

The Council adopted an EFH problem statement as follows:

The productivity of the North Pacific ecosystem is acknowledged to be among the highest in the world. The Council intends to ensure the continued sustainability of FMP species by considering additional, precautionary and reasonable management measures. Recognizing that in the North Pacific, potential changes in productivity may be caused by fluctuations in natural oceanographic conditions, fisheries, and other, non-fishing activities, the Council intends to take action in compliance with the requirements of the Magnuson-Stevens Act to protect the productivity of FMP species by considering additional measures to reduce adverse effects of fishing activities on habitat essential to managed species.

To accomplish this task, the Council will undertake an EIS analysis to:

- 1) Identify and designate Essential Fish Habitat,
- 2) Develop designation criteria for identification of Habitat Areas of Particular Concern, and
- 3) Consider implementation of additional management measures to mitigate, to the extent practicable, identified adverse impacts of fishing on habitat essential to the continued productivity of FMP species.

Additionally, the Council adopted the EFH Committees' recommendations to designate alternatives for EFH and HAPC.

The Council adopted the following EFH Mitigation Alternatives modified from the Committee and AP recommendation:

- Alternative 1:                   Status quo
- Alternative 2A:               Prohibit use of bottom trawls for GOA Slope rockfish, but allow conversion to fixed gear or pelagic trawl gear.
- Alternative 2B:               Prohibit use of bottom trawls for GOA Slope rockfish, except within designated "open" areas but allow conversion to fixed gear or pelagic trawl gear.
- Alternative 3:               Prohibit the use of bottom trawl gear for all groundfish fisheries in the Bering Sea and slope areas of the GOA, except within designated "open" areas. Open areas are based on historic catch and effort information. This alternative includes provisions for rotating open areas. In the Bering Sea, rotating open areas would be designated in Blocks 1,2,3,4 and 6 as identified by the EFH committee, with 4 year closed periods for 25% of each block.
- Option :                       Disks/bobbins would be required on trawl sweeps and footropes to reduce contact with bottom, effectively reducing footprint.
- Suboption:                   In the Bering Sea, rotating open areas would be designated in Blocks 2,3,4 and 6 as identified by the EFH committee, with 4 year closed periods for 25% of each block.
- Alternative 4:               Prohibit the use of bottom trawl gear for all groundfish fisheries in the Bering Sea and slope areas of the GOA, except within designated "open" areas. Open areas are based on historic catch and effort information. This alternative includes provisions for rotating open areas. In the Bering Sea, rotating open areas would be designated in Blocks 1,2,3,4 and 6 as identified by the EFH committee, with 4 year closed periods for 25% of each block. In the AI area, no bottom trawling

would be allowed in areas with relatively high abundance of gorgonian corals and sponges.

Suboption: In the Bering Sea, rotating open areas would be designated in Blocks 2,3,4 and 6 as identified by the EFH committee, with 4 year closed periods for 25% of each block.

Alternative 5: Establish closures to the groundfish and scallop fishing with bottom tending gear (longline, pot, dredge and trawl) within the GOA, AI and BS. These closure areas would be based on areas with relatively high abundance of gorgonian corals, sponge and *Boltenia*, and designed to preserve relatively un-impacted benthic habitat.

In addition:

- a) Consider the relative advantages to EFH of rationalization.
- b) Each mitigation alternative shall have an experimental model developed to accomplish monitoring and research. Team EFH will be tasked to evaluate these experimental models.
- c) The Council requests the NPRB to call for proposals and fund research that evaluates the recovery time and habitat recovery process within the Bering Sea rotating areas (i.e. – is three years more than sufficient for recovery?)
- d) The Council requests the Joint BOF/Council committee to develop a shared process that sets up stakeholder meetings to facilitate coordinated BOF/Council evaluation of HAPC and MPA.

The following points should be included/addressed in the EIS:

1. Clarification that task of EFH mitigation measures is to reduce habitat degradation that has or has the high probability of negatively impacting the productivity of FMP species.
2. An assessment of the productivity of the FMP species using the SAFE documents and other available information.
3. Information or evidence linking any adverse effects on the productivity of the FMP species to fishing.
4. Evidence that the proposed mitigation measures will properly mitigate specific adverse impacts to FMP species.
5. An assessment of the level of certainty of information used to determine adverse impacts, linkages to fishing and effectiveness of proposed measures to mitigate specific adverse effect.
6. A cost benefit analysis to determine the *“practicability and consequences”* of adopting proposed mitigation measures. This should also include an assessment of unintended consequences such as increased bycatch and bycatch-triggered closures.
7. An assessment of the costs and benefits of measures already imposed to protect the FMP species including the Bering Sea crab and Pribilof habitat closure areas, salmon, herring, walrus and Steller sea lion closures, and similar closures in the GOA including the Eastern GOA trawl closure and the Mt. Edgecomb Pinnacles and any other closed areas that restrict impact on local habitat.
8. The two million metric ton cap in the BSAI should also be factored in as an existing mitigation measure since the proposed alternatives recommend that TAC reductions should accompany area closures to further protect habitat by reducing fishing effort.
9. A table that compares the proposed mitigation measures, any adverse impacts to FMP species, certainty of scientific information used to determine adverse impact, projected effectiveness and cost of measures to coastal communities and industry participants and projected unintended consequences.
10. An evaluation and comparison of each alternative to the requirements of the National Standards.