

December 2004 Council action on EFH/HAPC

The Council recognizes the difficulties with establishing the open areas in the Aleutian Islands given the limitations of the data used to develop the current set of open and closed areas. The Council believes that there needs to be a mechanism to periodically and routinely evaluate the appropriateness of these closures. This is consistent with recommendations that have come out of the United States Commission on Oceans Policy.

The Council strongly recommends to NMFS that a comprehensive mapping and scientific research program on Aleutian corals be carried out with the explicit objective of assessing the effects of these open and closed areas on coral conservation, the conservation and productivity of managed species, and the social and economic impacts of these management measures.

The Council also wishes to acknowledge the suggestion made by Oceana in October of 2002 that there needs to be a mechanism to evaluate these open and closed areas to determine if additional areas should be closed or if closed areas should be opened. One important suggestion was to allow experimental fishing to occur in areas 'recommended by fishing interests; or where NMFS data indicate that such fishing would have minimal impact on coral habitat. Such a program could be conducted using Exempted Fishing Permits, and should be closely tied to the scientific assessments identified above. The Council moves to include the following.

All version of Alt. 5B will include a post-implementation research and monitoring component, as well as provide for a review process to evaluate subsequent re-opening of areas as appropriate.

Elements will include:

- Seafloor mapping
- Benthic research
- Evaluation of the efficacy of mitigation measures
- Experimental fishing permits to identify additional open areas.

Include as a management option for 5b, 5 years after regulatory implementation the closure areas would sunset and become reopened unless scientific data validates the habitats as vulnerable.

HAPC process:

The Council moves to adopt the following changes staff recommended with the following two additions. Top of p. 7 remove " shall" to " may", and insert on p. 9 as J.4.5.5 a periodic review section with the following language. " The Council may periodically review the efficacy of existing HAPCs and allow for input on new scientific research." Ensure the weighting criteria used to evaluate the HAPC proposals are given to the SSC prior to the review process.

HAPC EA:

The Council has become aware that a portion of the proposed Dixon Entrance HAPC lies in a disputed zone over which both the United Sate and Canada claim jurisdiction. Due to concerns regarding Canada's potential reaction the establishment of a HAPC in this area, the Council voted to remove the Dixon Entrance proposal from the HAPC Environmental Assessment.

The Council remains interested in exploring potential avenues to protect coral habitat areas at Dixon Entrance, and encourages the National Marine Fisheries Service to discuss with Canada, during bilateral fisheries meetings between the two countries, potential options for cooperatively identifying and protecting corals in the vicinity of Dixon Entrance. Such discussion could include corals in undisputed Canadian waters in addition to corals in the disputed zone and undisputed US waters.