



New England Fishery Management Council

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

MEETING SUMMARY

Habitat Committee

Four Points by Sheraton, Wakefield MA

August 29, 2019

The Habitat Committee met to discuss development of additional Council policies on non-fishing impacts to habitat, get updates on offshore renewable energy development, learn about ongoing habitat science activities, and discuss 2020 Council priorities.

MEETING ATTENDANCE: Doug Grout (Committee Chair), Eric Reid (Vice Chair), Terry Alexander, Libby Etrie, Peter Hughes, Matthew McKenzie, Scott Olszewski, Melissa Smith, Terry Stockwell; Michelle Bachman (NEFMC staff, PDT Chair); David Stevenson, (NMFS GARFO staff); Mitch McDonald (NOAA General Counsel). In addition, approximately 10 members of the public attended.

KEY OUTCOMES:

- The Committee recommended development of policies related to the impacts of aquaculture and submarine cable installation on fish habitats. The Committee also recommended reviewing the offshore renewable energy policy with an eye towards floating wind technology. A working group consisting of PDT, Committee, and AP members will be created to begin scoping these issues. Once background information is developed, the Committee agreed that an informational workshop may be a productive next step before reviewing specific policy language. The Committee also suggested developing a living document outlining which Councils have expertise in particular impact categories, to facilitate collaboration.
- Related to offshore wind, the Committee agreed that ongoing coordination with other management entities (MAFMC, ASMFC, states) should be encouraged. The Committee also agreed that ROSA holds promise in terms of coordinating research and monitoring activities and that Council engagement in the organization appears to be worthwhile.
- The Committee recommended retaining all potential 2020 work priorities for Executive Committee review. These included:
 - Carry forward from 2019: Develop Council policies on additional non-fishing activities
 - Ongoing: Habitat impacts of other management actions
 - Ongoing: SBNMS advisory panel and ASMFC habitat committee

- Ongoing: Develop habitat and fishery related comments on non-fishing activities, particularly wind power, in consultation with other agencies (including NMFS, BOEM, and MAFMC).
- New, work has already started: Co-chair Northeast Regional Habitat Assessment Inshore Work Team
- Possible new: Participate in ROSA activities (ROSA Council; New England Technical Committee)
- Possible new (considered previously): Initiate action to revise habitat management areas on Northern Edge of Georges Bank
- Under other business, the Committee did not have any specific comments on Coonamessett Farm Foundation's Exempted Fishing Permit application but indicated that it might be appropriate for the Council to encourage publication of the EFP in the Federal Register at their September meeting, if publication has not already occurred.

AGENDA ITEM #1: DEVELOPMENT OF COUNCIL POLICIES ON NON-FISHING IMPACTS TO HABITAT

Ms. Bachman summarized the outcomes off a CCC Habitat Workgroup workshop held August 20-22 in Portland, OR. The purpose of the workshop was to discuss coordination between Councils and NMFS on engagement/comments regarding the habitat impacts of non-fishing activities in marine/coastal environments. A workshop report will be available in October preceding the November CCC intersessional meeting. See Document 3 for details. At the end of the presentation she provided the Council's habitat policy and summarized the offshore energy policies.

The Committee discussed putting habitat impacts in context, in terms of comparing across different types of activities and to baselines. What do we mean by degraded? Should practicability be considered when recommending maintenance of existing levels of habitat protection?

The Committee also noted the importance of engagement on these issues and asked whether other Councils had similar challenges in terms of having sufficient staff time to devote to these consultations. Ms. Bachman noted that other Councils tend to have one staff full or part time on habitat issues, or two staff part time. All Councils (and NMFS) are resource constrained. The Committee agreed that the ability to network and leverage the expertise of management/science partners was important and appreciated the ability to connect with other Councils on these issues via the CCC workgroup. The Committee suggested developing a list of Council expertise on non-fishing impacts to facilitate collaboration across organizations. This was envisioned as a webpage or other living document.

In terms of work on new habitat policies, the Committee agreed by consensus that development of aquaculture, floating offshore wind, and submarine cables should be explored. Mr. MacDonald noted the litigation related to the Gulf FMC's aquaculture plan, and possible implications for Council management of aquaculture activities. Ms. Bachman mentioned a forthcoming ASMFC Habitat Management Series on aquaculture (summary of current activities and impacts to habitat) that should help the Council to learn about this issue. The Committee agreed that a small working group of PDT, AP, and Committee members would be a productive

way to scope out the issues and develop initial expertise. Ms. Bachman will coordinate establishment of this group.

AGENDA ITEM #2: OFFSHORE ENERGY DEVELOPMENT

Topics included the recent ASMFC wind workshop, Responsible Offshore Science Alliance (ROSA) meeting, presentation from Anbaric on transmission systems, and other general updates.

Dr. Quinn described the discussion at the ASMFC workshop. The states each have similar issues in terms of staffing (wind issues are added to people's job descriptions above and beyond the work they were initially hired for), large number of meetings/calls, and the need to be efficient and avoid duplication of work. There was some discussion of hiring a wind coordinator through ASMFC, and of sharing information about state wind activities through a website, presumably hosted by ASMFC.

Ms. Bachman summarized the discussions at the July 30 ROSA meeting (see charter document 5). Overall Committee members were encouraged to hear about the anticipated efficiencies in planning that are expected to result from this collaboration, and agreed that Council engagement in ROSA was worthwhile. A 'final' ROSA charter is anticipated very soon; it was emphasized that this should be viewed as a living document and as the organization matures, the organizational structure may evolve.

Stephen Conant from Anbaric was invited to the meeting to give a short overview of their vision for coordinated regional transmission of offshore wind energy (see document 4). They are working on a NY/NJ project (the Council commented on BOEM's request for competitive interest notice in July) and a MA/RI project. They would be interested in developing transmission off NH/ME as well, should floating wind development materialize in the Gulf of Maine. Mr. Conant emphasized that the states, through their requests for proposals, play an important role in whether or not centralized transmission projects might be built, in that they can allow for transmission only proposals in addition to generation/transmission combination proposals. He also noted that there are only so many places to interconnect with the regional grids, and that Anbaric felt these interconnections could be best optimized with regional transmission systems. Committee members asked various questions about how generation projects would interact with a transmission backbone, and about different cable types (AC vs. DC).

AGENDA ITEM #3: 2020 COUNCIL PRIORITIES

The Committee agreed to forward all of the priorities listed above (see document 8) to the Executive Committee for their consideration. Engagement in ROSA was identified as an activity that could be time intensive but seems very important.

AGENDA ITEM #4: HABITAT SCIENCE UPDATES

Ms. Bachman briefed the Committee on the Northeast Regional Fish Habitat Assessment (NRHA, presentation is document 6). This is a habitat data gathering/communication project

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with many regional partners being coordinated by MAFMC. The assessment will provide information to support future EFH designation work and other Council activities. She described various related projects underway at NMFS and through ACFHP. There are inshore and offshore work teams and there will be combined report. The final phase of the project will be data dissemination, including posting spatial data on online data portals. The Committee recommended that modeling work be groundtruthed with fishing industry data/expertise. Ms. Bachman agreed this would be important and that it had already been discussed, however there is a quite a bit of work to be done first by the technical teams reviewing the input data and results of various modeling efforts.

AGENDA ITEM #5: OTHER BUSINESS

The Committee briefly discussed Coonamessett Farm Foundation's EFP application to work in the Great South Channel Habitat Management Area (see proposal and two letters in correspondence). The Committee agreed it was important for NMFS to respond to the application and for NMFS and CFF to collaborate on a reworking of the proposal to address agency concerns. The Committee expressed concern about providing specific comments on the details of the EFP before it is published in the Federal Register. The Committee thought that it might make sense to discuss the issue during the September Council meeting if publication remains pending at that time, depending on progress made between NMFS and CFF. In response to a question about tracking EFP applications generally, Mr. MacDonald noted that any EFP applications that NMFS declines to publish are documented in a letter to the Council, describing the reasons for not publishing the EFP.

The meeting adjourned at approximately 2:45 p.m.