



Essential Fish Habitat: What do Council Members Need to Know?

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October 22, 2008

NMFS Council Training

Silver Spring, MD



Magnuson-Stevens Act (1996)

“...to promote the protection of essential fish habitat in the review of projects conducted under Federal permits, licenses, or other authorities that affect or have the potential to affect such habitat.” -- Magnuson-Stevens Act, 1996





Essential Fish Habitat

*“Essential fish habitat means those **waters and substrate** necessary to fish for **spawning, breeding, feeding, or growth to maturity.**” - -*

Magnuson-Stevens Act, 1996



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Role of Councils

- Describe and identify EFH
- Designate HAPCs
- Minimize adverse effects of fishing on EFH
- Consultations on non-fishing activities

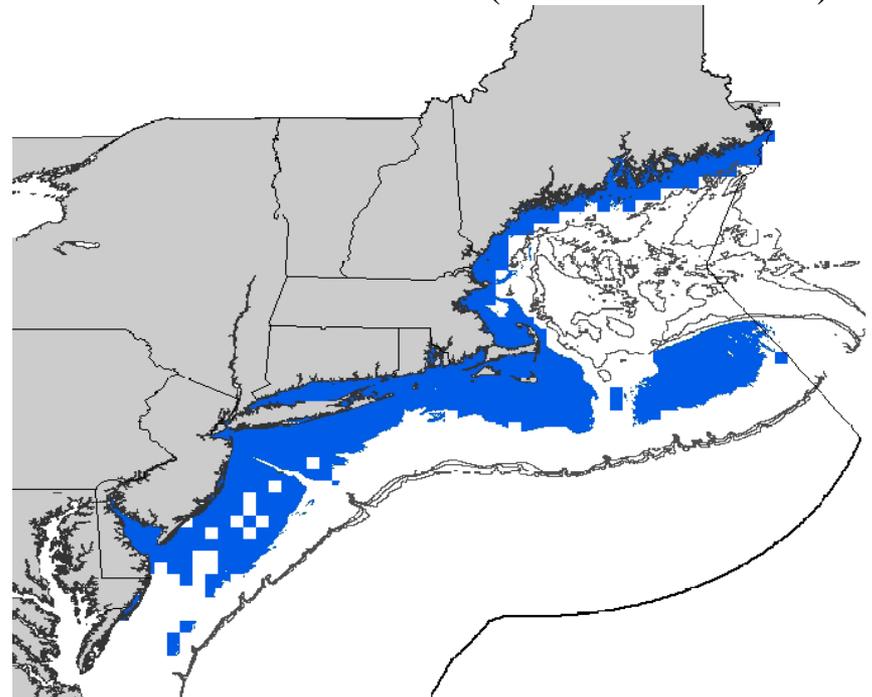


Identify & Describe EFH

Councils required to identify EFH for each managed species and life-stage

- Text descriptions
- Maps
- Geographic extent

Winter Flounder- Adult (NEFMC Omnibus)

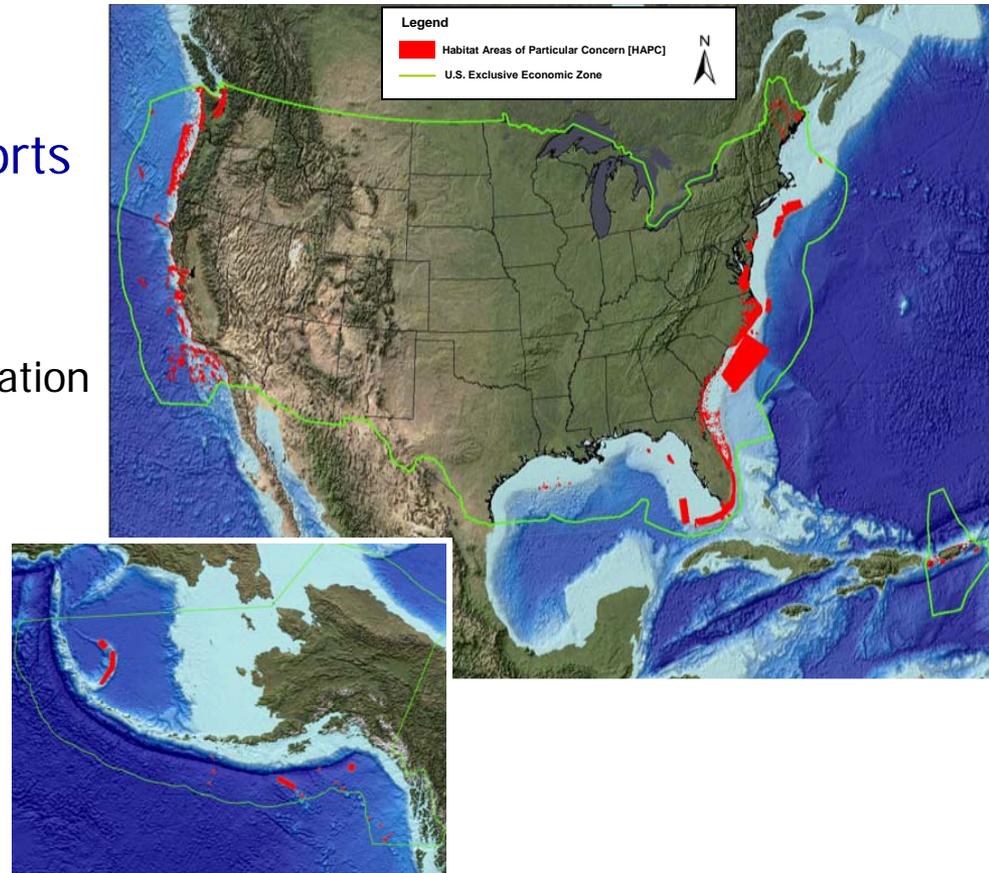


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Habitat Areas of Particular Concern (HAPCs)

- HAPCs are subsets of EFH
- Purpose - focus conservation efforts
- HAPC Criteria
 - Ecological functions provided
 - Sensitivity to human-induced degradation
 - Rarity of habitat type
 - Stress from development activities
- Encourage discrete areas with clearly defined geographic boundaries



Minimize Fishing Effects on EFH

- Councils responsible for managing harvest, bycatch, AND habitat
- Must minimize the adverse effects of fishing to the extent practicable
- Adverse effect: any impact that reduces quality and/or quantity of EFH



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Non-Fishing Effects Consultation Role

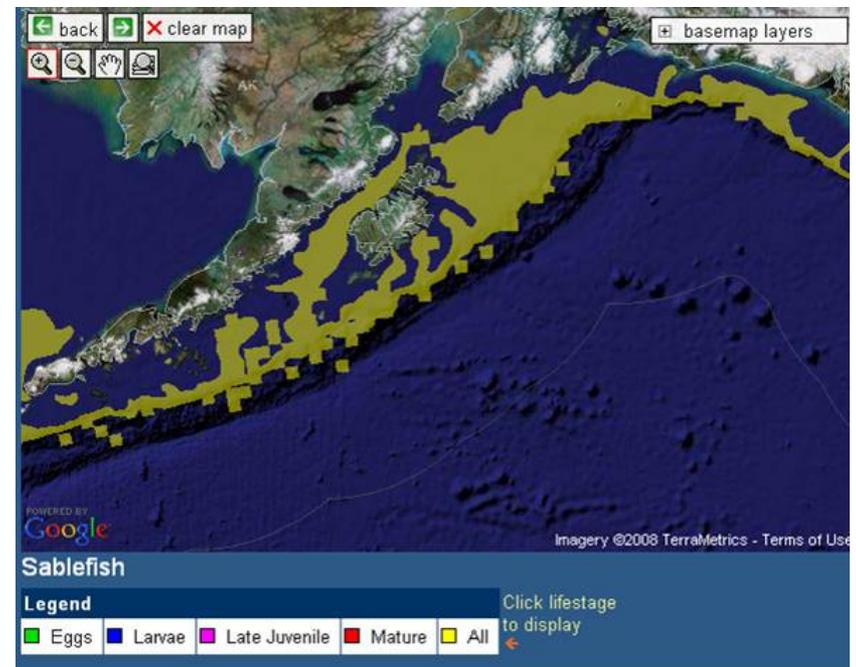
- Councils may provide comments to Secretary and any Federal or state agency concerning any activity or proposed activity that may affect the habitat, including EFH, of a fishery resource under its authority.
- Councils shall provide such comments concerning any activity that is likely to substantially affect the habitat, including EFH, of an anadromous fishery resource under Council authority.



Recent Accomplishments

- New England Fishery Management Council approved new essential fish habitat designations to be included in the 2009 EFH omnibus amendment
- Developed interactive web-based EFH Mapper tool to access EFH and HAPC maps

Alaska Sablefish EFH as shown in new EFH Mapper tool.



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Future Efforts

- Focus on 5-year reviews of EFH information in FMPs.
- Monitor and track impacts from growing energy development
- Clarify jurisdictional questions regarding implementation of EFH vs. discretionary authorities to protect coral.
- Strengthen non-regulatory EFH protection projects.



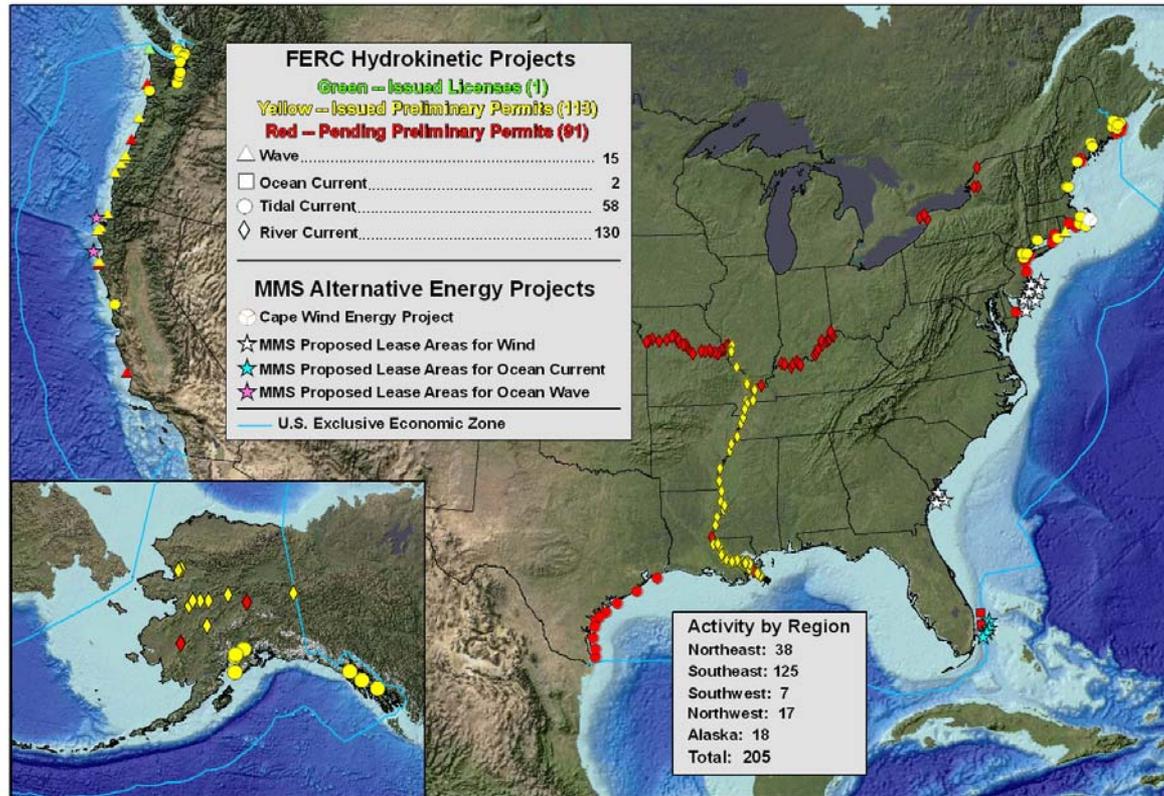
Five Year Review

- Need to review EFH information and actions every 5 years and update if appropriate
- Review based on available information
- Reviews are due for Mid-Atlantic, South-Atlantic, Pacific (salmon), Western Pacific
- Reviews for the Gulf and Caribbean will be due in 2010.



Renewable Ocean Energy Projects

FERC Hydrokinetic Projects and MMS Alternative Energy Projects in the U.S



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Deep Sea Corals



- Deep sea coral habitats are biodiverse, fragile and a U.S. priority for protection
- MSRA provides the Councils and NOAA additional authority to designate zones to protect corals from fishing damage in addition to existing bycatch and EFH authorities.
- Deep Sea Coral Report to Congress - 2008



Questions

Additional Resources

- ❑ Website <http://www.nmfs.noaa.gov/habitat/habitatprotection/efh/index.htm>
- ❑ Regulations 50 CFR 600
- ❑ Handouts & Outreach Materials
 - Essential Fish Habitat brochure
 - NMFS Habitat 2007 Accomplishments Report

