



NOAA
FISHERIES

NMFS ESA Section 7 Reinitiation on the BSAI and GOA Groundfish Fisheries

December 2022

What is ESA Section 7

- Federal law to promote conservation of ESA-listed species
- Applies when there is a federal nexus/action
- Consultation is on ESA species that could potentially be affected by the action
- In Alaskan waters we have 13 ESA listed marine mammals



Why Are We Consulting

- NMFS continually examines federal fisheries for compliance with ESA Section 7
- The GOA and BSAI fisheries have met several triggers for reinitiation
- Mandated by federal law



Reinitiation Triggers

1. Amount of Authorized Incidental Take is Exceeded
2. New information reveals effect of agency action may affect listed species or critical habitat in a manner or to an extent not considered
3. Modifications to the action that may affect listed species or critical habitat in a manner or to an extent not previously considered
4. New Species or Critical Habitat Listing



Triggers We Have Met

- New Critical Habitat Designations
 - Humpback Whale
 - Ringed and Bearded Seal
- ITS Exceeded
 - Steller Sea Lion and
 - Sperm Whale
- Humpback Whale Population Reclassification
(Distinct Population Segments)



Consultation Process

- NMFS SFD will conduct an initial analysis (i.e. Biological Assessment)
- NMFS PRD will take the Biological Assessment and evaluate the effects of the action to ESA species (i.e. Biological Opinion)
- Consultation will be on the current, status quo fisheries



Timeline and Communication

- GOA FMP will be the first consult, followed by the BSAI FMP
- The anticipated timeline is (SFD work/PRD work):
 - GOA FMP Consult- 2023-2024/2024
 - BSAI FMP Consult - 2024/2024
- NMFS plans to keep the Council, tribal partners, and the public apprised of progress made on the consultations

