



New England Fishery Management Council

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John Quinn, *Chairman* | Thomas A. Nies, *Executive Director*

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Deep-Sea Coral Amendment Public Hearings and Written Comments

Initial draft, covers comments made during all seven public hearings, lists written comments received through May 26, and summarizes the written comments very generally. Will be updated prior to the June 20-22 Council meeting with all comments received through June 5, including a more detailed accounting of the written comments.

INTRODUCTION

Between May 22 and 26, 2017, the New England Fishery Management Council (Council) held seven public hearings on the Draft Omnibus Coral Amendment. These hearings were moderated by the Habitat Committee chairman and staffed by Council analysts. At each hearing, staff presented the amendment timeline, alternatives under consideration, and draft impacts analysis. After an opportunity to ask questions for clarification, public comments were taken on the measures proposed in the amendment.

This document summarizes the public comments made at each hearing, by hearing location, in the order in which the comments were given. Questions for Council members and staff are summarized as well. Comments are mostly in the speaker's own words, but are not exact transcriptions, and may have been edited for clarity and brevity.

The attendance estimates for each hearing are based on the attendance sheets signed by audience members, which are available upon request. Based on the attendance sheets, over 150 people attended the hearings. Those who signed in are listed individually by hearing in the sections below. The sign-in sheets were well-publicized by the hearing officers and staff, so they are expected to reflect most of the attendees at each hearing. However, additional people may have attended without signing in. Testimony was given by approximately 50 individuals, with individuals sometimes providing comments at more than one hearing.

The Council is accepting written comment on the Draft Omnibus Coral Amendment through June 5, 2017. A summary of all comments received through May 26 at approximately 1 p.m. is provided below the hearing summaries. This summary is organized by alternative. This

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information will be updated as necessary after the comment period closes. Written comments are compiled as a separate document.

MONTAUK, NY – MAY 22, 2017

Hearing officer: John Quinn

Council staff: Michelle Bachman

Audience members: Victor Vecchino (NMFS Port Agent, East Hampton), Daniel J. Farnham (whiting fishery), Donald D. Ball, Kevin Maguire (F/V Evening Prayer), Laurie Nolan (MAFMC), John Nolan (F/V Seacapture), John Nolan Jr. (F/V Seacapture), Bonnie Brady (Long Island Commercial Fishing Association), Chuck Wiemar (F/V Rianda S.), Aaron Kornbluth (Pew)

The hearing began at 6 p.m. and concluded shortly before 7 p.m.

Dr. Quinn and Ms. Bachman provided an introduction, including a summary of the public process conducted to date and a presentation summarizing the alternatives under consideration, including a review of the preferred alternatives. Dr. Quinn mentioned the workshops conducted in March 2017, which some of the Montauk hearing attendees had participated in, noting that workshop participants covered a broad range of fisheries, environmental organizations, and state agencies.

QUESTIONS

Laurie Nolan asked about the discussion and decision making around the Council's preferred alternative for a 600m minimum depth broad coral zone along the continental slope. Ms. Bachman and Dr. Quinn responded that the vote on this alternative at the April Council meeting was 13 for, two against, and one abstaining. The concept behind the alternative is that it is beyond the maximum depth fished by the deepest bottom tending gear fishery in the area, the lobster fishery. Seasonally, traps are set as deep as 550m. The 600m minimum depth provides for an additional operational buffer around the boundary. Ms. Bachman indicated that the development of the NEFMC amendment has been heavily influenced by the participation of the lobster fishery and the desire to account for their spatial footprint when developing coral zones. The recently implemented MAFMC amendment did not consider restricting the lobster fishery due to a difference in NMFS guidance during development suggesting a lack of authority to regulate Commission-managed resources under the coral discretionary provisions. As a result, the MAFMC broad zone boundary is somewhat shallower than the NEFMC preferred alternative.

COMMENTS

Aaron Kornbluth provided a comment. He appreciates the Council taking action to protect deep-sea corals, and is excited to see coral protection all along the Atlantic coast from Florida to Maine at the conclusion of this process. He agreed the preferred alternative 600m minimum zone

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protects corals, but felt it was important to focus on the most damaging gear types, i.e. bottom trawls, and make some small changes to the zone boundary to expand the zone to include additional areas of high slope and likely coral habitats. He felt that a relatively large amount of additional conservation could be achieved with minimal to no impact on mobile bottom-tending gear fisheries. He recommended a “compromise alternative” developed by a coalition of environmental organizations, and indicated that they were looking for feedback on the boundary they had developed. Using VMS and VTR effort data from the Northeast Ocean Data Portal and MARCO data portal, they redrew the Council’s preferred alternative to be shallower, but still fall outside the areas mapped as trawl fishing grounds. He made handouts describing the proposal available to other hearing attendees, if they were interested.

Another attendee asked where they had obtained the fishing effort data, and Mr. Kornbluth clarified that they had used the data portals. Ms. Bachman added that the Council staff/Plan Development Team have access to additional detailed information about which vessels fish in each location, species caught, where fish are landed, and ex-vessel value. The datasets available on the portal are more general and show relative amounts of effort only.

Dan Farnham Jr., on behalf of the vessels in the local whiting fleet, commented that they strongly supported the Council’s preferred alternative (600m minimum zone).

Bonnie Brady, commenting on behalf of her husband and the F/V Kaitlyn Marie, indicated they they support the Council’s preferred alternative (600m minimum zone).

Kevin Maguire commented that he supports the preferred alternative (600m minimum zone). He indicated that he did not want to second guess the Council’s recommendation for this zone, which was developed following extensive debate. He agreed the preferred approach would protect both corals and fisheries.

John Nolan Jr., who fishes for tilefish, commented that he supported the preferred alternative (600m minimum zone).

John Nolan Sr. agreed with his son’s comment, as did *Laurie Nolan*.

Don Ball also supported the preferred alternative.

There were no comments on the Gulf of Maine alternatives, or canyon or seamount discrete zones. No one from the lobster fishery was in attendance, so discussion of issues related to the lobster fishery was minimal, during the staff presentation.

NARRAGANSETT, RI – MAY 23, 2017

Hearing officer: John Quinn

Council staff: Michelle Bachman

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Audience members: Scott Olszewski (RI Marine Fisheries), Glenn Goodwin (F/V Relentless, Persistence, and Prevail), Gib Brogan (Oceana), Brad Barr (NOAA), Roy Campanale (Campanale & Sons, Inc., Narragansett, RI), Donald Fox (Town Dock - F/V Lightning Bay, Tenacity, Determination, Excalibur, Rebecca Mary, Searambler, Stephanie Bryan), Harold Loftes, Eric Reid (NEFMC/SeaFreeze), Morgan Callahan (Pew), Anthony Cherry (Pew), David Borden (Atlantic Offshore Lobstermen's Association and Atlantic Crab Company)

The hearing began at 1:00 p.m. and concluded around 2 p.m.

Dr. Quinn and Ms. Bachman provided an introduction, including a summary of the public process conducted to date and a presentation summarizing the alternatives under consideration, including a review of the preferred alternatives.

COMMENTS

Gib Brogan: Nice to see amendment moving forward. Council should keep NOAA guidance in clear focus. Guidance has a range of objectives, including protecting known coral areas, and preventing expansion of fishing into new area. 600m minimum preferred alternative does not do this. Does not protect all known corals, and allows for expansion of fishing footprint. This is inconsistent with the NOAA strategy. Can NOAA approve this alternative? Council should designate discrete zones outside the monument, and should designate a broad zone that freezes the footprint of mobile bottom-tending gear fishing, for the time being. The Council should look at fixed gears in the future. This empirical approach will support the NOAA strategy. Note that there is precedent for late-breaking alternatives being adopted by the Council. The freeze the footprint approach is well founded by the facts; Committee should forward to PDT and Council should consider in June.

Morgan Callahan: Agree with Gib Brogan's comments. Concerned with 600m minimum preferred alternative because it allows the expansion of MBTG fishing into sensitive areas. Have developed a "compromise broad zone" that protects more corals, respects the footprint of MBTG, includes coral science and fishermen's input from the Council's March workshop, exempts lobster and red crab gears, and is within range of alternatives analyzed already. They are looking to solicit industry input on the approach.

Don Fox: Representing seven draggers. Agree with preferred alternative 600m minimum zone.

Glenn Goodwin: Company has three vessels that fish in the area, have been doing so for approximately 35 years. Employ 100 people. Already affected by Tilefish GRA, monument, and other limits on fishing. Support the preferred alternative 600m minimum zone.

Roy Campanale: Own four Pt. Judith lobster vessels. Preferred alternative for 600m minimum zone is a good compromise between fishing access and environmental conservation.

David Borden. For AOLA: support all preferred alternatives for canyons and GOM. This is a discretionary action. Is consistent with NOAA guidance. Council has struck an appropriate

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balance between fisheries access and conservation. Note that historically there was a deep water category F monkfish fishery at 350 fathoms that would be within preferred alternative. The winter lobster fishery goes to 550m so 600m is appropriate. Opposed to discrete zones – no factual basis – should be rejected. For Atlantic Red Crab Company: All five permits, processor, and about 150 employees. Have taken voluntary steps to reduce footprint, including floating line to minimize bottom contact. Fishery is Marine Stewardship Council certified. Also note (referencing habitat amendment analysis) that over time bottom contact with fishing gear has been reduced.

NEW BEDFORD, MA – MAY 23, 2017

Hearing officer: John Quinn

Council staff: Michelle Bachman

Audience members: Beth Casoni (Massachusetts Lobstermen’s Association), Jim Kendall (New Bedford Seafood Consulting and Massachusetts Fishermen’s Partnership), Bill Duffy (NOAA), Daniel J. Farnham (Gabby G. Fisheries), Dan Farnham (Blue Water Fisheries), David Borden (AOLA and Atlantic Crab), Capt. S. Greek (F/V Megan Marie), Grant Moore (AOLA, F/V Direction), Morgan Callahan (Pew), Eric Reid (NEFMC), Greg Wells (Pew)

The hearing began at 5:30 p.m. and concluded around 6:30 p.m.

Dr. Quinn and Ms. Bachman provided an introduction, including a summary of the public process conducted to date and a presentation summarizing the alternatives under consideration, including a review of the preferred alternatives.

COMMENTS

Jim Kendall: Alternatives and information seem overly broad. Coral bycatch rare. Environmental [organization] influence on alternatives seems problematic.

Dan Farnham Sr.: Own or part own three vessels. Two trawlers spend about 80% of year in areas in question targeting squid, whiting, and monkfish; one longliner for tilefish. Fish just inshore of lobster gear, don’t catch corals. About 25% of trips are observed, and no interactions with corals documents. Employ about 20-24 people, plus ice and fuel companies who supply the vessels. Everyone involved in businesses supports preferred alternative (600m minimum depth zone). Tilefish gear avoids hard bottom.

Grant Moore: Thanks for hosting the workshops. Offshore fisheries on slope are not well understood by many. The preferred 600m minimum alternative is the only one the industry can live with. Whiting and squid are deeper in the winter as well as lobster. AOLA supports the preferred alternative.

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Beth Casoni: Echo Grant Moore's comments. Involved through Habitat Advisory Panel, many meetings to develop amendment. Supports preferred alternatives. Concerned with data gaps in the GOM; should revisit sites over time to assess coral habitats. Let the footprint of fishing remain as it is.

Greg Wells: Thank you for holding the hearings. Can't support preferred alternative in canyons as it allows expansion of trawling into additional areas. Shallower areas are habitat for managed species. Expansion of footprint is contrary to the mission statement for the amendment, and contrary to NOAA guidance. Does use best available science on where corals are known, and no redfish EFH is protected. Pew has fought hard since preferred alternative came forward to think of ways to improve it. Council should consider a zone that allows MBTG use/footprint to continue but not expand. This will protect corals, suitable coral habitat, and areas of high slope. They have developed a proposal that will exempt lobster, red crab fisheries, based on workshop feedback re minimum fishing depths and fishing effort data. Our recommendation falls within the range of alternatives already considered. In the GOM, we recommend zones in all areas under consideration, as closures to all bottom-tending gear. Should exempt the lobster fishery, if the larger areas are selected. Recommend the Option 1 boundaries for all areas with multiple options. Given that areas are not well understood, the larger areas will be more precautionary and have a greater chance of encompassing features that support corals.

Dan Farham, Jr.: Spoke in Montauk. Want to add a thank you for hosting the workshops. Feels confident that the preferred alternative strikes a balance. Due to monument, lost 20% of fishing area; has a trickle-down effect on employees.

David Borden: See comments on behalf of AOLA and Atlantic Crab from Narragansett hearing. ASMFC – met in early May, and support all preferred alternatives. For GOM, smaller areas should be selected. Large alternatives without fixed gear exemption will force gear into other areas. Interactions with protected species could get worse, due to walls of gear along closure boundaries. Did not participate in MAFMC process, but views NEFMC preferred alternative as more restrictive, because it addresses fixed gears.

GLOUCESTER, MA – MAY 24, 2017

Hearing officer: Doug Grout

Council staff: Michelle Bachman, Rachel Feeney

Audience members: Al Cottone (City of Gloucester), Michael Dearborn (Gloucester, MA), Erica Fuller (EarthJustice), Frederick ? (Rockport, MA), Travis Ford and David Stevenson (NMFS/GARFO), Morgan Callahan and Katherine Duell (Pew Charitable Trusts), Mark Ring (Gloucester Fisheries Commission), and Aurther Sawyer (Mass. Lobstermen's Association).

The hearing began at 1:00 p.m. and concluded around 2:00 p.m.

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Doug Grout opened the hearing by explaining the history of the development of the coral amendment and how the hearing will proceed. In 2011, the Council consider protecting corals when developing the Habitat Omnibus Amendment 2, but due to the size of the amendment, the Council decided to split off the coral measures and develop them at a later date. Subsequently, coral surveys collected additional data on the presence of corals in New England waters. The Council held public workshops in March with good participation and input and selected preliminary preferred alternatives in April. Final action is expected in June.

Ms. Bachman presented additional background for the amendment, the alternatives and impacts analysis. Mr. Grout opened the hearing for questions and comments.

QUESTIONS

Mr. Sawyer: It's known that a small percentages of federally-permitted lobster vessels in Maine report - those that have groundfish permits. Maine extrapolates the data and claims that they land over \$500m in lobster. The numbers in the presentation don't add to even \$100 million.

Ms. Bachman: The percentage of lobster vessels from Area 1 in coastal ME that submit Vessel Trip Reports is under 10%. The approach here was to assume that the dealer data cover all landings. The numbers here aren't going to add to \$500 million, because they just are parts of Areas A and B. The analysis took the dealer data as a ceiling, and used harvester reports (reported by 10% of vessels) to get landings by zone and distance from shore. The challenge is to know how much of the total is landed within the coral zone, because the data aren't reported that was. Fishermen interviews helped identify how many fishermen fish there. The document includes a number of approaches and range of impacts, but getting to actual numbers is really hard.

Mr. Sawyer: What are the dates of the photographs of corals in the presentation? When was the work done?

Ms. Bachman: The coral surveys were mostly done in 2013-15 and were coordinated by NOAA has a national program to coordinate research. There was a pulse of funding to the Northeast. Some of the work in Jordan Basin and Mt. Desert Rock was done in the early 2000's. We have known that coral occur in the canyons for longer.

Mr. Sawyer: I'd like to understand if there has been a change in corals. Lobstering has been going on east of Lindenkohl Knoll for at least the mid 1970'. If there's been a lobster fishery there for 40 years, how can the Council say that the coral is getting destroyed?

Ms. Bachman: We don't have longitudinal data to compare a specific site across time, but the Council can encourage revisiting these sites. At the Portsmouth workshop, the public talked about the long-term nature of the fisheries (e.g., redfish). We know that corals are susceptible to impact, but we don't know the current level of impact.

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Mr. Sawyer: The lobster industry is concerned that the Council is making decisions as if coral is now suddenly getting destroyed by lobster gear – there isn't information to say that for sure. That's why the lobster industry is against this.

Ms. Bachman: The Council is reacting to that, and doesn't seem interested in restricting the lobster fishery. Perhaps it's partly due to the potential economic impact as well as the uncertainty about real impacts.

Mr. Cottone: In calculating the fishing activity, is 2010 as far back as you go with the data?

Ms. Bachman: The analysis tries to capture recent conditions in the fisheries. Before the mid-1990s, the spatial data is poor.

Mr. Cottone: A 10-15 year period of fishery data would help capture the variability of the fisheries, the ebbs and flows of management and the stocks.

Ms. Bachman: The Habitat Committee talked about how given low ACLs for some groundfish stocks, the industry could be spending more time fishing the offshore Gulf of Maine areas for redfish and pollock.

Ms. Fuller: Since corals have an intrinsic value to the public, how is that value being analyzed?

Dr. Feeney: A quantitative assessment of the existence value of corals is very difficult. The analysis here is qualitative and reference literature where such studies have been done.

COMMENTS

Morgan Callahan: Thank you to the Council for this amendment. Pew does not support the Council's preliminary preferred alternative for southern Georges Bank, because we believe it is not aligned with NOAA's guidance regarding freezing the footprint of fishing. A 600m zone doesn't protect areas where corals have been observed and coral habitat, and allows for the expansion of trawl fishing in relatively pristine habitat. The shallower parts of the canyons and the areas in between are the most valuable habitat.

Arthur Sawyer: Lobster gear should be exempt from the restrictions in southern Georges Bank, because we can't show there's been any damage from lobster gear since the 60s.

Erica Fuller: Thanks to Michelle, Rachel and Council on the work on this amendment. For the alternatives in the Gulf of Maine, EarthJustice supports the larger alternatives for Outer Schoodic Ridge and Mt. Desert Rock, and adoption of alternatives identified in Jordan Basin and Lindenkohl Knoll, with closures to mobile bottom tending gear. For southern Georges Bank, EarthJustice does not support the preferred alternative. The 600m broad zone leaves significant areas unprotected and allows for the expansion of fisheries into areas not currently fished. I offer a solution of a more balanced solution for protecting this public resource and preserves fishing opportunities. Council should adopt a freeze the footprint alternative, which was discussed, but

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not yet developed in April. After the April Council meeting, several groups combined data on observed corals and predicted habitat with available VTR and VMS data on mobile bottom-tending fishing, along with industry input from the workshops and developed another broad zone with zero loss of gear an economic impact. This compromise alternative would have an exemption for lobster and red crab and meet the goals of the amendment. It protects 15% more corals and 20% more habitat. It's simpler to enforce with 150 less points. It protects the legal requirement to protect adult redfish EFH, which the 600m alternative does not. It's consistent with the Mid-Atlantic approach, with shallower depths at the heads of the canyons. It falls within the range of alternatives so should not require significant additional work. We urge the Council to select a freeze the footprint approach for the canyons.

Fredrick ? (Rockport, MA): I'm speaking out of deep ignorance and concern. To allow any activity in these zones before we have more exact knowledge is taking a big chance. I prefer these be preserved intact with no impact, except for scientific study. Look at the cod industry. We have been trying to regulate that for 400 years, and we haven't done well; we're in trouble again. I would take a cautious approach. I have great concern for the future. Thank you.

Katherine Duel: I support the prior comments from Morgan and Erica on the canyons. The preferred alternative doesn't offer enough protection for corals. There's another approach that would protect corals, not expand trawl gear and exempt red crab and lobster gear. Pew supports the larger boundaries in the Gulf of Maine areas, with a lobster gear exemption. We will be submitting a letter signed by over 9,000 members of the public in support of coral protection.

Morgan Callahan: With all due respect, I would like to talk about how the workshops were a "collaborative process." We did try to get people there, but the meeting notice said that the intent is to bring together active fishermen with a goal of getting industry input and help in limiting industry impacts while protecting corals. There has been a complaint that NGOs were under represented at the workshops, but it doesn't seem like we were invited. I have the proposed compromise alternative here if people want to see it, with maps showing the lines. We can walk through how this would impact fishing.

Arthur Sawyer: On the Gulf of Maine areas, there's been fisheries taking place since at least the 1970s. There is no research so far showing that the corals are getting destroyed. Until there's proof, don't limit lobster gear in these areas.

PORTSMOUTH, NH – MAY 24, 2017

Hearing officer: Doug Grout

Council staff: Michelle Bachman, Rachel Feeney

Audience members: Peter Begley (Rye NH), Morgan Callahan (Pew Charitable Trusts), Timothy Cooke (Brunswick ME), David DiMerrit, Heidi Henninger (Atlantic Offshore Lobstermen's

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Association), Alden Leeman III (Harpwell, ME), Allison Lorenc (Conservation Law Foundation), Ian Mango (Scarborough, ME), Bart McNeel (Portland ME), Jim Odlin (Portland ME), Maggie Raymond (Associated Fisheries of Maine), Hank Soule (Sustainable Harvest Sector), Lindsey Williams (Dover, NH), and one other.

The hearing began at 5:30 p.m. and concluded around 6:40 p.m.

Mr. Grout and Ms. Bachman provided an introduction, including a summary of the public process conducted to date and a presentation summarizing the alternatives under consideration, including a review of the preferred alternatives.

QUESTIONS

Fisherman: On the Jordan Basin area, how big is a coral garden that has been identified? It looks like the sites are under ¼ km.

Ms. Bachman: The spots on the map are the starting point for a dive transect which go about 1 km. Within each of the management zone, there is a small area that has been sampled. The zones were drawn making inference about where corals might also be present based on bathymetry and likely suitable habitat.

Mr. Odlin: You mentioned that there have been studies around the world about the impacts of mobile gear on corals. Were those studies done with vessels of similar size and gear configuration as what we use here?

Ms. Bachman: The seamounts in the North Atlantic are quite deep, but they are shallower in other places. There have been recent studies (within the last 15 years) of seamount fisheries for species like orange roughy, but I'm not sure if the gear is roughly analogous.

Mr. Odlin: Seamount fisheries are conducted with vessels in excess of 250 feet and probably 7,000-8,000 hp, which is not even close to the fishing that we do here. I'm quite sure that the gear we use today has very little bottom impact. We use stand up doors and light rock hoppers that hardly touch the bottom. I'm not aware of any study, particularly in this region, on the impact of our gear on this type of bottom.

Ms. Bachman: That's a fair assessment.

Mr. Odlin: You mentioned Canadian studies. Do you know if they allow lobster traps in the Canadian coral closures? What does the Canadian study say about the impact of lobster traps?

Ms. Bachman: There are a few different coral closures, including recent closures in the canyons off Georges Bank. I don't recall that the gear impact work quantified trap impacts. Unfortunately, during the Habitat Amendment process, we tried developing a model using studies about habitat impacts. We aimed to use studies of similar gear. Of the global literature, there was a lot that was not relatable. In this case, we don't have specific work in our region at

these sites. There is evidence in imagery data where gear has been used in and around the sites where the corals are. We have some bycatch information. So, there is some interaction but it's hard to quantify. At the Portsmouth workshop, we talked about how fishing has been going on at these sites for some time. It was mentioned at the Gloucester hearing earlier today that we don't have longitudinal data for these sites to see change over time.

Ms. Raymond: The analysis says that corals provide habitat for fish and invertebrates, but everything in the ocean provides habitat for something. Are there linkages between coral areas and fish productivity?

Ms. Bachman: The best paring applicable here is the relationship between larval redfish and sea pens, using it as shelter. Sea pens occur in low relief environments where there is not a lot of other structured habitat. There's prey sources in the coral and they provide shelter. We don't have production rates by coral habitat.

Ms. Raymond: The redfish fishery is a healthy currently. The Council has preferred that the lobster fishery would be exempt from closures. Are there any plans to increase observer coverage on lobster fishery to determine the vulnerability of corals to that gear?

Ms. Bachman: The Council has not considered that yet.

Mr. Grout: New Hampshire Fish and Game has partnered with offshore lobster vessels to have observers onboard, though I do not know if coral data has been collected.

Ms. Henninger: The study was on Georges Bank in Closed Area II. There were five trips in 2015-2016 which collected all the data that the NMFS observers collect. The data is in the NEFSC data base. Any coral interactions were recorded. This year's observer days just got published. Lobster has 33 days coast-wide, the minimum to cover SBRM.

Ms. Raymond: If the Council says that it wants to protect corals, and then allows a fishing gear that we have no idea of the impact on corals, there has to be some way to monitor the fishery. For future frameworks (to change gear exemptions or revise coral boundaries), there will be nothing to measure the need for change. Also, on the estimates of recent fishery revenues, is that all lobster revenue or groundfish too? Where are the impacts on the mobile gear groundfish fishery of Linden Kohl Knoll site?

Ms. Bachman: The analysis includes the full database of Vessel Trip Reports. The figures and table include the top ten fishery species, gear types, landing ports, etc. for each zone. On changing zones in future through frameworks, it would likely come with additional coral data. If the Council designated a zone in all areas, then the areas where corals are known to exist would have some protection.

Ms. Raymond: What would be the incentive for researchers to go back to these areas to see temporal change finding new areas to close?

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Ms. Bachman: If gear restrictions change, it would be good to go back and look. The Gulf of Maine environment is changing, and these are temperature sensitive animals. There are needs to monitor them beyond fishing impacts. We could better understand fish relationships with corals.

Ms. Raymond: I appreciate that the Council is trying to minimize the cost to commercial fisheries. In the Gulf of Maine, the only fishery impacted under the preferred options is the mobile gear groundfish fishery - the most restricted fishery in this region. The impact of these closures on top of all the other closures could be extremely significant. At some point, where are the boats going to go? How are we ever going to reach the redfish quota when we have more and more closures? We support No Action at Lindenkohl Knoll and Jordan Basin.

Mr. Odlin: On the analysis of lost revenue, does that include knowing how many boats would go out of business? According to NMFS studies, over 60% of groundfish boats are below the break-even point. If we add a closure, someone is going out of business? Don't just provide a number. With a fleet on the edge, it's important to project how many and who will go out of business (not individually).

Ms. Bachman: The Lindenkohl Knoll impacts are on page 326. With Jordan Basin as an example, for trawl gear, there are 15-19 vessels, and the total revenue to the vessels is 1-2% with a few outliers. The analysis assumes VTR and VMS are good estimates of fishing activity, and there is known error with that.

Fisherman: When you say there's interaction between vessels and corals in Jordan Basin, do you have information on boats towing up coral there?

Ms. Bachman: There is a bit of data. See map 41 and page 139 of document. In 2013, the observer program got better about recording corals interactions. There are about 65 records of coral bycatch region-wide, including soft coral with trawl gear interactions in Jordan Basin (12-15 interactions).

Fisherman: Can you say that the trawl towed it up vs picking up a loose coral detached by lobster gear? I've been fishing in Jordan Basin since 1980. Corals are still there.

Ms. Bachman: It may be possible that the corals were already detached. The data are insufficient to calculate bycatch rates.

Fisherman: Did anyone think about interviewing the skipper of a boat to ask if he has knowledge about coral presence as a requirement for fishing in an area? There is a difference.

Ms. Bachman: No. There are areas with good scientific data and there are other areas where the fishermen know the bottom and coral presence better.

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Jim Odlin: We have three vessels operating in the areas in the Gulf of Maine. I personally fished in the areas for 20 years. I'm opposed to Jordan Basin and Lindenkohl Knoll closures. You don't have the data to make the decision, don't know the impact of modern fishing on the bottom, don't know the economic impact, don't know what will happen when vessels are displaced. We fish for healthy stocks there (redfish, pollock, hake) that we should want people fishing. Where are those vessels going to go? We don't know how many boats are going out of business. There's no data to exempt a certain gear type. You haven't talked about if the goal is to eliminate or minimizing interactions with coral. If the goal is to eliminate, you aren't doing it with this. You'll displace 12 trawls and increase lobster traps by an unlimited number. We can't say that traps don't have an impact. Lobster effort will increase. It's my understanding that there is no requirement to do the amendment. The benefit isn't measurable. Redfish could benefit, but somehow under current fishing, redfish got to be at almost record levels. We can't even catch what we have. You have a long way to. Should monitor the area to see what damage is being done, then at that time take action if needed. There's zero information on the trawl gear. I'm opposed to the closures in Jordan Basin and Lindenkohl Knoll. Probably you can close the canyons and Mt. Desert, because no one fishes there with trawls, and then you can measure that.

Odlin Leeman: I've been fishing for 36 years in Jordan Basin. I live there. It's 90% of my effort. I know where a lot of the coral areas are, learning from the captain I started with, where the "coral trees" are. We don't go near there. We have towed around these areas, and I've never seen a coral, because I don't go there. On keeping fixed gear there, when I'm towing around these places, it's all lobster gear. If there's any record of trawl bycatch, it was damaged by lobster gear and drifted around. I firmly believe we don't do damage. The areas would greatly impact me and the company I work for and a few other people also. You need a lot more research. Close some areas where no mobile gear goes and monitor it. We don't want to go near it. These areas are obscenely huge. I'm fishing the F/V William Lynn. I go through there a lot. I highly recommend No Action. Consider a lot more research, but I think we are protecting now. Don't pinpoint groundfish boats. If there was some new fishermen, who didn't know and trawled through, there would learn fast.

Morgan Callahan: Pew does not support the Council's preliminary preferred alternative for southern Georges Bank, because we believe it is not aligned with NOAA's guidance regarding freezing the footprint of fishing. A 600m zone doesn't protect areas where corals have been observed and coral habitat, and allows for the expansion of trawl fishing in relatively pristine habitat. Pew supports a compromise broad zone alternative and have brought information about it.

Alison Lorenc: Thank you for the opportunity to comment. The majority of the Council's preferred alternatives do not adequately protect coral. In April, the Council tasked the PDT to analyze smaller boundaries. We are concerned with this approach. The PDT said that the original zones would encompass habitat. We hope the Council will follow the PDT input. The Council can and should do better. We support the compromise alternative developed by Pew. We feel the

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process has been biased towards the industry. The process has been rushed, and it's better to get this right than rush an amendment that does not protect enough corals.

Bart McNeel: – I've been fishing Jordan Basin since the late 1970s and am opposed to any closures, especially exempting the lobster gear. Most of the interaction is with lobster gear. Trawlers don't go through corals.

Maggie Raymond: We support No Action on Jordan Basin and Lindenkohl Knoll. The frequency of interactions on mobile gear is low relative to the amount of fishing activity in those areas. It's important to keep in mind that there's no other bottom trawl fishery operating there besides groundfish (e.g., no squid). We have the most severe restrictions and are under the most scrutiny. We are at the limit of what we can sustain.

ELLSWORTH, ME – MAY 25, 2017

Hearing officer: Doug Grout

Council staff: Michelle Bachman

Audience members: At least 68, based on sign-in sheets, likely a few more. All self-identified as lobstermen (vessel owners/operators, or sternmen) unless otherwise noted. Stephen Rappaport (Ellsworth American), Jack Merrill (Northeast Harbor, ME), Roger Fleming (Earthjustice, Hallowell, ME), Jeff S. (Harrington, ME), David Fraser Jr. (Harrington, ME), Roman Jordan (Milbridge, ME), Brandon Beal (Milbridge, ME), Joshua Strout (Harrington, ME), James Sinclair (Cherryfield, ME), Bryan Mills (Franklin, ME), Jason Chipman (Milbridge, ME), Travis Perry (Harrington, ME), C. Lesbinez (Columbia, ME), Kyle Kennedy (Milbridge, ME), Joshua Beal (Milbridge, ME), James Hardison (Northeast Harbor), Chad Kenton (Harrington, ME), Morgan Callahan (Pew), Joseph L. Tyson (Deer Isle, ME), Kim Ervin Tucker (IMLU, Lincolnville, ME), Rocky Allen (IMLU, Jonesport, ME), John Williams (Stonington, ME), Sheila Dassatt (DELA, Belfast, ME), Hilton Turner (DELA, Stonington, ME), Susan Jones (Stonington, ME), Donald Jones (Stonington, ME), Richard Larabee (Stonington, ME), Garrett Steck (Stonington, ME), Darrell Williams (Deer Isle, ME), Ben Hady (Deer Isle, ME), Richard Larabee Jr. (Stonington, ME), S. H. Hutchins (Deer Isle, ME), R. S. (Cherryfield, ME), M. T. (Cherryfield, ME), Jason Strout (Harrington, ME), Travis Alley (Addison, ME), Spencer Thompson (Harrington, ME), Ben Weerd (Stonington, ME), Jeff Nichols (DMR, Augusta), Alan Starwood (Harrington, ME), B. Robinson Jr. (Harrington, ME), Philip R. (Addison), Joshua S. (Milbridge), David Cousens (ME), L. Cousens (ME), Sarah Cotnoir (DMR), Kathleen Reardon (DMR), Melissa Smith (DMR), Frank Thompson (Harrington, ME), Suki Pinkham (ME), Isiah Pinkham (ME), Joel E Strout (Harrington, ME), Josiah Rhys (Deer Isle, ME), Jason Colby (Milbridge, ME), Michael Hurt (Corea, ME), Sam S. (Stonington, ME), Scott P. (Harrington, ME), Dean Barrett (Addison, ME), Jared Coffin (Steuben, ME), Arnold Francis, Jr. (Steuben, ME), Richard Howland (Isleford, ME), John Huddsworth (Lamoine, ME), Patrick Shepard (Maine Center for Coastal Fisheries, Stonington, ME), Julianne Taylor (Mt. Desert, ME),

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Charles Peterson III (Cherryfield, ME), Clint Colson (Ellsworth, ME), Jeff Grey (Southwest Harbor, ME), Patrick Kelliher (DMR)

The hearing began at 5:00 p.m. and concluded around 6:20 p.m.

Mr. Grout and Ms. Bachman provided an introduction, including a summary of the public process conducted to date and a presentation summarizing the alternatives under consideration, including a review of the preferred alternatives. There were no questions.

COMMENTS

Patrick Kelliher: Serious issue; state of Maine appreciates the hearing in Ellsworth to listen to these concerns. I'm the Commissioner of Maine Department of Marine Resources. DMR has worked diligently with Council process to develop alternatives to protect corals and reduce impacts to extent practicable, and has sought to ensure that the Council has the data to analyze them. These include effort, spatial, and economic data. This complements use of VTR data which vastly underestimates effort. DMR supports the preferred alternative. Lobster is the backbone of the community most of the year, with around 50 vessels fishing in these areas, many year round. The ASMFC technical committee estimated a direct impact of \$4.5 million but DMR surveys suggest that the number of months in which fishermen are active and the number of trips they take are higher than previously estimated. Thus the initial estimate is expected to be very conservative. Lobster fishermen are territorial, and displacement is a very significant concern to DMR and fishermen. Closures will lead to gear conflicts, lower catch rates, and higher densities of traps elsewhere. This leaves us deeply concerned about the implications for the Large Whale Take Reduction Plan vertical line regulations, because walls of gear around closures could lead to higher rates of interactions with whales. Industry has already made large investments upgrading gear. In closing, DMR would like to underscore that Council should fairly consider costs relative to perceived benefits of zones. Economic hardships are certain to occur. We will supply detailed written comments in the next few days.

At this point in the hearing, Mr. Grout asked for a show of hands as to how many would support the preferred alternative to restrict only mobile bottom-tending gears from the areas. Most or all of the audience members agreed that they would.

Patrick Shepard: We are in support of preferred alternative. Will add that they operate a survey for cod in these areas, and if and when a fishery comes back would like to be able to fish with hooks in those areas.

Roger Fleming: Wanted to comment on the canyon areas and put a compromise alternative on the table. Earthjustice represents many conservation organizations and fishing groups. Opposed to preferred alternative in the canyon region. Allows expansion of MBTG into additional areas. Inconsistent with purpose of amendment. Council can do better by adopting a balanced alternative that will allow fishing to continue where it currently occurs. A freeze the footprint approach was discussed at April council meeting when preferred alternatives were selected, but

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had not yet been developed. The approach developed after this meeting with input from various groups includes workshop feedback and would exempt lobster and red crab. The approach includes more observed corals and coral habitat than the preferred alternative (17% and 20% respectively). Council should move forward with this. Simpler to enforce, would protect redfish habitat. Includes shallower areas in canyon heads, and falls within the range of alternatives. Will require little additional work to be considered at June meeting. We do support the prohibition of MBTG in all GOM sites. Urge council to freeze footprint. We have had concerns about public process, including the decision to hold committee meeting before end of comment period, and that the draft amendment was made available after comment period opened. Council must abide by NEPA and APA. Should allow for additional time to get it right as needed. We have information about the compromise alternative if people are interested.

Morgan Callahan: Mostly going to speak on canyons, but support Commissioner on inshore GOM. NOAA guidance on DSC is to freeze footprint, and the preferred alternative doesn't do that. Leaves out observed corals and large areas of predicted deep-sea coral habitat. Allows expansion of trawl gears. Cannot support. Compromise proposal would exempt lobster and red crab fisheries.

Hilton Turner: Here to speak for preferred alternative in the inshore GOM areas. More difficult to maintain historically fished grounds. Closures would force fishermen into areas they don't normally operate around fishermen they don't normally fish around, whose practices they aren't familiar with. Will lead to gear conflict – don't want to add more fuel to this fire.

David Cousens: strongly support preferred alternative with trap fishery exemption for reasons we have already heard. Two things – people will be displaced and will have to go elsewhere. Will create gear conflicts, and problems we don't need. Traps will have to go somewhere – wall of rope won't be good for right whales. Have worked hard to accommodate right whale conservation. Lots of money – bet it's close to 8-9 million in these areas. If these areas are taken away, not only taking income away, but will have social impacts as well. We will submit written comment at a later time.

Rocky Alley: President of Maine Lobstermen's Union. Nothing left to say that hasn't been said – will impact industry and those that fish in area. Economic multiplier 3-5 times ex-vessel per Main Lobster Institute. Also right whale issue.

Jack Merrill: Board MLA, Cranberry Isles Fish Coop, board of Maine Lobster Institute. Support preferred alternative (Option 2). You have already heard some of my comments – closure would create extreme economic and social pressures. Lobster is a top economic engine for coastal Maine. Overcrowding could cause problems for whales. Evidence suggests that corals appear to be thriving and coexisting with trap fishery. Lobster gear is set away from steep edges where coral grows. Environmental causes for coral die-offs. Have experience with neuston net tows throughout the Atlantic – many pollutants have been observed at surface. Environmental

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conditions are more important to corals than trap fishing. Global warming, pollution, ocean acidification are the real concerns. Lobster warps actually provide habitat for many species – my hypothesis is that collectively, many thousands of lobster warps are helping to feed the ocean. Positive productivity of lobster lines should be accounted for. Coral gardens – do they thus need to be tended/pruned/cut back at times? Do coral respond this way?

Richard Howland: Wish to reiterate Commissioner’s comment. Support preferred alternative – think about all of the family members and employees of those here today.

A question was asked as to why the Council had not held earlier meetings in eastern Maine; Mr. Grout responded that we have held public hearings across the range of areas affected.

WEBINAR HEARING – MAY 26, 2017

Hearing officer: John Quinn

Council staff: Michelle Bachman, Lou Goodreau, Janice Plante

Audience members: Katie Almeida (Town Dock, RI), Morgan Callahan (Pew Charitable Trusts), Ryan Earley (TetraTech), Erica Fuller (Earthjustice), Heidi Henniger (Atlantic Offshore Lobstermen’s Association), Meghan Lapp (SeaFreeze Ltd.), Pam Lyons Gromen (Wild Oceans), Rob Moir (Ocean River Inshtitute), Greg Wells (Pew Charitable Trusts), Nick Welz (TetraTech), Eric Reid (NEFMC member), Sarah Winter Whelan (Littoral Society), Aaron Kornbluth (Pew Charitable Trusts), Danielle Palmer (NOAA), Robin Hadlock Seeley (Cornell University)

The hearing began at 1:00 p.m. and concluded around 1:55 p.m.

Dr. Quinn and Ms. Bachman provided an introduction, including a summary of the public process conducted to date and a presentation summarizing the alternatives under consideration, including a review of the preferred alternatives.

COMMENTS

Megan Lapp: We support the Council’s preferred alternative (600m minimum zone on slope).

Morgan Callahan: Pew has developed a compromise broad zone alternative. We have spoken about it at every hearing.

Rob Moir: In 2014 Martha Nizinski provided a background presentation on corals. She was surprised to see demersal hake and skate in coral habitats. Many species depend on deep sea corals for habitat. Deep sea corals grow slowly. A study in West Ireland evaluated fishery bycatch of corals. Although only 5 of 229 hauls caught corals, the amount of coral in these hauls was substantial. Carbon dating suggested that some of the colonies were around 4,500 years old. I am urging adoption of an alternative that protects corals. I support the preferred mobile bottom-tending gear closures in the Outer Schoodic Ridge and Mt. Desert Rock zones, also in Jordan

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Basin and Lindenkohl Knoll. In the canyons, I recommend an alternative that prevents use of mobile bottom-tending gears where corals have been observed.

Katie Almeida: Town Dock supports the preferred alternative for a 600m minimum depth zone in the canyons/slope.

LISTING OF WRITTEN COMMENTS

The following individuals and organizations provided written comments through May 26, 2017. These are provided as separate attachments. The author of an organizational comment is indicated in parentheses. City and state are provided below when they were noted by the commenter. Note that one of the comments was submitted on behalf of nearly 10,000 United States residents who signed on to a letter developed by the Pew Charitable Trusts.

- Abrashkin, Diana
- Atlantic Offshore Lobstermen's Association (Grant Moore), Dover, NH
- Atlantic States Marine Fisheries Commission (Robert Beal)
- Bilodeau, Cathy
- Bosworth, Weldon, Gilford, NH
- Brooke, Sandra, Florida State University
- Caitlin (no last name provided)
- Carol Ann (no last name provided)
- Carroll, Winn
- Casoni, Beth
- Citizens for Sludge Free Land (Caroline Snyder), North Sandwich, MA
- Cohen, Theresa
- Conant, Susan
- Corcoran, Imogen
- Cosgrove, Rachel
- Daly-Zeras, Sheilagh
- Dow, David, East Falmouth, MA
- Downeast Lobstermen's Associate (Hilton Turner), Belfast, ME
- Douglas, Wayne G., 02882
- Dupree, Jerald
- Foster, Will
- Gaiser, Jorg, Baiersbronn, Germany
- Goldsmith, Ken, Falmouth, MA
- Harbaugh, Mary, St. Albans, VT
- Henry, Amy
- Hesse, Susanne, and Dyer, Doug
- Holmes, Don, Sedgwick, ME
- Joyce, Jason, F/V Andanamra, Swan's Island, ME
- Kellam, Marcia
- Kleinschmidt, Klaus, Concord, MA

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- Klem, Sue, Gloucester and Lincoln, MA
- Koch, Joann, Lebanon, CT
- Lunds Fisheries (Jeff Reichle), Cape May, NJ
- Marquis, Sharon
- Matronas Lobster Co. (Gary Matronas)
- McDonald, Genevieve Kurilec, F/V Hello Darlin' II, Stonington, ME
- McGeary, Jessica
- McMullin, William, Royal Oak, MI
- Moore, Barbara
- Mystic Aquarium (Katie Cubina), CT
- Nancy (no last name provided)
- New Hampshire Animal Rights League (Linda Dionne), Concord, NH
- Olsen Marjorie
- Papscon, Alan, Stockbridge, MA
- Passow, Fletcher, Ithaca, NY
- Pew Charitable Trusts
- Pew Charitable Trusts, on behalf of 9,758 U.S. residents
- Price, Nadine, Fitchburg, MA
- Reinhardt, John
- Roane, Christine M., Springfield, MA
- Rooney, Diane, El Cerrito, CA
- Rosand, Louise, Laconia, NH
- The Safina Center (Carl Safina, Shelley Dearhart), Setauket, NY
- Shafmaster Fishing (Jonathan Shafmaster), Newington, NH
- Snyder, Tiffany A., Boulder CO
- Storm, Laurie
- Teal, John
- Telles, Doris P.
- Thye, Pamela
- Towner, Erlene, Milford, NH
- Vaillancourt, Denise
- Villanova, Carolyn
- Voices of Wildlife, NH
- Wilkas, Mary
- Wisler, Elizabeth
- Worcester, Jane D.
- Yates, John, Westbrook, ME
- Zimmerman, Leda, Lexington, MA

SUMMARY OF WRITTEN COMMENTS

Comments were submitted by 55 individuals, plus on letter from Pew representing 9,758 U.S. residents. Of the individual comments that indicated where the commenter was from, many but not all were from residents of New England states. Most of the individual comments were in

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favor of strong coral conservation measures and encouraged the Council to go beyond their preferred alternatives during final action. Twelve comments were submitted on behalf of organizations; some of these are conservation groups, while others are fishing businesses or management entities (*ASMFC*).

COMMENTS ON NO ACTION AREAS

The Council should recommend that the Northeast Canyons and Seamounts Marine National Monument shallow boundary be made consistent with the Council's preferred alternative for coral management, so that fishing grounds near the heads of the canyons can be made accessible again (*ASMFC, Lund's Fisheries Inc.*).

COMMENTS ON THE CONTINENTAL SLOPE AND CANYON ZONES

Comments support designation of a zone closed to mobile bottom-tending gear outside the current footprint of those gears; zone should include additional areas relative to the preferred alternative that protect known coral habitats as well as predicted habitats (~45 individual and organizational commenters, plus those who signed on to the Pew letter).

NEFMC proposed zones differs from MAFMC zones in that a single broad area at a single depth is proposed, and shallower areas of canyons are not protected via discrete zones. 600m minimum zone (Option 6) would permit expansion of mobile bottom-tending gear footprint, contrary to NOAA guidance. The Council should fully evaluate the compromise alternative (proposed by Pew Charitable Trusts) and seriously consider this option during final action (*Sandra Brooke, many others agreed this alternative should be considered*).

Comments oppose designation of any coral zones inside of 550 meters. There is significant lobster trap gear in the canyons targeting Jonah crab and lobster between 100-600 meters. Have had no interaction with offshore coral; corals in these areas are pristine. Grounds in Veatch, Block, and Atlantis Canyons have been held from other lobstermen, draggers, and scallopers for decades. Displacement would force vessels into the Gulf of Maine which would create gear conflicts and interactions with whales. (*Mataronas Lobster Co.*)

Council's preferred alternative makes eminent sense. Do not eliminate bottom-tending gear access to depths shallower than 600m (*Shafmaster Fishing*).

Support the preferred alternative with an exemption for the red crab fishery (*Lund's Fisheries Inc., Atlantic Offshore Lobstermen's Association, Beth Casoni*). Preferred alternative is consistent with NOAA guidance and protects most of the known corals (*AOLA*). Effort displacement and gear conflicts as a result of a shallower zone are of significant concern (*AOLA*). Do not support discrete zones in the canyons which would be difficult for compliance and enforcement (*Lund's Fisheries Inc.*).

COMMENTS ON THE SEAMOUNT ZONES

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None identified to date in the written comments.

COMMENTS ON THE GULF OF MAINE ZONES

Corals in the Gulf of Maine are genetically distinct from conspecifics elsewhere and should be protected to maintain genetic diversity of these species (*~45 individual and organizational commenters, plus those who signed on to the Pew letter*).

Larger Option 1 zones increase the likelihood of fully encompassing coral habitats (*~45 individual and organizational commenters, plus those who signed on to the Pew letter*).

The Gulf of Maine zones are small and fragmented. The Option 2 boundaries could allow for suspended sediments from trawling to reach corals, and cause problems with feeding and respiration. The corals' mechanism for protection is production of mucous, which is energetically costly to them. The larger (Option 1) zones provide more of a buffer around the coral areas to confer protection from sediment stress, as well as accidental gear deployment in the zones. Larger more regular zones also facilitate enforcement (*Sandra Brooke*).

COMMENTS ON THE INSHORE GULF OF MAINE ZONES

Comments support designation of Mt. Desert Rock and Outer Schoodic Ridge zones as mobile bottom-tending gear closures (Option 2); support adoption of Option 1 boundary for Mt. Desert Rock (*~45 individual and organizational commenters, plus those who signed on to the Pew letter*).

Support protection of coral communities from bottom-tending gear. Cringe each time further encroachment occurs on overexploited fisheries stocks and species that support the food chain in the Gulf of Maine. What does it take to convince resource managers we have already gone too far and need to protect habitats not already compromised? Should appreciate shifting baselines. Not an adequate scientific foundation to allow resource managers to fully understand the consequences of putting more harvesting pressure on these coral communities. A conservative resource manager upholding the public trust should err on the side of precaution when making this decision (*Weldon Bosworth*).

Identified coral areas lie in the heart of some of the most lucrative lobstering grounds in Eastern Maine. Areas fished mostly in winter, but sometimes year-round. Based on DMR surveys and Maine Center for Coastal Fisheries outreach, an estimated 50 fishermen work each zone. Each vessel employs 1-2 crew and supports at least ten people in terms of crew and family members. DMR work shows that ASMFC technical committee work underestimates revenue losses. Coral habitats and fishing grounds co-exist in close proximity, and have done so for hundreds of years. Displacement of lobster trap effort outside the inshore GOM coral zones would lead to gear conflicts and increase vertical line density and reverse the effects of the Atlantic Large Whale Take Reduction Plan. Option 2 (mobile bottom-tending gear restriction only) would allow fixed gear fishing opportunities in the eastern Maine groundfish fishery (*Genevieve McDonald*).

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Council should adopt the preferred alternative for these sites. Very concerned about gear conflicts and forcing fishermen into areas where they are not as familiar with vessels operating there and their typical patterns of activity, gear marking, etc. Not that we are against protecting our ecosystem, but we must look at the impact this will have on our fishery, fishermen, and their families (*Downeast Lobstermen's Association*).

Support the preferred alternative – have fished Mt. Desert Rock area for many years, and have concerns about effort displacement and gear conflict (*Jason Joyce*).

COMMENTS ON THE OFFSHORE GULF OF MAINE ZONES

Comments support designation of Option 1 zones at Jordan Basin and Lindenkohl Knoll as mobile bottom-tending gear closures (Option 2) (~45 individual and organizational commenters, plus those who signed on to the Pew letter).

Our fleet fishes exclusively in Lobster Conservation and Management Area 3, and is strongly opposed to finite and discrete closure areas being considered for the Gulf of Maine, most particularly in regards to lobstering. No evidence that lobster pots have had an adverse impact on corals or coral populations over the past 40 or more years. Corals have been described as pristine. Dislocation of gear from these areas will cause major gear conflicts which is a significant issue (*Shafmaster Fishing*).

COMMENTS ON SPECIAL MANAGEMENT PROGRAMS AND FRAMEWORK PROVISIONS

None identified to date in the written comments.

OTHER COMMENTS

Comment period is short (draft amendment on May 15, comments due May 24 for Committee consideration). The Council should consider a delay to allow for a more thorough evaluation of the alternatives and development of optimal management strategies (*Sandra Brooke*).

“Once these corals are destroyed, it will not be possible to replace them, and an ecosystem that supports our fisheries long-term will have been sacrificed for short-term gain” (*Barbara Moore, other comments included similar themes*).

Commenter would prefer to see coral management addressed via the Habitat Area of Particular Concern process, with conservation efforts managed by the NOAA Fisheries Office in Gloucester. Unfortunate that corals were not addressed in Omnibus EFH Amendment 2, before this conservation challenge became embroiled in political conflict surrounding the Northeast Canyons and Seamounts Marine National Monument (*David Dow, NOAA, retired, and former Habitat PDT member*).

A precautionary approach should be adhered to, considering predictions about negative impacts of climate change on ocean health and fisheries (*Citizens for Sludge-Free Land*).

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Thirteen written comments were very generally in support of coral conservation, without clear reference to particular alternatives. Some of these referenced the need to go beyond the preferred alternatives to better protect coral habitats from the effects of fishing gear. Many took a long term, ecosystem viewpoint as to the need to protect corals and preserve these habitats for future generations (*e.g. John Teal, Sue Klem*).