



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


*National Marine Fisheries Service*

*P.O. Box 21668*

*Juneau, Alaska 99802-1668*

October 23, 2006

MEMORANDUM FOR: Jonathan Kurland  
Assistant Regional Administrator for Habitat Conservation

FROM:   
Susan Salvesson  
Assistant Regional Administrator for Sustainable Fisheries

SUBJECT: Initiation of Essential Fish Habitat (EFH) Consultation on the 2007 and 2008 Harvest Specifications under Fishery Management Plans (FMPs) for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI) and the Gulf of Alaska (GOA)

The purpose of this memorandum is to request initiation of EFH consultation for the 2007 and 2008 final harvest specifications under the FMPs for the groundfish fisheries in the BSAI and GOA. The EFH assessment for this action is in the draft environmental impact statement (DEIS) available at <http://www.fakr.noaa.gov/analyses/specs/eis/draft90106.pdf>. EFH consultation is required by section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) for any action funded, authorized, or undertaken by a federal agency that may adversely affect EFH. The implementation of the 2007 and 2008 final harvest specifications is a federal action that may have an adverse effect on EFH.

NMFS will publish proposed harvest specifications in December 2006. The DEIS contains the information to support the proposed specifications. The proposed harvest specifications are based on the 2005 Stock Assessment and Fisheries Evaluation (SAFE) reports and additional information provided by the North Pacific Fishery Management Council's (Council) Groundfish Plan Teams in October 2006. The Council's Plan Teams are in the process of completing the 2006 SAFE reports for target groundfish species based on new information collected in 2006, and these reports will be available after the November 2006 Plan Teams' meeting. The final EIS will contain the information from the 2006 SAFE reports.

The Plan Teams will forward their 2006 SAFE reports to the Council for consideration in setting 2007 and 2008 final harvest specifications at the December Council meeting. Once the Council makes final harvest specification recommendations, NMFS will complete analysis and final rule making for the 2007 and 2008 harvest specifications. Final specifications will supersede the current 2007 specifications in late February or early March 2007. The information provided in the 2006 SAFE will not change the current determination. The level of fishing for one or more



current 2007 specifications in late February or early March 2007. The information provided in the 2006 SAFE will not change the current determination. The level of fishing for one or more groundfish species in the proposed specifications may be different from the final specifications, but the overall effects of this action on EFH likely would be the same because the areas fished, types of fishing gear used, and overall level of fishing effort expended would remain approximately the same.

The Sustainable Fisheries Division is providing the information required for an EFH assessment under 50 CFR 600.920(e)(3) in the DEIS. A summary of the information required for an EFH assessment follows:

**(1) A description of the action** (Chapter 2 of the DEIS) Alternative 2 is identified as the preferred alternative and is the federal action for purposes of this EFH consultation.

**(2) An analysis of the potential adverse effects of the action on EFH and the managed species.** (Chapter 10 of the DEIS) Issues of concern with respect to EFH effects are the potential for damage or removal of fragile biota that are used by fish as habitat; the potential reduction of habitat complexity, which depends on the structural components of the living and nonliving substrate; and potential reduction in benthic diversity from long-lasting changes to the species mix. The magnitude of impacts is minimal, but the duration is persistent as found in the April 2005 Final EIS for EFH Identification and Conservation in Alaska.

**(3) The Federal agency's conclusions regarding the effects of the action on EFH.** (Chapter 10 of the DEIS) The action effects EFH primarily through the use of fishing gear and may have adverse effects on both the biota and certain biotic areas. Existing mitigation measures to minimize the potential for adverse effects of the groundfish fisheries on EFH continue with this action. This action will not substantially change the amounts, locations, or methods of fishing effort associated with the groundfish fisheries. This action does not exceed the minimal and temporary limits established by 50 CFR 600.815(a)(2).

**(4) Proposed mitigation, if applicable.** No additional mitigation is proposed at this time with this action. NMFS has taken numerous actions to protect vulnerable areas, or to protect sensitive life stages of species by curtailing fishing at different times and in different areas including implementation of EFH and HAPC protection measures in the GOA and Aleutian Islands. The Council is further evaluating EFH protection measures for the Bering Sea.