Overview of HAPC's

Council may identify HAPC areas based on one or more of four considerations in the EFH Final Rule: ecological importance; sensitivity to human-induced degradation; stress from development activities; and rarity of the habitat type. The EFH FR also discusses rarity, localized areas that are vulnerable, and the use of a council process to identify HAPCs in Section 18 – Comments and Responses (see handout). Further specified in the EFH FR, HAPC's are discussed within time/area closures as "*actions* [referring to managing adverse effects on EFH from fishing] *may include, but are not limited to: closing areas to all fishing or specific equipment types… and designating zones for use as marine protected areas to limit adverse effects on certain vulnerable or rare areas/species/life stages, such as those areas designated as HAPC's*."

HAPC's are currently defined in the existing 1997 EFH EA as those living substrates in shallow waters and deep waters, as well as anadromous fish streams and waters important to salmon. To narrow these broad descriptions, an HAPC process was initiated in 1999 by the NPFMC and NMFS. The first HAPC process involved as series of stakeholder workshops to identify HAPC areas and fishery issues. Meetings were held throughout Alaska. A summary report was offered to the Council and the Council chose not to take further action on HAPC. The broad HAPC descriptions remain current until the EFH EIS and HAPC process become final.

Current HAPC Process

With the development of the 2004 EFH Draft EIS, a process to identify HAPC's was developed through the Council and in cooperation with NMFS Alaska Region. The HAPC process includes an initial call for proposals to identify HAPC's and any associated management measures. Over 20 HAPC proposals were received covering a broad range of EFH habitats and geographic area. Further, the process includes a subsequent Plan Team review and assessment. The HAPC process is to include a ranking of the areas and decisions as to the ecological, socio-economic, and practicability merits of the proposals. The HAPC process parallels the EFH EIS timeline, including regulatory action, to be completed by August 13, 2006.

HAPC Consideration vs. EFH EIS Determinations

The Council/Agency prepared draft EFH EIS concludes no new action is necessary to minimize the effect of fishing on EFH. Given HAPC's are subsets of EFH, how do we explain why we are considering HAPC's areas as a management action to limit habitat disturbance caused by fishing?

The EIS acknowledges that there are long-term effects of fishing on benthic habitat features off Alaska, and that considerable scientific uncertainty remains regarding the consequences of such habitat changes for managed species. Nevertheless, the analysis concludes that the effects on EFH are minimal because there is no indication that continued fishing at the current rate and intensity would alter the capacity of EFH to support healthy populations of managed species over the long term. The EIS therefore finds that no Council-managed fishing activities have more than minimal and temporary adverse effects on EFH, which is the regulatory standard requiring action to minimize effects under the Magnuson-Stevens Act.

However, the EIS notes that a variety of management actions could be taken to provide additional habitat protection, should the public and Council decide on a process to do so.