

ACTION PLAN FOR HIGHLY MIGRATORY SPECIES ESSENTIAL FISH HABITAT REVIEW: BACKGROUND, PROCESS, AND SCHEDULE

The Magnuson-Stevens Act (MSA) requires fishery management plans (FMPs) to describe, identify, and protect essential fish habitat (EFH) for each species in the FMP's fishery management unit. Federal regulatory guidance at 50 CFR 600 provides further requirements to identify adverse impacts from fishing and non-fishing activities, to recommended conservation measures, to consider habitat areas of particular concern (HAPC), and to address other elements. These EFH components should be reviewed and updated at least every five years. A description of EFH for highly migratory species (HMS) was incorporated in the HMS FMP in 2003 and has not been subsequently reviewed or revised. Council Operating Procedure 22 provides guidance on developing the process, scope, and personnel to carry out EFH periodic reviews.

EFH reviews are typically divided into two phases. The first phase is focused on new information related to species biology, migration, prey, habitat needs, distribution, and human activities that may adversely affect EFH. If the Council determines that new information warrants changes to the current EFH provisions, then the Council may embark on a second phase, during which specific changes to EFH provisions are developed for Council and Advisory Body consideration. If revisions to the existing EFH provisions are not warranted, the review is concluded.

Objectives

The overarching objectives for all EFH reviews are to ensure that the EFH provisions in the Council's FMPs are consistent with the best scientific information available, and to ensure a transparent and efficient science-based process for review of new information and consideration of any potential changes to EFH provisions.

The specific objectives of Phase 1 of the HMS EFH review are to: 1) evaluate available scientific literature and reports, information from interested parties, and previously unavailable or inaccessible data, and 2) make a recommendation to the Council as to whether the body of new information warrants consideration of changes to EFH provisions. Phase 2 objectives would be identified only if the Council moves forward after considering the Phase 1 report.

Scope

Federal EFH regulations describe 10 areas to be addressed in FMPs:

1. Identification and Description
2. MSA fishing activities that may adversely impact EFH
3. Non-MSA fishing activities that may adversely affect EFH
4. Non-fishing activities that may adversely affect EFH
5. Cumulative impacts
6. Conservation and enhancement
7. Prey species
8. HAPCs
9. Research and information needs
10. Review and revision

The review phase will address each of the above areas to ensure they are adequately treated in the current FMP, to review new information that may warrant updating any of the components, and to generate recommendations to the Council regarding next steps in the review/revision process.

In addition, we recommend reviewing the structure of the EFH provisions in the HMS FMP to maximize utility and clarity. Specifically, we will review the EFH components in the FMP text versus what is best included in appendices. Finally, we anticipate ensuring that Appendix A is inclusive of EFH components originally approved in 2003.

Staffing

- Council and National Marine Fisheries Service (NMFS) staff leads will provide overall coordination (Kerry Griffin, John Stadler)
- SWFSC staff will provide scientific support for the review of information (Heidi Dewar)
- HMSMT will provide review and subject matter expertise, as needed

Schedule

The Council's Year-at-a-Glance schedule shows the HMS EFH review Phase 1 report for consideration at the September 2020 meeting in Spokane, Washington. The review of information will happen between March and August 2020, with a report available in the September advanced Briefing Book materials.

PFMC

02/07/20