

Motion on D-3 (a,c) Habitat Conservation
April 3, 2007

D-3-a: Bering Sea Habitat Conservation Motion: The Council adopts the Draft initial review EARIR/IRFA for EFH with the following changes and requests it be sent out for final review with final action in June 2007.

1) The Problem Statement is modified by replacing “managed fish species.” with “Council managed species.” as noted by staff. A final sentence is added “EFH closures for habitat delineation shall be done in consideration of local community use.”

2) The Council moves to adopt the agreed upon southern boundary at Nunivak Island, Etolin Strait and Kuskokwim Bay by the AVCP/industry working group. The Council will, 2 years after implementation, review the results of the AVCP/industry working group to decide if further refinement of the southern boundary line near Nunivak Island/Etolin Strait is needed. The Council will use the process used in the AVCP/industry working group discussions to refine this southern boundary line to inform the Council on how to meet the goals of their Policy Planning document. (Options 2 & 3)

3) Measures establishing non-pelagic trawl (NPT) closures around Nunivak, St. Matthew, and St. Lawrence Islands are separate actions and not affected by any measures developed for the Northern Research Area ([NRA] Option 4).

Clarification of Option 4 (NRA): Inside the NRA, NPT fishing would be prohibited for a period of time during which a management plan for the NRA will be developed for Council review. The plan will consider and identify protection measures as may be necessary within the NRA for king and opilio crab, marine mammals, ESA listed species, and subsistence needs for Western Alaska coastal communities in nearshore areas. In addition to establishing these protection measures, the plan will identify areas where NPT fishing is allowed pursuant to a scientific research plan. In these open areas, control closures will be established based on representative habitats needed to allow scientifically valid comparisons of the effect of NPT fishing. Access to the NRA by NPT will be established once the protection measures and control areas described above are delineated. The plan shall be developed within 18 months and implemented within 3 years of final action on this item. Council will review this program in 5 years.

4) A new Suboption to Alternative 2 and Option 4 is added that defines the northern boundary. The wedge, as described by the attached map, would move a portion of the northern boundary northward between Nunivak and St. Matthew Islands to 61° N. This boundary would be analyzed to consider the spatial distribution of the flathead sole fishery.

5) The analysis will include a discussion of the monitoring and enforcement issues for the alternatives and options. NMFS will consult with the USCG and OLE in development of the discussion, including the use of VMS for enforcement of the closure areas. The VMS discussion will include the current use of VMS by the non-pelagic trawl fishery and the additional VMS that may be needed under the alternatives and options.

Additionally the Council will forward a letter to the NPRB and request that they set the issues described in the NRA above, including seabirds, as well as Bering Sea Canyons, described in the December 2006 Review document, as research priorities.

D-3-c: Aleutian Islands Habitat Conservation Area –Motion Adopt AP recommendations to modify the latitudes and longitudes for open areas in the Aleutian Islands.

The Council's intent in the development of the AIHCA was to prohibit non-pelagic trawling in those areas that had not been historically fished or contained fragile benthic biota such as corals and sponges. Areas where fishing was left open were historically fished or were not known to contain corals or sponges. After the implementation of the AIHCA, fishers determined that a portion of the closure near Agattu Island included areas historically fished for Pacific cod, and no evidence exists for corals and sponges occurring in this area. In addition, the industry determined that a portion of the open area near Buldir warranted protection by closing the area to non-pelagic trawling because of the rocky relief and documented presence of coral and sponges. This action would correct the opened and closed area boundaries in these to locations to ensure the Council's original intent for the AIHCA is met.