of a line approximating the 700 fathom (1280 m) depth contour as defined in § 660.395.

(5) Fish using bottom trawl with a footrope greater than 19 inches (48 cm) in diameter (including rollers, bobbins or other material encircling or tied along the length of the footrope) anywhere within the EEZ.

(6) Fish using bottom trawl (defined in § 660.302) with a footrope greater than 8 inches (20 cm) in diameter (including rollers, bobbins or other material encircling or tied along the length of the footrope) anywhere within EEZ shoreward of a line approximating the 100 fathom (183 m) depth contour (defined in § 660.397).

(7) Fish with bottom trawl gear (as defined in § 660.302), within the following areas (defined in §§ 660.395 through 660.396): Olympic 2, Biogenic 1, Biogenic 2, Grays Canyon, Biogenic 3, Nahelem Bank / Shale Pile, Astoria Canyon, Siletz Deepwater, Daisy Bank / Nelson Island, Newport Rockpile / Stonewall Bank, Heceta Bank, Deepwater off Coos Bay, Bandon High Spot, Rogue Canyon.

(8) Fish with bottom trawl gear (as defined in §

660.302), other than Scottish seine within the following areas (defined in §§ 660.395 through 660.396): Eel River Canyon, Blunts Reef, Mendocino Ridge, Delgada Canyon, Tolo Bank, Point Arena Offshore, Cordell Bank, Biogenic Area 12, Farallon Islands / Fanny Shoal, Half Moon Bay, Monterey Bay / Canyon, Point Sur Deep, TNC/ED Area 2, TNC/ED Area 1, TNC/ED Area 3, Potato Bank (within Cowcod Conservation Area West), Cherry Bank (within Cowcod Conservation Area West) Hidden Reef / Kidney Bank (within Cowcod Conservation Area West), Catalina Island and Cowcod Conservation Area East.

(9) Fish with bottom contact gear (as defined in § 660.302) within the following areas (defined in § 660.396): Thompson Seamount, President Jackson Seamount, Cordell Bank (within 50 fm (91 m) isobath).

(10) Fish with bottom contact gear (as defined in § 660.302) or any gear that is otherwise deployed deeper than 500 fathoms within the Davidson Seamount area (defined in § 660.396).

(11) Fish within the following areas (defined in § 660.396): Anacapa Island SMR, Carrington Point, Footprint, Gull Island, Harris Point, Judith Rock, Painted Cove, Richardson Rock, Santa Barbara, Scorpion, Skunk Point, and South Point.

(12) Fish within the following area, except for recreational fishing with hook and line gear: Anacapa Island SMCA (defined in §§ 660.396). Hook and line gear used in this area may not be

augmented with any weights except those that are less than 6 oz.

5. In § 660.381, paragraphs (b)(4) and (b(5) are revised and (b)(7), (d)(5), (d)(6), (e) are added to read as follows:

§ 660.381 Limited entry trawl fishery management measures.

(b) * * *

(4) Large footrope trawl gear. Large footrope gear is bottom trawl gear with a footrope diameter larger than 8 inches (20 cm) (including rollers, bobbins or other material encircling or tied along the length of the footrope). It is unlawful to fish using bottom trawl with a footrope greater than 8 inches (20 cm) anywhere within the EEZ shoreward of a line approximating the 100 fathom (183 m) depth contour (defined in § 660.397). It is unlawful to use bottom trawl with a footrope greater than 19 inches (48 cm) in diameter anywhere within the EEZ.

(5) Small footrope trawl gear. Small footrope gear is bottom trawl gear with a footrope diameter of 8 inches (20 cm) or smaller (including rollers, bobbins or other material encircling or tied along the length of the footrope). Chafing gear may be used only on the last 50 meshes of a small footrope trawl, measured from the terminal (closed) end of the codend. Other lines or ropes that run parallel to the footrope may not be augmented such that they have a diameter larger than 8 inches (20 cm). For enforcement purposes, the footrope will be measured in a straight line from the outside edge to the opposite outside

edge at the widest part on any individual part, including any individual disk, roller, bobbin, or any other device. It is unlawful to fish using bottom trawl with a footrope greater than 8 inches (20 cm) in all waters within the EEZ shoreward of a line approximating the 100 fathom (183 m) depth contour (defined in § 660.397).

(i) Selective flatfish trawl gear is a type of small footrope trawl gear. The selective flatfish trawl net must be a two-seamed net and its breastline may not be longer than 3 ft (0.92 m) in length. There may be no floats along the center third of the selective flatfish trawl net's headrope and the headrope must be at least 30 percent longer in length than the footrope. Selective flatfish trawl gear may not have a footrope that is longer than 105 ft (32.26 m) in length. An explanatory diagram of a selective flatfish trawl net is provided as Figure 1 of Part 660, Subpart G.

(ii) [Reserved]

(7) It is unlawful to fish with beam trawl gear, as defined in § 660.302.

* * * * *

(d) * * *

(5) It is unlawful to fish using bottom trawl gear (defined in § 660.302) gear in all waters within the EEZ seaward of a line approximating the 700 fathom (1280 m) depth contour (defined in

§ 660.395).

(6) It is unlawful to fish with bottom trawl gear (as defined in § 660.302), within the following areas (defined in §§ 660.395 through 660.396): Olympic 2, Biogenic 1, Biogenic 2, Grays Canyon, Biogenic 3, Nahelem Bank / Shale Pile, Astoria Canyon, Siletz Deepwater, Daisy Bank / Nelson Island, Newport Rockpile / Stonewall Bank, Heceta Bank, Deepwater off Coos Bay, Bandon High Spot, Rogue Canyon.

(7) Fish with bottom trawl gear (as defined in § 660.302), other than Scottish seine within the following areas (defined in §§ 660.395 through 660.396): Eel River Canyon, Blunts Reef, Mendocino Ridge, Delgada Canyon, Tolo Bank, Point Arena Offshore, Cordell Bank, Biogenic Area 12, Farallon Islands / Fanny Shoal, Half Moon Bay, Monterey Bay / Canyon, Point Sur Deep, TNC/ED Area 2, TNC/ED Area 1, TNC/ED Area 3, Potato Bank (within Cowcod Conservation Area West), Cherry Bank (within Cowcod Conservation Area West) Hidden Reef / Kidney Bank (within Cowcod Conservation Area West), Catalina Island and Cowcod Conservation Area East.

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6. In § 660.370, paragraph (h)(9) is added to read as follows:

§ 660.370 Specifications and Management Measures.

(h) * * *

(9) Essential Fish Habitat (EFH). In addition to the gear and area specific management measures intended to protect EFH in § 660.380 - § 660.397, the following measures apply to all vessels operating anywhere within the EEZ:

(1) It is unlawful to fish with bottom contact gear (as defined in § 660.302) within the following areas (defined in § 660.396): Thompson Seamount, President Jackson Seamount, Cordell Bank (within 50 fm (91 m) isobath).

(2) It is unlawful to fish with bottom contact gear (as defined in § 660.302) or any gear that is otherwise deployed deeper than 500 fathoms within the Davidson Seamount area (defined in § 660.396).

(3) It is unlawful to fish within the following areas (defined in § 660.396): Anacapa Island SMR, Carrington Point, Footprint, Gull Island, Harris Point, Judith Rock, Painted Cove, Richardson Rock, Santa Barbara, Scorpion, Skunk Point, and South Point.

(3) Fish within the following area, except for recreational fishing with hook and line gear: Anacapa Island SMCA (defined in §§ 660.396). Hook and line gear used in this area may not be augmented with any weights except those that are less than 6 oz.

7. In § 660.385, the introductory text is revised to read as follows:

§ 660.385 Washington coastal tribal fisheries management

measures. In 1994, the United States formally recognized that the four Washington coastal treaty Indian tribes (Makah, Quileute, Hoh, and Quinault) have treaty rights to fish for groundfish in the Pacific Ocean, and concluded that, in general terms, the quantification of those rights is 50 percent of the harvestable surplus of groundfish that pass through the tribes usual and accustomed fishing areas (described at 50 CFR 660.324). Measures implemented to minimize adverse impacts to groundfish EFH, as described in §§ 660.306 and 660.381 do not apply to tribal fisheries in their usual and accustomed fishing areas. Tribal fishery allocations for sablefish and whiting, are provided in paragraphs (a) and (e) of this section, respectively, and the tribal harvest guideline for black rockfish is provided in paragraph (b)(1) of this section. Trip limits for certain species were recommended by the tribes and the Council for 2005-2006 and are specified here with the tribal allocations.

8. § 660.395 is added to read as follows:

§ 660.395 Groundfish Essential Fish Habitat (EFH)

Conservation Areas. In § 660.302, essential fish habitat (EFH) is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity." The areas in this subsection are designated to "minimize adverse impacts to EFH to the extent practicable." Straight lines connecting a

series of Latitude/longitude coordinates demarcate the boundaries for areas designated as Groundfish EFH Conservation Areas.

Coordinates outlining the boundaries of Groundfish EFH Conservation Areas are provided in §§ 660.395 through 660.396.

Fishing activity that is prohibited or permitted within a particular area designated as a groundfish EFH Conservation Area is detailed at § 660.306 and § 660.381.

(a) Seaward of the 700 fathom contour. This area includes all waters within the West Coast EEZ west of a line approximating the 700 fathom (1280 m) depth contour and is defined by straight lines connecting all of the following points in the order stated:

- (1) 48°07.52' N. lat., 126°01.50' W. long.;
- (2) 48°01.42' N. lat., 125°58.20' W. long.;
- (3) 47°58.49' N. lat., 125°48.37' W. long.;
- (4) 47°47.21' N. lat., 125°43.73' W. long.;
- (5) 47°30.01' N. lat., 125°30.06' W. long.;
- (6) 47°29.97' N. lat., 125°21.05' W. long.;
- (7) 47°28.54' N. lat., 125°18.82' W. long.;
- (8) 47°08.82' N. lat., 125°10.01' W. long.;
- (9) 47°04.69' N. lat., 125°03.77' W. long.;
- (10) 46°49.48' N. lat., 125°17.38' W. long.;
- (11) 46°40.00' N. lat., 125°10.00' W. long.;
- (12) 46°28.64' N. lat., 124°52.91' W. long.;
- (13) 46°14.13' N. lat., 125°02.72' W. long.;

- (14) 46°05.10' N. lat., 124°56.88' W. long.;
- (15) 46°01.92' N. lat., 125°02.46' W. long.;
- (16) 45°53.19' N. lat., 124°58.57' W. long.;
- (17) 45°48.72' N. lat., 124°56.58' W. long.;
- (18) 45°47.70' N. lat., 124°52.20' W. long.;
- (19) 45°40.86' N. lat., 124°55.62' W. long.;
- (20) 45°36.50' N. lat., 124°51.91' W. long.;
- (21) 45°29.82' N. lat., 124°54.30' W. long.;
- (22) 44°55.69' N. lat., 125°08.35' W. long.;
- (23) 44°49.93' N. lat., 125°01.51' W. long.;
- (24) 44°46.93' N. lat., 125°02.83' W. long.;
- (25) 44°41.96' N. lat., 125°10.64' W. long.;
- (26) 44°36.44' N. lat., 125°10.27' W. long.;
- (27) 44°27.46' N. lat., 125°11.48' W. long.;
- (28) 44°23.59' N. lat., 125°09.95' W. long.;
- (29) 43°58.37' N. lat., 125°02.93' W. long.;
- (30) 43°54.59' N. lat., 125°05.92' W. long.;
- (31) 43°39.15' N. lat., 125°05.61' W. long.;
- (32) 43°36.58' N. lat., 125°06.56' W. long.;
- (33) 43°33.04' N. lat., 125°08.41' W. long.;
- (34) 43°15.95' N. lat., 125°07.84' W. long.;
- (35) 42°47.50' N. lat., 124°59.96' W. long.;
- (36) 42°35.01' N. lat., 125°00.68' W. long.;
- (37) 42°34.11' N. lat., 124°55.62' W. long.;

- (38) 42°23.81' N. lat., 124°52.85' W. long.;
- (39) 42°18.36' N. lat., 124°59.09' W. long.;
- (40) 42°05.89' N. lat., 124°58.77' W. long.;
- (41) 42°02.54' N. lat., 125°05.44' W. long.;
- (42) 41°32.33' N. lat., 125°01.21' W. long.;
- (43) 41°14.52' N. lat., 124°52.67' W. long.;
- (44) 40°40.57' N. lat., 124°44.92' W. long.;
- (45) 40°36.24' N. lat., 124°42.01' W. long.;
- (46) 40°34.63' N. lat., 124°45.56' W. long.;
- (47) 40°23.81' N. lat., 124°41.16' W. long.;
- (48) 40°20.54' N. lat., 124°36.36' W. long.;
- (49) 40°21.65' N. lat., 124°57.00' W. long.;
- (50) 40°18.54' N. lat., 125°09.47' W. long.;
- (51) 40°14.54' N. lat., 125°09.83' W. long.;
- (52) 40°11.79' N. lat., 125°07.39' W. long.;
- (53) 40°06.72' N. lat., 125°04.28' W. long.;
- (54) 39°52.31' N. lat., 124°41.00' W. long.;
- (55) 39°55.99' N. lat., 124°25.88' W. long.;
- (56) 39°44.07' N. lat., 124°13.59' W. long.;
- (57) 39°35.82' N. lat., 124°12.02' W. long.;
- (58) 39°24.54' N. lat., 124°16.01' W. long.;
- (59) 39°01.97' N. lat., 124°11.20' W. long.;
- (60) 38°33.48' N. lat., 123°48.21' W. long.;
- (61) 38°14.49' N. lat., 123°38.89' W. long.;

- (62) 37°56.97' N. lat., 123°31.65' W. long.;
- (63) 37°49.09' N. lat., 123°27.98' W. long.;
- (64) 37°40.29' N. lat., 123°12.83' W. long.;
- (65) 37°22.54' N. lat., 123°14.65' W. long.;
- (66) 37°08.42' N. lat., 123°06.89' W. long.;
- (67) 37°05.98' N. lat., 123°05.31' W. long.;
- (68) 37°02.91' N. lat., 122°58.61' W. long.;
- (69) 36°59.02' N. lat., 122°50.92' W. long.;
- (70) 36°55.08' N. lat., 122°36.46' W. long.;
- (71) 36°50.32' N. lat., 122°17.44' W. long.;
- (72) 36°44.54' N. lat., 122°19.42' W. long.;
- (73) 36°40.76' N. lat., 122°17.28' W. long.;
- (74) 36°39.88' N. lat., 122°09.69' W. long.;
- (75) 36°44.52' N. lat., 122°07.13' W. long.;
- (76) 36°42.26' N. lat., 122°03.54' W. long.;
- (77) 36°30.02' N. lat., 122°09.85' W. long.;
- (78) 36°22.33' N. lat., 122°22.99' W. long.;
- (79) 36°14.36' N. lat., 122°21.19' W. long.;
- (80) 36°09.50' N. lat., 122°14.25' W. long.;
- (81) 35°51.50' N. lat., 121°55.92' W. long.;
- (82) 35°49.53' N. lat., 122°13.00' W. long.;
- (83) 34°58.30' N. lat., 121°36.76' W. long.;
- (84) 34°53.13' N. lat., 121°37.49' W. long.;
- (85) 34°46.54' N. lat., 121°46.25' W. long.;

- (86) 34°37.81' N. lat., 121°35.72' W. long.;
- (87) 34°37.72' N. lat., 121°27.35' W. long.;
- (88) 34°26.77' N. lat., 121°07.58' W. long.;
- (89) 34°18.54' N. lat., 121°05.01' W. long.;
- (90) 34°02.68' N. lat., 120°54.30' W. long.;
- (91) 33°48.11' N. lat., 120°25.46' W. long.;
- (92) 33°42.54' N. lat., 120°38.24' W. long.;
- (93) 33°46.26' N. lat., 120°43.64' W. long.;
- (94) 33°40.71' N. lat., 120°51.29' W. long.;
- (95) 33°33.14' N. lat., 120°40.25' W. long.;
- (96) 32°51.57' N. lat., 120°23.35' W. long.;
- (97) 32°38.54' N. lat., 120°09.54' W. long.;
- (98) 32°35.76' N. lat., 119°53.43' W. long.;
- (99) 32°29.54' N. lat., 119°46.00' W. long.;
- (100) 32°25.99' N. lat., 119°41.16' W. long.;
- (101) 32°30.46' N. lat., 119°33.15' W. long.;
- (102) 32°23.47' N. lat., 119°25.71' W. long.;
- (103) 32°19.19' N. lat., 119°13.96' W. long.;
- (104) 32°13.18' N. lat., 119°04.44' W. long.;
- (105) 32°13.40' N. lat., 118°51.87' W. long.;
- (106) 32°19.62' N. lat., 118°47.80' W. long.;
- (107) 32°27.26' N. lat., 118°50.29' W. long.;
- (108) 32°28.42' N. lat., 118°53.15' W. long.;
- (109) 32°31.30' N. lat., 118°55.09' W. long.;

- (110) 32°33.04' N. lat., 118°53.57' W. long.;
- (111) 32°19.07' N. lat., 118°27.54' W. long.;
- (112) 32°18.57' N. lat., 118°18.97' W. long.;
- (113) 32°09.01' N. lat., 118°13.96' W. long.;
- (114) 32°06.57' N. lat., 118°18.78' W. long.;
- (115) 32°01.32' N. lat., 118°18.21' W. long.; and
- (116) 31°57.82' N. lat., 118°10.34' W. long.;

(b) Astoria Canyon. Astoria Canyon is defined by straight lines connecting all of the following points in the order stated:

- 46°06.48' N. lat., 125°05.46' W. long.;
- 46°03.00' N. lat., 124°57.36' W. long.;
- 46°02.28' N. lat., 124°57.66' W. long.;
- 46°01.92' N. lat., 125°02.46' W. long.;
- 45°48.72' N. lat., 124°56.58' W. long.;
- 45°47.70' N. lat., 124°52.20' W. long.;
- 45°40.86' N. lat., 124°55.62' W. long.;
- 45°29.82' N. lat., 124°54.30' W. long.;
- 45°25.98' N. lat., 124°56.82' W. long.;
- 45°26.04' N. lat., 125°10.50' W. long.;
- 45°33.12' N. lat., 125°16.26' W. long.;
- 45°40.32' N. lat., 125°17.16' W. long.;
- 46°03.00' N. lat., 125°14.94' W. long.;

and connecting back to 46°06.48' N. lat., 125°05.46' W. long.

(c) Daisy Bank / Nelson Island. Daisy Bank / Nelson Island is defined by straight lines connecting all of the following points in the order stated:

44°39.73' N. lat., 124°41.43' W. long.;

44°39.60' N. lat., 124°41.29' W. long.;

44°37.17' N. lat., 124°38.60' W. long.;

44°35.55' N. lat., 124°39.27' W. long.;

44°37.57' N. lat., 124°41.70' W. long.;

44°36.90' N. lat., 124°42.91' W. long.;

44°38.25' N. lat., 124°46.28' W. long.;

44°38.52' N. lat., 124°49.11' W. long.;

44°40.27' N. lat., 124°49.11' W. long.;

44°41.35' N. lat., 124°48.03' W. long.;

and connecting back to 44°39.73' N. lat., 124°41.43' W. long.

(d) Newport Rockpile / Stonewall Bank. Newport Rockpile / Stonewall Bank is defined by straight lines connecting all of the following points in the order stated:

44°27.61' N. lat., 124°26.93' W. long.;

44°34.64' N. lat., 124°26.82' W. long.;

44°38.15' N. lat., 124°25.15' W. long.;

44°37.78' N. lat., 124°23.05' W. long.;

44°28.82' N. lat., 124°18.80' W. long.;

44°25.16' N. lat., 124°20.69' W. long.;

and connecting back to 44°27.61' N. lat., 124°26.93' W.
long.

(e) Cherry Bank. Cherry Bank is within the Cowcod Conservation Area West, an area south of Point Conception, and is defined by straight lines connecting all of the following points in the order stated:

32°59.00' N. lat., 119°32.05' W. long.;

32°59.00' N. lat., 119°17.05' W. long.;

32°46.00' N. lat., 119°17.05' W. long.;

32°46.00' N. lat., 119°32.05' W. long.;

and connecting back to 32°59.00' N. lat., 119°32.05' W.
long.

(f) Potato Bank. Potato Bank is within the Cowcod Conservation Area West, an area south of Point Conception, and is defined by straight lines connecting all of the following points in the order stated:

33°30.00' N. lat., 120°00.06' W. long.;

33°30.00' N. lat., 119°50.06' W. long.;

33°20.00' N. lat., 119°50.06' W. long.;

33°20.00' N. lat., 120°00.06' W. long.;

and connecting back to 33°30.00' N. lat., 120°00.06' W.
long.

(g) Olympic 2. Olympic 2 is defined by straight lines connecting all of the following points in the order stated:

48°21.46' N. lat., 124°51.61' W. long.;

48°17.00' N. lat., 124°57.18' W. long.;

48°06.13' N. lat., 125°00.68' W. long.;

48°06.66' N. lat., 125°06.55' W. long.;

48°08.44' N. lat., 125°14.61' W. long.;

48°22.57' N. lat., 125°09.82' W. long.;

48°21.42' N. lat., 125°03.55' W. long.;

48°22.99' N. lat., 124°59.29' W. long.;

48°23.89' N. lat., 124°54.37' W. long.;

and connecting back to 48°21.46' N. lat., 124°51.61' W. long.

(h) Biogenic 1. Biogenic 1 is defined by straight lines connecting all of the following points in the order stated:

47°29.97' N. lat., 125°20.14' W. long.;

47°30.01' N. lat., 125°30.06' W. long.;

47°40.09' N. lat., 125°50.18' W. long.;

47°47.27' N. lat., 125°50.06' W. long.;

47°47.00' N. lat., 125°24.28' W. long.;

47°39.53' N. lat., 125°10.49' W. long.;

47°30.31' N. lat., 125°08.81' W. long.;

and connecting back to 47°29.97' N. lat., 125°20.14' W. long.

(i) Biogenic 2. Biogenic 2 is defined by straight lines connecting all of the following points in the order stated:

47°08.77' N. lat., 125°00.91' W. long.;

47°08.82' N. lat., 125°10.01' W. long.;

47°20.01' N. lat., 125°10.00' W. long.;

47°20.00' N. lat., 125°01.25' W. long.;

and connecting back to 47°08.77' N. lat., 125°00.91' W. long.

(j) Biogenic 3. Biogenic 3 is defined by straight lines connecting all of the following points in the order stated:

46°48.16' N. lat., 125°10.75' W. long.;

46°40.00' N. lat., 125°10.00' W. long.;

46°40.00' N. lat., 125°20.01' W. long.;

46°50.00' N. lat., 125°20.00' W. long.;

and connecting back to 46°48.16' N. lat., 125°10.75' W. long.

(k) Grays Canyon. Grays Canyon is defined by straight lines connecting all of the following points in the order stated:

46°51.55' N. lat., 125°00.00' W. long.;

46°56.79' N. lat., 125°00.00' W. long.;

46°58.01' N. lat., 124°55.09' W. long.;

46°55.07' N. lat., 124°54.14' W. long.;

46°59.60' N. lat., 124°49.79' W. long.;

46°58.72' N. lat., 124°48.78' W. long.;

46°54.45' N. lat., 124°48.36' W. long.;

46°53.99' N. lat., 124°49.95' W. long.;

46°54.38' N. lat., 124°52.73' W. long.;
46°52.38' N. lat., 124°52.02' W. long.;
46°48.93' N. lat., 124°49.17' W. long.;
and connecting back to 46°51.55' N. lat., 125°00.00' W.
long.

(l) Tolo Bank. Tolo Bank is defined by straight lines connecting all of the following points in the order stated:

39°58.75' N. lat., 124°04.58' W. long.;
39°56.05' N. lat., 124°01.45' W. long.;
39°53.99' N. lat., 124°00.17' W. long.;
39°52.28' N. lat., 124°03.12' W. long.;
39°57.90' N. lat., 124°07.07' W. long.;
and connecting back to 39°58.75' N. lat., 124°04.58' W.
long.

(m) Point Sur Deep. The Point Sur Deep is defined by straight lines connecting all of the following points in the order stated:

36°25.25' N. lat., 122°11.61' W. long.;
36°16.05' N. lat., 122°14.37' W. long.;
36°16.14' N. lat., 122°15.94' W. long.;
36°17.98' N. lat., 122°15.93' W. long.;
36°17.83' N. lat., 122°22.56' W. long.;
36°22.33' N. lat., 122°22.99' W. long.;
36°26.00' N. lat., 122°20.81' W. long.;

and connecting back to 36°25.25' N. lat., 122°11.61' W.
long.

(n) Point Arena Offshore. Point Arena Offshore is defined by straight lines connecting all of the following points in the order stated:

39°03.32' N. lat., 123°51.15' W. long.;

38°56.54' N. lat., 123°49.79' W. long.;

38°54.12' N. lat., 123°52.69' W. long.;

38°59.64' N. lat., 123°55.02' W. long.;

39°02.83' N. lat., 123°55.21' W. long.;

and connecting back to 39°03.32' N. lat., 123°51.15' W.
long.

(o) Blunts Reef. Blunts Reef is defined by straight lines connecting all of the following points in the order stated:

40°27.53' N. lat., 124°26.84' W. long.;

40°24.66' N. lat., 124°29.49' W. long.;

40°28.50' N. lat., 124°32.42' W. long.;

40°30.46' N. lat., 124°32.23' W. long.;

40°30.21' N. lat., 124°26.85' W. long.;

and connecting back to 40°27.53' N. lat., 124°26.84' W.
long.

(p) Biogenic Area 12. Biogenic Area 12 is defined by straight lines connecting all of the following points in the order stated:

38°35.49' N. lat., 123°34.79' W. long.;

38°32.86' N. lat., 123°41.09' W. long.;

38°34.92' N. lat., 123°42.53' W. long.;

38°35.74' N. lat., 123°43.82' W. long.;

38°47.28' N. lat., 123°51.19' W. long.;

38°49.50' N. lat., 123°45.83' W. long.;

38°41.22' N. lat., 123°41.76' W. long.;

and connecting back to 38°35.49' N. lat., 123°34.79' W.
long.

(q) Half Moon Bay. Half Moon Bay is defined by straight
lines connecting all of the following points in the order stated:

37°18.14' N. lat., 122°31.15' W. long.;

37°19.80' N. lat., 122°34.70' W. long.;

37°19.28' N. lat., 122°38.76' W. long.;

37°23.54' N. lat., 122°40.75' W. long.;

37°25.41' N. lat., 122°33.20' W. long.;

37°23.28' N. lat., 122°30.71' W. long.;

and connecting back to 37°18.14' N. lat., 122°31.15' W.
long.

(r) TNC/ED Area 2. TNC/ED Area 2 is defined by straight
lines connecting all of the following points in the order stated:

36°17.83' N. lat., 122°22.56' W. long.;

36°17.98' N. lat., 122°15.93' W. long.;

36°16.14' N. lat., 122°15.94' W. long.;

36°10.82' N. lat., 122°15.97' W. long.;
36°15.84' N. lat., 121°56.35' W. long.;
36°14.27' N. lat., 121°53.89' W. long.;
36°10.93' N. lat., 121°48.66' W. long.;
36°07.40' N. lat., 121°43.14' W. long.;
36°04.89' N. lat., 121°51.34' W. long.;
35°55.70' N. lat., 121°50.02' W. long.;
35°53.05' N. lat., 121°56.69' W. long.;
35°38.99' N. lat., 121°49.73' W. long.;
35°20.06' N. lat., 121°27.00' W. long.;
35°20.54' N. lat., 121°35.84' W. long.;
35°02.49' N. lat., 121°35.35' W. long.;
35°02.79' N. lat., 121°26.30' W. long.;
34°58.71' N. lat., 121°24.21' W. long.;
34°47.24' N. lat., 121°22.40' W. long.;
34°35.70' N. lat., 121°45.99' W. long.;
35°47.36' N. lat., 122°30.25' W. long.;
35°27.26' N. lat., 122°45.15' W. long.;
35°34.39' N. lat., 123°00.25' W. long.;
36°01.64' N. lat., 122°40.76' W. long.;
36°17.41' N. lat., 122°41.22' W. long.;

and connecting back to 36°17.83' N. lat., 122°22.56' W.
long.

(s) TNC/ED Area 1. TNC/ED Area 1 is defined by straight

lines connecting all of the following points in the order stated:

34°45.09' N. lat., 121°05.73' W. long.;

34°39.90' N. lat., 121°10.30' W. long.;

34°43.39' N. lat., 121°14.73' W. long.;

34°52.83' N. lat., 121°14.85' W. long.;

34°52.82' N. lat., 121°05.90' W. long.;

and connecting back to 34°45.09' N. lat., 121°05.73' W.
long.

(t) TNC/ED Area 3. TNC/ED Area 3 is defined by straight

lines connecting all of the following points in the order stated:

34°29.24' N. lat., 120°36.05' W. long.;

34°28.57' N. lat., 120°34.44' W. long.;

34°26.81' N. lat., 120°33.21' W. long.;

34°24.54' N. lat., 120°32.23' W. long.;

34°23.41' N. lat., 120°30.61' W. long.;

33°53.05' N. lat., 121°05.19' W. long.;

34°13.64' N. lat., 121°20.91' W. long.;

34°40.04' N. lat., 120°54.01' W. long.;

34°36.41' N. lat., 120°43.48' W. long.;

34°33.50' N. lat., 120°43.72' W. long.;

34°31.22' N. lat., 120°42.06' W. long.;

34°30.04' N. lat., 120°40.27' W. long.;

34°30.02' N. lat., 120°40.23' W. long.;

34°29.26' N. lat., 120°37.89' W. long.;

and connecting back to 34°29.24' N. lat., 120°36.05' W.
long.

(u) Nehalem Bank / Shale Pile. Nehalem Bank / Shale Pile is defined by straight lines connecting all of the following points in the order stated:

46°00.599' N. lat., 124°33.943' W. long.;

45°52.775' N. lat., 124°28.754' W. long.;

45°47.948' N. lat., 124°31.699' W. long.;

45°52.755' N. lat., 124°39.200' W. long.;

45°58.020' N. lat., 124°38.989' W. long.;

46°00.833' N. lat., 124°36.775' W. long.;

and connecting back to 46°00.599' N. lat., 124°33.943' W.
long.

(v) Bandon High Spot. Bandon High Spot is defined by straight lines connecting all of the following points in the order stated:

43°08.829' N. lat., 124°50.926' W. long.;

43°08.769' N. lat., 124°49.815' W. long.;

43°05.161' N. lat., 124°49.047' W. long.;

43°02.940' N. lat., 124°46.868' W. long.;

42°57.182' N. lat., 124°46.006' W. long.;

42°56.096' N. lat., 124°47.481' W. long.;

42°56.659' N. lat., 124°48.786' W. long.;

42°52.894' N. lat., 124°52.592' W. long.;

42°53.822' N. lat., 124°55.759' W. long. ;
42°57.557' N. lat., 124°54.104' W. long. ;
42°57.997' N. lat., 124°52.988' W. long. ;
43°00.386' N. lat., 124°51.769' W. long. ;
43°02.639' N. lat., 124°52.007' W. long. ;
43°04.598' N. lat., 124°53.013' W. long. ;
43°05.885' N. lat., 124°51.603' W. long. ;
and connecting back to 43°08.829' N. lat., 124°50.926' W.
long.

(w) Heceta Bank. Heceta Bank is defined by straight lines connecting all of the following points in the order stated:

43°57.678' N. lat., 124°55.482' W. long. ;
44°00.144' N. lat., 124°55.254' W. long. ;
44°02.880' N. lat., 124°53.964' W. long. ;
44°13.470' N. lat., 124°54.078' W. long. ;
44°20.298' N. lat., 124°38.718' W. long. ;
44°13.518' N. lat., 124°40.446' W. long. ;
44°09.000' N. lat., 124°45.300' W. long. ;
44°03.462' N. lat., 124°45.708' W. long. ;
44°03.258' N. lat., 124°49.416' W. long. ;
43°58.614' N. lat., 124°49.872' W. long. ;
and connecting back to 43°57.678' N. lat., 124°55.482' W.
long.

(x) Rogue Canyon. Rogue Canyon is defined by straight lines

connecting all of the following points in the order stated:

42°41.328' N. lat., 125°16.614' W. long.;

42°41.550' N. lat., 125°03.048' W. long.;

42°35.286' N. lat., 125°02.214' W. long.;

42°34.110' N. lat., 124°55.620' W. long.;

42°30.606' N. lat., 124°54.972' W. long.;

42°23.814' N. lat., 124°52.854' W. long.;

42°17.940' N. lat., 125°10.170' W. long.;

and connecting back to 42°41.328' N. lat., 125°16.614' W. long.

(y) Deepwater off Coos Bay. Deepwater off Coos Bay is defined by straight lines connecting all of the following points in the order stated:

43°29.316' N. lat., 125°20.112' W. long.;

43°38.964' N. lat., 125°18.750' W. long.;

43°37.878' N. lat., 125°08.256' W. long.;

43°36.576' N. lat., 125°06.558' W. long.;

43°33.036' N. lat., 125°08.406' W. long.;

43°27.738' N. lat., 125°07.254' W. long.;

43°15.954' N. lat., 125°07.836' W. long.;

43°15.384' N. lat., 125°10.470' W. long.;

43°25.728' N. lat., 125°19.356' W. long.;

and connecting back to 43°29.316' N. lat., 125°20.112' W. long.

(z) Siletz Deepwater. Siletz Deepwater is defined by straight lines connecting all of the following points in the order stated:

44°42.720' N. lat., 125°18.486' W. long.;

44°56.262' N. lat., 125°12.612' W. long.;

44°56.340' N. lat., 125°09.126' W. long.;

44°49.926' N. lat., 125°01.506' W. long.;

44°46.932' N. lat., 125°02.832' W. long.;

44°41.964' N. lat., 125°10.638' W. long.;

44°33.360' N. lat., 125°08.820' W. long.;

44°33.384' N. lat., 125°17.082' W. long.;

and connecting back to 44°42.720' N. lat., 125°18.486' W. long.

9. Section 660.396 is added to read as follows:

§ 660.396 Groundfish Essential Fish Habitat

(EFH)(continued). In § 660.302, essential fish habitat (EFH) is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity." Areas are designated to "minimize adverse impacts to EFH to the extent practicable." Straight lines connecting a series of Latitude/longitude coordinates designating the large-scale boundaries for areas designated as groundfish EFH. Coordinates outlining the boundaries of EFH areas are provided in §§ 660.395

through 660.397. Fishing activity that is prohibited or permitted within a particular area designated as a groundfish EFH Conservation Area is detailed at § 660.306 and § 660.381.

(a) Hidden Reef / Kidney Bank. Hidden Reef / Kidney Bank is defined by straight lines connecting all of the following points in the order stated:

33°48.00' N. lat., 119°15.06' W. long.;

33°48.00' N. lat., 118°57.06' W. long.;

33°33.00' N. lat., 118°57.06' W. long.;

33°33.00' N. lat., 119°15.06' W. long.;

and connecting back to 33°48.00' N. lat., 119°15.06' W. long.

(b) Eel River Canyon. Eel River Canyon is defined by straight lines connecting all of the following points in the order stated:

40°38.27' N. lat., 124°27.16' W. long.;

40°35.60' N. lat., 124°28.75' W. long.;

40°37.52' N. lat., 124°33.41' W. long.;

40°37.47' N. lat., 124°40.46' W. long.;

40°35.47' N. lat., 124°42.97' W. long.;

40°32.78' N. lat., 124°44.79' W. long.;

40°24.32' N. lat., 124°39.97' W. long.;

40°23.26' N. lat., 124°42.45' W. long.;

40°27.34' N. lat., 124°51.21' W. long.;

40°32.68' N. lat., 125°05.63' W. long.;

40°49.12' N. lat., 124°47.41' W. long.;

40°44.32' N. lat., 124°46.48' W. long.;

40°40.75' N. lat., 124°47.51' W. long.;

40°40.65' N. lat., 124°46.02' W. long.;

40°39.69' N. lat., 124°33.36' W. long.;

and connecting back to 40°38.27' N. lat., 124°27.16' W. long.

(c) Davidson Seamount. Davidson Seamount is defined by straight lines connecting all of the following points in the order stated:

35°40.50' N. lat., 122°46.59' W. long.;

35°42.04' N. lat., 122°45.79' W. long.;

35°43.25' N. lat., 122°44.49' W. long.;

35°46.00' N. lat., 122°43.02' W. long.;

35°47.08' N. lat., 122°41.46' W. long.;

35°46.56' N. lat., 122°40.52' W. long.;

35°46.88' N. lat., 122°40.15' W. long.;

35°47.24' N. lat., 122°40.47' W. long.;

35°47.95' N. lat., 122°39.83' W. long.;

35°47.47' N. lat., 122°39.26' W. long.;

35°40.73' N. lat., 122°44.74' W. long.;

35°40.24' N. lat., 122°45.76' W. long.;

and connecting back to 35°40.50' N. lat., 122°46.59' W.

long.

(d) Cordell Bank. Cordell Bank is located offshore of California's Marin County defined by straight lines connecting all of the following points in the order stated:

38°04.05' N. lat., 123°07.28' W. long.;
38°02.84' N. lat., 123°07.36' W. long.;
38°01.09' N. lat., 123°07.06' W. long.;
38°01.02' N. lat., 123°22.08' W. long.;
37°54.75' N. lat., 123°23.64' W. long.;
37°46.01' N. lat., 123°25.62' W. long.;
37°46.68' N. lat., 123°27.05' W. long.;
37°47.66' N. lat., 123°28.18' W. long.;
37°50.26' N. lat., 123°30.94' W. long.;
37°54.41' N. lat., 123°32.69' W. long.;
37°56.94' N. lat., 123°32.87' W. long.;
37°57.12' N. lat., 123°25.04' W. long.;
37°59.43' N. lat., 123°27.29' W. long.;
38°00.82' N. lat., 123°29.61' W. long.;
38°02.31' N. lat., 123°30.88' W. long.;
38°03.99' N. lat., 123°30.75' W. long.;
38°04.85' N. lat., 123°30.36' W. long.;
38°04.88' N. lat., 123°27.85' W. long.;
38°04.44' N. lat., 123°24.44' W. long.;
38°03.05' N. lat., 123°21.33' W. long.;

38°05.77' N. lat., 123°06.83' W. long.;

and connecting back to 38°04.05' N. lat., 123°07.28' W.
long.

(e) Cordell Bank (within 50 fm isobath). Cordell Bank (within 50 fm isobath) is located offshore of California's Marin County defined by straight lines connecting all of the following points in the order stated:

37°57.62' N. lat., 123°24.22' W. long.;

37°57.70' N. lat., 123°25.25' W. long.;

37°59.47' N. lat., 123°26.63' W. long.;

38°00.24' N. lat., 123°27.87' W. long.;

38°00.98' N. lat., 123°27.65' W. long.;

38°02.81' N. lat., 123°28.75' W. long.;

38°04.26' N. lat., 123°29.25' W. long.;

38°04.55' N. lat., 123°28.32' W. long.;

38°03.87' N. lat., 123°27.69' W. long.;

38°04.27' N. lat., 123°26.68' W. long.;

38°02.67' N. lat., 123°24.17' W. long.;

38°00.87' N. lat., 123°23.15' W. long.;

37°59.32' N. lat., 123°22.52' W. long.;

37°58.24' N. lat., 123°23.16' W. long.;

and connecting back to 37°57.62' N. lat., 123°24.22' W. long.

(f) Cowcod Conservation Area East. Cowcod Conservation Area East is an area west of San Diego defined by straight lines

connecting all of the following points in the order stated:

32°41.15' N. lat., 118°02.00' W. long.;

32°42.00' N. lat., 118°02.00' W. long.;

32°42.00' N. lat., 117°50.00' W. long.;

32°36.70' N. lat., 117°50.00' W. long.;

32°30.00' N. lat., 117°53.50' W. long.;

32°30.00' N. lat., 118°02.00' W. long.;

32°40.49' N. lat., 118°02.00' W. long.;

and connecting back to 32°41.15' N. lat., 118°02.00' W. long.

(g) Thompson Seamount. Thompson Seamount is defined by straight lines connecting all of the following points in the order stated:

46°06.93' N. lat., 128°39.77' W. long.;

46°06.76' N. lat., 128°39.60' W. long.;

46°07.80' N. lat., 128°39.43' W. long.;

46°08.50' N. lat., 128°34.39' W. long.;

46°06.76' N. lat., 128°29.36' W. long.;

46°03.64' N. lat., 128°28.67' W. long.;

45°59.64' N. lat., 128°31.62' W. long.;

45°56.87' N. lat., 128°33.18' W. long.;

45°53.92' N. lat., 128°39.25' W. long.;

45°54.26' N. lat., 128°43.42' W. long.;

45°56.87' N. lat., 128°45.85' W. long.;

46°00.86' N. lat., 128°46.02' W. long.;
46°03.29' N. lat., 128°44.81' W. long.;
46°06.24' N. lat., 128°42.90' W. long.;
and connecting back to 46°06.93' N. lat., 128°39.77' W.
long.

(h) President Jackson Seamount. President Jackson Seamount is defined by straight lines connecting all of the following points in the order stated:

42°21.41' N. lat., 127°42.91' W. long.;
42°21.96' N. lat., 127°43.73' W. long.;
42°23.78' N. lat., 127°46.09' W. long.;
42°26.05' N. lat., 127°48.64' W. long.;
42°28.60' N. lat., 127°52.10' W. long.;
42°31.06' N. lat., 127°55.02' W. long.;
42°34.61' N. lat., 127°58.84' W. long.;
42°37.34' N. lat., 128°01.48' W. long.;
42°39.62' N. lat., 128°05.12' W. long.;
42°41.81' N. lat., 128°08.13' W. long.;
42°43.44' N. lat., 128°10.04' W. long.;
42°44.99' N. lat., 128°12.04' W. long.;
42°48.27' N. lat., 128°15.05' W. long.;
42°51.28' N. lat., 128°15.05' W. long.;
42°53.64' N. lat., 128°12.23' W. long.;
42°52.64' N. lat., 128°08.49' W. long.;

42°51.64' N. lat., 128°06.94' W. long.;
42°50.27' N. lat., 128°05.76' W. long.;
42°48.18' N. lat., 128°03.76' W. long.;
42°45.45' N. lat., 128°01.94' W. long.;
42°42.17' N. lat., 127°57.57' W. long.;
42°41.17' N. lat., 127°53.92' W. long.;
42°38.80' N. lat., 127°49.92' W. long.;
42°36.43' N. lat., 127°44.82' W. long.;
42°33.52' N. lat., 127°41.36' W. long.;
42°31.24' N. lat., 127°39.63' W. long.;
42°28.33' N. lat., 127°36.53' W. long.;
42°23.96' N. lat., 127°35.89' W. long.;
42°21.96' N. lat., 127°37.72' W. long.;
42°21.05' N. lat., 127°40.81' W. long.;

and connecting back to 42°21.41' N. lat., 127°42.91' W.
long.

(i) Catalina Island. Catalina Island is defined by straight lines connecting all of the following points in the order stated:

33°34.71' N. lat., 118°11.40' W. long.;
33°25.88' N. lat., 118°03.76' W. long.;
33°11.69' N. lat., 118°09.21' W. long.;
33°19.73' N. lat., 118°35.41' W. long.;
33°23.90' N. lat., 118°35.11' W. long.;
33°25.68' N. lat., 118°41.66' W. long.;

33°30.25' N. lat., 118°42.25' W. long.;
33°32.73' N. lat., 118°38.38' W. long.;
33°27.07' N. lat., 118°20.33' W. long.;
and connecting back to 33°34.71' N. lat., 118°11.40' W.
long.

(j) Monterey Bay / Canyon. Monterey Bay / Canyon is defined by straight lines connecting all of the following points in the order stated:

36°38.21' N. lat., 121°55.96' W. long.;
36°25.31' N. lat., 121°54.86' W. long.;
36°25.25' N. lat., 121°58.34' W. long.;
36°30.86' N. lat., 122°00.45' W. long.;
36°30.02' N. lat., 122°09.85' W. long.;
36°30.23' N. lat., 122°36.82' W. long.;
36°55.08' N. lat., 122°36.46' W. long.;
36°51.41' N. lat., 122°14.14' W. long.;
36°49.37' N. lat., 122°15.20' W. long.;
36°48.31' N. lat., 122°18.59' W. long.;
36°45.55' N. lat., 122°18.91' W. long.;
36°40.76' N. lat., 122°17.28' W. long.;
36°39.88' N. lat., 122°09.69' W. long.;
36°44.94' N. lat., 122°08.46' W. long.;
36°47.37' N. lat., 122°03.16' W. long.;
36°49.60' N. lat., 122°00.85' W. long.;

36°51.53' N. lat., 121°58.25' W. long.;
36°50.78' N. lat., 121°56.89' W. long.;
36°47.39' N. lat., 121°58.16' W. long.;
36°48.34' N. lat., 121°50.95' W. long.;
36°47.23' N. lat., 121°52.25' W. long.;
36°45.60' N. lat., 121°54.17' W. long.;
36°44.76' N. lat., 121°56.04' W. long.;
36°41.68' N. lat., 121°56.33' W. long.;
and connecting back to 36°38.21' N. lat., 121°55.96' W.
long.

(k) Farallon Islands / Fanny Shoal. Farallon Islands, Fanny Shoal is defined by straight lines connecting all of the following points in the order stated:

37°51.58' N. lat., 123°14.07' W. long.;
37°44.51' N. lat., 123°01.50' W. long.;
37°41.71' N. lat., 122°58.38' W. long.;
37°40.80' N. lat., 122°58.54' W. long.;
37°39.87' N. lat., 122°59.64' W. long.;
37°42.05' N. lat., 123°03.72' W. long.;
37°43.73' N. lat., 123°04.45' W. long.;
37°49.23' N. lat., 123°16.81' W. long.;
and connecting back to 37°51.58' N. lat., 123°14.07' W.
long.

(l) Delgada Canyon. Delgada Canyon is defined by straight

lines connecting all of the following points in the order stated:

40°07.13' N. lat., 124°09.09' W. long.;

40°06.58' N. lat., 124°07.39' W. long.;

40°01.18' N. lat., 124°08.84' W. long.;

40°02.48' N. lat., 124°12.93' W. long.;

40°05.71' N. lat., 124°09.42' W. long.;

40°07.18' N. lat., 124°09.61' W. long.;

and connecting back to 40°07.13' N. lat., 124°09.09' W.

long.

(m) Mendocino Ridge. Mendocino Ridge is defined by straight lines connecting all of the following points in the order stated:

40°25.23' N. lat., 124°24.06' W. long.;

40°12.50' N. lat., 124°22.59' W. long.;

40°14.40' N. lat., 124°35.82' W. long.;

40°16.16' N. lat., 124°39.01' W. long.;

40°17.47' N. lat., 124°40.77' W. long.;

40°19.26' N. lat., 124°47.97' W. long.;

40°19.98' N. lat., 124°52.73' W. long.;

40°20.06' N. lat., 125°02.18' W. long.;

40°11.79' N. lat., 125°07.39' W. long.;

40°12.55' N. lat., 125°11.56' W. long.;

40°12.81' N. lat., 125°12.98' W. long.;

40°20.72' N. lat., 125°57.31' W. long.;

40°23.96' N. lat., 125°56.83' W. long.;

40°24.04' N. lat., 125°56.82' W. long.;

40°25.68' N. lat., 125°09.77' W. long.;

40°21.03' N. lat., 124°33.96' W. long.;

40°25.72' N. lat., 124°24.15' W. long.;

and connecting back to 40°25.23' N. lat., 124°24.06' W. long.

(n) Anacapa Island SMCA. Anacapa Island SMCA is defined by straight lines connecting all of the following points in the order stated:

34°04.00' N. lat., 119°26.70' W. long.;

34°05.00' N. lat., 119°26.70' W. long.;

34°05.00' N. lat., 119°24.60' W. long.;

34°04.00' N. lat., 119°24.60' W. long.

(o) Anacapa Island SMR. Anacapa Island SMR is defined by straight lines connecting all of the following points in the order stated:

34°04.00' N. lat., 119°24.60' W. long.;

34°05.00' N. lat., 119°24.60' W. long.;

34°05.00' N. lat., 119°21.40' W. long.;

34°04.00' N. lat., 119°21.40' W. long.

(p) Carrington Point. Carrington Point is defined by straight lines connecting all of the following points in the order stated:

34°01.30' N. lat., 120°05.20' W. long.;

34°04.00' N. lat., 120°05.20' W. long.;

34°04.00' N. lat., 120°01.00' W. long.;

34°00.50' N. lat., 120°01.00' W. long.

(q) Footprint. Footprint is defined by straight lines connecting all of the following points in the order stated:

33°57.50' N. lat., 119°31.00' W. long.;

33°54.11' N. lat., 119°31.00' W. long.;

33°54.11' N. lat., 119°26.00' W. long.;

33°57.14' N. lat., 119°26.00' W. long.

(r) Gull Island. Gull Island is defined by straight lines connecting all of the following points in the order stated:

33°55.29' N. lat., 119°53.00' W. long.;

33°51.63' N. lat., 119°53.00' W. long.;

33°51.63' N. lat., 119°48.00' W. long.;

33°54.26' N. lat., 119°48.00' W. long.

(s) Harris Point. Harris Point is defined by straight lines connecting all of the following points in the order stated:

34°09.33' N. lat., 120°23.30' W. long.;

34°12.50' N. lat., 120°23.30' W. long.;

34°12.50' N. lat., 120°18.40' W. long.;

34°06.22' N. lat., 120°18.40' W. long.;

34°09.33' N. lat., 120°23.30' W. long.;

(t) Judith Rock. Judith Rock is defined by straight lines connecting all of the following points in the order stated:

34°01.80' N. lat., 120°26.60' W. long.;

33°58.50' N. lat., 120°26.60' W. long.;

33°58.50' N. lat., 120°25.30' W. long.;

34°01.50' N. lat., 120°25.30' W. long.

(u) Painted Cove. Painted Cove is defined by straight lines connecting all of the following points in the order stated:

34°04.50' N. lat., 119°53.00' W. long.;

34°05.20' N. lat., 119°53.00' W. long.;

34°05.00' N. lat., 119°51.00' W. long.;

34°04.00' N. lat., 119°51.00' W. long.

(v) Richardson Rock. Richardson Rock is defined by straight lines connecting all of the following points in the order stated:

34°08.40' N. lat., 120°33.79' W. long.;

34°08.40' N. lat., 120°34.20' W. long.;

34°08.01' N. lat., 120°34.20' W. long.;

34°04.19' N. lat., 120°34.20' W. long.;

34°03.60' N. lat., 120°34.20' W. long.;

34°03.60' N. lat., 120°33.52' W. long.;

34°02.21' N. lat., 120°30.92' W. long.;

34°02.21' N. lat., 120°36.29' W. long.;

34°10.40' N. lat., 120°36.29' W. long.;

34°10.40' N. lat., 120°28.20' W. long.;

34°08.40' N. lat., 120°28.20' W. long.;

34°08.40' N. lat., 120°28.68' W. long.

(w) Santa Barbara. Santa Barbara is defined by straight lines connecting all of the following points in the order stated:

33°28.50' N. lat., 118°58.20' W. long.;

33°24.90' N. lat., 119°02.20' W. long.;

33°21.78' N. lat., 119°02.20' W. long.;

33°21.78' N. lat., 118°54.54' W. long.;

33°28.50' N. lat., 118°54.54' W. long.

(x) Scorpion. Scorpion is defined by straight lines connecting all of the following points in the order stated:

34°06.25' N. lat., 119°35.50' W. long.;

34°09.35' N. lat., 119°35.50' W. long.;

34°09.35' N. lat., 119°32.80' W. long.;

34°06.25' N. lat., 119°32.80' W. long.

(y) Skunk Point. Skunk Point is defined by straight lines connecting all of the following points in the order stated:

33°59.00' N. lat., 119°58.80' W. long.;

33°59.00' N. lat., 119°58.02' W. long.;

33°57.10' N. lat., 119°58.00' W. long.;

33°57.10' N. lat., 119°58.20' W. long.

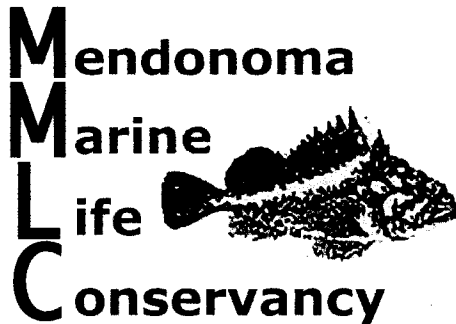
(z) South Point. South Point is defined by straight lines connecting all of the following points in the order stated:

33°50.48' N. lat., 120°06.50' W. long.;

33°51.29' N. lat., 120°10.00' W. long.;

33°50.40' N. lat., 120°10.00' W. long.;

33°50.40' N. lat., 120°06.50' W. long.



**P.O. Box 217
Manchester, CA 95459
(707) 882-2186**

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OCT 04 2005

PFMC

September 30, 2005

Pacific Fisheries Management Council
7700 NE Ambassador Place, Suite 200
Portland, OR 97220-1384

Agenda Item H.7.c--Amendment 19
November 2, 2005

Ladies & Gentlemen,

The Mendonoma Marine Life Conservancy requests that the Council remove Section 7.3.1.6 and all other references to oil production platforms as a Habitat Areas of Particular Concern from Amendment 19 to the Pacific Coast Groundfish Fishery Management Plan.

The basis for our request is threefold:

- The data sets cited by CARE and other proponents in support of HAPC designation can be interpreted entirely differently with the same scientific level of confidence.
- The total "reef" area represented by California's production platforms is so small in relation to regional availability of hard bottom substrates that any regional impacts are likely to be small and possibly not even detectable empirically.
- PFMC designation of oil platforms as a HAPC interferes with, undermines, and weakens California's effort to enforce the decommissioning provisions of its contractual agreements with platform owners.

Interpretation of data:

Some of the research referenced by California Artificial Reef Enhancement consists of personal communications and proposals unavailable to us. Others (eg: OCS Studies MMS 2001-028 and 2003-032) are not available on the Minerals Management Service website, and MMS has not responded to our written request for these studies to date. However, to the best of our determination, these studies suffer from the same shortcoming as OSC Study MMS 2003-053, *Consequences of Alternative Decommissioning Options to Reef Fish Assemblages and Implications for Decommissioning Policy*. This study compares fish populations at six oil platforms and five natural reefs in Southern California from 1995 through 1997.

The data sets in this study contrast fish populations at platforms and natural reefs in great detail; but the ambiguity of the data is burried inside two paragraphs in the middle of the 105-page study (pages 58 - 59):

Fishing effort is strong on the natural reefs we studied and the influence of this mortality on the age/size structure and density of targeted populations...may be pronounced as well. In contrast, very little, if any, recreational and live-fish fishing has been allowed for many years on the platforms we studied.

Thus, some of the differences we detected in population size structure, density and assemblage structure may simply reflect the effects of both recreational and commercial live-fish fishery, rather than differences between habitat types.

Indeed, if one adds a "fished" vs "unfished" element to the data sets presented in OSC Study MMS 2003-053, the resulting data categorizations would be identical to the "reef" vs "platform" categorizations published in the study. Thus, the data used to demonstrate population differences between natural reefs and oil platforms can be interpreted with the same scientific level of confidence to show the results of fishing restrictions.

Statistical Insignificance:

In Ecological Issues Related to Decommissioning of California's Offshore Production Platforms (November 8, 2000), the University of California's Select Scientific Advisory Committee on Decommissioning noted (pages 35-36), The total "reef" area represented by California's 27 platforms is extremely small in relation to regional availability of hard bottom substrates, suggesting that for the majority of species any regional impacts (whether positive or negative) of a decommissioning option are likely to be small and possibly not even detectable empirically.

The Committee concludes its report (page 36), Thus, in light of the lack of strong evidence of benefit and the relatively small contribution of platforms to reef habitat in the region, evaluation of decommissioning alternatives in our opinion should not be based on the assumption that platforms currently enhance marine resources.

Interference With California's Oil Contracts:

Owners of the oil production platforms in California's waters are contractually obligated to completely remove each platform when it is decommissioned. This legal obligation was reconfirmed by the California Coastal Commission in 1999.

Subsequently there have been two attempts to pass legislation allowing platform owners to leave a portion of each decommissioned platform in place. In 2000 SB241 was defeated in the Legislature, and in 2001 SB1 was vetoed by Governor Davis.

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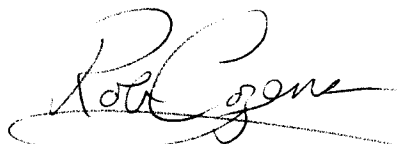
We have received oral verification from the CA Fish & Game Commission's Executive Director, Bob Treanor, and the CA Department of Fish & Game's legislative analyst, Julie Oltman, that there has been no change in State policy regarding production platform decommissioning since 2001. So, in granting HAPC status to oil platforms, PFMC is potentially upsetting the balance of negotiations between the State of California and platform owners, and is in fact acting in opposition to California's last stated position on platform decommissioning.

In summary, MMLC finds:

- the science upon which Alternative B.8 is based is subject to completely different interpretation,
- the relative area of platforms as a proportion of hard bottom habitat is too small to be of practical significance, and
- the designation of production platforms as a HAPC is in conflict with California's platform decommissioning policy.

We urge you to reconsider HAPC Alternative B.8 and to refrain from including it in any fishery management plan or environmental impact statement.

Thank you for the opportunity to comment.



Rob Cozens, Staff Conservator

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
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OCT 06 2005

PFMC

October 6, 2005

Mr. Donald K. Hansen, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384

Re: **Pacific Coast Groundfish Fishery Management Plan, Amendment 19: Designating Offshore Oil Platforms as Habitat Areas of Particular Concern.**

Dear Chairman Hansen and Council Members:

We appreciate the opportunity to comment on proposed Draft Amendment 19 to the Pacific Coast Groundfish Fishery Management Plan, scheduled for consideration at your November meeting. Due to staffing constraints, we are unable to comment on the proposed Fishery Management Plan as a whole, however we are particularly concerned about the proposed designation of thirteen oil platforms offshore California as "Habitat Areas of Particular Concern".

The California Coastal Commission has worked closely for many years with local, State and federal agencies and industry representatives on the potential conversion of platforms to artificial reefs ("rigs to reefs"). The Commission's involvement stems from its regulatory authority under the California Coastal Act and federal Coastal Zone Management Act over the installation and decommissioning and removal of platforms and associated structures located in State and federal waters.

We are familiar with the scientific community's research involving whether these structures constitute "habitat" with diverse and robust habitat values, whether they function to actually increase the regional abundance of fish populations, or whether they are primarily fish attractors. A study conducted in 2000 by an independent committee of University of California scientists¹ finds:

Surveys of platforms in California waters reveal that they harbor rich assemblages of marine organisms, including many fishes and invertebrates that typically occur on natural rocky reef substrates... Despite the fact that platforms can harbor abundant marine life, it is the platform's contribution to regional stocks of species that is the crucial metric for

¹ Holbrook, Sally, et. al. *Ecological Issues Related to Decommissioning of California's Offshore Production Platforms*. Report to the University of California Marine Council by the Select Scientific Advisory Committee on Decommissioning. University of California. November 8, 2000.

evaluating its ecological impact... At present there is not any sound scientific evidence (that the Committee is aware of) to support the idea that platforms enhance (or reduce) regional stocks of marine species. (p. 4)

Furthermore,

...[T]he 27 platforms represent a tiny fraction of the available hard substrate in the Southern California Bight, so their contribution to stocks of most reef organisms is likely to be small relative to the contribution from natural reefs. (p. 3)

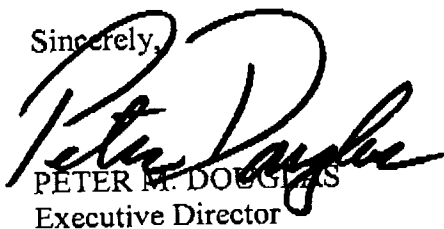
In the absence of sound scientific evidence that platforms enhance regional stocks of marine species, Commission staff is strongly opposed to designating offshore oil platforms generally as "habitat." This designation should be reserved for natural reefs only, and for those artificial reefs whose contribution to enhancing marine species has been conclusively demonstrated.

We disagree with the Draft Environmental Impact Statement's assertion that the designation of oil platforms as Habitat Areas of Particular Concern will not convey higher regulatory standards.² Designating these platforms as Habitat Areas of Particular Concern will lead the oil industry, and potentially other resource agencies, to place a high priority on "protecting" all platforms, and provide support to the idea that those platforms should be abandoned in place. We oppose the view that it is good environmental policy to abandon in the ocean industrial refuse after the primary purpose of the structures has been served. Certainly, over time, these platforms have served some habitat purposes. However, to suggest, in the absence of convincing scientific evidence, that such purposes are somehow unique or particularly valuable is not warranted.

We respectfully request that the Council delete the section of Amendment 19 to the Fishery Management Plan that proposes to designate the thirteen offshore platforms as Habitat Areas of Particular Concern.

If you have any questions, please do not hesitate to contact me, or Alison Dettmer, manager of the Commission's Energy and Ocean Resources Unit at (415) 904-5200.

Sincerely,



PETER M. DOUGLAS
Executive Director

² National Marine Fisheries Service. *Pacific Coast Groundfish Fishery Management Plan Essential Fish Habitat Designation and Minimization of Adverse Impacts, Draft Environmental Impact Statement*. National Marine Fisheries Service, Northwest Region. Seattle, WA. February 2005. pp. xi-xii.