

OREGON DEPARTMENT OF FISH AND WILDLIFE REPORT ON
ESSENTIAL FISH HABITAT AND ROCKFISH CONSERVATION AREA
AMENDMENT 28 – FINAL ACTION

The Oregon Department of Fish and Wildlife (ODFW) supports the parallel purposes of Amendment 28 to minimize fishing impacts to groundfish Essential Fish Habitat to the extent practicable, while providing increased access to historical trawl fishing grounds. ODFW has extensively reviewed the information that has come forward throughout this process to date, as well as additional sources (e.g., trawl logbook data from 1997 to current and input from fishing community representatives). We offer this report as a preliminary position statement, subject to change, recognizing that the Council has yet to hear reports from the EFH project team, the Council's advisory bodies, or the public at large. We describe potential modifications within the boundaries of several polygons in the existing proposals for EFH Conservation Areas in waters off Oregon for consideration.

The actions under this item should be considered in the context of existing bottom trawl closures and restrictions, the current and anticipated future characteristics of the fishery, and a range of new information including scientific information on the distribution and characteristics of priority habitats and fishermen's knowledge about habitats and the potential impact of potential changes on fishing communities. The preliminary selections identified below provide a balance of enhanced protection from fishing impacts for sensitive habitats, and expanded opportunity for the west coast trawl fleet in areas less vulnerable to fishing impacts. We believe these would support the Council in meeting the Magnuson-Stevens Fishery Conservation and Management Act's obligations to ensure conservation and provide for the sustained participation of fishing communities.

Adjustments to the Trawl Rockfish Conservation Areas

Rockfish Conservation Areas (RCAs) were established as a catch control tool for Overfished Species (OFS). However, the recent shift to an IFQ system for the trawl fishery has provided accountability for, and control of, OFS catch at an individual vessel level. ODFW believes that this individual accountability should be used as the primary catch control tool in the bottom trawl fishery, and therefore the coast-wide, long term, depth based RCAs are no longer necessary for sustainable management.

At the same time, we recognize that due to unexpected high catch of protected species such as ESA-listed salmon otherwise constraining species, there may be a need to retain depth-based area closures as a management tool. We support removal of the trawl RCA off Oregon, and the adoption of Block Area Closures (BACs) which could be implemented as need arises, and would not represent the same type of long-term, broad area closure that is currently in place.

In the area off Oregon, the majority of the current trawl RCA is composed of soft bottom habitat which is less sensitive to trawl fishery impacts relative to rocky reef habitat. Much of the more sensitive, priority habitat that overlaps with the RCA would remain closed to bottom trawling as part of the existing EFHCAs, or be added through new closures.

Essential Fish Habitat Conservation Areas

Habitat mapping and visual surveys conducted since the adoption of Amendment 19 established the current EFHCAs have identified new rocky reef habitat, provided higher confidence and resolution for some known rocky reef areas, and found some areas previously thought to be hard substrate are actually soft bottom habitat.

ODFW appreciates the Collaborative approach, which involved extensive outreach and negotiation between participants in the trawl fishery and Nongovernmental Organizations (NGOs) with the goal of reaching consensus on a package of closures and re-openings. The Collaborative used new scientific information, as well as the extensive knowledge of fishery participants. ODFW supports their proposal in areas off Oregon.

The Midwater Trawlers Cooperative (MTC) proposal includes EFHCA modifications in areas where the Collaborative group did not reach consensus. We preliminarily support the MTC proposal except for the changes to the Daisy Bank EFHCA, which includes a mix of closure and reopening, and would expose sensitive priority habitat that has been protected to trawling impacts. We also recommend an expansion of the MTC EFHCA polygon for Heceta Bank to the southeast, as shown in Figure 1, which incorporates more priority habitat without significant negative impacts on fisheries.

ODFW appreciates the extensive Oceana et al. proposal in the area off Oregon and the information provided in the proposal and supporting statements by Oceana. We support the Oceana polygon for expanding the current EFHCA at Daisy Bank, which maintains and expands the habitat protections in that rocky reef area. We recommend consideration of a minor adjustment of the eastern edge of the proposed new closure there to align the boundary with a north-south line as shown in Figure 2, in order to minimize impacts on existing fishing operations.

Deepwater Closure

ODFW continues to support the precautionary closure of area greater than 3,500 meters depth as included in the Council's Preliminary Preferred Alternative in November, 2016.

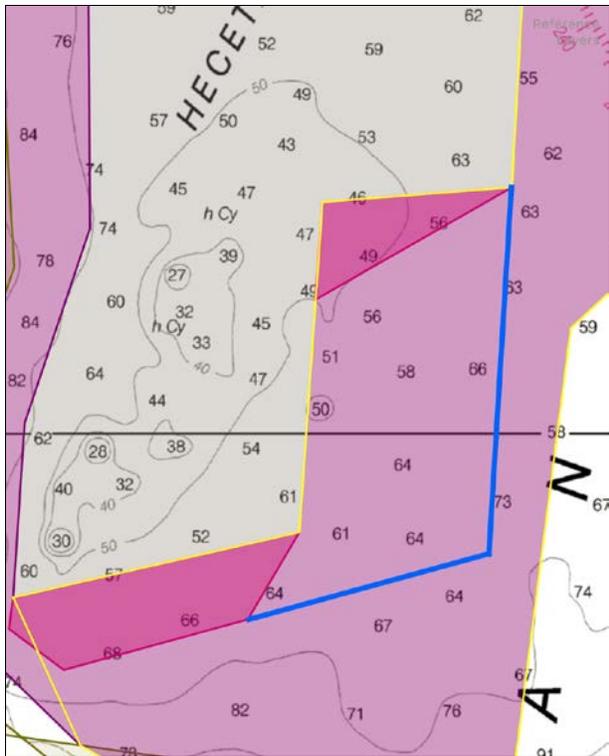


Figure 1. Recommended Adjustment to MTC polygon for Heceta Bank EFHCA. Blue line denotes revised boundary expanding the closed area on the southeast corner.

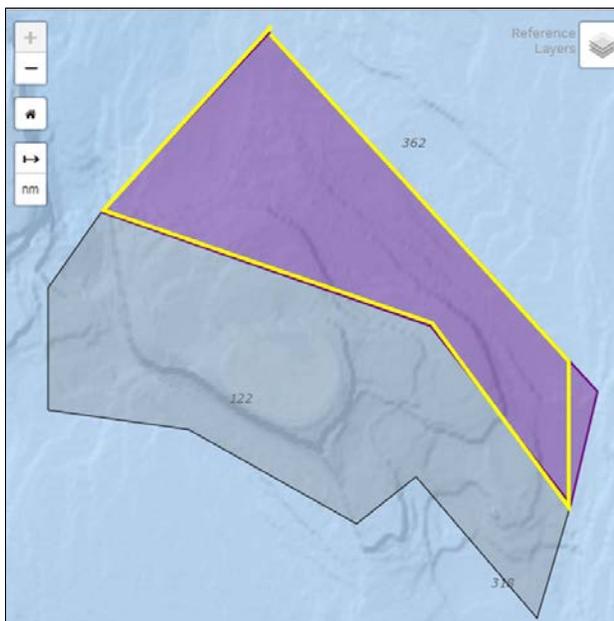


Figure 2. Recommended Adjustment to Oceana polygon for Daisy Bank EFHCA. Yellow boundary denotes recommended polygon boundary; note change on eastern boundary.