

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 and evaluated in the final EIS, scheduled for publication in January 2006.

At this meeting, the Council will review draft FMP amendment language, which incorporates the appropriate elements of the preferred alternative into the groundfish FMP as Amendment 19. As noted under Agenda Item F.3, 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 (Agenda Item F.3, Attachment 1), incorporates both Amendment 18 and Amendment 19 changes. Agenda Item F.4, Attachment 1 references the elements of the preferred alternative and indicates where they are addressed in the draft amendment language.

As part of the reorganization of the FMP to incorporate Amendment 18 and the need to include more detailed descriptions of groundfish EFH, four appendices to the FMP are proposed as part of this action. As noted in the draft amendment language, the appendices contain supporting information for the management program. Because these appendices do not describe the management framework or Council groundfish management policies and procedures, and only supplement the required and discretionary provisions of the FMP described in §303 of the Magnuson-Stevens Act, they may be periodically updated without being subjected to the Secretarial review and approval process described in §304(a) of the Magnuson-Stevens Act. The contents of these appendices are listed at the end of the draft amendment package (Agenda Item F.3, Attachment 1). Not all of the material proposed for these appendices is ready at this time. Attachment 2 is a CD-ROM containing appendix materials that are currently available.

The choice of the preferred alternative at the June 2005 meeting is considered final action within the context of the EIS and the Council's public process. Therefore, the Council task at this meeting is to ensure that the draft FMP amendment language is consistent with the preferred alternative identified at the June meeting. Based on Council recommendations, the draft FMP amendment language will be circulated for public review. The revised amendment language would be brought back before the Council in November 2005 for final action. Then, subject to Council approval, it will be submitted to National Marine Fisheries Service (NMFS) for review and Secretarial approval, with a final response expected by early 2006.

The Council also may wish to provide recommendations to NMFS for drafting the regulatory language necessary to implement elements of the preferred alternative.

Council Action:

Adopt FMP Text for Public Review

Reference Materials:

1. Agenda Item F.4.a, Attachment 1: Index of the Elements of the Council's Preferred Alternative for the EFH Final EIS and Corresponding FMP Amendment Language
2. Agenda Item F.4.a, Attachment 2: Draft FMP Appendices (on CD-ROM)
3. Agenda Item F.4.c, Public Comment: Letter from Commercial Fishermen of Santa Barbara, Inc.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt FMP Text for Public Review

Kit Dahl

PFMC
08/31/05