

## Excerpt from OHA2 FEIS

### Council preferred alternatives (underlined)

The Council identified preferred alternatives for most sections of OHA2 at its meeting in Mystic, CT on April 21-23, 2015. At that meeting, Council took action to modify a small number of essential fish habitat designations, and approved the suite of designations, as modified. The Council also approved a suite of Habitat Area of Particular Concern designations. The EFH and HAPC designations are described in Volume 2 of the FEIS. The Gulf of Maine habitat management alternatives, all dedicated habitat research area alternatives, and the framework and monitoring alternatives were also approved in April. The Council finalized its selection of preferred alternatives at its meeting in Newport, RI on June 16-18, 2015, identifying measures for habitat and spawning protection on Georges Bank, and for spawning protection in the Gulf of Maine. This section, which was not included in the DEIS, describes the Council's preferred spatial management alternatives (habitat areas, spawning areas, and dedicated habitat research areas). In most cases, these alternatives are modified slightly from those in the DEIS. The DEIS alternatives numbers are noted below for reference.

With the exception of the EFH and HAPC designations, the areas selected are shown on the maps below (**Map 1** shows year-round areas, and **Map 2** shows seasonal areas).

### Preferred habitat management areas

In the eastern Gulf of Maine sub-region, the Council identified the Small Eastern Maine HMA with management Option 1 (complete restriction on use of mobile bottom-tending gears) as their preferred alternative. Small Eastern Maine was analyzed in the DEIS as part of Alternative 3, which also included the Machias HMA and Toothaker Ridge HMA. However, the Machias HMA raised concerns among Council members due to the grey zone issue where a large percentage of the area overlaps a disputed part of the EEZ boundary and is therefore fished by both Canadian and U.S. fishermen. The Council was concerned that habitat protection benefits in the Machias HMA would be jeopardized if Canadian fishermen were allowed to fish in the area while U.S. fishermen would be restricted. The Small Eastern Maine HMA is expected to increase habitat protection in the sub-region because there are currently no HMAs designated within the eastern Gulf of Maine.

In the central Gulf of Maine sub-region, the Council selected modified Cashes Ledge, modified Jeffreys Bank, Fippennies Ledge, and Ammen Rock as habitat management areas. These areas would be managed as mobile bottom-tending gear closures, with Ammen Rock managed as a closure to all gear types, except for lobster traps. These areas were analyzed as part of Alternative 3 in the DEIS. Alternative 3 also included the Platts Bank HMA; however, Council members raised concerns that the Platts Bank HMA would impact the Maine scallop fishery. In addition, the Council also opted to maintain the Cashes Ledge Closure Area as-is. This area was analyzed as part of Alternative 1/No Action in the DEIS, in combination with the current Cashes

Ledge and Jeffreys Bank Habitat Closure Areas. The Cashes Ledge Closure Area measures would not change, i.e. the area will continue to be a year-round closure to all vessels except:

- Charter and party vessels with a letter of authorization;
- Vessels fishing with exempted gears: spears, rakes, diving gear, cast nets, tongs, harpoons, weirs, dip nets, stop nets, pound nets, pots and traps, surfclam/quahog dredge gear, pelagic hook and line, pelagic longline, single pelagic gillnets, and shrimp trawls;
- Vessels participating in the mid-water trawl exempted fishery; and
- Vessels that are transiting, provided that gear is properly stowed.

In the western Gulf of Maine sub-region, the Council selected a modified version of Alternative 1/No Action, with the Western Gulf of Maine groundfish closure's eastern boundary shifted to the west so that 70° W would become the eastern boundary of the closure, aligning its boundaries with the current Western Gulf of Maine Habitat Closure Area. Measures in the groundfish closure would be maintained as-is, i.e. year-round closure to all vessels except:

- Charter and party vessels with a letter of authorization
- Vessels fishing with exempted gears: spears, rakes, diving gear, cast nets, tongs, harpoons, weirs, dip nets, stop nets, pound nets, pots and traps, purse seines, surfclam/quahog dredge gear, pelagic hook and line, pelagic longline, single pelagic gillnets, and shrimp trawls
- Vessels participating in the mid-water trawl exempted fishery
- Vessels that are transiting, provided that gear is properly stowed

The Western Gulf of Maine Habitat Closure Area would be maintained as-is, with its current boundaries and restrictions on all mobile bottom-tending gears, except for the addition of a new exemption area for shrimp trawl gear in the northwest corner (Alternative 8 in the DEIS). The Council also adopted the existing inshore roller gear restriction area (trawl roller gear limited to 12" in diameter) as a habitat management area (Alternative 7A in the DEIS). The Council's rationale was that the existing management areas afford the best protection for the Gulf of Maine cod stock.

In the Georges Bank sub-region, the Council approved a mix/match approach for habitat protection (Alternative 10), combining aspects of habitat closures analyzed in Alternatives 7 and 9 in the DEIS. The Council approved the Georges Shoal 2 Habitat Management Area as a closure to all mobile bottom-tending gears, including bottom trawls and dredges, with a one-year exemption for hydraulic clam dredges. The exemption for clam dredges sunsets one year after implementation of the amendment allowing time for a discrete exemption area or areas to be developed. This is somewhat different from the long-term clam dredge exemption analyzed as Option 2 in the DEIS.

On the northern edge of Georges Bank along the Hague line, the Council approved two management areas (Alternative 10), modified slightly from those proposed in Alternative 9. The area furthest to the northeast was approved as a reduced impact Habitat Management Area, and an adjacent area to the south was approved as a mobile bottom-tending gear closure. The northeastern area is proposed as a closure to mobile bottom-tending gears, with limited fishing

access for bottom trawls and scallop dredges. Throughout the area, rotational access for the scallop fishery would be allowed, with the specifics of the program to be developed in a subsequent scallop amendment or framework. West of 67° 20' W, groundfish trawling would be allowed consistent with current special access program regulations. Due to concerns about impacts to the lobster fishery and resource, any portions of what is currently known as Closed Area II north of 41°30' N would be closed to the scallop fishery between June 15<sup>th</sup> and October 31<sup>st</sup>. This summer/fall scallop gear closure was not specifically analyzed in the DEIS, although continued year-round closure of that same portion of Closed Area II to scallop dredges is evaluated in Alternative 1/No Action.

In the Great South Channel/Southern New England sub-region, the Council adopted the Great South Channel HMA, with Option 1 (complete restriction on use of mobile bottom-tending gears) in the northeast corner and a one year hydraulic clam dredge exemption in the remainder of the area. The clam exemption area sunset allows time for a more discrete exemption area or areas to be developed. When developing this recommendation to the Council, the Habitat Committee considered tow information provided by the clam industry to show where they fish in and around Nantucket Shoals. These data indicate that the industry is able to fish in and among areas identified as cobble-dominated by the Habitat Plan Development Team. In selected the Great South Channel HMA, some Council members expressed concerned that National Marine Fisheries Service would not support the Nantucket Shoals HMA (Alternative 5) based on the letter from the Greater Atlantic Regional Fisheries Office dated April 16, 2015. There was concern raised that Alternative 4 would negatively affect the Rhode Island winter flounder fishery; however, the southern New England winter flounder stock is in poor health leaving some members less concerned about the winter flounder fishery in Rhode Island and more concerned with habitat protection. The Council also took action in the Great South Channel/Southern New England sub-region to create an HMA in the Cox Ledge Areas 1 and 2, with a prohibition on trawl ground cables (bridles capped at 30 fathoms per side) and a prohibition on hydraulic clam dredges. The Cox Ledge HMA was analyzed as a component of Alternatives 3, 4, 5, and 6 in the DEIS.

### **Preferred spawning management areas**

In the Gulf of Maine region, the Council approved the seasonal cod spawning and cod protection areas implemented via Northeast Multispecies Framework 53 to address spawning protection objectives. These are described as Alternative 1A/Regulatory No Action, and include the Gulf of Maine Cod Spawning Protection Area (Whaleback area, April 1-June 30) and various thirty minute blocks in March, May, June, October, November, December, and January, referred to as the GOM Cod Protection Closures. In response to concerns for increased protections during April, the Council added to these closures thirty minute block 125 for spawning protection from April 15<sup>th</sup> through April 30<sup>th</sup> (Alternative 4). The Council also approved the Massachusetts Bay Cod Spawning Protection Area (DEIS Alternative 3), applying the same fishing restrictions used for Gulf of Maine Cod Spawning Protection Area.

**Table 1 – Preferred measures for spawning protection in the Gulf of Maine**

Month(s)	Area/Blocks	Closed to all vessels with the following exemptions:
November-January	Massachusetts Bay Cod Spawning Protection Area	<ul style="list-style-type: none"> <li>No Federal Northeast multispecies permit and fishing exclusively in state waters</li> <li>Exempted gears (Pelagic hook and line, pelagic longline, spears, rakes, diving gear, cast nets, tongs, harpoons, weirs, dipnets, stop nets, pound nets, pelagic gillnets, pots and traps, shrimp trawls (with a properly configured grate), and surfclam and ocean quahog dredges</li> </ul>
April-June	GOM Cod Spawning Protection Area (Whaleback)	<ul style="list-style-type: none"> <li>Charter/party or recreational fishing vessels, provided that pelagic hook and line gear is used, and there is no retention of regulated species or ocean pout</li> <li>Vessels that are transiting</li> </ul>
May	Northern portion of block 125, plus blocks 132, 133, 138, 139, 140 (GOM Cod Prot. Closure I)	Exemptions for Mass Bay and GOM Cod Spawning above, plus: <ul style="list-style-type: none"> <li>Fishing in midwater trawl or purse seine exempted fishery</li> <li>Charter/party or recreational fishing vessels, with letter of authorization, only rod and reel/handline gear on board, fish cannot be sold</li> <li>Fishing with scallop dredge gear on DAS or in scallop exemption are with no retention of multispecies</li> <li>Fishing raised footrope whiting exempted fishery</li> </ul>
June	Northern portion of block 125, plus blocks 132, 139, 140, 146, 147 (GOM Cod Prot. Closure II)	
November-January	Block 125, southwest corner of block 124 (GOM Cod Prot. Closure III)	
April 15-April 30	Block 125	<ul style="list-style-type: none"> <li>Same as the May, June, and November-January GOM Cod Protection Closures</li> </ul>
March	Blocks 121, 122, 123 (GOM Cod Prot. Closure V)	Exemptions for May, June, and Nov-Jan closures, plus: <ul style="list-style-type: none"> <li>Fishing on a sector trip</li> <li>Fishing with a northeast multispecies handgear A permit</li> </ul>
October	Blocks 124, 125 (GOM Cod Prot. Closure IV)	

Finally, as described above under the habitat management areas section, the Council chose to maintain the Cashes Ledge Closure Area and Western Gulf of Maine Closure Area (the latter with a modified boundary). As these are generally closed to gears that catch groundfish, these areas have some spawning protection benefits and were therefore included in the No Action spawning protection alternatives for the Gulf of Maine for analysis.

In the Georges Bank/Southern New England region, the Council approved Alternative 3 (Closed Area I North and Closed Area II, Feb 1-April 15) with management Options B and C for spawning protection measures on Georges Bank. Option B restricts various commercial and recreational fishing gears that catch groundfish, and Option C exempts scallop dredges from the spawning closure. Combining Options B and C, the CAI North and CAII spawning closures would be closed to all fishing, with the following exemptions:

- Vessels fishing with spears, rakes, diving gear, cast nets, tongs, harpoons, weirs, dip nets, stop nets, pound nets, pots and traps, purse seines, surfclam/quahog dredge gear, pelagic hook and line, pelagic longlines, or single pelagic gillnets
- Vessels participating in the mid-water trawl exempted fishery
- Scallop dredge vessels
- Vessels that are transiting

## **Preferred Dedicated Habitat Research Areas**

In the western Gulf of Maine, the Council adopted the Stellwagen Bank DHRA without a reference area and with a three-year sunset provision. The Council raised concerns that the reference area element would create adverse impacts to the recreational fleet, referencing the comment letters and communications from charter and recreational fishermen. Council members also cited concerns about establishing a reference area for research if lobster gear would be permitted, which could compromise the ability of the area to serve as a true reference, citing anecdotal evidence of cod present in lobster traps. The Stellwagen Bank DHRA would be closed to mobile bottom-tending gear, demersal longlines, and sink gillnets (midwater gear and other pelagic gear would be allowed to fish in area, as would recreational vessels). In combination, these are restrictions associated with the existing WGOM Closure Area and WGOM Habitat Closure Area.

The Council adopted the Georges Bank DHRA with a three-year sunset provision. The Georges Bank DHRA would be closed to mobile bottom-tending gears.

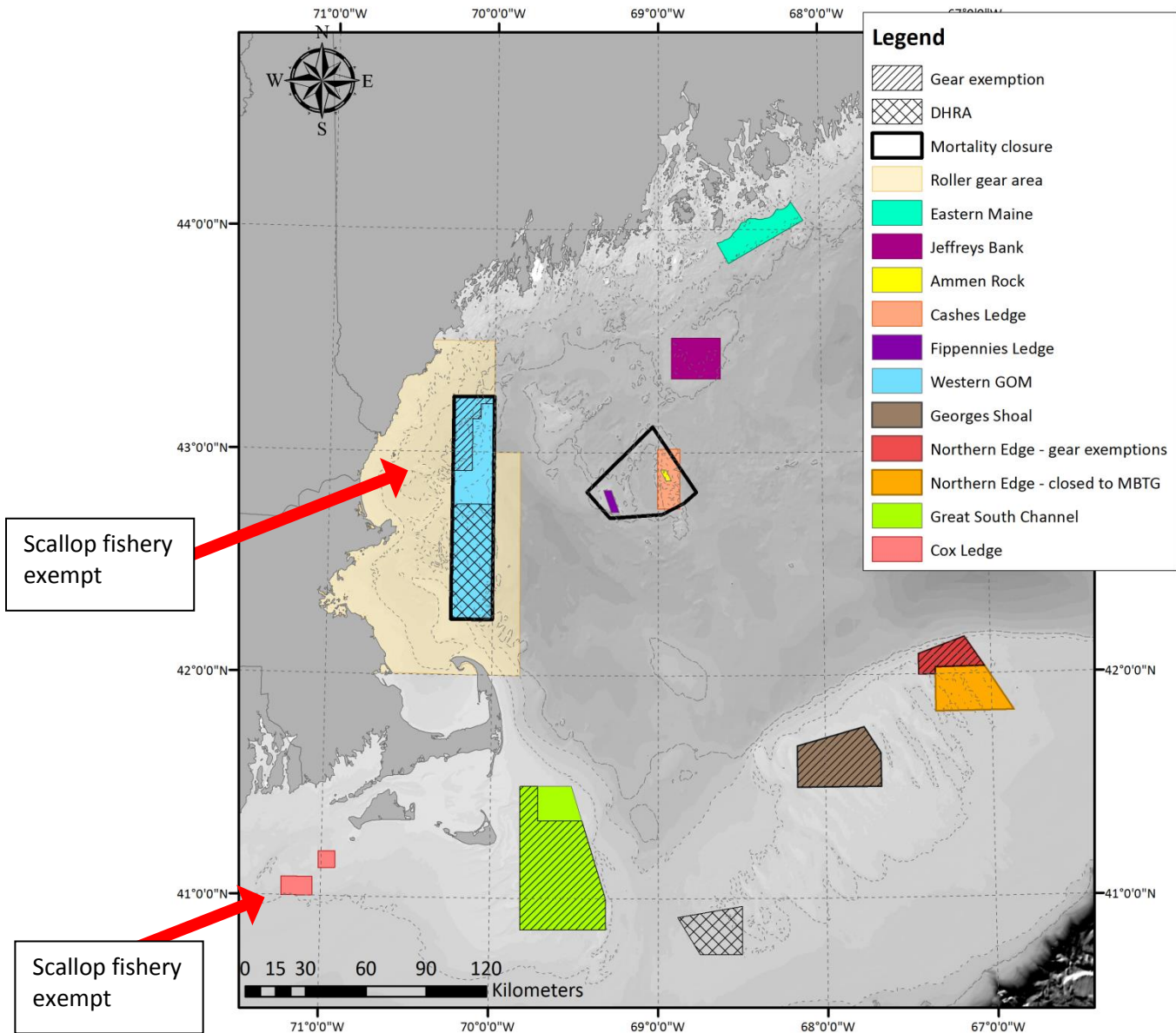
The Council also recommended that National Marine Fisheries Service allow habitat research projects on commercial vessels within the HMAs contingent upon approval of an exempted fishing permit. The intent of this recommendation is that research conducted in HMAs should be allowed so the Council may evaluate the success of the closed areas. This recommendation was not specifically evaluated in the DEIS.

## **Preferred framework and monitoring approaches for spatial management areas**

The Council selected Alternative 2, which allows for changes in HMA designations and fishing restrictions to be modified through a framework action. The preferred alternative also establishes a 10-year review process for habitat and spawning protection measures and identifies additional data and monitoring needs.

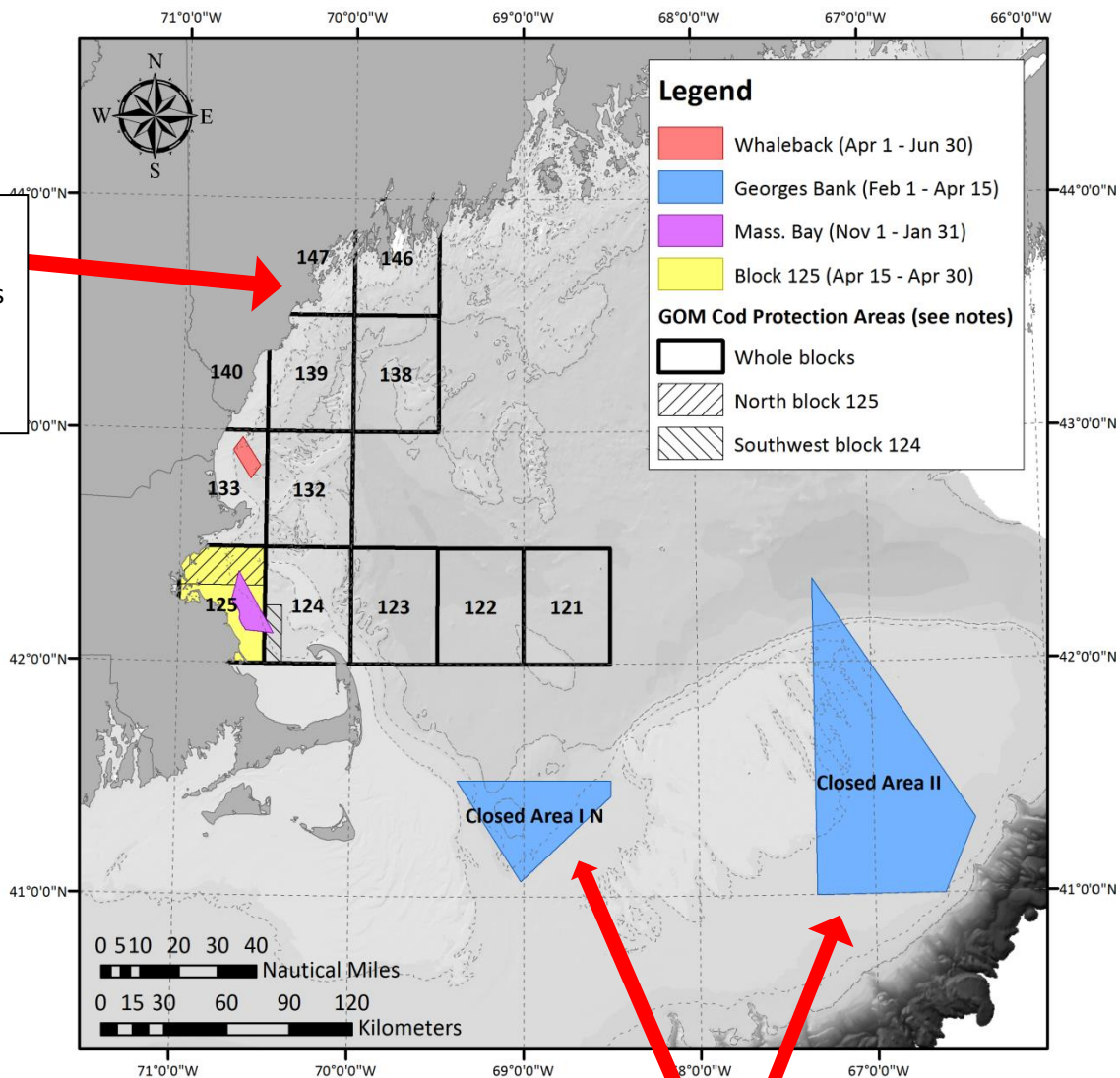
**Map 1 – Preferred alternative year-round spatial management areas. Seasonal areas not shown.**

- Gear exemption areas hatched. In western Gulf of Maine, shrimp trawls exempt. In Great South Channel and Georges Shoal, clam dredges exempt for one year. On Northern Edge (red area), scallop access fishing exempt, bottom trawling for groundfish exempt west of 67° 20' W.
- Dedicated Habitat Research Areas are cross-hatched. Stellwagen DHRA (north), Georges Bank DHRA (south)
- Mortality closures shown with heavy black outline. Current gear restrictions.
- Largest shaded area is the roller gear restricted area.
- Other shaded/colored areas are mobile bottom-tending gear closures, with gear exemptions as noted above.
- Cox Ledge closed to clam dredges, and trawls cannot use ground cables.
- Ammen Rock closed to all gears except lobster traps.



**Map 2 – Preferred alternative seasonal spatial management areas. Year-round areas not shown.**

GOM COD PROTECTION CLOSURES	SPAWNING AREAS
Closed to commercial gears with various exemptions	-- Whaleback and Massachusetts Bay Cod Spawning Protection Areas have the same gear restrictions, i.e. closed to commercial and recreational gears with various exemptions
Nov-Jan: 125 and 124 (southwest corner of 124 only)	-- Georges Bank areas closed to various commercial and recreational gears capable of catching groundfish, with various exemptions, including scallop dredges
Feb: None	** Block 125 in April is not part of Cod Protection Closures, but was added by Council in June as a spawning area from April 15 - April 30
Mar: 121, 122, and 123 (all areas common pool only)	
April: None**	
May: 125 (northern part only), 132, 133, 138, 139, 140	
June: 125 (northern part only), 132, 139, 140, 146, 147	
July-September: None	
October: 124 and 125 (both areas common pool only)	





### ***GB Alternative 10 (preferred)***

This alternative (**Map 3**) would replace the current habitat closures on Georges Bank with three new areas. Portions of the year-round groundfish closures, Closed Areas I and II, would become seasonal spawning closures. There would be a seasonal scallop dredging restriction in much of Closed Area II (see below).

The western most of the three new habitat areas, the Georges Shoal 2 HMA, would be managed as a mobile bottom-tending gear closure, with a one-year exemption for hydraulic clam dredges throughout the area. After one year, the exemption would sunset. The intention of the temporary exemption is to allow an opportunity for discrete hydraulic clam dredge exemption areas to be developed within the HMA. Discrete exemption areas would be developed in a trailing NEFMC management action.

On the northern edge of Georges Bank, two areas are proposed. In combination, these areas overlap most of the existing Closed Area II Habitat Closure Area. The southern area would be managed as a closure to all mobile bottom-tending gears. The use of these gears would also be managed in the northern area. Management of the northern area constitutes a ‘reduced impact’ approach relative to an area more generally open to fishing, but is less restrictive than a habitat management area closed to all mobile bottom-tending gears. Specifically, within the northern ‘reduced impact’ HMA:

- Scallop dredges would be allowed to fish as part of a rotational access program.
- Bottom trawls fishing in the Eastern US/CA Haddock SAP would be allowed west of 67° 20' W longitude only, and
- Hydraulic clam dredges would be prohibited throughout.
- Any other types of mobile bottom-tending gear use not specified above would be prohibited.

North of 41° 30' N latitude and within the area currently known as Closed Area II, scallop dredges would be prohibited between June 15 and October 31. Because most of the ‘reduced impact’ northern edge HMA overlaps Closed Area II, this restriction has the effect of limiting potential scallop access fisheries to the winter and spring, between November 1 and June 14.<sup>1</sup> Rotational scallop access in the ‘reduced impact’ area would be developed in a trailing scallop fishery management plan action (likely a framework adjustment), with standard area rotational principles used to limit scallop fishing mortality consistent with the overfishing definition. Note that this trailing action could consider a rotational scallop management area with somewhat different boundaries from the ‘reduced impact’ HMA, for example boundaries expanded to the north or west to encompass additional scallop biomass (areas to the east are in Canadian waters and areas to the south are within the mobile bottom-tending gear closure). Or, the scallop access area could be smaller, a subset of this area only. Regardless of whether a scallop access area is larger or smaller than these boundaries, open area scallop fishing (i.e., fishing with Scallop Days-

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<sup>1</sup> Closed Area II and Closed Area I N were adopted as spawning closures by the Council between February 1 and April 15, but scallop dredges are exempt from the spawning restriction, see section **Error! Reference source not found.** Due to these spawning closures, additional gears are restricted in the northern edge HMAs east of 67° 20' W longitude during the late winter/early spring.



At-Sea or under the LAGC scallop program) would be prohibited in the entire habitat management area.

The access fishery in this area could also include measures intended to reduce groundfish bycatch, as needed. The management actions designating the rotational access area initially, as well as subsequent specifications, would consider the impacts to habitat of the scallop access program. These impacts could potentially influence the frequency of access fishing opportunities as well as the annual possession limit (e.g. less frequent access and/or lower fishing mortality rates could be specified to mitigate habitat impacts in the HMA).

Bottom trawls would be allowed in the ‘reduced impact’ area consistent with restrictions associated with the Eastern US/CA Haddock Special Access Program (SAP). Under current regulations, this SAP has a relationship to groundfish sector operations plans. Some sectors requested and were granted exemptions from the Eastern US/Canada Management Area requirements, which apply within the SAP area, and are exempt from seasonal restrictions such that they have year-round access to the area. If Eastern US/CA Haddock SAP regulations are adjusted in the future, groundfish trawling in the area would be subject to any new restrictions or requirements. Other types of bottom-trawl activity (i.e. fishing outside the SAP) would be prohibited.

Note that hydraulic clam dredges have been excluded from Closed Areas I and II for many years per the regulations associated with those areas. Currently, much of Georges Bank between the two long-standing mortality closures has been identified as an exemption area from paralytic shellfish poisoning (PSP) closures, but Closed Areas I and II remain off limits and are not part of the exemption area. Should additional portions of Georges Bank be exempted from PSP closures in the future, both of the areas on the northern edge would remain off limits to this gear as part of the habitat management area restrictions in the two northern edge areas.

**Rationale:** This alternative includes elements of Alternative 7 (the Georges Shoal 2 HMA) and Alternative 9 (the northern edge HMAs). The Council adopted the Georges Shoal 2 HMA to maintain more access for the groundfish fishery in the shoal areas, relative to the western area in Alternative 9. The one year clam dredge exemption in the Georges Shoal 2 area was adopted because the Council recognized the importance of that area to the clam fishery, but was unable to come to an agreement as part of this amendment about specific, discrete exemption areas, and did not support authorization of a full, long-term exemption for the gear type throughout the area.

Relative to Alternative 7, this alternative includes a larger mobile bottom-tending gear closure on the northern edge, and also limits mobile bottom-tending gear fishing in the ‘reduced impact’ area, which would not have been managed as an HMA of any type under Alternative 7. The boundaries of the two areas on the northern edge are adjusted relative to Alternative 9, with a larger mobile bottom-tending gear closure portion to provided additional habitat protection.<sup>2</sup> The seasonal scallop vessel restriction north of 41° 30' N latitude in Closed Area II was adopted by

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<sup>2</sup> The overall footprint of the northern edge areas included in this alternative is the same as for Alternative 9, but the internal boundary between the reduced impact area and mobile bottom-tending gear closure is different. The MBTG closure in the south is increased by about 29 nm<sup>2</sup> in this alternative compared to Alternative 9.

the Council to mitigate gear conflicts between the scallop and lobster industry, and protect ovigerous female lobsters abundant in the area during the summer and early fall.

The Council clarified the intent of the ‘reduced impact’ area included in this alternative at the June 2015 Council meeting. The term ‘reduced’ references a comparison between an area open to all mobile bottom-tending gears vs. an area with controlled levels of fishing for a reduced number of gear types. In particular, because this alternative requires that the area be managed as a scallop access area, the effort and impact on habitat can be controlled, and is expected to be lower than if the area was open to other bottom-tending gears or fished as an open area by the scallop fishery. It was explained that managing the area as a scallop access area would reduce impacts on habitat overall in that area by:

- 1) Limiting the types of mobile bottom-tending gears permitted in the area, specifically no clam dredges throughout, and bottom trawls under SAP restrictions west of 67° 20' W only;
- 2) Scallop dredging would be rotational access only, and therefore controlled by an annual possession limit, rather than more uncertain DAS effort under open area management;
- 3) The area includes a 4.5-month seasonal closure to scallop dredges<sup>3</sup> that will provide some limited recovery time for habitats in the area; and
- 4) The portion of the reduced impact HMA west of 67° 20' W is currently open to all mobile bottom tending gears including groundfish, scallop and clam dredges, such that the HMA rules would be more restrictive than current regulations west of Closed Area II.

To the last item above, because the area west of 67° 20' W is open to the scallop fishery under DAS, it is routinely fished relatively intensively each year. Under area rotation, there is more control on the total level of access and catch removed from specific areas, thus there is a mechanism to better control impacts on habitat compared to the level of impacts associated with open area fishing.

The specifics of the scallop fishery allocations for this area are not included in this action. If this alternative is approved and allocations are developed under a separate scallop action, the same principles that are in place for the area rotation program overall would be applied when setting fishing mortality rates for this area. Any allocations would be based on the most recently updated survey information. While access schedules are based on a time averaging principle that optimizes scallop yield from each area over time, the system is flexible so other issues can be taken into consideration (e.g. groundfish bycatch or habitat impacts). In addition, other constraints are in place that could limit the level of scallop fishing mortality in that area (i.e. there is a total fishing mortality limit from all areas).

When access area allocations are developed in a scallop specifications action, a range of alternatives are considered. In the past, the range of alternatives has generally included variation in the level of access in a particular area, sometimes to address concerns about bycatch. Going forward, this could also include alternatives oriented towards habitat conservation. The Council

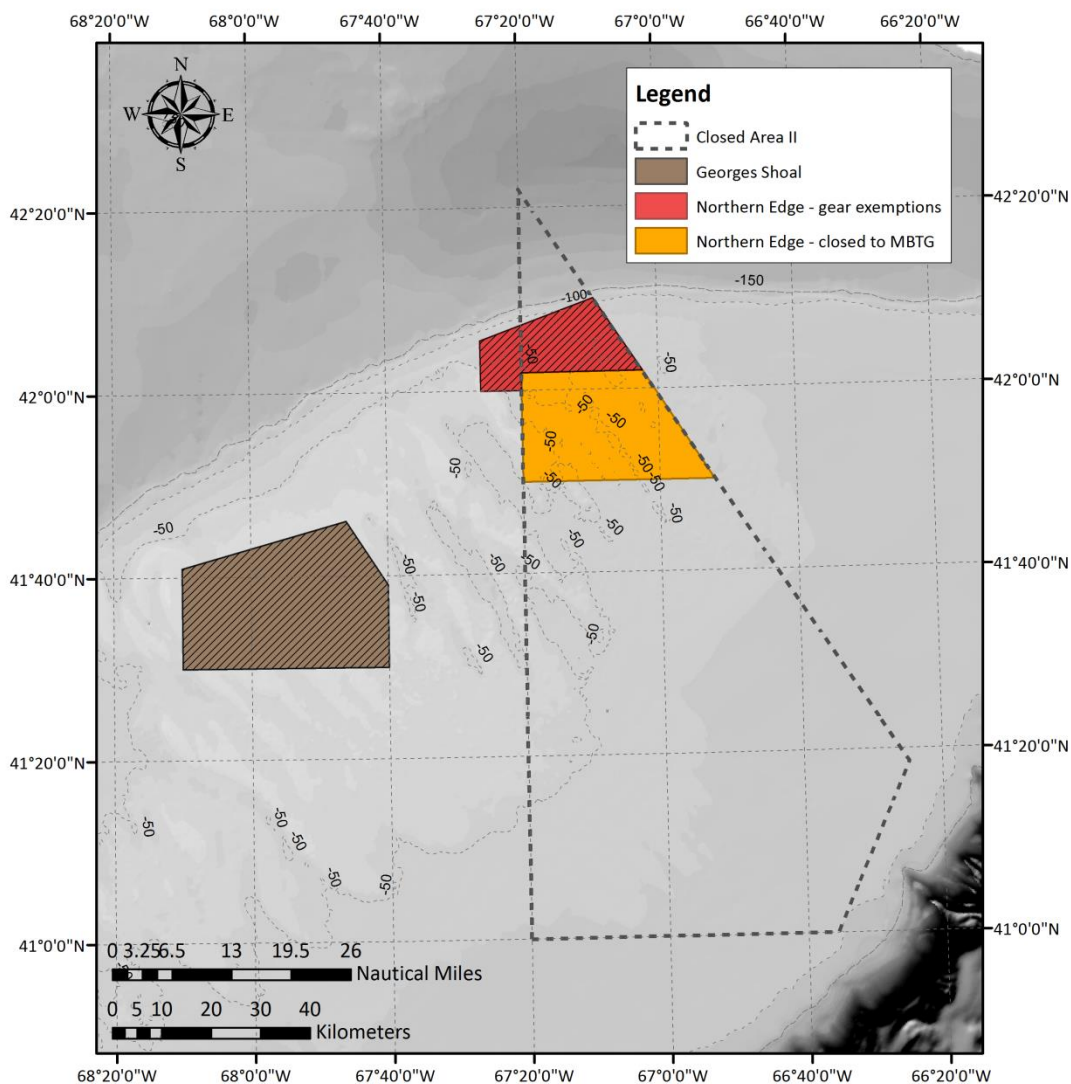
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<sup>3</sup> Note, the groundfish and lobster fisheries operating around CAII signed an agreement that trawl fishing would not occur in CAII north of 41° 30'N lat. from June 15-October 31, should CAII open under this action. This agreement is not codified and could be changed by the signatories.

would not be required to consider or select lower allocations in this area than the principles of area rotation would allow simply because it is a ‘reduced impact’ area, but there has always been flexibility to do so if desired. All scallop specification actions need to consider the impacts of fishery allocations on habitat, and that evaluation will continue to occur going forward for allocations in this area and in other areas.

#### Map 4 – Georges Bank Habitat Management Alternative 10

- Gear exemption areas hatched. In Georges Shoal area, clam dredges exempt for one year. On Northern Edge (red area), scallop access fishing exempt, bottom trawling for groundfish exempt west of 67° 20' W.
- Orange area closed to mobile bottom-tending gear.
- Existing CAII mortality closure shown for reference. This area will be retained as a spawning closure between Feb 1 - April 15, and closed to scallop dredges June 15 - October 31.
- Depth contours in meters.



## Scallop PDT Analysis Needs

### 1. *Impacts of GOM spawning closures (Whaleback and Mass Bay)*

Analyses to date focus on CA1 and CA2 seasonal closures because those overlap scallop resource more heavily. Some discussion should be added about the others as well.

### 2. *SAMS for final preferred alternative?*

When the PDT prepared the original handful of SAMS runs there was discussion of completing one for the final preferred alternative – it is likely work we are going to need to do for a future specifications package anyway. How and when could this happen?

### 3. *Analysis of “reduced impact” area*

PDT needs to discuss how to add more specific analyses of this concept.

### 4. *Analysis of seasonal closure in reduced impact area to reduce impacts on berried female lobsters (June 15 – October 31)*

This season was added at June Council meeting. PDT needs to analyze potential impacts

## Not for EFH FEIS – but for FW27

Discuss how all areas being closed to scallop fishery until future fw is going to impact setting ACT and specifications in FW27. EFH action not expected to be implemented until about June 1, 2016. ON day 1 both current and new EFH closed areas will be closed to scallop fishery. Will we need to develop 2 separate Acts and allocations depending on EFH action? Should FW27 consider changes to boundaries effective on EFH implementation date but not get into specific allocations for those areas until a trailing action – there were not detailed surveys of these areas in 2015 to help set TACs?