



New England Fishery Management Council

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DRAFT MEETING SUMMARY

Habitat Plan Development Team

June 15, 2021

1:00 p.m. – 3:00 p.m.

Agenda

The PDT discussed (1) Northern Edge white paper progress to date and next steps and (2) updates that might be made to the Council's renewable energy policy. The suggestions and recommendations discussed during the meeting will be brought to the next Habitat Committee meeting.

Meeting attendance

PDT members included Michelle Bachman (Chair), Peter Auster, Sharon Benjamin, Jessica Coakley, Jenny Couture, Geret DePiper, Rachel Feeney, Moira Kelly, Julia Livermore, Dave Packer, David Stevenson, Alison Verkade. Sam Asci and Jonathon Peros from the Council staff also attended, as did Habitat Committee chair Eric Reid. Other attendees included Kelly Whitmore from MA DMF.

Discussion

First, Ms. Bachman provided a few introductory updates including lack of progress made towards further understanding Dr. Gallagher's before-after-control-impact work. Specifically, she has not gotten a response to a request for a write up of the methods used to generate the results presented to the PDT in April. PDT members strongly emphasized needing a written report to clarify and supplement the PowerPoint presentation so that the PDT can accurately understand and utilize Dr. Gallagher's results to inform potential management action on the Northern Edge. Prior presentations (Habitat PDT October 2019, Scallop RSA Share Day May 2020) shared analyses based on a limited set of data and the results are not consistent with the new findings. The PDT agreed it is important to use the recent results, which are based on a much larger set of images and include additional statistical analysis, to support the Council's decisions. Without a written report from Dr. Gallagher that provides important details about analytical methods and results, the PDT will have to assess the PowerPoint presentation in light of uncertainties given the absence of those details, which is not ideal. One PDT member suggested asking Dr. Gallagher if additional funding would enable him to complete this work. Ms. Bachman will continue trying to connect with Dr. Gallagher.

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Next, the PDT discussed the Northern Edge white paper progress to date. The primary aim with this document is to provide new information available since completion of Omnibus Habitat Amendment 2 (OHA2), placing this information in the context of earlier work. The group reviewed initial work on the following sections: introduction, EFH and HAPC designations, effects of fishing gear, and why OHA2 measures were rejected. PDT contributors were also generally identified for the following sections: oceanographic conditions, benthic habitats, effects of fishing gear, and fishery-specific considerations. A target timeline of end of summer for revising/drafting these sections was discussed. Management advice sections (balancing habitat/resource concerns with fishing and environmental review considerations) can be drafted after more progress is made on other sections of the white paper.

The FMP-specific considerations sections are meant to be high level and only include information and issues for these fisheries that are pertinent to this potential action. One member suggested summarizing revenue from fisheries that occur in this area to narrow down which fisheries should be discussed in the white paper. The PDT decided to do this analysis based on one of the larger management areas analyzed in OHA2, so that the data from the FEIS could be compared to recent years, and to avoid having to circumscribe a new area boundary. The idea is to determine if the fisheries identified in OHA2 as occurring in the area have changed in level of importance since the FEIS was completed. Changes in stock status determinations will also be identified as this might influence the goals of this action. The white paper should be clear on the geographic scope of the northern edge (roughly, east of Closed Area I, to the Hague Line, excluding the southern part of the bank and Closed Area II).

When identifying this evaluation as a work priority for 2021, the Council did not specify fisheries to focus on nor did it develop a problem statement for the action. However, the measures recommended in OHA2 sought to balance scallop fishery access with conservation of habitat for groundfish and other resources, so that could be a starting point for articulating a problem statement. The PDT thought it might be useful to recommend multiple problem statements, goals, and objectives for the Committee to react to and provide feedback on. There will be more discussion of this issue at future PDT meetings.

The PDT recommended adding a species and habitat climate vulnerability section to the white paper. This will incorporate relevant results from NOAA's Fish and Shellfish Climate Vulnerability Assessment (FSCVA, Hare et al. 2016) and Habitat Climate Vulnerability Assessment (HCVA, publication in preparation), both of which are new assessments completed after OHA2 was finalized, although the FSCVA has been referenced in other Council actions since. The white paper can also incorporate information from the Northeast Regional Habitat Assessment (NHRA) species profiles, and forthcoming HCVA-NHRA species narratives. Along with the NHRA work, the recent literature review by Dave Pecker on juvenile cod habitat preferences and the functional role of habitat should also be included in the EFH section of the document to help the Council consider trade-offs with understanding the effects of opening the area.

As noted above, subsequent PDT meetings will be used to develop advice to the Committee about how to consider the information provided as they advise the Council on whether to move forward with an action. Information provided in the white paper will not be of the level to fully

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consider and evaluate the tradeoffs – particularly not at a level to understand the effects of opening an area. Rather, the intent is to document whether there is new information that may materially affect such an evaluation of tradeoffs, potentially leading the Council to explore these issues more fully in a framework or amendment.

Lastly, the PDT discussed potential updates to the Council’s renewable energy policy. The PDT discussed adding in a preamble to clarify that there are marine renewable energy technologies other than wind, however, they are outside the scope of the policy (and relevant projects in the region are few and far between). It will be important to coordinate with MAFMC via staff and Committee members when editing the policy, since the Councils use the same energy policy as a foundation for joint offshore wind comment letters.

Specific updates discussed include describing the importance of fisheries monitoring, particularly alignment in monitoring approaches across offshore wind projects, incorporating more information from ROSA monitoring and NMFS habitat mapping recommendations, and recommending layout consistency across projects. Layout consistency might not mean recommending a uniform grid, but rather more generally recommend consistency between adjacent projects. For example, Empire Wind off NY is not taking a uniform gridded approach, rather, the layout is denser in some areas and more spaced in others to avoid heavily fished areas. The Habitat Committee has discussed compensatory mitigation at multiple meetings; a few cautions are that compensatory mitigation funds cannot be used to fund federal surveys directly, however mitigation funds directed towards the fishing industry could be used to address loss of revenue, fishing gear, fishing grounds, etc. Additional suggested edits were made directly in the renewable energy policy document. Other ideas for the policy could come from the MAFMC’s policy preamble, which includes general recommendations about communication, etc. that apply across topics (wind, aquaculture, coastal development, etc.). Statements about communication and coordination were included in the cable and aquaculture policies approved by NEFMC last year.

Staff will draft a cover memo to help the Council understand the rationale behind suggested edits. A subset of the PDT will assist in editing and reviewing the cover memo and the policy document.

No other business was discussed.

The meeting adjourned approximately at 3:00 pm.