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New England Fishery Management Council

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DRAFT MEETING SUMMARY

Habitat Committee

Webinar

June 12, 2026

9:00 a.m. – 1:00 p.m.

The Habitat Committee met jointly via webinar at 9:00 A.M. to (1) Discuss the status of the Georges Bank and Stellwagen Dedicated Habitat Research Areas (DHRAs) and recommend retention or sunseting of one or both areas; (2) Discuss the scope, structure, and information sources to be evaluated in the Great South Channel Habitat Management Area (GSC HMA) Surfclam Exemption Program Evaluation and provide feedback on the approach; and (4) Receive an overview of the Essential Fish Habitat designation approach, review draft designations for a number of species to be included in the 2026 EFH Designation Framework, and provide feedback on draft EFH maps, text descriptions, and/or additional information sources. There were no changes or additions to the agenda.

MEETING ATTENDANCE: Melissa Smith (Chair), Geoff Smith (Vice Chair), Peter Aarrestad, Togue Brawn, Doug Christel (GARFO), Michelle Duval (MAFMC), Eric Hansen, Jackie Odell, Scott Olszewski, and Renee Zobel; Chris McGuire (Habitat Advisory Panel Chair); Other Council Members: Melanie Griffin (Council Vice-Chair) and Megan Ware; NEFMC Staff: Michelle Bachman (Plan Development Team [PDT] Chair), Jennifer Couture, and Julian Garrison; NMFS GARFO Staff: Gabby Feil, Christine Ford, Sabrina Pereira, Doug Potts, and Sue Tuxbury; NOAA General Counsel: Mitch MacDonald and Scott Sakowski. In addition, about 21 other people attended.

KEY OUTCOMES

- The Committee recommended sunseting the Georges Bank DHRA.
- The Committee did not make a recommendation about sunseting or retaining the Stellwagen DHRA but requested more information about the dependence of the ongoing and planned research in the DHRA on the DHRA regulations to support a Council recommendation on the area.
- The Committee was supportive of staff and Advisory Panel recommendations for information to include the Great South Channel Habitat Management Area Clam Exemption Program Review. Recognizing that the purpose of this report is to support a Council priorities discussion, they agreed it was reasonable for staff and the Plan Development Team to adjust the level of detail provided in the analysis to match the time and resources available.
- The Committee received updates on the 2026 EFH designation effort and provided feedback on presentation of the draft designations as well as information sources to consider for updating text descriptions and groundtruthing maps.

AGENDA ITEM #1: OCEAN PLANNING UPDATE

Council staff provided an update on recent ocean planning activities, including information on topics they are tracking, including offshore wind, mineral mining, aquaculture, and marine carbon dioxide removal. One Committee member asked whether the Newport mussel farm project is in federal waters and, if not, why the Council is providing a comment letter. Council staff clarified that the project is in federal waters and was originally proposed within two larger areas, which have been modified to a single area. Siting discussions are likely ongoing. Staff referred Committee members to a presentation from the project team to the Habitat Committee last fall that included specific rationale for that chosen area. GARFO staff added that they are awaiting additional information from the lead federal agency, the Army Corps of Engineers. Another Committee member asked if there were any status updates on aquaculture projects in NH or MA. Council staff responded that there is still a salmon aquaculture project ongoing off NH, but there have not been recent updates. The last staff had heard was that the need for the project developers to self-fund development of an Environmental Impact Statement (EIS) has caused delays in the project.

Public Comment

- There were no public comments on this agenda item

AGENDA ITEM #2: DEDICATED HABITAT RESEARCH AREA REVIEW

Council staff reviewed the status of the Georges Bank and Stellwagen Dedicated Habitat Research Areas (DHRAs), including general background on DHRAs and criteria for their retention; specific fishing restrictions associated with the Georges Bank and Stellwagen DHRAs designations and with overlapping fishery management areas; recent, ongoing, and future research in the two DHRAs; and recommendations on whether to retain or sunset one or both DHRAs from the Habitat Plan Development Team (PDT) meeting on April 30, 2026. Council staff noted that according to the criteria established via Omnibus Habitat Amendment 2 (OHA2), the past, ongoing, and potential future research projects in the Stellwagen DHRA would point us toward retention of that designation, whereas a lack of research projects in the Georges Bank DHRA would indicate removal of that designation. The PDT recommended retaining the Stellwagen DHRA. The PDT urged careful consideration of tradeoffs regarding removal of the Georges Bank DHRA, given it has been closed to mobile bottom-tending gears since 1994. The Advisory Panel (AP) recommended removing the Georges Bank DHRA and asked if the PDT and Greater Atlantic Regional Fisheries Office (GARFO) staff could review the dependency of the research planned in the Stellwagen DHRA on the DHRA designation before the Council issues a recommendation on whether to retain or remove the designation. Responding to a question raised by the AP, staff noted that DHRAs were not designed to minimize the effects of fishing on EFH, so removing a DHRA would not raise any concerns about needing to mitigate impacts or implement additional measures to reduce impacts.

The AP chair affirmed the AP recommendations, noting that some members supported the PDT's perspective on tradeoffs associated with sunsetting the Georges Bank DHRA. He also noted that he had contacted GARFO staff to inquire about whether DHRA designations facilitate the ability of researchers to obtain permits, and that while not necessary, an area's status as a DHRA would support the permitting process, since the Council's intent for use of the area is clear.

The Committee then discussed whether to retain or sunset the Georges Bank and Stellwagen DHRAs. The Committee asked whether scallop recruitment has been observed in the Georges Bank DHRA. Staff had previously conferred with the Council's Scallop FMP lead, who noted that there is close to zero biomass or recruitment in the area according to recent surveys. Regarding the Stellwagen DHRA, a Committee member asked for clarification about whether research could continue absent the DHRA, within the Western Gulf of Maine Closure Area. The AP chair responded that the relevant question here is whether the opportunity to do research would be different without the DHRA in place. In other words, are research projects dependent on the DHRA specifically, or just on the closure to some types of fishing? The fishing restrictions are the combined outcome of the DHRA, WGOM Habitat Closure, and WGOM year-round

groundfish Closure Area regulations. The Committee member acknowledged the in-depth discussion of all of these management areas and their designation and retention during OHA2 development.

Public Comment

- **Drew Minkiewicz (Sustainable Scalloping Fund)** noted that the Council set up a system to sunset DHRAs if they no longer meet the criteria, and that is what the motion for Georges Bank captures. There is no grey area in terms of what to recommend for this area. For Stellwagen, the AP motion was focused on getting more information to understand dependence of the research being conducted on the DHRA designation.
- **Peter Hughes (Atlantic Capes Fisheries)** spoke in support of both motions, noting that the Georges Bank DHRA has been closed for 32 years with no recent, ongoing, or planned research. He supports allowing fishermen to fish in that area.
- **Ron Smolowitz (Coonamessett Farm Foundation)** noted he was once strong believer in the concept of DHRAs. Over twenty years ago, the Georges Bank DHRA was established as a habitat closure area; there was not any scallop, groundfish, or clam fishery interest based on a joint meeting at that time, but we needed a control area for habitat research purposes. Since then, with much research behind us, we are realizing there are complex interactions over distances of tens of meters, such that research in this area is specific to this area and may not apply to nearby areas. In 2015, the area was seeded with 1 million scallops, which survived but then moved out of the area. In general, he suggested changing our approach to habitat research and getting away from DHRAs. It would be better to document well-monitored fisheries and use lessons learned from fishing to determine how to mitigate adverse effects.

1. MOTION (HANSEN / BRAUN):

Recommend that the Council request administrative removal of the Georges Bank Dedicated Habitat Research Area.

Rationale: Agreed with Advisory Panel discussion and rationale, placing emphasis on how long the area has been closed, the Council keeping to its sunset provisions, and that there is no recent, ongoing, or planned research addressing the Council's DHRA-specific research topics.

Discussion on the Motion:

Members expressed support for the motion and applying the Council's sunset criteria. One member asked if there were intermediate approaches to removal or retention, e.g., retaining a part of the area to serve as a control. Staff noted that this had not been considered and while the regulations outline retention or removal, they do not describe changes to the DHRA boundaries or measures.

Another member asked if there had been an evaluation of changes to the DHRA as compared to when the area was first designated, i.e., are there changes to the habitat that make the area less suitable as DHRA? Staff noted that this evaluation had not been done, at least not by the PDT.

A member emphasized that this area is very dynamic, and experiences disturbance due to storm events, such that they understood fishing impacts in this location to have negligible impacts. They did not feel that there would be a major loss to remove the area, despite the long-term nature of the fishing restrictions associated with the DHRA and the Habitat/Groundfish Closures that preceded it. Staff commented that the OHA2 FEIS makes it clear that the Georges Bank DHRA is estimated to be less vulnerable to the adverse effects of fishing as compared to designated Habitat Management Areas.

Public Comment on the Motion:

- There were no public comments on the motion.

**MOTION #1 CARRIED BY UNANIMOUS CONSENT WITH ONE ABSTENTION BY
REGIONAL OFFICE STAFF 0/0/1**

2. MOTION (HANSEN / ODELL):

That the Habitat Committee requests that GARFO and the Habitat PDT complete the dependence analysis required by the OHA2 review framework for the Stellwagen Bank Dedicated Habitat Research area before the Council makes any retention or sunset recommendation to the Regional Administrator.

Rationale: The maker of the motion echoed the rationale and discussion from the 5/29 Habitat AP meeting, where a similar motion was made. The maker and seconder noted that this motion does not sunset the designation but rather asks for more information to inform the decision. The maker emphasized the desire to understand how the overlapping fishing restrictions interact with each other and specific impacts of the designation on research, recognizing that unlike in the Georges Bank DHRA, it is clear that there has been recent and potential ongoing research.

Discussion on the Motion:

A member asked if it was clear what a dependence analysis should include, in this context. Staff were not sure exactly what would be necessary; OHA2 indicates that any planned research should be reliant on the DHRA restrictions but does not use the term dependence or speak to the relationship between a DHRA and other overlapping area-based restrictions in the context of evaluating reliance. It would be useful for the Council to have a conversation about this topic to clarify whether they are comfortable relying on restrictions associated with other management areas to create the conditions to support research in the DHRA. The member expressed concern about tasking the PDT with an analysis with uncertain objectives. The chair wondered if utility would be a more useful term here than dependence.

The NOAA General Counsel representative was asked to weigh in. They noted that they will continue to investigate the regulatory provisions, but that they did not recall that the Council intended to tie in provisions for other management areas to the DHRA implementation or review. They recalled the intent in OHA2 was to have designated research areas including the sunset criteria, which are relatively clear about the conditions under which the DHRA regulation needs to be removed. How a DHRA relates to another area that's already existing for another purpose is sort of irrelevant at this point. If the Council determines that one of these DHRAs, for example, the Georges Bank DHRA, needs to sunset in accordance with the OHA2 provisions, then the regional office will take action to do that in accordance with OHA2, and the region will determine what regulations attached to the DHRA designation need to come or go. If there are other areas that are closed for other purposes, they have their own criteria. The Council can evaluate these other areas outside the DHRA sunset review process, but for the DHRA, they suggested it is important to focus on what the DHRA provisions are, since the DHRAs are specific areas with specific purposes and specific sunset criteria.

The DHRA regulations at [50 CFR 648.371](#) document the Council's intent.

Another member thought the motion was helpful in that it could lead to a more informed discussion at the Council meeting. They requested a map showing how other management areas relate to the DHRA.

The Chair noted that if the overlapping Western Gulf of Maine habitat and groundfish areas were to be removed, then the DHRA might need to remain as a tool for facilitating research, and asked whether/when those areas might be reviewed. Staff noted that the Council suggested 10 years after OHA2, so 2028, would be when the Council would undertake a comprehensive review of areas. They noted that considering these regulations as separate, with specific purposes, was the most helpful.

Another member noted that they would like to see the DHRA retained, and think that it meets the criterial for continuation, but that they supported to motion and thought it was important for Council to have this

conversation about utility of DHRAs moving forward and be absolutely clear in its intent, i.e., to combine DHRAs with overlapping management areas and their restrictions.

Public Comment on the Motion:

- Alice Stratton, Stellwagen Bank National Marine Sanctuary, noted that while the Stellwagen DHRA does not provide unique protections, she understood that the overlap between management areas was part of Council's intent in OHA2. The DHRA has been helpful for the Sanctuary to direct and focus research.
- Drew Minkiewicz, Sustainable Scalloping Fund, thought a map of overlapping management areas would be useful, and that the motion was to elicit understanding and document what the DHRA is and is not doing.
- Ron Smolowitz asked what fisheries are being impacted by this series of closures. Staff noted that the area has been closed since 1998, and that she understood that groundfish fishing had occurred in the area historically and still occurs along the edges of the area, as well as inside the area with recreational gear. She wasn't sure about whether scallops or small mesh species occurred in the closures in meaningful numbers. Table 58 in Volume 4 of OHA2 (page 229 at this [link](#)) shows that between 2007-2012, monkfish, cod, witch flounder, American plaice, white hake, redfish, and pollock were the main species harvested within 10 km of the eastern boundary of the groundfish closure (this boundary was shifted west by about 5 nm / 9.25 km via OHA2).
- Mr. Smolowitz noted that he was trying to get access for the scallop and clam fleets in habitat management areas in general, and that impact studies were most useful to support that. He argued that a DHRA designation doesn't help with trying to do fishing impact studies. There is no funding for them, so researchers need to design studies that can be funded via harvest. He reiterated a previous comment shifting the approach for promoting research away from DHRAs.

MOTION #2 CARRIED ON A ROLL CALL VOTE, 7/1/1

- **Yes –Aarestad, Brawn, Duval, Hansen, Odell, Olszewski, Zobel**
- **No – G. Smith**
- **Abstain – Christel**

Staff clarified in response to a question that the Council was scheduled to make a recommendation about both DHRAs later this month. Staff will gather what information they can to support the Council's decision. It would be possible to delay this decision, but a delay is unlikely to result in additional analysis or information about the issue from the PDT.

AGENDA ITEM #3: GREAT SOUTH CHANNEL HABITAT MANAGEMENT AREA SURFCLAM EXEMPTION PROGRAM EVALUATION

Council staff gave a presentation on the Great South Channel Habitat Management Area (GSC HMA) surfclam exemption program evaluation, which is a Council work priority for 2026. Staff reviewed the GSC HMA surfclam exemption program, including its objectives and problem statement in the 2018 Clam Dredge Framework, and discussed the scope and draft outline of the evaluation report, habitat and surfclam fishery resource questions to be addressed, and the recommendations from the Habitat Advisory Panel (AP) on topics to include in the evaluation. The Habitat AP Chair added that there has been strong support from clam fishery industry members on the evaluation and moving it forward and that Dr. Roger Mann at the Virginia Institute of Marine Science offered some information from his lab to support the evaluation. Staff sought feedback from the Committee on the discussion questions, information sources, and other individuals to consult as the report is prepared.

The Committee was generally supportive of the direction the work was taking. They recognized that there may be limits to the depth of analysis in the report due to time constraints and that there may be additional

topics beyond the AP's recommendation added to the report at the PDT's discretion. The Committee noted that the work is intended to support the Council's discussion of priorities later this year, and that additional analyses could be prepared on request, if the Council prioritizes a management action to rework the exemption program. The Committee was supportive of collaborating with scientists and industry members during development of the report. One Committee member noted that fishery information documents (FIDs) developed by the Mid-Atlantic Council for surfclams could provide useful information as well; this year's document will be available in mid-July. The Committee supported the AP's and staff's recommendations on topics to include in the evaluation via consensus statement.

Public Comment

- **Shaun Gehan (Counsel for the Saving Surfclam Coalition)** asked whether there is any research in the exemption areas and, if so, will the evaluation also review fishing and research more broadly in the HMA. Staff clarified that in addition to commercial catch data, there is research from other areas of the HMA that can be used to make inferences about the exemption areas. The Habitat PDT would need to consider the extent to which is appropriate to use information from the broader HMA to characterize within the exemption areas.
- **Mr. Gehan** also asked whether there were distinctions drawn between surfclam dredging impacts in general and adverse impacts on managed species EFH, particularly for Atlantic cod, in OHA2. He suggested addressing those distinctions in the evaluation, which would be helpful for industry members looking to provide research information. Staff agreed that it would be useful to revisit how impacts were characterized in OHA2 and include it in the evaluation report, noting that OHA2 generally examined impacts of bottom-tending gears on structured habitats—this might not be quite the direction connection to species' habitat utilization the commenter is looking for. Staff also noted there were analyses of spawning protection measures in OHA2, which addresses species impacts in a different way (e.g., as disruptions to spawning aggregations or other fish behaviors, rather than to habitat).
- **David Borden** noted that the MA Division of Marine Fisheries has provided information on the redirection of surfclam fishing effort into state waters and suggested including those types of impacts in the evaluation. He also echoed Mr. Gehan's comment on examining adverse impacts in a broader species context, including those not managed by the Council.

3. **CONSENSUS STATEMENT:**

The Committee supports the Habitat Advisory Panel's and staff's recommendations for elements to include in the Clam Exemption Program Review, and that there be flexibility to include other information as time allows and focus the analysis as needed.

Discussion on the Consensus Statement:

- Committee members appreciated the wealth of information provided in the staff presentation on the scope and draft outline of the evaluation. They recognized the usefulness of giving the PDT flexibility in pursuing the evaluation.
- The Committee was also mindful of staff's capacity to address all the recommendations. Council staff noted that the Committee and Council may need to temper expectations on how detailed certain analyses can be, but information can be provided for context and discussion of tradeoffs. Staff were also cautious about speculating what can be achieved to avoid overpromising.
- Committee members clarified that the evaluation is intended to inform Council priority setting discussions in December and that there would be additional, more comprehensive analyses to support a management action to change the exemption program if prioritized.

Public Comment on the Consensus Statement:

- **Mr. Gehan** encouraged staff to include information about positive impacts of clam dredging to habitat, such as nutrient cycling and cleaning substrate surfaces for attachment.
- **Ron Smolowitz (Coonamessett Farm Foundation)** noted that the area was closed originally to protect Atlantic cod productivity and that current information informing management decisions is coming from an EFH model. He emphasized the need to replicate and compare model-based approaches against other datasets such as commercial catch data or other survey data (not in the model), as well as the need to examine changes in cod habitat use over time (i.e., compared to 20 years ago). Staff agreed that it is important to understand cod habitat use in this area but cautioned that an analysis on cod commercial catch is likely beyond the scope of the evaluation. That said, the review is an opportunity to lay out what information is available, some of which can be summarized for this review, and some of which would require a more thorough analysis in a potential future Council action.

AGENDA ITEM #4: 2026 ESSENTIAL FISH HABITAT DESIGNATIONS UPDATES

Council staff gave a presentation on the 2026 Essential Fish Habitat (EFH) designation updates, including a recap of the designation methods and an overview of planned outreach. Staff noted specific groups to be consulted and the list of discussion questions to be raised with each. There were no questions on the methods and outreach approach sections of the presentation.

Staff continued with a review of the draft EFH maps and text for individual species and life stages. Placeholders were presented for some species where modeling work remains in progress, specifically halibut and sea scallops. A single, pooled map was presented for pollock due to initial concerns about data limitations, but the PDT hopes to develop separate juvenile and adult pollock maps because their distributions appear distinct. Staff noted that for winter flounder, the Council has previously set a southern limit of the designation at Absecon Inlet, NJ, near Atlantic City. It would be helpful to receive guidance from the Council about whether to continue this limit with the revised designation. Staff also invited Committee members to reach out to staff with any follow-up questions or feedback on the draft EFH designations.

Committee members offered the following feedback on the draft EFH designations:

- A Committee member observed that the draft designations are rather broad and clarified whether the intention is to confirm that species occur in those areas. Regarding winter flounder, they encouraged staff to closely examine inshore trawl survey data and commercial catch data to identify areas of higher vs lower catches, which would help ground truth the draft EFH maps and inform the Council's decision about whether to limit the southern extent of the designation to Absecon Inlet, NJ, as it did during Omnibus Habitat Amendment 2 (OHA2).
 - Council staff responded that the species distribution models (SDMs) generate relative abundance predictions based on modeled relationships between survey catch and environmental covariates for each species. Staff also noted tradeoffs between broader vs narrower designations that had been discussed during the EFH Review and development of the 2025 EFH Framework. Staff welcomed feedback on seasonal habitat use or migratory patterns, which can be captured in the text descriptions.
- A Committee member emphasized conveying how the updated EFH maps are an improvement over previous maps, noting that the updated maps portray EFH at a finer resolution. The Committee member suggested sharing a comparison and highlighting these improvements.
 - Staff agreed and will include a side-by-side comparison that summarizes these improvements; a graphic like this was previously shared at the September 2025 Council meeting during final action on the 2025 framework.
- One Committee member suggested examining older scallop data (survey or commercial catch) to address the area on Nantucket Shoals where scallops are not predicted to occur. They noted that

there used to be a scallop fishery near that location, and data from that fishery could confirm model predictions in that area. On the other hand, the Committee member felt that the gap on the top of Georges Bank accurately reflects little to no scallop habitat use of that area.

- One Committee member suggested overlaying draft EFH maps with nautical charts before reviewing with industry members, since that format is most useful and familiar with fishermen.
 - Staff responded that nautical charts could be added to the EFH Demo R Shiny App once that is updated with the 2026 species, which would allow industry members and other groups to interactively explore the draft maps and data inputs. We can also generate static maps using a nautical chart basemap.

Public Comment

- **Drew Minkiewicz (Sustainable Scalloping Fund)** expressed concern about having sufficient time to review draft scallop designations given that modeling remains underway. Staff responded that the top 75% density quantile area shown as a placeholder should be representative of the draft EFH map and that they plan to review the scallop EFH results with the scallop PDT in July. Staff plan to share the designation with Scallop AP members directly once available next month, and could share draft model outputs in the coming week if timing is a concern.
- **Peter Hughes (Atlantic Cape Fisheries)** recalled that, during OHA2 development, part of the rationale for limiting the winter flounder designation to Absecon Inlet, NJ was that otherwise the marinas from Cape May to Absecon Inlet could not be dredged in the winter. He noted that there was a report developed by Eleanor Bohanek that could be useful to consult.

The meeting adjourned at approximately 12:45 p.m.