

*The Council adopted the following problem statement on Habitat Areas of Particular Concern (HAPC).*

HAPC Problem Statement:

Habitat Areas of Particular Concern (HAPC) are site-specific areas of Essential Fish Habitat (EFH) of managed species. Identification of HAPCs provides focus for additional conservation efforts for those habitat sites that are ecologically important, sensitive to disturbance, exposed to development activities, or rare. Based on these considerations, the Council has directed that each HAPC site should meet at least two of these criteria, with one being rarity.

The Council has set the priorities of seamounts and undisturbed coral beds outside of core fishing areas important as rockfish or other species habitat as priority sites for identification as HAPC and for additional conservation measures. Seamounts may have unique ecosystems, contain endemic species, and may thus be sensitive to disturbance. Some deep-sea coral sites may provide important habitat for rockfish and other species and may be particularly sensitive to some fishing activities. The Council intends to evaluate alternatives to designate HAPC sites and take action, where practicable, to conserve these habitats from adverse effects of fishing.

*The Council adopts the following draft purpose and need section for the analysis.*

1.0 Purpose and Need for Action

The Council recognizes that Essential Fish Habitat (EFH) designations are necessarily broad in scope because of the limited available scientific information about the habitat requirements of managed species. The Council further recognizes that specific habitat areas within EFH may warrant additional management because they are ecologically important, stressed, susceptible to adverse effects of fishing and other human activities, and or rare. HAPC identification provides a way to call extra attention to such habitats and to focus conservation and enhancement priorities within EFH.

1.1 Need for Action

In section 2 of the Magnuson-Stevens Fishery Conservation and Management Act, Congress recognized that one of the greatest long-term threats to the viability of commercial and recreational fisheries is the continuing loss of marine, estuarine, and other aquatic habitats. Congress adopted specific requirements for fishery management plans (FMPs) to identify EFH and minimize to the extent practicable any adverse effects of fishing on EFH. In the regulations implementing the EFH provisions of the Magnuson-Stevens Act, NMFS encourages Councils to identify types or areas of habitat within EFH as HAPCs (50 CFR 600.815(a)(8)). HAPCs provide a mechanism to acknowledge areas where more is known about the ecological function and/or vulnerability of EFH, and to highlight priority areas within EFH for conservation and management.

HAPCs and associated management measures considered by the Council would provide additional habitat protection and further minimize potential adverse effects of fishing on EFH. Such actions are consistent with the EFH EIS because they address potential impacts that are discussed in the EIS, even though the EIS indicates new management measures may not be required under the Magnuson-Stevens Act to reduce those impacts. In effect, through its evaluation of HAPCs, the Council is considering new measures that would be precautionary.

The need for this action also stems from a May 2003 joint stipulation and order approved by the U.S. District Court for the District of Columbia. That agreement reflected the Council's commitment to consider new HAPCs as part of the response to the AOC v. Daley litigation that challenged whether Council FMPs minimize

to the extent practicable the adverse effects of fishing on EFH. Under the agreement, final regulations implementing any new HAPC designations and any associated management measures must be promulgated no later than August 13, 2006.

## 1.2 Purpose of Action

The purpose of this action is to determine whether and how to amend the Council's FMPs to identify and manage site-specific HAPCs. HAPCs identified as a result of this EA would provide additional habitat protection and further minimize potential adverse effects of fishing on EFH. The HAPCs would be subsets of EFH that are particularly important to the long-term productivity of one or more managed species, or that are particularly vulnerable to degradation. The Council may identify HAPCs based on one or more of four considerations listed in the EFH regulations: ecological importance, sensitivity, stress from development activities, and rarity of the habitat type. The Council required that each HAPC site should meet at least two of those considerations, with one being rarity.

The Council established a process for considering potential new HAPCs, which is documented in Appendix J of the draft EFH EIS. While many types of habitat may be worth considering as HAPCs, the Council determined that concrete and realistic priorities should be set to move forward expeditiously with the designation and possible protection of HAPCs. The Council decided that the initial HAPC proposal cycle should focus on two priorities:

1. Seamounts in the EEZ, named on NOAA charts, that provide important habitat for managed species
2. Largely undisturbed, high relief, long lived hard coral beds, with particular emphasis on those located in the Aleutian Islands, which provide habitat for life stages of rockfish, or other important managed species that include the following features:
  - a) sites must have likely or documented presence of FMP rockfish species
  - b) sites must be largely undisturbed and occur outside core fishing areas

Coral areas were selected as a Council HAPC priority because they may be linked with rockfish and other FMP species. Additionally, areas of high density "gardens" of corals, sponges, and other sedentary invertebrates were recently documented for the first time in the North Pacific Ocean and appear to be particularly sensitive to bottom disturbance. Some deep sea corals are fragile, long-lived, and slow growing organisms that provide habitat for fish and may be susceptible to human induced degradation or stress.

Seamounts were selected as a Council HAPC priority because they may serve as unique ecosystems. Some FMP species on seamounts may be endemic (exclusive to a particular place) and vulnerable to stress caused by human induced activities. The purpose of this priority is to protect seamounts from potential disturbance from fishing activities, and therefore to ensure the continued productivity of these habitats for managed species.

If the Council identifies HAPCs that include state waters, the Council will relay its concerns to the Alaska Board of Fisheries to suggest appropriate protection of HAPCs under state jurisdiction.

*The Council forwards the following analytical package of proposals to be formulated into alternatives by staff such that the Council will review the framework and select final alternatives including sites and management measures, to initiate an Environmental Assessment (EA) during the June, 2004 Council meeting.*

*The Council directs staff prepare a preliminary analysis on the selected alternatives to be presented to the Council in June. Within this analysis the management measures originally linked to the various HAPC site based proposals will be maintained. Under staff tasking the Council also directed staff to develop within the framework of alternatives sites and management measures for each alternative as well as hybrids of those sites that had multiple proposals addressing the same area. The Council further directs staff to present a research component with any management measure.*

*Additionally, the Council directs staff to present information to evaluate if proposed sites are core areas for any fishery by gear type, and provide an evaluation of the intensity of usage that is used to determine "core fishing areas".*

*\*\*Proposal 8 needs further industry input to aid in the site resolution. Because some stakeholders have indicated concerns on these matters the Council will form a technical sub-group meeting to resolve the site area definition issues with associated stakeholders. The work groups' results will be delivered during staff reports to the Council in June.*

*Each alternative will specify the site and management for that HAPC alternative.*

#### Action 1 – Seamounts

Alternative 1: No action (no seamount HAPCs).

Alternative 2: Designate 5 named seamounts in the EEZ off Alaska as HAPCs (Dickens, Geacomini, Patton, Quinn, Welker). Site-specific habitat and species presence/absence data is available for these 5 named seamounts.

Alternative 3: Designate 16 named seamounts in the EEZ off Alaska as HAPCs. Sixteen named seamounts are within less than 3,000m in depth, which is the deepest recorded range of FMP species. Although site-specific habitat and species presence/absence data is available for only 5 of these sites, species composition can be inferred for the 11 unexplored seamounts. (Proposal 4)

#### Action 2 – GOA Corals

Alternative 1: No action (no GOA coral HAPCs).

Alternative 2: Designate three sites along the continental slope at Sanak Island, Albatross, and Middleton Island as HAPCs. These sites are identical to proposed closure areas that were delineated in Alternative 5a for the EFH EIS. These areas were proposed based on anecdotal information from trawl captains that the area is likely rockfish habitat and relatively unfished.

Alternative 3: \*\*\* Designate four sites at Cape Ommaney, Dixon Entrance, Fairweather Ground (NW Area), and Fairweather Ground (Southern Area) as HAPCs. Site-specific habitat and species presence/absence data is available for these areas. These sites are in areas where concentrations of Primnoa were documented using a manned submersible conducting groundfish stock assessments and researching the effects of fishing gear on benthic habitats. During these investigations, rockfish and other managed species were observed in association

with high relief corals. Disturbance to these fragile corals was observed *in situ*, including derelict fishing gear contacting the coral. **(Proposal 8)**

- 1) Cape Ommaney Site. *Primnoa* sp. (red tree coral) colonies are concentrated on a series of small pinnacles about 28 km west of Cape Ommaney, Baranof Island, Alaska. Red tree coral (*Primnoa* sp.) is located on bedrock and large boulders at depths between 201 and 256 m. Several hundred colonies were observed at this site and many were greater than 1 m in height. Several sections of derelict longline gear were observed at the study site and damage to several colonies was evident. The majority of colonies were attached to the seafloor and undamaged, however.
- 2) Dixon Entrance Site. In 1997, NMFS/AFSC/Auke Bay Laboratory scientists conducted submersible dives with the DSV *Delta* in two areas of Dixon Entrance where large catches of *Primnoa* sp. coral were collected as bycatch during triennial groundfish surveys. Submersible observations confirmed the presence of a series of dense *Primnoa* sp. concentrations. Additionally, two sites in this area sampled as part of the Auke Bay Laboratory's sablefish stock assessment program have consistently produced the highest incidental long line catches of *Primnoa* sp. coral in the Gulf of Alaska since 1989. Red tree coral is located on scattered large boulders at depths between 150 and 380 m. Several hundred colonies were observed at the submersible sites and 163 colonies have been collected as bycatch at the two survey sites since 1989. Many colonies were greater than 1 m in height. The majority of colonies at the submersible site were attached to the seafloor and undamaged.
- 3) Fairweather Ground Sites. In 2001, NMFS/AFSC/Auke Bay Laboratory scientists conducted submersible dives with the DSV *Delta* in areas of the Fairweather Grounds where large catches of *Primnoa* sp. coral were collected as bycatch during triennial groundfish surveys. Submersible observations confirmed the presence of a series of dense *Primnoa* sp. concentrations. Red tree coral is located on scattered large boulders at depths between 150 and 200 m. Colonies were observed at the submersible sites and distributed throughout the dive transects. Many colonies were greater than 1 m in height. The majority of colonies at the submersible site were attached to the seafloor and undamaged.

Alternative 4: Alternative 2 plus Alternative 3.

### Action 3 – Aleutian Island Corals

Alternative 1: No action (no Aleutian Islands coral HAPCs).

Alternative 2: Designate six coral garden sites within the Aleutian Islands as HAPCs. In 2002 NMFS submersible dives found high density 'gardens' of corals, sponges and other sedentary invertebrates in the central AI.

- 1) Adak Canyon: Large, geologically active submarine canyon on the south end of Adak Strait. Eastern flank of the canyon is rich in corals and other sedentary invertebrates. The area contains a series of small coral gardens on the island arc slope between the 150 m and 300 m contour bathymetry lines. (Proposals 9, 16, 19)
- 2) Cape Moffett, the Northern portion off Adak Canyon: Area contains series of small coral gardens on the island arc slope between 150-250 m. (Proposals 11, 16, 19)
- 3) Bobrof Island: Area contains series of small coral gardens on the island arc slope between 150-250m. (Proposals 11, 13, 19)

- 4) Semisopochnoi Island: Submarine volcano, Amchixtam Chaxsxii, whose summit is at ~115 m, with an overall height of 580 m. Lava flows extend 14 km downslope to the southeast of the volcano. Strong currents were observed. Coral garden habitat exists on the west side of volcano from the summit to a depth of 365 m. NMFS scientists suspect the entire undersea volcano is likely covered with coral garden habitat. Large *Primnoa* spp. colonies present at 365 m indicate that the submarine volcano may not have erupted within the last several hundred years. (Proposals 11, 12, 13, 18, 19)
- 5) Great Sitkin: Area contains series of small coral gardens on the island arc slope between 300-365 m. (Proposals 16, 19)
- 6) Ulak Island: Area contains series of small coral gardens on the island arc slope between 150-250 m. (Proposals 11, 13, 17, 19)

Alternative 3: Designate Bowers Ridge as an HAPC. North of Petrel Bank in the Aleutian Islands is a unique submerged ridgeline that spans depths from 11m to greater than 3,700 m. This area is designated EFH for several rockfish species. The complex bathymetric features of the ridge provide a physically complex habitat that likely supports undisturbed coral gardens. (Proposals 10, 18)

Alternative 4: Designate 9 sites as HAPCs in the Aleutian Islands (South Adak/Atka, Cape Moffett, Great Sitkin, Adak South, Kanaga Volcano, and Kanaga, Tanaga and Amatignak/Ulak Islands). Trawl skippers with experience and knowledge of the Aleutian Islands selected these sites because they meet the NPFMC priority for high relief hard coral stands likely to be good rockfish habitat. These areas are mostly considered untrawlable grounds with very rocky substrates, numerous snags, and strong tide changes. (Proposals 15, 16, 17)