



## New England Fishery Management Council

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John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

### MEMORANDUM

**DATE:** September 29, 2017  
**TO:** Habitat Committee  
**FROM:** John Quinn, Habitat Committee Chairman  
**SUBJECT:** Charge to Committee for October 4, 2017 meeting

There will be a Habitat Committee meeting at the Fairfield Inn and Suites in New Bedford, MA, on **Wednesday, October 4, 2017.**

#### Purpose

**The purposes of this meeting are to learn about offshore wind development and discuss approaches for Council engagement, discuss 2018 habitat-related Council priorities, receive updates on ongoing FMP actions related to habitat, and discuss regulatory review and reform related to habitat.**

#### Offshore Wind

This agenda item will include around an hour of briefings from various developers and BOEM, plus time for discussion and questions. A list of information resources with web links is provided as document 2. Any presentations provided to staff in advance of the meeting will be provided as document 3. There are many opportunities for engagement in this process and more to come as activity on specific projects increases. To date, the Council has focused on interacting with BOEM's public process, submitting comments and information in response to request for information (RFI) and other official BOEM requests for comment. Concerns raised to date relate to both the habitat and ecosystem effects of wind development, and the effects of such development on fishing operations. This meeting provides a useful opportunity for the Committee to discuss how best to engage with both BOEM and offshore wind developers.

#### Habitat Priorities for 2018

Draft habitat-related Council priorities for next year are similar to those from 2017. Ongoing management actions include the deep-sea coral amendment and clam framework. Final Council action is expected for both actions during 2018. At present, the coral amendment document is substantially complete (document 6), but the clam dredge framework will need to be developed and drafted. Progress updates for both are available as documents 5 and 7. The timeline for the clam framework is

directly linked to the status of Omnibus Essential Fish Habitat Amendment 2. In addition to these actions, staff prepare habitat impacts analysis for other management actions. Staff and the PDT may also be involved with other trailing actions to OHA2, for example examination of scallop access areas.

Other priorities are related to external engagement. These include staff participation on the Stellwagen National Marine Sanctuary Advisory Council, preparation of comments related to non-fishing activities that could affect EFH or fishing, and the possible development of Council policies related to non-fishing activities, which would be a new priority. Staff have scaled back involvement in the SBNMS SAC somewhat this calendar year, but it is a relatively minor task overall. The Council has prepared roughly half a dozen comment letters this year on a variety of issues, including both renewable and non-renewable energy development. Having Council policies on these types of issues would strengthen our comments and make drafting these letters easier for staff. The process of policy development would also be a significant learning opportunity for the Council, but would take time and would require the engagement of outside experts on various topics. The Mid-Atlantic Council adopted a series of habitat policies recently, and we could build on their work in this area and borrow ideas from the process they followed.

A multi-year effort that will carry over from 2017 is a project to update the Council's fishing effects analysis, the Swept Area Seabed Impact Model. This effort will primarily require staff and PDT time, but may include some Committee or Advisory Panel engagement. Staff can provide details on this effort during the meeting.

### Coral Amendment

The Council made final decisions on portions of the coral amendment in June, holding over decisions on coral zones overlapping the canyon/slope/seamounts for a future meeting. Staff will update the Committee on progress towards completion of the amendment (document 5). This meeting is an opportunity for the Committee to weigh in on the best approaches to gathering feedback on updated alternatives, and to request any specific analyses from the PDT.

### Clam Dredge Framework

The PDT has been gathering data to support development of alternatives for clam dredge access in two habitat management areas, and will be able to present some detailed information to the Committee at our next meeting. Staff will provide an update on the types of information being considered (document 7). This meeting would be a good time to provide input on what factors should be considered when evaluating tradeoffs between different management options.

### Executive Orders about streamlining current regulations

Staff will review recent Executive Orders that have been issued about streamlining current regulations (document 8). NOAA is seeking public input on the efficiency and effectiveness of current regulations and whether they can be improved. Members should discuss if there are any habitat-related regulations that could be eliminated, improved, or streamlined.

### Meeting Materials

As they become available, the documents listed below will be posted to [www.nefmc.org](http://www.nefmc.org), and paper copies will be provided at the meeting, as well as any additional meeting materials. If you have any

questions about the documents, please contact Michelle Bachman (mbachman@nefmc.org; 978-465-0492 x120).

1. Tasking memo from Committee Chair, John Quinn (*this document*)
2. PDT meeting summary, 9/14/17
3. Offshore wind information and resources
4. Offshore wind briefing materials
5. Coral amendment update – staff presentation
6. Draft coral amendment (no paper copies to be provided; available online)
7. Clam framework update – staff presentation
8. Regulatory review – staff presentation
9. Correspondence