



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

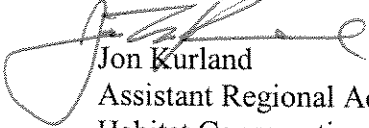
National Marine Fisheries Service

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November 17, 2005

MEMORANDUM FOR: Sue Salvesson
Assistant Regional Administrator for
Sustainable Fisheries

FROM: 
Jon Kurland
Assistant Regional Administrator for
Habitat Conservation

SUBJECT: Essential Fish Habitat Consultation on Alaska Groundfish
Fisheries Harvest Specifications for 2006 and 2007

The Habitat Conservation Division (HCD) has reviewed the Draft Environmental Assessment (EA) and Initial Regulatory Flexibility Analysis for the 2006 and 2007 harvest specifications under Fishery Management Plans for Groundfish of the Bering Sea and Aleutian Islands (BSAI) and the Gulf of Alaska (GOA). The EA addresses the potential effects of fishery limits, seasonal apportionments, and fishing sector allocations, including effects on Essential Fish Habitat (EFH). The EA indicates that adverse effects on EFH may result from fishing activities. Additionally, the EA takes into account newly developed conservation and management measures approved by the North Pacific Fishery Management Council based on the April 2005 *Final Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska* (EFH EIS).

As noted in your memorandum dated October 7, 2005, the information for an EFH Assessment is included in the EA. An EFH Assessment is required when a federal agency, including the National Marine Fisheries Service, determines that an action may adversely affect EFH. The EFH regulations at 50 CFR 600.920(e)(3) require that an EFH Assessment must contain:

- (i) A description of the action.
- (ii) An analysis of the potential adverse effects of the action on EFH and the managed species.
- (iii) The federal agency's conclusions regarding the effects of the action on EFH.
- (iv) Proposed mitigation, if applicable.

With respect to (i), a description of the proposed action is contained in Section 2.0 of the EA and clearly describes the range of alternatives. Specifically, the preferred alternative, Alternative 2, takes into account the best and most recent information available, sets the Total Allowable Catch (TAC) at levels equal to or below Acceptable Biological Catch levels, falls within the specified range of Optimum Yield, and is consistent with the National Standards and requirements of the Magnuson-Stevens Act.



With respect to element (ii), an analysis of effects on EFH is described in Section 4.8 - Effects on Benthic Habitat and EFH. This section considers fish habitat, habitat associations for managed species, and a comprehensive evaluation of the effects of fishing on EFH that was included in the EFH EIS. The EA assesses the most recent information available and accurately describes the potential effects of fishing activities on bottom habitats.

With respect to element (iii), the agency's conclusions regarding effects on EFH, the assessment states Alternative 1, the most aggressive harvest strategy, may have adverse effects on EFH; Alternatives 2 (preferred), 3, and 4 would result in insignificant impacts on EFH; and Alternative 5, the no harvest strategy, would have no effects on EFH. The EA generally concludes that TAC set in Alternative 1 is higher than the other alternatives and will likely result in more fishing effort. Thus, any adverse effects from fishing on EFH may be higher under Alternative 1 as compared to the other alternatives. We note that for some slope rockfish, a couple species of GOA flatfish, and Atka mackerel, TAC set in Alternative 2 is equal to TAC set in Alternative 1. Rockfish and Atka mackerel are known to associate with living habitat structure (see Appendix F of the EFH EIS).

Any effects of the preferred Alternative 2 on EFH will not be greater than effects already considered in previous analyses. Alternative 2 TACs are set well below expected overfishing levels. An increase or expansion of fishing effort on habitats is not expected with Alternative 2. The EA concludes that habitat disturbance associated with Alternative 2 would be minimal and not have significant adverse effects on EFH. This conclusion is based upon the analysis in Section 4.3 and Appendix B of the EFH EIS, which concluded that no Council-managed fisheries have more than minimal and temporary adverse effects on EFH pursuant to 50 CFR 600.815(a)(2). HCD concurs with this analysis and the associated findings in the EA.

With respect to element (iv), proposed mitigation, Section 1.6 describes related NEPA documents and recognizes the implementation of numerous practicable measures to protect EFH, including the management measures in the preferred alternative from the EFH EIS. Those measures would conserve and protect roughly 300,000 square nautical miles of the BSAI and GOA slope, ridge, and seamount areas from bottom fishing activities. These areas include living and non-living substrates, such as corals/sponges and bedrock/boulder areas that serve as attachment surfaces for long-lived, high-relief hard corals. Additionally, previous fishery management measures remain in effect, including year-round closure areas for certain gear types, which lessen direct gear impacts to benthic infauna and epifauna; seasonal closures, which protect certain sensitive life stages of groundfish; and restricted access fishing seasons, which lessen the cumulative impacts on marine habitats.

HCD concludes that the groundfish fisheries incorporating the 2006 and 2007 harvest specifications continue to minimize to the extent practicable the adverse effects of fishing on EFH. We offer no additional EFH Conservation Recommendations at this time.

cc: Records