



# NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

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## Action Memo

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**File #:** Cons 17-003, **Version:** 1

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**Dan Hull, Chairman**  
**Chris Oliver, Executive Director**

**SUBJECT:**  
EFH Omnibus Amendments - Initial/Final Review

**STAFF CONTACT:** Steve MacLean

**ACTION REQUIRED:**  
Review Draft EA - Initial Review/Final Action

### BACKGROUND:

The Magnuson-Stevens Fishery Conservation and Management Act includes provisions concerning the identification and conservation of Essential Fish Habitat (EFH). The MSA defines EFH as “those waters and substrate necessary for fish spawning, breeding, feeding, or growth to maturity”. The EFH final rule states that a review of EFH components should be completed every five years, and the EFH provisions should be revised or amended, as warranted, based on the best available information. The latest review of EFH for the NPFMC’s FMPs was completed in October 2016. Based on that review, the Council determined that new information is available to revise many of the EFH descriptions and maps in the Council’s FMPs, and to review the potential effects of fishing on EFH. This Environmental Analysis (EA) evaluates the potential effects to the human environment of the no-action, and the action alternative to several actions to update EFH definitions in several of the Council’s FMPs, update the non-fishing effects evaluation for all of the Council’s FMPs, reinstate the HAPC prioritization and proposal process, and update EFH research priorities in the Council’s FMPs.

### Purpose and need

The purpose of the eight proposed actions is to comply with the Final Rule implementing the EFH provision of the MSA (50 CFR Part 600, Subpart J). The EFH Final Rule and each of the Council’s FMPs state that a review of EFH components should be completed every 5 years and the EFH provisions should be revised or amended, as warranted, based on the best available information. To comply with the EFH Final Rule, the most recent 5-year review of EFH was completed in October 2016 and synthesized in a Final Summary Report presented to the Council. Based on the review, the Council determined that new information is available to revise many of the EFH descriptions and maps in the Council FMPs. There are eight actions included in this omnibus EFH amendment package, all of which are intended to update the Council FMPs to incorporate the best new information available. The proposed actions are FMP amendments only; there are no regulations that will be changed as a result of these amendments.

### Description of Actions and Alternatives

#### Action 1 - BSAI Groundfish

Alternative 1 - No action; status quo

Alternative 2 - Update EFH descriptions in the FMP consistent with the stock assessment authors’ recommendations in Sections 5.1 through 5.26 of the Summary Report, NPFMC 2016. Replace the existing EFH maps in the FMP with the 95<sup>th</sup> percentile maps by season (winter, spring, summer, and fall) for each species and life stage as shown in Appendix 1.

Action 2 - GOA Groundfish

Alternative 1 - No action; status quo

Alternative 2 - Update EFH descriptions in the FMP consistent with the stock assessment authors' recommendations in Sections 6.1 through 6.26 of the Summary Report, NPFMC 2016. Replace the existing EFH maps in the FMP with the 95<sup>th</sup> percentile maps by season for each species and life stage as shown in Appendix 2.

Action 3 - BSAI King and Tanner Crab

Alternative 1 - No action; status quo

Alternative 2 - Update EFH descriptions in the FMP consistent with the stock assessment authors' recommendations in Section 7 of the Summary Report, NPFMC 2016. Replace the existing EFH maps in the FMP with the 95<sup>th</sup> percentile maps by season for each species and life stage as shown in Appendix 3.

Action 4 - Salmon

Alternative 1 - No action; status quo

Alternative 2 - Update only marine EFH descriptions in the FMP consistent with the stock assessment authors' recommendations in Section 9 of the Summary Report, NPFMC 2016. Replace the existing marine EFH maps in the FMP with the model-based maps for each species and life stage as shown in Appendix 4.

Action 5 - Arctic Management Area

Alternative 1 - No action; status quo

Alternative 2 - Update EFH descriptions for all species in the FMP consistent with the stock assessment authors' recommendations in Section 10 of the Summary Report, NPFMC 2016. Replace the existing map for snow crab in Appendix B of the FMP with the map (s) recommended by the Scientific and Statistical Committee, as noted in their April 2016 minutes. See Appendix 5 for updated descriptions and map.

Action 6 - Non-Fishing Activities

Alternative 1 - No action; status quo

Alternative 2 - Update EFH conservation recommendations for non-fishing activities in all Council FMPs

Action 7 - HAPC

Alternative 1 - No action; status quo

Alternative 2 - Initiate HAPC proposal process

Action 8 - EFH Research Priorities

Alternative 1 - No action; status quo

Alternative 2 - Revise research priorities for EFH in all FMPs

Effects of Fishing on proposed EFH

In December 2016, the Council reviewed and approved an updated method to assess the effects of fishing on EFH. Stock assessment authors were provided with output from the Fishing Effects model (see FE model output supplementary materials; OR download the excel files-[Aleutian Islands <http://www.npfmc.org/wp-content/PDFdocuments/conservation\\_issues/EFH/EFH\\_FE\\_output\\_AI\\_locked.xlsx>](http://www.npfmc.org/wp-content/PDFdocuments/conservation_issues/EFH/EFH_FE_output_AI_locked.xlsx), [Bering Sea <http://www.npfmc.org/wp-content/PDFdocuments/conservation\\_issues/EFH/EFH\\_FE\\_output\\_BS\\_locked.xlsx>](http://www.npfmc.org/wp-content/PDFdocuments/conservation_issues/EFH/EFH_FE_output_BS_locked.xlsx), [Gulf of Alaska <http://www.npfmc.org/wp-content/PDFdocuments/conservation\\_issues/EFH/EFH\\_FE\\_output\\_GA\\_locked.xlsx>](http://www.npfmc.org/wp-content/PDFdocuments/conservation_issues/EFH/EFH_FE_output_GA_locked.xlsx)).

[content/PDFdocuments/conservation\\_issues/EFH/EFH\\_FE\\_output\\_GOA\\_locked.xlsx>](#)) that showed cumulative habitat disturbance within a core EFH area for each species, from 2003 - 2016. Stock assessment authors reviewed habitat disturbance data and species demographic data to determine whether there was a reasonable likelihood that habitat disturbance within the core EFH area was creating impacts to the species that were more than minimal and not temporary. The stock assessment authors' reports were reviewed by representatives of the groundfish and crab Plan Teams, as requested by the Council. In all cases, stock assessment authors concluded that impacts to EFH from fishing activities did not have a significantly adverse impact to FMP managed species, and the Plan Team representatives concurred with their assessment. No changes to management were recommended by any stock assessment author.

### Expected effects of Alternatives

For Actions 1, 2, 3, 4, and 5 neither alternative 1 nor alternative 2 would have significant impacts to the human environment. In each case, Alternative 1 would result in no changes to EFH in the Council's FMPs, and Alternative 2 would change EFH descriptions and maps (where recommended). In some cases, updated information would result in reclassification from Level 1 to Level 2 data, consistent with the intent of the EFH Guidelines. No changes to management would be required to address the impacts of commercial fishing on EFH. None of the proposed changes would require regulatory action. Federal agencies that conduct, authorize, or fund activities in the area would still be required to consult with NMFS HCD to identify recommended measures, if necessary, to mitigate impacts to EFH that are more than minimal or not temporary.

Action 6, Alternative 1 would not update the conservation recommendations for non-fishing activities. The expected impacts of Alternative 1 are not significant. Alternative 2 would update the conservation recommendations for non-fishing activities that take place in EFH. Federal agencies that conduct, authorize, or fund activities in the area would still be required to consult with NMFS HCD to identify recommended changes to mitigate the impacts to EFH. No changes to regulations will result from this alternative. The expected impacts of Alternative 2 are not significant.

Action 7, Alternative 1 would result in no call for HAPC nominations. The expected impacts of Alternative 1 are not significant. Alternative 2 would result in the Council initiating a call for HAPC nominations through a proposal process that focuses on specific sites consistent with the HAPC priorities designated by the Council. A subsequent NEPA analysis would be required for each potential action. The expected impacts of Alternative 2 are not significant.

Action 8, Alternative 1 would result in no update to the EFH research priorities identified in the Council FMPs. Current research priorities would remain. The expected impacts of Alternative 1 are not significant. Alternative 2 would result in updated EFH research priorities in the Council's FMPs. No changes to management would be required, no regulatory action would be required. The expected impacts of Alternative 2 are not significant.

### Conclusions

This EA identifies eight actions that the Council could take to update the Council's FMPs to incorporate the best new information available. The action alternatives described above would result in updates to EFH for the BSAI Groundfish, GOA Groundfish, BSAI Crab, Salmon, and Arctic FMPs; updates to the recommendations to reduce impacts to EFH from non-fishing activities; initiate a process to identify HAPC priorities and issue a call for proposals for HAPC nominations; and update the EFH research priorities in the Council's FMPs. None of the alternatives are inclusive, the Council could choose the action alternative for some actions, and the no-action alternative for others. Selection of action alternatives to update EFH for any of the Council's FMPs does not preclude the Council from revising EFH for one or more FMPs should new information become available that would warrant such a change.