

Agenda Item D-3, Bering Sea Habitat Conservation, Council Motion
June 10, 2007

The Council adopts the following alternatives and options for Bering Sea Habitat Conservation:
Passed Unanimously 16-0.

1. Alternative 2 including the western boundary as described under Fig. 1. Fishing with nonpelagic trawl gear outside of a designated open area would be prohibited. This area includes all non-pollock, historic nonpelagic trawl fishing grounds and is intended to accommodate the developing arrowtooth flounder fishery.
2. The wedge area described under the suboption of Alternative 2 may be opened if the Secretary has approved, and NMFS has implemented, a gear modification for nonpelagic trawl gear for the Bering Sea flatfish fishery to reduce bottom habitat impacts (see item 3 below). Further, the Council encourages NMFS to include this area within the annual trawl survey design.
3. The Council endorses trawl sweep modifications that reduce the potential impacts on benthic habitat from gear contact with the seafloor, per Alternative 3. The Council will provide recommendations to NMFS for the specific gear modifications in June 2008, following additional gear testing by the flatfish trawl industry, so the agency can undertake rulemaking after that date. The Council understands that depending on the final gear modifications, such a regulatory amendment may require supplementing the EA/RIR/IRFA analysis that is currently before the Council.
4. Adopt Options 1, 3, and 5 to close nearshore areas around St. Matthew Island, St. Lawrence Island, Nunivak Island, Etolin Strait, and Kuskokwim Bay to nonpelagic trawling. The Council will receive a report in four years to review the boundary line under Option 3 developed in the consultation that occurred within the industry representative/AVCP working group, and consider appropriate action.
5. Adopts Option 4 to establish a Northern Bering Sea Research Area (NBSRA). The NBSRA would be closed while a research plan is developed for Council review. The plan will consider and identify protection measures as may be necessary within the NBSRA for king and C. opilio crab, marine mammals, ESA-listed species, and subsistence needs for Western Alaska communities in nearshore areas. The development of a research plan will include a similar process for developing EFP applications in which those wishing to conduct experimental fishing in the area would work in conjunction with the Alaska Fisheries Science Center to ensure any nonpelagic trawl fishing is conducted within the context of the research plan. It will be completed for Council review within 24 months after publication of a final rule for this action. This plan would include the criteria described under Option 4 of the EA/RIR/IRFA. Fishing would occur under an exempted fishing permit consistent with the Council approved research plan before an adaptively managed commercial fishery could occur. The results of the research would provide the information to support the Council's adaptive management of this area and would address managed crab species, marine mammals, ESA-listed species, and subsistence needs for Western Alaska communities.

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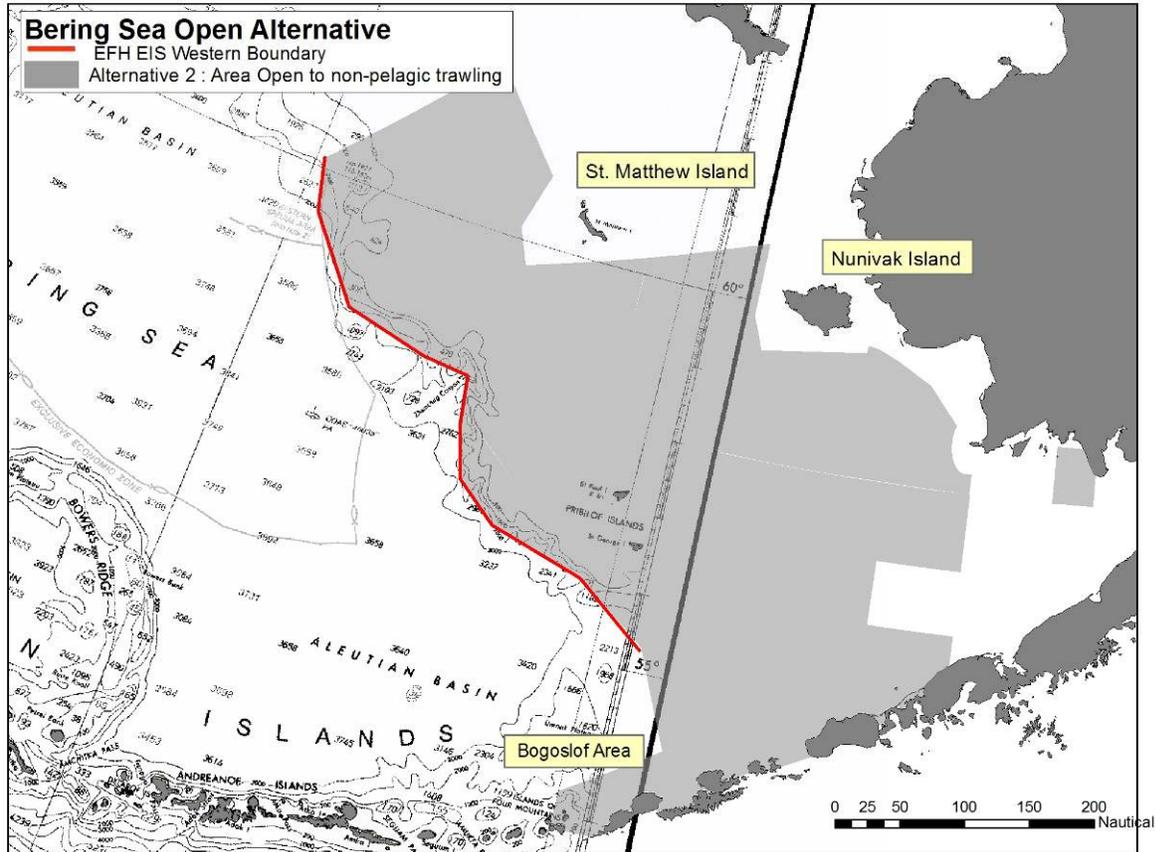


Figure 1. Alternative 2 from Bering Sea Habitat Conservation EA/RIR/IRFA modified June 10, 2007.