




**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
*National Marine Fisheries Service*  
P.O. Box 21668  
Juneau, Alaska 99802-1668

May 28, 2015

**MEMORANDUM FOR:** Glenn Merrill  
Assistant Regional Administrator  
Sustainable Fisheries Division

**FROM:** Jeanne Hanson   
Assistant Regional Administrator  
Habitat Conservation Division

**SUBJECT:** B-2 Council Brief  
United States Navy Northern Edge Training Activities

This is in response to a request from the North Pacific Fishery Management Council (Council) to provide a briefing on the United States Navy's Gulf of Alaska (GOA) Navy Training Activities.

### **Background**

Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires federal agencies to consult with NMFS on any action that may adversely affect EFH. The trigger for EFH consultation is a federal action agency's determination that an action may adversely affect EFH. Should the action agency determine that the action would not adversely affect EFH then no consultation is necessary. However, in accordance with Section 305 (b) (4) (A) if we receive information from other sources that an action would adversely affect EFH; NMFS shall recommend measures that can be taken to conserve EFH.

In 2010 the U.S. Navy (Navy) published a Draft Environmental Impact Statement (DEIS) and provided NMFS with an EFH Assessment on the GOA Navy Training Activities known as the Northern Edge exercises. These activities are a biennial training event that involves U.S. personnel from several branches of the armed forces. The Navy has conducted exercises in marine waters of Alaska for more than 30 years. In their EFH Assessment the Navy determined that there would be no adverse effects to EFH in the GOA from Navy training activities.

As part of our EFH consultation with the Navy, staff from the Habitat Conservation Division (HCD) participated in the public meetings held by the Navy and ensured that we informally coordinated with the Alaska Fisheries Science Center (AFSC), the Council, the Sustainable Fisheries Division (SFD), and the Protected Resources Division (PRD). Based on that coordination, information in the EFH Assessment, and the DEIS; HCD followed up with EFH conservation recommendations in a letter dated January 4, 2011. In 2013, the Navy notified NMFS that exercises were cancelled due to budget cuts.



In April 2014, the Navy contacted NMFS to provide us with information concerning the continuation of the activities previously consulted on in 2010. We note that at the time of our consultation in 2010, we did not have an official policy on coordinating consultation activities with the Council. That policy was put into place in April of 2012.

### **Process for Determining Council involvement in EFH consultation process**

In April of 2012 the following criteria was set forward by the Council to guide the Alaska Region of NMFS in determining whether the activity is likely to be of particular interest to the Council:

- The extent to which the activity would adversely affect EFH
- The extent to which the activity would adversely affect Habitat Areas of Particular Concern (HAPC), or other areas established by the Council to protect sensitive habitat features
- The extent to which the activity would be inconsistent with measures taken by the Council to minimize potential adverse effects of fishing on EFH, and;
- The extent to which the activity would conflict with Council-managed fishing operations.

### **2015 US Naval Exercises**

In a letter dated April 3, 2014, the Navy informed NMFS of their plans to continue GOA Training Exercises in June 2015 and in the region known as the Temporary Maritime Activities Area. This was done in response to the conservation recommendation in our January 4, 2011 letter requesting that the Navy coordinate future exercises so as not to displace research or fishing operations. The Navy also stated that based on their 2010 consultation with NMFS, including their determination that there would be no adverse effects to EFH in the GOA from Navy training activities and their subsequent agreement to restrict Sinking Exercises (SINKEX) so as to avoid HAPCs, they were not requesting to reinstate EFH consultation.

To ensure that we were following the guidance set forth by the Council and that the fisheries community (commercial, research, and federal management) were made-aware of the upcoming event, HCD staff reached out to the AFSC Vessel and Survey Operations Coordinator. Together, contact was made with the NOAA Corps Office of Marine Operations – Pacific Marine Center, SFD, PRD, the Council, the International Pacific Halibut Committee, and Ted Stevens Marine Research Institute/Auke Bay Lab.

### **Conclusion**

Based on the results of this coordination, the activity would not conflict with Council managed fishing operations. Further based on the Navy's determination that there would be no adverse effects to EFH (including their avoidance of SINKEX activities from HAPCs and continued coordination to ensure measures taken to minimize the potential adverse effects of the activity on EFH), NMFS did not pursue further input from the Council. Should the Council need additional information HCD would coordinate with the Navy to ensure that was provided.

## Summary of Correspondence Timeline

Date	Correspondence	Summary
AUG 2010	Navy to NMFS	The Navy provides NMFS with an EFH Assessment. In that Assessment the Navy makes the determination that there would be no adverse effects to EFH as a result of their actions.
04 JAN 11	NMFS to Navy	NMFS offers EFH conservation Recommendations to Navy as: <ol style="list-style-type: none"> <li>1. Avoid HAPCs in the areas (Named Seamounts)</li> <li>2. Develop a long term monitoring plan in coordination with NMFS and EPA to address expended materials.</li> <li>3. Coordinate exercises as not to displace NOAA's Marine Operations or compromise NOAA research.</li> <li>4. USN should develop a fish mortality reporting plan; specify procedures to identify fish and collect and preserve any samples.</li> </ol>
24 JAN 11	Navy to NMFS	Navy addresses EFH conservations recommendations with thorough evaluation, including rationale for adherence or dismal of recommendations. Satisfies EFH Consultation.
07 JAN 13	Navy to NMFS	Navy informs NMFS of preparing and SEIS/OEIS in the TMMA with the GOA. The analysis with evaluate any new, relevant information, analyze data using a new acoustic model, and renew currency with federal regulatory permits and authorizations.
02 FEB 13	NMFS to Navy	NMFS Alaska Region unable to be a cooperating agency and will review supplements to the SEIS/OEIS. [Note: Navy did not conduct 2013 exercises.]
03APR 14	Navy to NMFS	Notice of continuation of GOA exercises for Summer 2015 and continuation of training through 2021.
24-29 APR 14	NMFS to AFSC survey programs, TSMRI, SFD, PRD, NPFMC, IPHC, and NOAA Corps Marine Operations.	HCD (Matthew Eagleton) together with AFSC research vessel coordinator John C. Clary provided informal coordination regarding Navy exercises in the GOA.

HCD can provide copies of all correspondence. In addition correspondence is available at Navy's link: <http://goaeis.com/>