



New England Fishery Management Council

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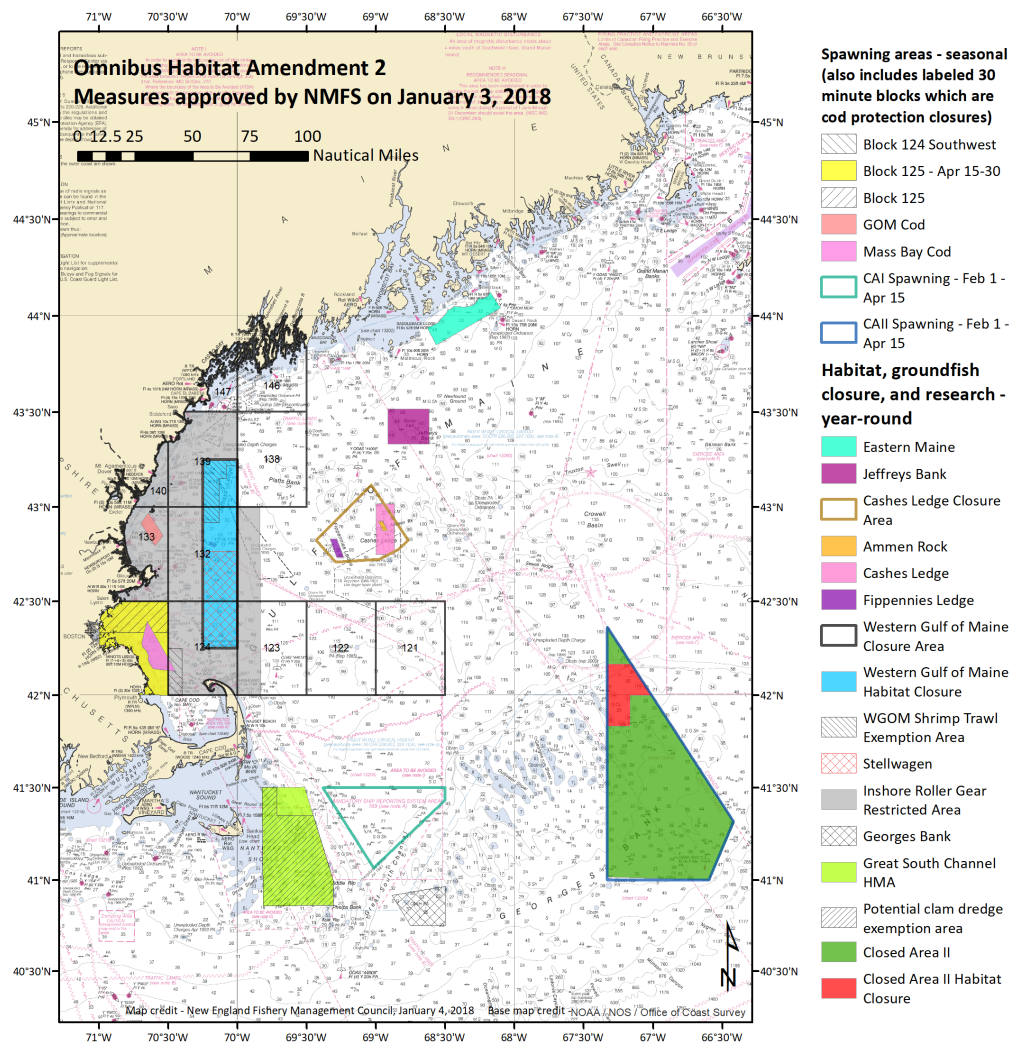
NMFS Approves “Majority” of Council’s Habitat Amendment

NOAA’s National Marine Fisheries Service (NMFS) has approved – with two exceptions – the New England Fishery Management Council’s Omnibus Essential Fish Habitat Amendment 2 (OHA2), paving the way for sweeping change to the existing network of closed and management areas in the Gulf of Maine, Southern New England, and Georges Bank. The changes will provide better protection for both fish and habitat while eliminating closures that no longer serve their intended purpose. The final rule implementing the new regulations will not be published until later this winter, but NMFS informed the Council on January 3 of its decision to approve “the majority” of the amendment, which sets the stage for what’s to come.

Two of the Council’s proposed habitat management areas (HMAs) were disapproved:

- Cox Ledge in Southern New England; and
- Eastern Georges Bank, which called for the removal of Closed Area II as currently configured, replacing it with new management areas that would have allowed fishermen to access the abundant scallop resource on the Northern Edge.

Council Executive Director Tom Nies said, “Naturally we’re disappointed that our proposed Closed Area II changes were not approved, but the fact





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that the vast majority of the amendment will be implemented is a solid endorsement of the work the Council and staff did to dramatically change the closure system off New England.”

As for the disapproved measures, Nies said, “We’ll be discussing NMFS’s comments at our late-January meeting, and the Council may decide it wants to revisit these issues going forward.”

The habitat amendment has five key purposes, which are to: (A) designate essential fish habitat (EFH) by lifestage for *each* species managed by the Council; (B) minimize the adverse effects of fishing on EFH to the extent practicable – a monumental undertaking that took years to carry out using the state-of-the-art Swept Area Seabed Impact model known as SASI; (C) identify other actions to encourage conservation and enhancement of habitat; (D) improve protection of habitats on which juvenile groundfish depend; and (E) improve protection of spawning groundfish.

The Council used six types of management approaches to achieve these purposes: (1) the EFH designations; (2) Habitat Areas of Particular Concern (HAPCs); (3) Habitat Management Areas; (4) Spawning Management Areas; (5) Dedicated Habitat Research Areas; and (6) changes to approaches involving framework adjustments and monitoring.

NMFS approved:

- All of the Council’s **EFH designations**;
- All of the **HAPC designations**, including: (a) the two existing ones for Atlantic Salmon and Northern Edge Juvenile Cod, (b) four new ones called Inshore Juvenile Cod HAPC, Great South Channel Juvenile Cod HAPC, Cashes Ledge HAPC, and Jeffreys Ledge/Stellwagen Bank HAPC, (c) 11 deep-sea canyons, and (d) two offshore seamounts;
- Most of the **Habitat Management Area** measures, including: (a) establishing new HMAs in Eastern Maine and on Fippennies Ledge where mobile bottom-tending gear is prohibited, (b) maintaining the Cashes Ledge Groundfish Closure Area with current restrictions and exemptions, (c) modifying both the Cashes Ledge and Jeffreys Ledge Habitat Closure Areas, which are closed to mobile bottom-tending gear, (d) prohibiting all fishing gear except lobster pots in the Ammen Rock Area, (e) maintaining the Western Gulf of Maine (WGOM) Habitat Closure Area, which is closed to mobile bottom-tending gear, (f) aligning the boundaries of the WGOM Groundfish Closure Area to match the WGOM Habitat Closure Area, (g) exempting shrimp trawling from the northwest corner of the WGOM



Hake and red crab along the slope between Heezen and Nygren Canyons.
– 2013 Northeast U.S. Canyons Expedition image.



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- areas, and (g) identifying the existing Gulf of Maine Roller Gear restriction as a habitat protection measure.

Also related to **Habitat Management Areas**, NMFS approved the Council's proposals to open up prime scallop fishing bottom in Closed Area I and the western portion of the Nantucket Lightship Area. In short, the current Closed Area I Habitat and Groundfish Closure Area designations will be removed, as will the Nantucket Lightship Habitat and Groundfish Closure designations.

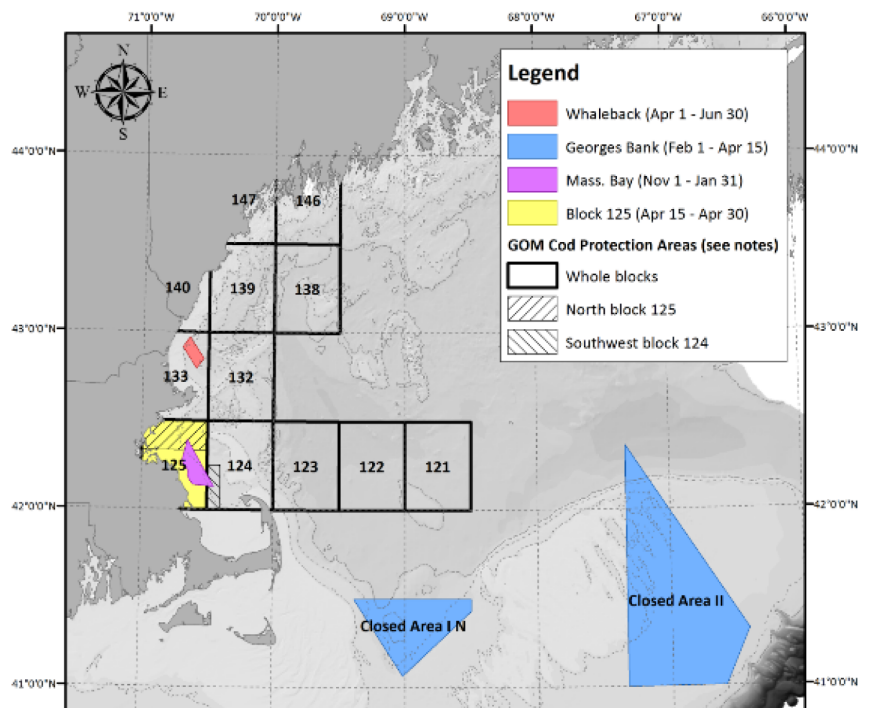
Instead of keeping these less-effective habitat/groundfish areas in place, the Council established a Great South Channel HMA, which will be closed to: (1) mobile bottom-tending gear throughout the area; and (2) clam dredge gear in the northeast section (see map on page 1). NOTE: Clam dredge gear will be allowed throughout other parts of the area for *one year* while the Council considers refinements through a Clam Dredge Framework, which is under development. OHA2 also created a new research area for Georges.

Learn more about how the Closed Area I and Nantucket Lightship actions will be impacting scallopers at: <http://s3.amazonaws.com/nefmc.org/NEFMC-Scallop-FW-29-Advances-Following-Habitat-Decision.pdf>

Groundfish Spawning

Omnibus Essential Fish Habitat Amendment 2 contains the following groundfish spawning measures:

- **Gulf of Maine** – The amendment establishes the Winter Massachusetts Bay Spawning Closure from November 1 through January 31 annually and closes block 125 from April 15 through April 30 each year.
- **Georges Bank** – OHA2 establishes Closed Area I North and the Closed Area II Groundfish Closure Area as spawning closures from February 1 through April 15 annually, making them closed to commercial and recreational gears capable of catching groundfish except scallop dredges. It also removes the May Georges Bank Spawning Closure.



OHA2 states, "The spawning management areas were designed to improve groundfish spawning protection and shift the focus of closures to protecting spawning aggregations and spawning activities because the protection of spawning fish is needed to sustainably manage stocks."

– New England Fishery Management Council graphic



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Two new **Dedicated Habitat Research Areas** (DHRAs) will be established through this habitat amendment as well, each with a three-year sunset provision. One is on Stellwagen Bank within the Western Gulf of Maine Closure Area, and the second is on Georges Bank in what is the current Closed Area I South Habitat Closure Area. These areas will be the focus of coordinated research to improve understanding of the ecological effects of fishing across a range of habitats and, ultimately improve model forecasts. The Council identified a set of priority research questions that the DHRAs should address. The questions are based on four broad focus areas: (1) gear impacts; (2) habitat recovery; (3) natural disturbance; and (4) productivity.

What is an Omnibus Amendment?

OHA2 is an “omnibus” amendment because it will modify *all* of the Council’s fishery management plans (FMPs) and become:

- Amendment 14 to the Northeast Multispecies FMP;
- Amendment 14 to the Atlantic Sea Scallop FMP;
- Amendment 4 to the Monkfish FMP;
- Amendment 3 to the Atlantic Herring FMP;
- Amendment 2 to the Atlantic Deep-Sea Red Crab FMP;
- Amendment 2 to the Northeast Skate Complex FMP; and
- Amendment 3 to the Atlantic Salmon FMP.

All six volumes and related appendices of OHA2 – as submitted to NMFS – can be found at:

<https://www.nefmc.org/library/omnibus-habitat-amendment-2>

The Council’s main habitat webpage is at:

<https://www.nefmc.org/management-plans/habitat>

“The underlying premise of this amendment is that there are habitats linked to higher survival and/or growth rates of juvenile fish that are vulnerable to the adverse effects of fishing.”

– OHA2 Volume 1



*Flounder on bottom, captured during video survey.
– School of Marine Science and Technology image*

Finally, OHA2 contains a **10-year review** requirement and a provision that allows modifications to habitat management areas to be **frameworkable**.

Dr. John Quinn, Council chairman, notes that the completion of this massive project is a tribute to the hard work of the technical staff that supports the Council.

“This action would not have been successful without the diligent efforts of Michelle Bachman of our staff and the federal, state, and academic scientists who analyzed the alternatives,” Dr. Quinn said. “We owe them our gratitude for a job well done.”

Questions? Contact Michelle Bachman, the Council’s habitat coordinator, at (978) 465-0492 ext. 120; mbachman@nefmc.org.