

What is Essential Fish Habitat (EFH) and what are the implications for coastal activities?

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At least 96 percent of commercially and 70 percent of recreationally important fishery resources in the southeastern United States need estuaries and nearshore marine habitats at some point in their life cycle. Unfortunately, past environmental laws have prevented effective management solutions to the problem of fish habitat loss due to coastal activities. In 1996, amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) required regional fishery management councils, with assistance from the National Marine Fisheries Service (NMFS), to describe and identify Essential Fish Habitat (EFH) for each managed fishery. In the regulatory context, the most important provisions of the MSFCMA are those which require Federal agencies which fund, permit, or carry out activities that may adversely impact EFH to consult with NMFS. Once NMFS learns of a Federal or state activity that may have an adverse effect on EFH, NMFS is required to develop EFH conservation recommendations for the activity. Conservation recommendations provided by NMFS to protect EFH are advisory, and not proscriptive. However, EFH represents a significant step forward in the conservation of fishery habitat by legal recognition of fish habitat as an important factor in the costs and benefits analysis for coastal zone management projects. Descriptions of several fishery management plans, categories of EFH and Habitat Areas of Particular Concern for managed species, the 1996 amendments to the Act, and measures employed through the EFH consultation process to protect important marine and anadromous fish habitat will be discussed.