

## HABITAT COMMITTEE REPORT ON NON-TRAWL SECTOR AREA MANAGEMENT MEASURES

The Habitat Committee (HC) received a briefing by Council staff, Brett Wiedoff and Jessi Doerpinghaus, on the proposed non-trawl sector area management measures Range of Alternatives (ROA) and preliminary analysis under consideration by the Pacific Fishery Management Council (Council). The HC also considered the revised definition for non-bottom contact gear provided by the National Marine Fisheries Service (NMFS) in Agenda Item F.4.a, Supplemental NMFS Report 1, and a presentation to the HC by the Deep-Sea Coral Research and Technology Program (DSCRTP). The HC offers the following considerations toward further refinement and analysis of the ROA.

The HC notes that several of the proposed alternatives include measures to protect benthic habitats and sensitive species, including corals, seabirds, and whales from the effects of groundfish non-trawl fishing gear, however, the stated purpose and need for this action does not reflect these considerations. The HC recommends that the purpose and need statement could be revised as follows (***in bold***):

*“The purpose of these proposed actions is to provide access to additional areas that are currently closed to groundfish fishing inside the Non-Trawl Rockfish Conservation Area (RCA) and Cowcod Conservation Area (CCA), **while working to minimize impacts and alterations to habitats in currently designated EFHCAs, and other ecosystem components, to the extent practicable.**”*

### Proposed Hook-and-Line Gear Definition

Under the proposed NMFS definition of non-bottom contact hook-and-line gear, the gear must be suspended at least 50 feet off the bottom. Ideally, this would prevent contact with sensitive benthic habitat features and structure-forming invertebrates, however, maintaining gear at a constant height off the bottom could be challenging in particularly high-relief habitats and could result in damage to fragile structural organisms living in those habitats. This may warrant evaluation during the ROA analysis.

### Pacific Halibut Fishery

The HC recommends that any bottom contact gear in the Pacific halibut fishery be prohibited along with other bottom contact gear types addressed in the Alternatives.

### Alternatives 1 and 2

Under Alternatives 1 and 2, the Non-Trawl Rockfish Conservation Area (NTRCA) would be open to non-bottom contact hook-and-line gear but would remain closed to groundfish non-trawl bottom contact gear. This alternative considers allowing the use of natural bait, but this raises additional concerns for impacts to non-targeted ecosystem components and increased risks to seabirds.

***The Habitat Committee supports including Alternatives 1 and 2 in the revised ROA to expand fishing opportunities with non-bottom contact hook-and-line gear in much of the NTRCA. The HC recommends that the use of natural bait not be included in these Alternatives.***

### Alternative 3

Alternative 3 would move the seaward boundary of the NTRCA to 75 fm allowing all groundfish non-trawl gear, including groundfish non-trawl bottom contact gear, to fish in this reopened area (75-100 fm). This includes renewed fishing in bottom trawl essential fish habitat conservation areas (EFHCA). Suboption 1 would prohibit groundfish non-trawl bottom contact gear in the EFHCAs that are in the NTRCA, thus providing continued protection for sensitive habitats previously identified for protection under Amendment 28 to the Groundfish Fishery Management Plan. The HC considers Suboption 1 an appropriate measure for mitigating the effects of new fishing pressure on sensitive habitats that have been protected for nearly two decades.

***The HC supports including Suboption 1 in the revised ROA to provide continued protection for sensitive benthic species and habitats from groundfish non-trawl bottom contact gear in existing EFHCAs. For EFHCAs with small portions outside the existing NTRCA seaward boundary (such as Bandon High Spot EFHCA and Nehalem Bank EFHCA), the HC recommends prohibiting groundfish non-trawl bottom gear in the entire EFHCA, thereby protecting important habitat and simplifying enforcement of the boundaries.***

This change may restrict a small amount of fishing that is occurring there now, however, compared to the amount of fishing that will be open under this alternative, it will be in line with the purpose and need of this action.

***Consistent with the HC's previous recommendations on this action, the HC recommends the analysis for Alternative 3 include updated high-resolution habitat maps with revised habitat classifications, and updated coral and sponge information from the DSCRTP. The HC also recommends that the analysis estimate the amount of anticipated fishing effort by gear type and habitat type for each biogeographic subarea and EFHCA.***

### Alternative 4

Alternative 4 would remove the entire non-trawl RCA for all groundfish non-trawl gear with a suboption to prohibit bottom contact gear in the EFHCAs. This would likely require a more comprehensive and robust analysis than available data and resources can support at this time.

***The HC recommends not including Alternative 4 in the revised ROA, and to consider this action at a future time.***

### Alternative 5

Alternative 5 would repeal the CCA closed areas. In conjunction with this Alternative, the California Department of Fish and Wildlife (CDFW) is proposing areas for closure to all groundfish non-trawl gear to protect sensitive coral and sponge habitats. Based on a successful collaborative process between CDFW and conservation and fishing interests, areas were identified to increase fishing opportunity while providing habitat protection for habitat forming invertebrates. The HC considers this an appropriate measure for mitigating the effects of new fishing pressure on sensitive habitats. The HC commends the success of this collaborative process.

***The HC supports including Alternative 5 and the CDFW proposal for habitat protections in the in the revised ROA.***

### Alternative 6

Alternative 6 opens limited areas of the NTRCA to pot gear between 75-100 fm off Washington. An objective of this alternative is to avoid impacts to sensitive habitats, however, a portion of the Grays Canyon EFHCA is currently in the NTRCA and would be exposed to possible new pot gear effort under this alternative.

***The HC supports including Alternative 6 in the revised ROA but recommends keeping the area closed to pot gear in the Grays Canyon EFHCA where groundfish bottom contact gear has not previously fished. This is consistent with the HC's recommendations under Alternative 3, Suboption 1.***

### Additional Alternatives for Consideration

#### Habitat Protection

The Heceta Bank west margin that is outside the Heceta Bank EFHCA is characterized by high-relief, boulder-cobble habitat that supports a diverse community of species including several species of long-lived corals and sponges. Species-habitat probability of occurrence modeling showed yelloweye rockfish occurrence was highest on Heceta Bank (based on Northwest Fisheries Science Center statistical modeling of groundfish species-habitat relationships for the most recent groundfish EFH review). Under any proposed alternative in the preliminary ROA, the west margin would be open to groundfish non-trawl bottom contact gear. The HC notes that longline and pot gear could greatly impact sensitive species and habitats in this unique environment.

***The HC recommends that boulder-cobble habitats of the Heceta Bank west margin remain closed to groundfish non-trawl bottom contact gear to protect the ecological significance of this area. This could be accomplished with a slight adjustment to the 75 fm line when delineating the new NTRCA seaward boundary. This could be added as a suboption under Alternative 3 in the revised ROA.***

#### Long-term Monitoring Areas

Long-term monitoring sites established near Nehalem Bank EFHCA in 2007 and Heceta Bank EFHCA in 1987 would not be afforded protection under any of the proposed alternatives. These monitoring sites provide opportunity for studying the long-term effects of fishery closures on habitat recovery and fish abundance, a research need the Council has previously identified, and should be protected. The HC could provide specific coordinates for these areas.

***The HC recommends continued closure to groundfish non-trawl bottom contact gear in established fish-habitat monitoring sites within the NTRCA. This could be included as a new Alternative for "long-term monitoring areas" in the revised ROA.***