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## Humpback Whale Critical Habitat Established

The National Marine Fisheries Service (NMFS) has issued the Final Rule establishing critical habitat for three distinct population segments (DPS) of Humpback whales, effective May 21<sup>st</sup> 2021. The critical habitat for two of the three DPS includes much of Aleutians East Borough waters.



### Humpback Whale Critical Habitat

A Critical Habitat designation requires Federal agencies consult with NMFS on any projects within the critical habitat that have a ‘federal nexus’, or federal rulemaking that could potentially have adverse impacts on the whales. Since a main prey species for humpback whales, herring, are state-managed fisheries, they would not be subject to consultation. Other humpback prey species include euphausiids, juvenile walleye pollock and Pacific sand lance. The critical habitat designation is generally not expected to impact local commercial fishing activities.

In comments to the proposed rule, the Aleutians East Borough had requested city limits for all Borough communities and the future kelp farm site at Zachary Bay be excluded from the critical habitat to facilitate ongoing or future projects requiring federal permitting. This text from the NMFS response to the request as part of the Final Rule:

*“King Cove and Nelson Lagoon are located fully outside of the critical habitat boundaries and thus are not included in the critical habitat designation. Cold Bay and False Pass are almost entirely outside the critical habitat boundaries.... the remaining areas, Akutan, Sand Point, and Zachary Bay lie within or almost entirely within the proposed critical habitat.”*

The State of Alaska had recommended much smaller focused areas be part of the critical habitat designation and [responded](#) with disappointment to the Final Rule.

The three humpback whale DPS included in the Final rule are the Western North Pacific DPS, the Central America DPS and the Mexico DPS. The Mexico DPS is considered threatened while the other two are endangered. Only the Mexico DPS and the Western North Pacific DPS have critical habitat designated in Aleutians East Borough waters.

[Link to the Humpback Whale Critical Habitat Final Rule](#)

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## **Nominations Solicited for the NPFMC Community Engagement Committee**

The North Pacific Fishery Management Council is soliciting nominations for the Community Engagement Committee to continue to develop tools and recommendations to facilitate improved communication and engagement between rural communities and tribes for the Council. The Council is also interested in expanding the CEC with up to an additional two members representative of small communities off the road system. Interested members of the public should send a letter of interest to Kate Haapala (kate.haapala@noaa.gov) by May 28, 2021.

[Link to the NPFMC April 2021 Newsletter](#)

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## **Grace Period for Alaska Cares Act Commercial Fisheries Applicants**

The application period has closed for Alaska commercial fishery applicants for the Sec. 12005 Cares Act COVID-19 relief. Applicants who have already applied have been granted a two-week grace period until May 14 to correct mistakes or omissions on their original application. Subsistence users have until May 28<sup>th</sup> to apply for Alaska Cares Act relief.

[Link to the PSMFC Cares Act page including subsistence application](#)

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