

HABITAT COMMITTEE REPORT ON GROUND FISH ESSENTIAL FISH HABITAT
AMENDMENT SCOPING INCLUDING ROCKFISH CONSERVATION AREA (RCA)
AND AREA ADJUSTMENTS

The Habitat Committee (HC) considered the scope of actions to be included in the Groundfish Fishery Management Plan (FMP) amendment for matters related to essential fish habitat (EFH). The HC considered the scope through the lens of purpose and need as they relate to EFH and habitat considerations and protections, as well as Council actions that can be taken under its other Magnuson-Stevens Act (MSA) authorities. The HC recommends that all items in Table 4 from E.5 Attachment 1 be included in scoping, except Item 15 (no EFH nexus). In addition, the HC recommends two additional items for scoping: 17) request for proposals in the context of changes to Rockfish Conservation Areas (RCAs) and 18) additional discretionary authority under MSA to address deep sea coral protections and protection of habitat deeper than 3,500 meters.

The HC offers the following specific comments referencing Table 4 from E.5 Attachment 1:

Items 1-10

The HC recommends all the EFH subject areas (items 1 through 10 from table 4) be updated or revised as part of the scope of action, including all EFH proposals not previously withdrawn.

Item 3 (Adverse Effects of Fishing [MSA and non-MSA] and Minimization Measures)

New information brought forth by the NMFS Information Report 4 leads the HC to recommend that bottom contact by mid-water trawl gear be included under this item.

Item 9 (Research and Information Needs)

The HC recommends the FMP amendment include language or a process that includes the recommendations from the Essential Fish Habitat Review Committee (EFHRC) on this topic, and emphasizes research elucidating the role of deep sea corals and sponges as habitat for managed species. The NMFS Information Report (#5) provides some initial statements that can be used to address the research and information needs of the role of deep sea corals.

Items 11,12, and 14 Area Modifications (not an EFH Component)

The HC recommends considering items 11 (Trawl RCA adjustments), 12 (midwater non-whiting fishery) and 14 (60 mile bank closure) as part of the scope of action because these measures all have a strong nexus to habitat protection. If item 12 is included in the scope of action, the HC recommends additional considerations, such as sensors on midwater gear that would measure “touch downs” on benthic habitat to assess potential impacts from a midwater fishery on benthic habitat, particularly inside EFH Conservation Areas.

Item 13 (Small Footrope Restrictions)

Although the scoping document lists this as a non-EFH issue, the small footrope restriction was incorporated as an EFH conservation measure in Amendment 19 to minimize the effects on EFH from MSA fishing activity. Therefore, it should be included in the EFH process under item 3, “Adverse effects of fishing and minimization measures.”

Item 15 (Fishing in More Than One Individual Fishing Quota [IFQ])

The HC recommends removing this item from the scope of action as it does not have a link to habitat.

Item 16 (Selective Flatfish Trawl Gear [SFFT] Requirements)

The HC recommends including this item in the scope of action if the small footrope restriction is lifted and/or there are modification to RCA boundaries, as changes to the SFFT have potential for habitat impacts. Given the complexity of excluding or including items in the scope of action, it is difficult for the HC to determine this item’s nexus with habitat considerations.

Because moving forward on items 11, 12, 14 and 16 would affect the amount of habitat or type of habitat protected from fishing gear impacts, the HC recommends the Council consider any adjustments to area modifications comprehensively and precautionarily to avoid unintended consequences to habitat protections.

Additional Items for Consideration

The HC recommends including two additional items for consideration for scope of action: **item 17** (RFP proposals) and **item 18** (use of discretionary authority).

Item #17: The HC recommends including all RFP proposals that were submitted (and retained) in the scope of action. However, these proposals were solicited and developed without considering RCA modifications or other area modifications. Therefore, the HC recommends the Council obtain input from proposal proponents to ensure integrity is maintained of the original proposals.

Item #18: The HC recommends including consideration of discretionary authority under MSA to address deep sea coral protections and protection of habitat deeper than 3500 meters (e.g. 303(b)(2)(b) or 303(b)(12)).

The NMFS’ Informational Report 5 summarizes what is known and not known about associations of groundfish species with deep sea corals and sponges (DSC&S). The report highlights the uncertainty about the significance of DSC&S as habitat for groundfish. In the absence of definitive information on DSC&S as groundfish EFH, the Council should consider measures to protect DSC&S in the Scope of the EFH amendment using Discretionary Authority [MSA 303(b)(2)(B) and 303(b)(12)]

Finally, the HC recommends the appendices be updated concurrently or in step with the FMP amendment to insure that the most up-to-date species data can inform eventual alternative analyses.

PFMC
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