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New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

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

**MEMORANDUM**

**DATE:** August 10, 2020  
**TO:** Habitat Committee and Habitat Advisory Panel  
**FROM:** Eric Reid, Habitat Committee Chairman

**SUBJECT: Charge to Committee and Advisory Panel for April 21, 2020 joint meeting**

On August 20, 2020 from 9:00 a.m. until 1:00 p.m. there will be a joint Habitat Committee and Habitat Advisory Panel meeting.

**Purpose**

The objectives for this meeting are to: (1) receive general updates on habitat-related matters; (2) discuss and provide feedback on ongoing (especially habitat-related) issues related to offshore wind development; (3) discuss and provide feedback on development of habitat policies for aquaculture and submarine cables; and (4) discuss and provide feedback on Council work priorities for 2021.

**Format and general information**

This meeting will be held via webinar. Please contact staff in advance of the meeting if you have questions about this format. As with an in-person meeting, we can consider motions and consensus statements as needed. Committee members may make motions/suggest consensus statements on behalf of the Committee, and Advisory Panel members may do so on behalf of the Advisory Panel. The same motions or consensus statements may be adopted by both groups if desired. Any voting on motions during web-based meetings will occur via roll call.

**Offshore Wind**

An important aspect of offshore wind development related to fisheries is the EFH consultation process. Council and NOAA Fisheries GARFO staff will remind the group where EFH consultations fit into the permitting and NEPA process and give examples from Vineyard Wind in terms of how this has worked in practice thus far. The presentation will highlight BOEM guidelines and NOAA recommendations for habitat mapping, assessment, and monitoring. We can discuss as a group how the Council can best engage in these issues, potentially via the Responsible Offshore Science Alliance (ROSA), which will consider regional approaches to science and monitoring issues.

**Council Policies on Non-Fishing Impacts to Habitat**

The PDT has drafted background documents on submarine cables and aquaculture (documents 4 and 5). Council and NOAA Fisheries GARFO staff will present these documents (document 6) and take

questions and feedback. If available before the meeting, NOAA staff will brief the group on identification of Aquaculture Opportunity Areas (document 7, as referenced in EO 13921). With respect to aquaculture, we can discuss mechanisms for Council engagement in planning and environmental review. Next steps are to finalize the background documents (including solicitation of expert reviews on the cables document) and begin drafting policies. The previous Council aquaculture policy (document 8) includes some content that may be useful to include in the revised policy.

An offshore wind document is in the outline stage and will be further developed in the coming months (this will build on the offshore wind document developed a few years ago by MAFMC and consider the potential for floating technology).

### **Habitat-related work priorities for 2021**

A list of potential habitat work priorities is provided as document 10. Mostly this list represents a continuation of tasks from this year (habitat policies, Northeast Regional Habitat Assessment), along with staff and Council member participation in external committees (ASMFC Habitat Committee, Stellwagen Sanctuary Advisory Council, ROSA), and ongoing engagement in offshore wind development issues. This list should be considered in the context of Executive Order 13921, which includes a provision that “The Secretary of Commerce shall request each Regional Fishery Management Council to submit, within 180 days of the date of this order, a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries, including a proposal for initiating each recommended action within 1 year of the date of this order.” In order to meet the timeline indicated in the Executive Order, the Council’s priorities discussion will occur somewhat earlier than in prior years, so this meeting is likely our best opportunity as a Committee to discuss and possibly rank habitat-related tasks.

### **Meeting Materials**

The documents listed below will be posted to <https://www.nefmc.org/calendar/aug-20-2020-habitat-joint-committee-and-advisory-panel-webinar>. If you have any questions about the materials, please contact Michelle Bachman ([mbachman@nefmc.org](mailto:mbachman@nefmc.org); 978-465-0492 x120).

During the 9:00-9:20 agenda item Committee and Advisory Panel members will have an opportunity to share updates with the group if desired, although we do not have time for all members to provide updates. If you have any items to distribute to the group, please provide them to Michelle in advance.

1. Tasking memo from Committee Chairman Eric Reid (*this document*)
2. Habitat Committee/Advisory Panel meeting summary – April 21, 2020 ([link](#))
3. Presentation: EFH Consultations and Habitat Assessment for Offshore Wind
4. Non-fishing policies background document - Aquaculture
5. Non-fishing policies background document - Submarine Cables
6. Presentation: Aquaculture and Submarine Cables in New England: Activity Overview, Permitting, and Environmental Effects
7. Presentation: Aquaculture Opportunity Areas (if available)
8. Previous NEFMC Aquaculture Policy
9. Materials from June Council meeting related to Executive Order 13921 ([link](#))
10. Draft list of potential habitat work priorities, 2021
11. Correspondence