

## GROUND FISH ADVISORY SUBPANEL REPORT ON GROUND FISH ESSENTIAL FISH HABITAT AND ROCK FISH CONSERVATION AREA AMENDMENT

Dr. John Stadler and Ms. Karen Palmigiano provided the Groundfish Advisory Subpanel (GAP) with an overview of the analysis of the essential fish habitat (EFH) and Rockfish Conservation Area (RCA) alternatives. The GAP thanks Dr. Stadler, Ms. Palmigiano, Mr. Kerry Griffin and the project team for its work on this issue, and offers the following comments and recommendations.

As we have highlighted in previous statements, we wish to reiterate that any proposed modifications to EFH and RCAs not only protect sensitive habitat, but also provide additional opportunity and economic benefit to the fishing industry.

### **Analytical Approach**

In general, the GAP believes the project team has identified the right criteria to help characterize the conservation outcomes, economic outcomes, and trade-offs within and among the various alternatives. However, the GAP believes that significant additional work needs to be done to characterize the economic opportunity presented by the openings in the various alternatives. The stated rationale for not including that information is that low levels of observer coverage before 2011 make the revenue information from the areas proposed to be opened, unreliable. The GAP recognizes that the information will not be perfect and that conditions in the fishery have changed significantly, but without information about the potential revenue restored by the openings the Council will be forced to take action with only half of the necessary information.

Relatedly, the GAP recommends inclusion of analysis of RCA openings independently of EFH openings when considering what opportunities could be restored to the fleet. Presently, the analysis has been conducted based solely on EFH closures and EFH openings which provides an incomplete picture of the potential economic constraints or benefits of the various EFH and RCA alternatives.

The GAP recommends that the team use square miles instead of hectares throughout the analytical package to make the impacts of the various alternatives more easily understood.

### **Range of Alternatives**

#### **Essential Fish Habitat**

The GAP recognizes that the current range of alternatives is unwieldy and could significantly delay Council action. With that in mind, the GAP recommends the following EFH fishery management action alternatives:

1. No Action
2. Collaborative proposal (including Monterey Bay National Marine Sanctuary [MBNMS], Gulf of Farallones National Marine Sanctuary [GFNMS], and Fishery Management Area [FMA] proposals as modified by the collaborative)
3. Oceana proposal

Table 1. EFH alternatives based on Team interpretation of the September 2015 Council action.

Subject Area	ALTERNATIVES									
	Fishery Management Actions									
1. EFHCA changes contained in public proposals (re-openings and new closures)	1.a No Action	<del>1.b Open some or all of EFHCAs</del>	1.c Collaborative	<del>1.d Greenpeace</del>	<del>1.e MCI</del>	1.f Oceana, et al.				
		<del>1.b.i Open some or all of EFHCAs <u>exclusive</u> of the U&amp;A</del>	1.c.i Collaborative, <u>exclusive</u> of the U&A	<del>1.d.i Greenpeace, <u>exclusive</u> of the U&amp;A</del>	<del>1.e.i MCI, <u>exclusive</u> of the U&amp;A</del>	1.f.i Oceana, et al., <u>exclusive</u> of the U&A	1.g FMA 1.h GFNMS 1.i MBNMS The FMA, GFNMS, and MBNMS proposals would be incorporated within the collaborative proposal.			
2. New EFHCAs within current RCAs <sup>1</sup>	2.a No Action	<del>2.b Add new EFHCAs within the trawl RCA, based on verification of the presence of priority habitats</del>			<del>2.c Add new EFHCAs within the trawl RCA, where there is either verification of priority habitats, or when modeling indicates the likelihood of priority habitats.</del>					
		<del>2.b.i Add new EFHCAs within the trawl RCA, based on verification of the presence of priority habitats, <u>exclusive</u> of the U&amp;A</del>			<del>2.c.i Add new EFHCAs within the trawl RCA, where there is either verification of priority habitats, or when modeling indicates the likelihood of priority habitats, <u>exclusive</u> of the U&amp;A.</del>					
3. Adjustments to Trawl RCA	3.a No Action	3.b Remove the trawl RCA		<del>3.c Discrete area closures for overfished species</del>			<del>3.d Block area closures for overfished species and non-overfished species,</del>			
		3.b.i Remove the trawl RCA, <u>exclusive</u> of the U&A		<del>3.c.i Discrete area closures for overfished species <u>exclusive</u> of the U&amp;A</del>			<del>3.d.i Block area closures for overfished species and non-overfished species, <u>exclusive</u> of the U&amp;A</del>			

The GAP believes the no-action, collaborative (including the FMA, GFNMS, and MBNS), and Oceana et al alternatives in Table 1 above (based on Table 1 in Agenda Item F.5.a, EFH/RCA Project Team Report, pg. 3 captures a sufficient range for analysis. Striking the other alternatives will significantly reduce the analytical burden.

The MBNMS, FMA, and GFNMS are almost fully contained within the collaborative proposal, and where they are not, subsequent conversations with the proponents indicate they are comfortable with the collaborative modifications. For that reason, and to reduce the analytical burden, we recommend folding those alternatives into the collaborative proposal.

To be clear, the GAP does not support the substance of the Oceana proposal, but recommends retaining it for contrast.

### RCA alternatives

The GAP recommends moving forward with only the no action (3a) and full RCA removal (3b) alternatives. The GAP recommends striking alternatives 3c and 3d, which it views as cumbersome and unnecessary given the individual accountability and near real time monitoring inherent in the individual fishing quota program.

### Waters deeper than 3500m

The GAP recommends that the Council select as a preliminary preferred alternative (PPA) option 4b from Table 1 in Agenda Item F.5.a, EFH/RCA Project Team Report, pg. 4, to use discretionary authority to close waters deeper than 3500m to bottom trawling. The GAP views this as a non-controversial action. Designating a PPA now would remove it from a complex PPA decision in September and allow the Council to spend more time focusing on specific EFH proposals within the active trawl footprint.

## **Tribal Usual and Accustomed Areas**

For the alternatives retained by the GAP, we recommend the analysis consider the full extent of the proposals (coastwide), as well as the proposals exclusive of the Tribal Usual and Accustomed (U&A) fishing areas. It is our understanding that government to government consultations are ongoing, and many on the GAP believe it would be premature to remove the U&A areas from the scope of the analysis at this time.

PFMC  
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