

Ecosystem Committee Minutes

Teleconference - March 27, 2012 9-10 am

Committee: Stephanie Madsen, Dave Benton, Jon Kurland, John Iani, Jim Ayers, Diana Evans (staff)

C-3(d) EFH Consultation Criteria

Mr Kurland provided the Committee with background information on the Council's consideration of the Essential Fish Habitat (EFH) consultation process. At their last two meetings, the Council has asked NMFS to report on the current practice, both in Alaska and nationally, of NMFS' involvement of the Councils in the EFH consultation process. In February, the Council asked the Ecosystem Committee to review suggested criteria that have been offered by the agency to formalize which activities merit Council involvement.

The Committee agrees that the Council should identify a structured process for involving the Council in the EFH consultation process. The Committee recommends that the Council receive more frequent reports from NMFS, on a consistent schedule to be established by the Council Chair and the Executive Director, on EFH consultations that may be of interest to the fishing industry, and/or that may affect habitats of direct concern to the Council. The Committee recommends that the reports focus on major consultations, with a brief summary of routine activities with minor effects on EFH. For activities that may have major effects on EFH, the Committee recommends that to the extent possible, NMFS provide advance notice to the Council of these pending activities, so that the Council can choose whether or not to engage directly in the consultation. **The Committee recommends that the Council adopt the following criteria proposed by NMFS to guide the agency 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 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.

The Committee recommends that the Council aim to provide its input during appropriate public comment periods. As the agency's December report indicated, the vast majority of EFH consultations undertaken by NMFS are not actions on which the Council would feel the need to comment. This recommendation for a Council EFH consultation policy is not intended to create an additional clearance requirement (and potential for delay) in the permit process, rather it is intended to ensure that activities that are of relevance to the Council are brought to the Council's attention in a timely fashion and not overlooked.

Additionally, the Committee noted that there are other non-fishing activities, outside of those that are captured under the EFH consultations, with which NMFS may be involved, and which may be of interest to the Council. **The Committee recommends that the agency also be encouraged to bring other non-fishing activities and items of interest to the Council's attention, as appropriate.** A current example is the Aleutian Islands Risk Assessment, which is almost complete, and which indicates that there is likely to be a considerable increase in shipping on the Great Circle Route in the next three years. The Committee encourages the Council to request a briefing on the report, either through the Alaska Marine Ecosystem Forum, or directly to the Council.

Planning for meeting to review national and international ecosystem-based management best practices

The Committee is planning a meeting to receive presentations and information on comprehensive ecosystem-based management approaches that are being developed and undertaken throughout the country and the world. The goal would be to provide potential recommendations to the Council about any ecosystem approaches that might be applicable in the North Pacific. The Committee discussed a target date of September for planning this meeting, which will occur in Seattle at the Alaska Fisheries Science Center.