



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

August 25, 2003

MEMORANDUM FOR: Rolland A. Schmitt
Director, Office of Habitat Conservation

FROM: *Far* James W. Balsiger *James W. Balsiger*
Administrator, Alaska Region

SUBJECT: Essential Fish Habitat(EFH) Environmental Impact Statement
(EIS) Seventh Status Report

By Joint Stipulation and Order, dated December 19, 2001, NMFS is required to prepare EISs for all fisheries that were challenged in the AOC v. Daley lawsuit in accordance with the schedule attached to the Joint Stipulation and Order. The Joint Stipulation and Order requires that "every 90 days, NMFS file a status report with the Court describing the work that has been done by NMFS and the Councils, and the milestones that have been achieved, on preparing the EISs and, if applicable, the FMP Amendments that are the subject of this Joint Stipulation and Order." Attached is the seventh 90-day status report for the Alaska Region. If you have any questions on this report please contact Cindy Hartmann at (907) 586-7585.

cc: Cindy Hartmann and Jon Kurland, HCD
Tamra Faris, AKR
John Lepore, GC
NPFMC
Records
Karen Abrams, Stacey Nathanson, F/HC

Attachment



AOC v. Daley Status Report for the Alaska Region

North Pacific Fishery Management Council (NPFMC)

General Activities:

In June 2003, the Council received a progress report on the development of the environmental impact statement (EIS) for the essential fish habitat (EFH) amendments. The Council received a report from the EFH Committee on a process to identify and implement habitat areas of particular concern (HAPC). The Council adopted the draft process for inclusion into the EFH EIS. A copy of the draft HAPC process and the June final motion are available on the Council's web site.

On May 21, 2003, the Honorable Gladys Kessler, United States District Judge for the District of Columbia, approved a Joint Stipulation and Order to Amend the December 17, 2001, Joint Stipulation and Order as to the North Pacific Fishery Management Region. The new joint stipulation represents an agreement for additional time to complete the EFH EIS. Per this order a preliminary Draft EIS (DEIS) will be available for review by the North Pacific Fishery Management Council by September 15, 2003, and a DEIS will be published for public comment no later than January 16, 2003.

NMFS and Council staff and contractors have continued to develop analyses for the DEIS. A preliminary DEIS was drafted, compiled and has undergone internal review. The document is over 2000 pages and has eleven appendixes.

Federal Register Notices and Public Meetings:

NMFS issued a Notice of Public Meeting (68 FR 27785), May 21, 2003, that notified the public of the NPFMC meeting, June 9 - 18, 2003. At this meeting the Council received an update on the EFH EIS, and an EFH Committee report on the proposed HAPC process.

NMFS issued a notification regarding the evaluation of potential HAPCs within EFH (68 FR 50120) on August 20, 2003. The notification states that NMFS intends to evaluate alternative approaches for HAPC designation in the EFH EIS and to consider specific HAPC designations in separate National Environmental Policy Act analyses. The alternative approaches, as well as the revised timeline for completing the EFH EIS, were included in the notification.