



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

September 23, 2004

Stephanie Madsen, Chair  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, Alaska 99501-2252

Dear Ms. Madsen:

Enclosed for Council review please find the National Marine Fisheries Service's (NMFS's) draft responses to public comments on the Draft Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska (EFH EIS). Please note that some of the draft responses are incomplete and await additional information – most notably the responses that discuss the Council's final action.

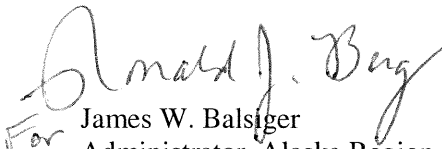
NMFS received numerous comments that criticized our evaluation of the effects of fishing on EFH as well as the Council's preliminary preferred alternative for minimizing the effects of fishing on EFH. NMFS also received the reports from the Center for Independent Experts (CIE) panel that reviewed the analysis of the effects of fishing on EFH. (Dr. Ken Drinkwater, the chair of that panel, will present the findings to the Council at the October meeting.) Based on this feedback, NMFS is preparing new information to address many of the CIE recommendations, and we are revising the EIS to explain more clearly the limitations of our analysis and the policy choices that must be made by the Council and NMFS based upon the final EIS.

The most significant decision facing the Council for final action on the EFH EIS is how precautionary to be in light of the available information. The draft EIS found that Council-managed fishing results in persistent reductions in the availability of certain benthic habitat features, including corals and other living structure. The analysis found no indication that these habitat changes alter the overall capacity of EFH to support sustainable fisheries, although considerable scientific uncertainties remain. As NMFS has stated before, even though the available information does not identify adverse effects of fishing that are more than minimal and temporary, that finding does not necessarily mean that no such effects exist.

The Council's existing precautionary management approach includes a variety of measures that protect large areas of habitat and limit harvests to very conservative levels. Given that context, the Council must balance the uncertain effects of fishing-induced habitat disturbance on the productivity of managed species against the tangible costs of new restrictions on fishing. In view of uncertainty, the Council may decide that additional precautionary management measures are warranted.

We look forward to the Council's input on the draft responses to comments, and we remain available to assist you in preparing for final action on the EFH EIS at the February 2005 meeting.

Sincerely,

  
For James W. Balsiger  
Administrator, Alaska Region

Enclosure

