

Request for Proposals to Modify Pacific Coast Groundfish Essential Fish Habitat

*(Reflecting changes made at the September 2012 Pacific Fishery Management Council Meeting)
9/25/2012*

Introduction and Background

The Pacific Fishery Management Council's (Council) Essential Fish Habitat Review Committee (EFHRC) is conducting a review of essential fish habitat (EFH) for Pacific Coast Groundfish managed under the Council's Pacific Coast Groundfish Fishery Management Plan (FMP). This review is being conducted consistent with the Magnuson-Stevens Act and the National Marine Fisheries Service regulatory guidance (50 CFR §600), which states that reviews of EFH should be conducted at least every five years. New scientific research and updated fish and habitat surveys that have occurred since groundfish EFH was established in 2006 may provide new rationale to consider additional measures

Phase I of the review includes a compilation of new and newly-available information, and an assessment of how it compares with the information used to inform the previous EFH identification and descriptions. Upon conclusion of Phase I and issuance of the Phase I report, the Council will issue an RFP to solicit proposals to modify Pacific Coast groundfish EFH. In addition to the Phase I report, data and information (including GIS files if available) gathered in this phase by the EFHRC, will be made available to the public. The report and associated information and data products should be used in developing proposals submitted in response to this RFP.

This RFP should be considered as general guidance for developing proposals, rather than a prescriptive checklist of items that must be included in order for a proposal to be considered. The EFHRC will consider proposals in the context of potential changes to EFH West Coast-wide, in addition to any potential EFH changes recommended for consideration by the EFHRC itself. There may be multiple proposals that are specific to discrete areas. Therefore, the EFHRC must ultimately provide an amalgam of reasonable scenarios to the Council, for consideration of whether to subsequently pursue changes to EFH via an FMP amendment or other relevant process.

Phase II of the EFH review includes evaluation and consideration of proposed modifications to groundfish EFH or its components, based on the new information compiled in Phase I. Proposals may address any of the components identified in the EFH regulations at 50 CFR 600.815(a)(1) – (a)(10). These include:

- Description and identification of EFH
- Council-managed fishing activities that may adversely affect EFH (including practicable measures to minimize adverse effects)
- Non-fishing activities that may adversely affect EFH
- Cumulative impacts

- Conservation and enhancement measures
- Impacts to prey species of Pacific Coast groundfishes
- Habitat areas of particular concern (HAPC)
- Research and information needs

The Council will accept proposals from state, Federal, and Tribal entities, non-governmental organizations, academic institutions, and the public. The Council’s EFHRC will conduct an evaluation of proposals received by the deadline, and may develop its own proposal, if warranted. The EFHRC will develop recommendations to be considered by the Council at the appropriate meeting. At that point, the EFH review process will be concluded and the Council will decide whether sufficient new information exists to pursue modifying groundfish EFH, through an FMP amendment or other appropriate process.

Section 7.2 and Appendix B in the FMP describes groundfish EFH, which is generally between the shore line or the limit of saltwater intrusion out to depths of 3,500 m as well as seamounts in depths greater than 3,500 m. HAPCs have been identified for four habitat types: estuaries, canopy kelp, seagrass, and rocky reefs. In addition, several “Areas of Interest” HAPCs have also been identified. Figure 7.2 in the FMP is a map of the approximate location of habitat types identified as HAPCs. The coordinates defining the Area of Interest HAPCs are presented in FMP Appendix B. Several ecologically important areas have been closed to certain bottom contact gear to protect EFH, and are currently categorized as either bottom trawl closed areas or bottom contact closed areas. There are currently 50 such areas along the West Coast; maps showing their locations and coordinates defining their boundaries are in the FMP Appendix C. The bottom trawl footprint closure covers all areas westward of the 1,280 m (700 fm) contour, out to the 3,500 m (1,914 fm) contour, within the EEZ, designed to minimize adverse fishing effects on EFH. The FMP is available on the Council website at:

<http://www.pcouncil.org/groundfish/fishery-management-plan/fmp-amendment-19/>

Protocol for Submitting and Reviewing Proposals to Modify Groundfish EFH

Proposals will be reviewed in the context of sections A, B, and C, as outlined below. The EFHRC will review all proposals, but will not conduct any analyses of those proposals. Any proposal that depends on analysis of the available data must include documentation and explanation of the methods and outcomes of the analysis.

A. Submission

1. Proposals for Council review and consideration must be received (tentatively) by a date to be determined and announced by the Council.
2. Proposals may originate from individuals, non-government organizations, businesses or business organizations, or Federal, state, or Tribal agencies.

B. Proposal Contents

~~Proposals may be based on the information compiled by the EFHRC, although other information (including proprietary information not available to the public) may be used as a basis for the proposal. However, any proprietary information used to develop a proposal~~

~~must be available to the EFHRC and ultimately the Council, for review and evaluation. To the extent possible, proposals should include the following information:~~

It is expected that proposals will use the Phase 1 Report and the forthcoming NMFS synthesis document as the primary source of information and as a basis for any proposed changes to EFH or management measures.

Proposals must address items B1 through B4, where applicable. The remaining items under "Proposal Contents" are discretionary, but recommended for inclusion to the extent possible.

1. Date of proposal.
2. Proponent's name, mailing address, email address, and telephone number, including contacts for any cooperating agencies or entities.
3. An explanation why the proposal is warranted, including:
 - a. Description of the proposal's objectives.
 - b. How it is consistent with the Council's responsibility to identify and protect EFH, and to minimize to the extent practicable, the adverse effects to EFH from Council-managed fishing activities.
 - c. How new or newly-available information indicates that the EFH description, its components, or associated management measures should be modified.
4. A detailed description of the proposed action(s), including, where applicable:
 - a. Spatial changes to currently protected areas such as boundary modifications, elimination of current areas of EFH, HAPC, or ecologically important habitat closed areas, or addition of new areas of EFH, HAPC, or ecologically important habitat closed areas. Latitude and longitude coordinates (DDD° mm.mmm') and maps, including before and after change, and digital files if available (e.g., GIS shape files, navigation plotter data).
 - b. Gear regulation changes, (e.g., allowing or disallowing gear types, tow technique, mesh size, weight of gear, time of bottom contact, tow time, number of pots or hooks).
 - c. Changes to the description and identification of groundfish EFH and its components.
 - d. Other changes.
5. Any relevant and applicable information on the following characteristics and topics, including the attendant impacts of the proposed action; or at a minimum, explaining how information in the EFH review report supports the proposal:
 - a. Biological and ecological characteristics (e.g., habitat function, vulnerability, index of recovery, species associations, including reference to any ESA-listed species, prey species, and biogenic components).

- b. Geological characteristics (e.g., substrate type, grain size, relief, morphology, depth).
 - c. Physical oceanographic characteristics (e.g., temperature, salinity, circulation, waves).
 - d. Chemical characteristics (e.g., nutrients, dissolved oxygen).
 - e. Socioeconomic characteristics (see 6.e below).
6. A discussion of the following topics, as relevant to the proposed actions:
- a. The importance of habitat types to any groundfish FMP stocks for their spawning, breeding, feeding, or growth to maturity.
 - b. The presence and location of important habitat (as defined in 6.a, above).
 - c. The presence and location of habitat that is vulnerable to the effects of fishing and other activities.
 - d. The presence and location of unique, rare, or threatened habitat.
 - e. The socioeconomics and management-related effects of proposed actions. ~~including changes in the location and intensity of bottom contact fishing effort, the displacement or change in revenue from fishing, and social and economic effects to fishing communities attributable to the location and extent of closed areas.~~ Proponents are encouraged to collaborate with socioeconomic experts as well as affected fishermen and communities. ~~in order to identify socioeconomic costs and benefits.~~ Information on landings and revenues by port area can be found on the Council's website: <http://www.pcouncil.org/groundfish/background/document-library/historical-landings-and-revenue-in-groundfish-fisheries/>

C. Review and Evaluation

1. The EFHRC will evaluate all proposals with regard to the technical sufficiency and potential biological, ecological, and socioeconomic significance of the proposal. The evaluation will include identifying any deficiencies that should be addressed if the Council desires a full assessment of the proposal for potential adoption. The Groundfish Management Team (GMT), Groundfish Advisory Subpanel (GAP), Habitat Committee (HC), Enforcement Consultants (EC), and Scientific and Statistical Committee (SSC) may also review proposals and provide comments on methodology and relevance to management issues, and make recommendations to the Council accordingly. Public comment will also be accepted at Council meetings.
2. The EFHRC will review proposals and provide an evaluation of the proposals for consideration **and final action** by the Council **at a future Council meeting**. ~~The Council is scheduled to take final action at the June 2013 Council meeting, thereby concluding the EFH periodic review process.~~

3. Only those proposals that were received by the RFP deadline may be considered by the EFHRC and the Council.
4. The Council will determine an appropriate process (e.g., biennial specifications, SAFE document, FMP amendment, etc.) for further analysis and consideration of modifications to EFH at **a future Council meeting**. ~~the June 2013 meeting (tentatively).~~
5. In evaluating proposals, the EFHRC will consider the following questions:
 - a. Is the proposal complete?
 - b. Is the proposal consistent with the goals and objectives of the FMP and the Council's responsibility to identify and protect EFH and minimize the adverse effects to EFH from Council-managed fishing activities?
 - c. Are the coordinates consistent with the proposed actions and do they map out correctly?
 - d. What habitat types are affected by the proposal?
 - e. Are the data and analyses sufficient to evaluate the proposal effects and objectives, and if not, why?
 - f. How well does the available information, including the nature of the data, support the proposal?
 - g. What are the biological, ecological, and socioeconomic effects (beneficial and detrimental) of the proposal? For example:
 - i. What is the importance of affected habitat types to any groundfish FMP stocks for their spawning, breeding, feeding, or growth to maturity?
 - ii. What is the distribution and abundance of important habitat within the areas addressed by the proposal, including substrate types, biogenic habitats, prey items, etc.?
 - iii. To what extent is the habitat vulnerable to the effects of fishing and other activities?
 - iv. Are there unique, rare, or threatened habitats in areas addressed by the proposal?
 - v. What are the changes in location and intensity of fishing effort that may adversely affect EFH?
 - vi. What is the estimated displacement, gain, or loss of revenue from fishing?
 - vii. What has been the degree of collaboration with affected fishermen, conservation interests, communities, and other stakeholders, to identify socioeconomic costs and benefits?
 - h. If models are used in the proposal, are they consistent with the best available information?
 - i. How will fishing communities and other stakeholders be affected by the proposal?

- j. How will Tribal Usual and Accustomed Areas be affected by the proposal, and how was that determined?
- k. How will overfished stocks be affected by the proposal?
- l. Is a monitoring plan part of the proposal?
- m. Has there been coordination with appropriate state, Tribal, and Federal enforcement, management, and science staff?
- n. Are there components of the proposal that require additional expertise beyond the EFHRC for a comprehensive evaluation?
- o. Does the proposal address data gaps identified in the original risk analysis such that there is an increased understanding of EFH for one or more species? (e.g., does new data document the importance of a habitat type to groundfish, or has data quality improved enough to change understanding of habitat distribution?).
- p. Does the proposal address data quality regarding habitat use (e.g., improves from level 1 (presence/absence) to level 2 (density) or higher?)
- q. Does the proposal demonstrate that some elements of groundfish EFH may no longer be precautionary and comprehensive? (e.g., distribution/density no longer matches closed areas, new information shows that some habitats are not being adequately protected, or new information on recovery shows that a habitat type is more or less sensitive than previously known).

Only those proposals received by the RFP deadline will be considered by the EFHRC, for inclusion in its Phase II report to the Council. Proposals may be submitted by mail, email, or fax and must be received at the Council office by close of business on the date to be determined by the Council. Submit proposals to:

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