

GROUND FISH ADVISORY SUBPANEL REPORT ON
ESSENTIAL FISH HABITAT (EFH) EVALUATION CRITERIA AND PHASE 2 REPORT

The Groundfish Advisory Subpanel (GAP) received a presentation by Dr. Michelle McClure from the NW/SW Fisheries Science Center (NW/SWFSC) summarizing National Marine Fisheries Service's (NMFS) report to the Council titled "NMFS Science Center Report in Response to Council Request: Has Amendment 19 Worked?", a brief presentation by Mr. Brad Pettinger summarizing the final Phase 2 Report of the Essential Fish Habitat Review Committee (EFHRC), as well as a short explanation by Mr. Kerry Griffin regarding the EFH agenda item and the task at hand before the Council.

The GAP's discussion on the EFH issue focused on three main topics: 1) process, 2) consideration of the recommendations from the EFHRC Phase 2 Report and NMFS Science Center's report, and 3) development of an evaluation strategy of the original Amendment 19 EFH measures.

Process

The issue of process and the path forward were the main concerns of the GAP. The GAP wishes to reiterate to the Council that the main objective of any EFH review is to analyze the effectiveness of current EFH designations and conservation areas relative to meeting their objectives. As the Scientific and Statistical Committee commented to the Council in November 2013, "Without such an evaluation, it may be difficult to gauge whether proposed changes to EFH are likely improvements." The GAP's understanding is that the NMFS Northwest Fisheries Science Center (NWFS) is developing an analysis that evaluates the effectiveness of the Amendment 19 EFH measures. The GAP thinks that completion of this analysis and review by the Council and its advisors should be first and foremost before consideration and prioritizing of proposals for changes to EFH measures. In brief, complete the science first, then consider whether changes are necessary.

Review of EFHRC Report and NMFS Science Center Report

The GAP appreciates the work done by the NW/SWFSC scientists and the EFHRC in developing these two reports. The Supplemental NW/SWFSC report that presents the five Amendment 19 objectives (page 3) is useful and could serve as the basis for developing measures to analyze and test whether or not these objectives have been met. This report provides guidance on how to develop a comparative analysis by examining the effects of the Rockfish Conservation Area (RCA), including trends in species catch per unit of effort (CPUE) and richness (diversity) by examining data from the NMFS groundfish trawl survey. However, the GAP urges caution in interpretation of data depicting relative abundance of any stock within the RCA compared to its abundance outside of the RCA. The RCAs were selected because those areas were the preferred habitat for certain species and therefore higher abundance within the RCA should be expected, rather than an indication that the protection of the RCA resulted in higher abundance. Further, the GAP observes that the CPUE data presented in the report indicates that the abundance trend within the RCAs is comparable to the trend outside of the RCAs. This suggests that the

imposition of RCAs has not impacted relative abundance any greater than the abundance outside the RCAs.

Regarding the EFHRC Phase 2 Report, the GAP supports one of the primary statements in this report. Namely that the NW/SWFSC scientists develop potential scientific approaches to address the question of whether the current EFH provisions are working as expected.

The GAP was confused by the intermixing of minority statements throughout the report, but appreciates that the report, and related public comments from EFHRC members, represent a range of disparate opinions not easily resolved. For example, one minority statement urges inclusion of Deep Water Coral protection measures in EFH protections. The GAP wishes to stress that corals are not Fishery Management Plan (FMP) species. Moreover, unless these corals are shown to provide fish habitat essential to the sustainability of FMP species and there is evidence that damage by fishing gear to that habitat is more than minimal and more than temporary, inclusion under an EFH action seems inappropriate and a dangerous precedent.

Evaluation of Amendment 19 EFH Measures

The GAP wishes to point out that any evaluation of the current EFH measures should focus on the main objective of maintaining healthy FMP fish populations, and not simply to protect habitat for habitat's sake. In addition, the GAP believes that there are measures or tools other than just area closures that provide fish habitat protection, such as: 1) gear changes and restrictions on gear use that minimize impact, 2) voluntary avoidance by the fleet of non-regulatory closure areas, 3) other non-EFH closure measures such as the RCAs, and 4) the effects of the trawl catch share program. One example of the benefit to fish habitat by the individual trawl quota/Coop management program is the significant reduction in the number of vessels and amount of trawl tows, and more efficient and effective targeting of gear on desired catch.

The GAP believes the use of the Groundfish trawl survey data to evaluate the effectiveness of the Amendment 19 closure measures should be pursued as this data spans years prior to and after establishment of the EFH closures. Data on species diversity, density and CPUE can be examined.

The GAP urges the NW/SWFSC scientists to present to the Council a timeline of how to develop and complete such an analysis, and suggests the Council appoint an EFH technical committee. The charge of this technical committee should be to develop the criteria to evaluate the effectiveness of Amendment 19 EFH measures, provide status of its efforts to the Council and conduct such an analysis.

Lastly, The GAP believes that any evaluation of new EFH measures include the following criteria:

- 1) Linkage to FMP species. EFH guidelines require that actions taken must be linked to protection of FMP species. The evaluation should analyze whether protection measures have increased FMP species abundance, diversity, and condition inside and outside and near the EFH closure areas.

- 2) Gear impact: the evaluation should provide information to determine if fishing gear is negatively impacting FMP species habitat in ways that are “more than minimal and not temporary in nature” as required by the EFH Final Rule.
- 3) Stakeholder involvement: the GAP heard via public testimony that members of the fishing and conservation communities are interested in meeting to discuss potential EFH measures. The GAP recommends the Council encourage various stakeholder groups to collaborate towards finding common ground.

PFMC
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