

HABITAT COMMITTEE REPORT ON NON-TRAWL AREA MANAGEMENT

The Habitat Committee (HC) received a briefing from Council staff, Jessi Doerpinghaus and Brett Wiedoff, on the range of alternatives for providing fishery access in the Non-Trawl Rockfish Conservation Area (NT-RCA) and the East and West Cowcod Conservation Areas (CCAs).

The HC is pleased that the Purpose statement was revised to minimize adverse effects on essential fish habitat (EFH) and sensitive habitats. However, it does not explicitly include habitat protection as part of the purpose. The HC recommends revising the Purpose statement with the additional language in **bold**:

“The purpose of the 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). **In addition, the purpose of the proposed actions is to minimize adverse effects on designated Essential Fish Habitat (EFH) and sensitive benthic habitats exposed to fishing activity, mitigate bycatch of groundfish and protected and prohibited species, and continue to protect fishery resources and their habitats.**”

As in our previous reports on this management measure, the HC recommends a precautionary but balanced approach, protecting important or sensitive habitats, while opening areas to fishing where habitat impacts are less likely. Longline and pots are easily deployed in complex, rocky habitats where structural features and habitat-forming invertebrates are easily disturbed or damaged from breakage, crushing, dislodging, or displacing. And rocky reef habitat areas of particular concern (HAPCs) in essential fish habitat conservation areas (EFHCAs) were specifically identified for protection because of their importance or sensitivity. Although the scope of Amendment 28 was limited to bottom trawl gear, the NT-RCA has provided additional habitat protection from groundfish non-trawl bottom contact gear in EFHCAs in the NT-RCA for the past two decades. Before lifting protections from these important habitats, additional information should be considered (updated high-resolution seafloor habitat data, coral and sponge suitability, high resolution spatial fishing effort, and an updated/thorough review of gear impact studies).

The HC considered the Alternatives presented in the EA and recommends that the preliminary preferred alternative (PPA) include a blend of elements from the Alternatives to provide for substantial new fishing opportunities while maintaining habitat protection in sensitive areas. To mitigate potential habitat impacts of the proposed alternatives, the HC recommends implementing groundfish non-trawl bottom contact gear closures for EFHCAs affected by this action, if rocky habitat is present. In the absence of comprehensive deep-sea coral surveys in most of the EFHCAs and therefore, a lack of absence data, the HC did not use this as criteria for most areas, although where corals and sponges are observed, we encourage protection from groundfish bottom contact gear.

For EFHCAs that would be exposed by opening portions of the NT-RCA, a precautionary approach would retain the current level of habitat protection until the next Groundfish EFH review when the decision to open these areas would be well-informed with the best available information

as noted above. For the EFHCAs with portions outside the current NT-RCA, the HC recommends status quo in case there is groundfish non-trawl fishing already occurring in those areas. Note that we were unable to assess if fishing activity occurs there because fishing effort information was not available for this review.

Specific recommendations for the Alternatives

Following this rationale, the HC has several recommendations on which PPA alternatives best address the purpose and needs and provide the best protection for different EFHCAs." The Habitat Committee notes that recommendations on the Alternatives provided in this report may not align with all of the priorities of the states.

Alternative 1 - The HC supports Alternative 1 as the PPA. This alternative allows fishing with approved non-bottom contact hook-and-line gear in the non-trawl RCA off Oregon and California that will now be open under the 2023-24 harvest specifications which will provide thousands of square miles of new fishing opportunity, with minimal to no adverse impact on benthic habitats. The two measures combined may also serve to alleviate fishing pressure shoreward and seaward of the nontrawl RCA.

Alternative 2 - Based on our rationale provided above, the HC does not recommend including Alternative 2 in the PPA. However, if the Council chooses to include Alternative 2 in the PPA, the HC supports doing so with the addition of suboptions applied as follows:

Alternative 2 Suboption 1a - The HC supports this suboption as it would maintain the status quo of habitat protection in the portion of these EFHCAs that have been closed to groundfish bottom contact gear for 19 years, while not impacting areas currently open to bottom-contact gear. The HC recommends this suboption for the following EFHCAs:

Nehalem Bank, Bandon High Spot, Point Arena South Biogenic Area, Gobblers Knob, Point Conception.

Alternative 2 Suboption 1c - The HC supports this suboption as it would maintain status quo of habitat protection over the entire EFHCA and be easier to enforce the small areas that would otherwise be open under Alternative 2. The HC recommends this suboption for the following EFHCAs:

Garibaldi Reef North, Garibaldi Reef South, Arago Reef, The Football, Farallon Island/Fanny Shoal/Cochrane Bank, La Cruz Canyon.

Alternative 2 Suboption 2 - The HC supports this suboption in concept, in that it maintains status quo of habitat protection for the important and sensitive habitats of Heceta Bank's west margin. However, this protection is only in place so long as the YRCA is in effect because the YRCA is not meant as a habitat protection measure. The YRCA management tool could be lifted when yelloweye rockfish numbers improve, thus exposing these sensitive habitats to groundfish non-trawl bottom contact gear. The ODFW report (April 2022) and Council discussion supporting the motion on Heceta Bank was clear in its intent "*...the intent here is to minimize to the extent practicable adverse effects of fishing on groundfish EFH and to minimize impacts on yelloweye rockfish as they rebuild by adding a layer of protection in this area as recommended by the Habitat Committee as well as proposed in the ODFW report.*" (Council Discussion, April 2022 meeting transcripts, page 81). The HC recommends applying an EFHCA prohibiting groundfish non-trawl

bottom contact gear to the west region of Heceta Bank, the goal being to provide continued and intentional habitat protection until the next groundfish EFH review.

Alternative 2 Suboption 3 - The HC supports Alternative 2 Suboption 3 because the YRCAs offer protection for rocky habitat for yelloweye rockfish and provide additional habitat protection for all benthic species. The HC recommends including this in the PPA.

Alternative 3 - The HC supports the CDFW recommendations for Alternative 3 that repeals the CCA and protects important coral habitats and recommends including this in the PPA.

Additional rationale in support of our recommendations for the alternatives and additional comments are attached for Council consideration.

PFMC
09/10/22

**ATTACHMENT: ADDITIONAL RATIONALE IN SUPPORT OF HC
RECOMMENDATIONS ON THE ALTERNATIVES and ADDITIONAL COMMENTS**

Nehalem Bank EFHCA - In addition to rocky reef HAPC throughout this area, ODFW has long term study sites at Nehalem Bank since 2007, investigating macroinvertebrate response to the bottom trawl closure. Study sites are inside and outside Nehalem Bank EFHCA. The study primarily examines shrimp trawl areas (primarily mud habitat) but also surveys rocky habitat. Disturbance to these areas by new bottom contact gear activity could compromise this long-term study.

Garibaldi Reef North EFHCA – There are diverse rock/soft bottom habitat throughout.

Garibaldi Reef South EFHCA – There are rocky, mixed relief “islands” among soft bottom creating unique habitat features for benthic organisms.

Arago Reef - There is rocky reef HAPC throughout this area and corals and sponges occurrence.

Bandon High Spot EFHCA – There is highly diverse rocky habitat in this EFHCA, which largely encompasses Coquille Bank, a focus of long-term research. This EFHCA has been closed to groundfish bottom trawl, and much of it closed to groundfish non-trawl bottom contact gear for two decades. In the absence of sustained fishing pressure from bottom contact gear, benthic habitats appear to be returning to pre-RCA condition. For example, surveys conducted by NOAA’s Deep-Sea Coral Research and Technology Program at Coquille Bank (Bandon High Spot EFHCA) found significant recruitment of gorgonian coral after more than a decade of closure to bottom contact gear, with coral density increased by 1,400 percent (from 2 to 28 corals per 10m²) as well as increased fish abundance. Maintaining the bottom-contact gear closure at the Bandon High Spot EFHCA provides opportunity for further recovery and a unique opportunity to study long-term effects of bottom-contact gear closures on habitat recovery, a Council research priority.

Heceta Bank - The west margin of Heceta Bank is characterized by high-relief, boulder-cobble habitat that supports a diverse and abundant community of species including several species of long-lived corals and sponges. Species-habitat probability of occurrence models indicate high probability for yelloweye rockfish at Heceta Bank (Northwest Fisheries Science Center statistical modeling of groundfish species-habitat relationships for the most recent groundfish EFH review). Longline and pot gear could greatly impact sensitive species and habitats in this unique environment.

Point Arena South Biogenic Area EFHCA - There is rocky reef HAPC and high coral-sponge occurrence in the area proposed to be opened.

Football EFHCA - There is rocky reef HAPC, corals and sponges, and suboption 1c would avoid enforcement issues.

Gobblers Knob EFHCA - There is rocky reef HAPC in this EFHCA.

Farallon Islands/Fanny Shoal/Cochrane Bank EFHCA - There is rocky reef HAPC and high density of coral and sponge occurrence.

La Cruz Canyon EFHCA- We support 1c for this EFHCA because there is rocky reef HAPC throughout this area.

Point Conception EFHCA - We support 1a for this EFHCA because of the presence and density of corals and sea pens.

Assessment of Applicability of Alternative 2 Suboptions - The HC recommended applying suboptions under Alternative 2 for some EFHCAs that were identified as “Not Applicable” (e.g., due to enforcement complexity) in Table 15 in G.6. Attachment 1. In these limited cases (i.e., Point Arena South Biogenic Area, Point Conception), the HC’s rationale for including these EFHCAs was based on our assessment of the habitat conservation need and/or the overall amount of the EFHCA to be exposed to groundfish non-trawl bottom contact gear.

The HC offers the following additional comments regarding available data and analysis of the Alternatives:

- The rocky reef HAPC dataset used in the analysis is outdated because it is based on an older (2006) version of seafloor data (Seafloor Geologic Habitat Map Version 3.1 [SGH v3.1]) than is currently available. Substantial seafloor mapping has occurred across the west coast since 2006 and the comprehensive coastwide dataset has been updated to version 4.0. Habitat classifications were also updated which changed the distribution of habitats in many areas. For example, at Garibaldi Reef North EFHCA and Garibaldi Reef South EFHCA, there is more rock present in version 4.0 than was in version 3.1. In these cases, the EA analysis underestimates the amount of rocky reef HAPC affected by Alternative 2.
- Similarly, the three-code induration substrate dataset (hard-mixed-soft) presented in the EA and in the NMFS Map Viewer tool underrepresents the amount of rocky habitat in the EEZ because much of the rocky habitat is classified as “mixed” instead of “hard”. In fact, most areas classified as “mixed” are nearly entirely rock but “mixed” is rarely included in coarse-scale analyses of rocky habitat. Furthermore, the mixed classification has greater habitat diversity (bedrock, boulder, cobble) than the “hard” (bedrock) classification and highly diverse habitats may be more susceptible to disturbance (as discussed in FMP EFH Appendix). To resolve this issue, the HC recommends the two-code induration dataset (hard-soft) that merges the hard and mixed classes be used in subsequent analyses of this action.
- The HC reiterates its recommendation included in the April 2022 Council motion that the analysis of this action use high-resolution spatial fishing effort data (VMS, observer or other available information) to determine the amount of fishing effort in the portions of the EFHCA currently open to non-trawl bottom contact gear. This is particularly important for EFHCAs under Alternative 2 Suboption 1b or 1c considered for inclusion in the PPA.
- The literature on bottom contact gear impacts in the Groundfish FMP referenced in this analysis are over a decade old. These had only limited information for longline gear types and did not represent some key habitat types and species (hard coral) important on the west coast.

Specifically, the NEFMC (2011) and Fisheries and Oceans Canada (2010) synthesized prior studies for the effects of gear types on various habitats and structure-forming invertebrates common in their regions. Susceptibility and recovery values were translated to loss of function value. Bottom longline/gillnet/trap gears had reduced functional value up to 25% for some habitats and species, however this may have limited application for the west coast because not all west coast habitats, species and gear types are represented in those studies (limited information on longline, traps, no pots, no hard coral.) An updated review of modern gear impact studies is needed to understand bottom contact gear effects on west coast habitats and species.