



**New England Fishery Management Council
Habitat Oversight Committee Meeting Summary**

**March 19, 2013
Salem, MA**

Committee members: David Preble (chair), Dave Goethel (vice chair), Terry Alexander, Mark Gibson, Doug Grout, Peter Kendall, Matthew McKenzie, John Quinn, David Stevenson (for Lou Chiarella). Council chair Rip Cunningham also attended.

PDT/Council Staff: Michelle Bachman (PDT chair/Council staff), Kathryn Ford (MADMF), Moira Kelly (NERO SFD)

Others: 15+ additional audience members, including some habitat advisors

The Habitat Committee met to:

- Discuss Habitat Management Area Options for the Great South Channel
- Review PDT investigation of the feasibility of gear modifications for scallop dredges to minimize the adverse effects of fishing on EFH
- Review PDT comments on data collection to further future development of gear modification options
- Discuss development of HMAs along the northern edge of Georges Bank
- Review recent PDT work on Dedicated Habitat Research Areas

The meeting start was delayed an hour due to weather, so the agenda was reordered from the posted version.

Introduction

Documents for this part of the meeting included:

- **Document 1a – Letter from CCCHFA to Habitat Committee**
- **Document 1b – Letter from Dr. Vince Guida NEFSC to Habitat Committee**
- **Document 1c – Letter from David Frulla on behalf of Fisheries Survival Fund to Habitat Committee**
- **Document 2 – OA2 Timeline**

Three letters were received by the Committee in advance of the meeting. The group briefly discussed comments about practicability in document 1c, and the following comments were made:

- It is difficult to really know how to deal with the concept of practicability. Optimum yield is the ultimate goal, and optimum yield is supposed to be achieved for each and every fishery. Decisions about which options are practicable should not lose sight of this, nor lose sight of possible long term benefits while focusing on short term costs and benefits.
- Ultimately, the decision about whether a particular option is practicable, and how many options in combination are practicable, is going to be a judgment call.

In regards to the timeline, a Committee member expressed some concerns about continuing to develop/modify options, given the Council's strong desire to complete the amendment. Ms. Raymond (for the advisors) commented that the Committee should make a clear statement about the inclusion of gear modification options in the amendment, given Council discussions in January. Another Committee member expression concern about how groundfish and habitat options will be reconciled/coordinated, after the April Council meeting.

Great South Channel HMA Options

Documents for this part of the meeting included:

- **Document 5 – Great South Channel Analysis. Note that a revised version was presented at the meeting and subsequently posted at www.nefmc.org/habitat.**

Dr. Kathryn Ford presented the Great South Channel analysis on behalf of the PDT. At two meetings in January and March, the PDT discussed the creation of a single habitat management area in the Great South Channel. The objective was to define a single area or areas with equal habitat value as compared to the four previously identified individual areas. The PDT assumed that equal value meant encompassing equal area of cobble and boulder dominated habitats as compared to the four original areas in combination. For reference, the Great South Channel region was identified and bounded, and the original area's cobble and boulder dominated habitats represented about 55% (132 nm²) of the regional total.

As an exploratory first step, the PDT identified concentrated areas of cobble and boulder habitats, and hand drew single areas to encompass those habitats as best as possible. In addition to these proposals, the Fisheries Survival Fund submitted an area for evaluation. The FSF area (41% of regional cobble and boulder) was then used as the basis for further work, with six add-on areas developed along the boundaries of the area to increase cobble and boulder coverage. The FSF area plus A-F combinations of add-ons were evaluated for cobble-boulder coverage, reasonableness of the boundary, and other considerations. The combination of the core area plus add-ons C, D, E, and F, was proposed as the PDT's preferred option, although multiple combinations encompassed similar amounts of cobble and boulder habitat.

Committee comments on the presentation:

A Committee member clarified with Dr. Ford that the target value came from the 'roughly equivalent habitat value' language in the December Committee motion, noting that the Council doesn't necessarily need to achieve this specific level of protection with its final area. He also noted that the GSC is a very dynamic area, with lots of sediment movement.

Audience comments on the presentation:

Drew Minkiewicz (Fisheries Survival Fund) commented that add-on C includes waters deeper than 40 m, the depth at which high numbers of sea scallops start to occur in this region. He also commented that the Scallop PDT has analyzed scallop recruitment data with respect to various habitat areas, and that he found that information to be helpful in making judgments about the possible options. (Note that the Scallop PDT has not analyzed the various combinations of A-F add-ons, only the areas developed at the January PDT meeting and by FSF.)

Ron Smolowitz (Fisheries Survival Fund) asked about the seeming lack of cobble and boulder substrates to the west of the identified management areas, noting that ‘foul’ bottom is noted in various data sources. He asked why the Great South Channel was of conservation interest, noting his understanding that small cod are found somewhat further west, and also in the ‘fingers’ southwest of areas D, E, and F.

Greg Cunningham (Conservation Law Foundation) wondered when fish distributions would be considered with respect to the areas. Staff responded that would happen in part through the Closed Area Technical Team process.

Motion 1: (Goethel, Grout) Have the PDT continue analyzing the area consisting of the Rudders polygon plus add-ons CDEF as a single box option. (5/2/1)

A Committee member asked if a range of options would be better, but it was decided to make separate motions for each proposal. Ms. Raymond made a similar comment.

Audience comments

Drew Minkiewicz commented that all the add-ons are acceptable to them except area C. He also commented that there is likely higher value in a contiguous area as compared to 4 separate areas, and that the new areas represent a greater total area (all substrates) than the original boundaries.

Ron Smolowitz agreed that area C was not a good idea from the scallop industry’s perspective, and supported a shift to the west.

Greg Cunningham supported this option, as well as analysis of additional options for other combinations. He also noted that while public testimony on these motions is very important, the Committee should wait for a more complete analysis and not rely too much on public comments when eliminating possibilities. He also commented that if protected areas are in locations where little fishing occurs, you’re not going to achieve large reductions in adverse fishing effects.

Motion 2: (Grout/Alexander) Have the PDT continue analyzing the area consisting of the Rudders polygon plus add-ons DEF as a single box option. (6/1/1)

One Committee member asked if it was possible to quantify the benefits of a single area vs. multiple areas. Another asked about the availability of additional data further west.

Motion 3: (Grout/McKenzie) Have the PDT continue analyzing the area consisting of the Rudders polygon plus add-ons ABCDEF as a single box option. (6/1/1)

The PDT asked for clarification about the Committee's goals. The Chair responded that the goals are to protect the best areas, also to increase catch per unit effort, and to protect productivity, assuming a relationship between habitat protection and fish production.

One Committee member asked whether the management measures for these areas was likely closure, and another argued that the full area seemed too expansive.

Audience comments

Tom Dempsey (Council member, CCCHFA) commented that while he can't wholeheartedly support this particular area, that he did support the analysis of a broad range of options.

Bob Keyes commented that the A and B areas were of greatest concern to him and other General Category scallopers.

Drew Minkiewicz did not support this particular option, and argued that the original FSF polygon should also be analyzed on its own. He expressed appreciation for the PDT's willingness to collaborate on this issue.

Chris Merl, another General Category scalloper, expressed support for options including D, E, F, and areas further to the west, but not for those including A, B, or C.

Ron Smolowitz felt that a broader range of possible areas would make it easier to select the larger area.

Greg Cunningham asked the Committee to be specific about their intentions for original four areas.

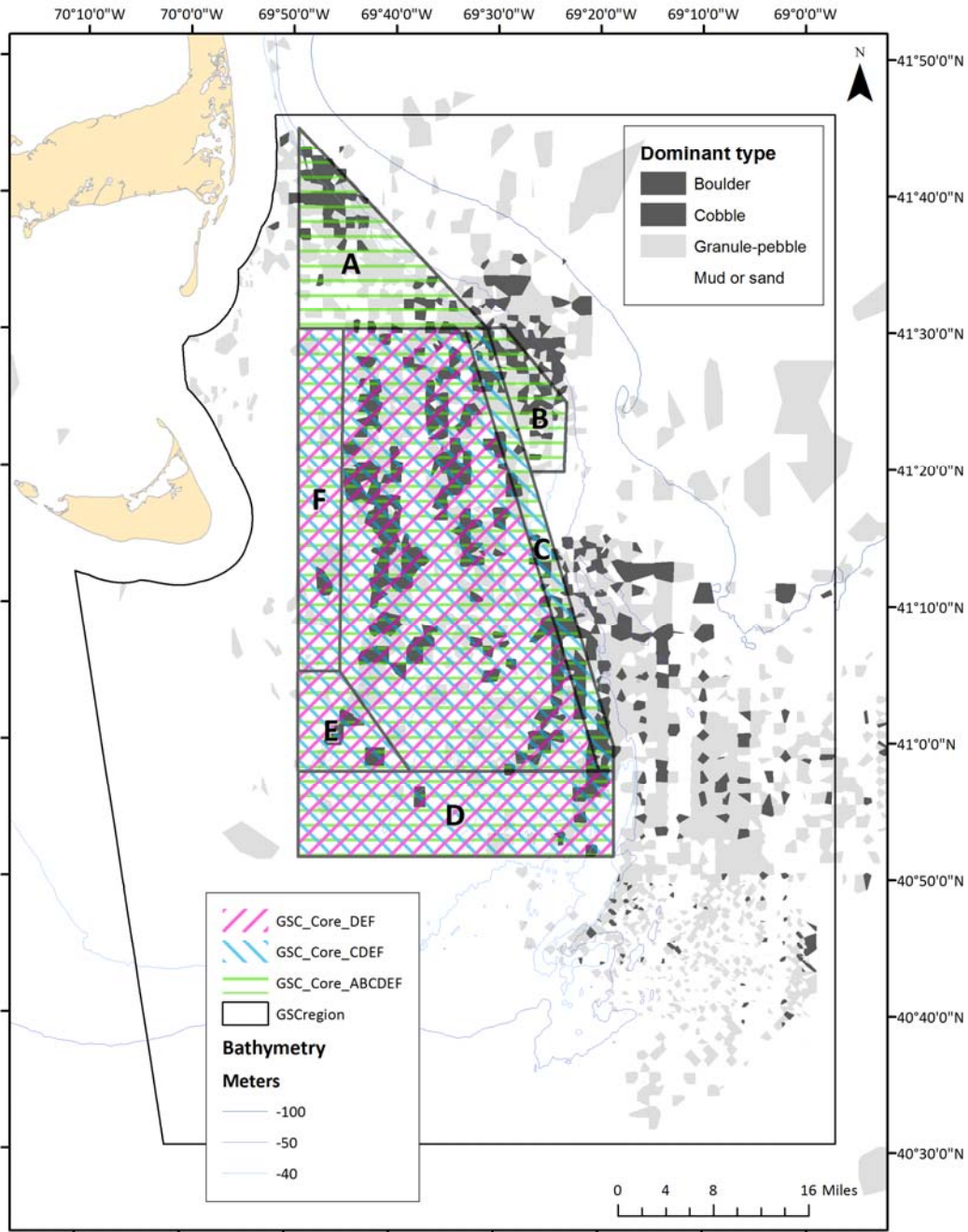
Motion 4: (McKenzie/Grout) Recommend to the Council that the Habitat Committee facilitate the coordination of CATT recommendations among the habitat, groundfish, and scallop PDTs and Committees and the habitat PDT. (5/0/2)

One Committee member asked how the Committee can empower itself to do this; another clarified that this should actually be a request to the Council, and the motion language was edited. The maker clarified that the intent was to have the Habitat Committee serve as the forum for all interested parties to air their concerns. The Council chair wondered if this motion is simply articulating the process that was already anticipated.

Motion 5: (Goethel/Quinn) Eliminate four individual Great South Channel area polygons from consideration. (4/2/2)

The Committee discussed that it would be possible to choose a subset of the original areas, rather than all four, and that perhaps it would be useful to retain the earlier four options if the additional amount of analysis required is not significant. The PDT commented that the new area options had different design objectives, with the original areas representing locations most likely to accumulate adverse effects of fishing, and the new areas bringing in fishery impact considerations in addition to vulnerable habitat distributions.

Figure 1 – Three single GSC areas proposed for further analysis. The core and add-ons are outlined in black and labeled. The hatching indicates the areas that are combined to form the Core+DEF (pink), Core+CDEF (blue), and Core+ABCDEF (green).



Gear modifications for scallop dredges

Documents for this part of the meeting included:

- **Document 3 – Memo: Scallop Dredge Modifications for Great South Channel Areas**

Staff reviewed the contents and conclusions of the above memo. Briefly, various reduced-impact dredge designs have been tested, but field trials have shown marked reductions in catchability as compared to a standard dredge. The PDT concluded:

“While the habitat impact mitigation benefits of gear modifications are a worthy topic for continued research, they do not appear to provide EFH conservation benefits at the present time. The various scallop dredge modifications have substantially reduced catch rates, which is of concern because this will require an increase in area swept to achieve the same catch. Further, even if the gear contact along the cutting bar is reduced, the dredge bag will remain in contact with the seabed such that area swept from a SASI perspective will remain unchanged. None of the designs described above appear to have immediate potential for adoption as reduced impact gears in the New England sea scallop fishery.”

A Committee member agreed that the effects of gear on the bottom warrants further investigation.

An audience member Ron Smolowitz noted three factors that influence the magnitude of impacts associated with a scallop dredge: the effect of the bag itself on seabed features; in-situ damage to non-target catch; and the size of the rings on the chain bag, which changes the selectivity of the gear. He noted that raised bag work in the late 1970s was not particularly promising, but that a low-profile dredge currently being tested appears to reduce catches of unattached benthic fauna (e.g. seastars). He argued that increasing efficiency of the gear is an important non-closure method for minimizing impacts. A Committee member responded that adjustments to the frequency/intensity of scallop effort can be done without habitat management areas.

The Committee, as well as the PDT prior to the meeting, discussed the potential differences between smaller and larger dredges. Ron Smolowitz argued that large and small dredges have the same per-unit-area impact, but that larger vessels have the horsepower to tow their dredges in a greater range of seabed types (i.e. in more complex habitats). He felt that it would be difficult to accurately assess the difference between these two gear types. Bob Keyes, a General Category scalloper, countered that there is no comparison between the two types: smaller dredges are lighter on the bottom, and generally are not towed for as long. The implication here is that a fuller bag will be heavier on the seabed and cause more damage. Mr. Keyes noted further that some portions of the areas discussed above (add-ons A and B) are very important for this segment of the fleet, such that General Category vessels would require exemption from mobile gear closures in those locations in order to remain economically viable. Chris Merl agreed with Mr. Keyes, disagreeing with the conclusion that all dredges have the same per-unit-area impact.

He noted that different fleets use different styles and materials for various dredge components, which makes them fish differently.

The Committee concluded that there are no gear modification measures for dredges that can be recommended for implementation at this time, given the current state of knowledge.

Data collection related to gear modifications

Documents for this part of the meeting included:

- **Document 4 - Discussion document: Data collection and research to support gear modifications**

Staff reviewed preliminary PDT discussions about data collection and research to support the future development of gear modifications. The PDT agreed that a data collection program within proposed habitat management areas alone might not be sufficient for understanding gear use by different segments of the industry, and argued that a better approach might be to conduct a census of baseline gear characteristics across the region. These data could be self-reported or collected by gear specialists. Some vessels would likely need to submit multiple reports to cover a range of gears used. The PDT, working with the advisors and others, could develop a list of gear characteristic data elements for the census. This list could start with gear data that are collected by the observer program, adding on additional data elements needed to parameterize the SASI model, as well as gear elements that have been discussed by the PDT, AP, and Habitat Committee in the context of ground cable modifications.

The Committee chair asked whether the Committee wanted to move forward with any trawl gear modifications at this time.

Maggie Raymond on behalf of the advisors reminded the Committee that two motions had been passed by the Advisory Panel in October. One was to cap the length of ground cables that can be used in the Great South Channel. She noted that this general ‘freeze the footprint’ strategy has been used elsewhere. The other motion recommended modified ground cables be used in areas on and west of Georges Shoal. She commented more generally that measures more flexible than closures are very important, and that closures are very difficult to modify once implemented. As an example, she cited Agency recommendations about industry-funded at-sea observer requirements when fishing in the Framework 48 sector exemption areas, noting that this requirement makes fishing in the areas much less practical. She encouraged the Committee to continue to explore gear modifications in this action.

The Committee revisited a discussion from their December meeting about the results of the ground cable research in the North Pacific and its applicability here. A Committee member commented that relatively minor but acceptable reductions in flatfish catches were observed in the N. Pacific work, but that the fish species are different here. He noted that field trials will be conducted in New England this spring and summer, and agreed with the PDT’s comment that local field trials would be critical before mandating use of a modified gear type. It could be

dangerous to implement such modifications without thorough evaluation, because catch rates could drop and fishing time might increase, thereby increasing impacts.

Another Committee member wondered if they should adopt for further analysis all the AP motions related to gear modifications. The Chair commented that the goal here is to avoid requesting analysis of options that are likely to turn out to be unworkable. Ms. Raymond commented that a reduction in CPUE is better than no ability to fish with trawls in the Great South Channel or Georges Shoal areas, which both produce significant catches of winter flounder. She felt that fishermen would figure out how to make gear restrictions work if they are implemented. A Committee member argued that these types of solutions should not be implemented without empirical evidence. He made the analogy to development and testing of gears like the raised footrope trawl, and Nordmore grate. Another Committee member agreed, and thought that an important step at this time would be to develop a program to encourage research on these topics.

Audience member Ron Smolowitz emphasized the need for better data about gear use. He reviewed the gear logs from the observer program and found that there is lots of room for improvement in the information collected. He gave an example of a situation where detailed gear configuration data were collected in a bycatch research project and later found to be very useful.

A Committee member agreed with the point that the observer gear database is not useful. The data collection system should be generalized and should ask the right questions, e.g.:

- Door – make, weighted or not, how much weight
- Ground cables – length, diameter, chain, wire, cookie, or rope
- Sweep – chain, disk, or rockhopper, diameter of biggest part

Many boats with multiple nets each with multiple rigging will result in a very large dataset if extremely detailed data are collected, but the list of basic components should be easy to develop. Distinctions between chain and rockhopper sweeps are important, but items like number of cookies between rockhoppers are not. If this information can be gathered another way, you could stop collecting this information via the observer program. For really detailed information, you'd want either fishermen or gear researchers to collect the data.

Motion 6: (Alexander/Quinn) That for all proposed habitat management areas open to fishing at the conclusion of the OA2 process, the Habitat PDT/Habitat Advisory Panel/Groundfish Advisory Panel develop a data collection program specific to evaluating otter trawl gear modifications. The data collection program should include characteristics of existing gear – i.e. cable length, door design, sweep design, etc. Experiments investigating change in seabed impact and catch using various ground cable lengths would be given high research priority. (0/7/1)

The PDT asked whether it made sense to focus on data collection within specific habitat areas, or to collect these data from all vessels in all areas. One Committee member noted that an issue with a broad approach would be that there is regional variation in gear usage that should be

captured in the data. Another Committee member agreed, noting that you could request information on where/under what circumstances various gear configurations were used.

The Committee decided that the Groundfish Advisory Panel, collaborating with the PDT, would be the best group to identify the basic list of key gear characteristics described in the bullets above. Ms. Raymond wondered whether all trawl gears should be discussed by this group. The motion was voted down, and the Committee agreed to request help from the Groundfish AP in developing this list.

Northern edge of Georges Bank HMAs

Documents for this part of the meeting included:

- **Document 7 – Memo: Northern Edge habitat management areas for adverse effects minimization**

The PDT considered its previous recommendations and analyses related to this region, recent work by the scallop PDT and other scallop/habitat research, and the Committee’s guidance on packaging options into alternatives. At the direction of the Committee chair, the PDT drafted a memo summarizing these issues and data, and provided the following guidance to the Committee:

- *Recommendation 1: The PDT encourages the Committee to adopt a more flexible approach to packaging options into alternatives, one that would allow any individual status quo area to be combined with one or more new habitat management areas.*
- *Recommendation 2: An alternative habitat management area for the northern edge region could be designed that more narrowly targets the most vulnerable habitats. The Habitat Committee may wish to request that the PDT develop such an option for the northern edge region that will feed into the reconciliation process with the Groundfish CATT and Committee. The Committee should articulate specific management objectives associated with any such area.*
- *Recommendation 3: The reconciliation process will proceed more smoothly if the Committee is able to articulate specific objectives for this region, for example, maintain/increase access for the sea scallop fishery, maintain/increase access for the groundfish fishery, protect regional cobble/boulder habitats from adverse effects, maintain some portion of the existing habitat management area, etc.*

The Committee chair commented that it may be useful follow the first recommendation and be more flexible in considering combinations of new and existing areas. Then staff reviewed the memo.

A Committee member clarified that the PDT’s request is to be allowed to develop an additional option that subsets the existing habitat closed area. Dr. Stevenson responded affirmatively, noting that 2012 scallop and habitat data would be helpful in this regard. The Committee member then asked about how that might relate to the two western areas (Georges Shoal East

and West). Dr. Stevenson responded that he wasn't sure about that, but that he knew that NMFS would be concerned about reopening the entire CAII habitat area.

Ms. Raymond wondered about eventual practicability analysis, and also about how a lack of habitat protection on the Canadian side of the Hague Line might affect the usefulness of this area. Staff responded that certainly area size will be discussed during practicability analysis – i.e. is an area too small to be useful – but the broader picture of practicability analysis will be an evaluation of expected habitat benefits to managed species vs. costs. Ms. Raymond responded that she hoped that the lack of area management on the Canadian side would not lead to a larger area in U.S. waters. Another committee member followed up, wondering how much of the habitat type of interest is in Canadian waters. Dr. Stevenson noted that the CATT analysis of groundfish hotspots will include tows on the Canadian side, so we can evaluate the importance of U.S. waters in relation to the Northern Edge as a whole.

Drew Minkiewicz agreed that much of the complex habitat in the region is on the Canadian side. He commented that the northern portion of the area contains substantial aggregations of scallops, is highly productive, and that it is fishable. A practicability analysis should consider the benefits vs. opportunities lost. Staff plotted scallop catch data from a summer 2012 Virginia Institute of Marine Science survey. The highest catch stations were within the existing closed area, although scallops are also abundant to the east. Dr. Stevenson commented that we seem to be frontloading scallop access considerations, when the task before the habitat committee at this stage should be trying to protect the most vulnerable habitats. A Committee member asked how far north the distribution of scallops extends. Stations sampled in the VIMS survey extended to 41° 7' N.

Bonnie Spinazzola asked whether any consideration had been given to gear conflict issues in this region. NMFS General Counsel commented that there have been gear regulated areas in the past to address these types of issues, such that there is precedent for development of formal agreements in these situations. She responded that a gentlemen's agreement would be suitable in this case as far as the lobster industry is concerned, but that anything the Council could do to facilitate the process would be appreciated.

Motion 7: (Goethel/Grout) To request that the PDT to craft more narrowly focused areas across existing and proposed habitat areas on the northern edge of Georges Bank. This area or areas should increase or maintain CPUE in both the groundfish and scallop fisheries while protecting regional cobble and boulder habitats from adverse impacts. (6/1/1)

A Committee member emphasized that the balance to be struck here is allowing for efficient fishing while protecting habitat, but that he was concerned about running out of time to develop new options. Dr. Stevenson clarified that the motion was specific to the northern edge of Georges Bank, and the language in the motion was modified. Another Committee member expressed concern that the language about cobble and boulder habitat might be too limiting, but the original motion was retained. Areas surrounding cobble and boulder will include sand, gravel, etc. as well. Another Committee member commented that he could not support the motion, because “it does exactly what they're looking for, to get that area closed down, and that we need to get some scallops out of there, somehow, some way”. The maker of the motion

emphasized that the intent of the motion was to be very narrow, and that his expectation was that the PDT would focus on a small subset of the existing closure.

Audience member Greg Cunningham expressed concern about the focus on CPUE, and argued that perhaps the focus on aggregate low Z may preclude protection of specific unique areas. This area appears to have many unique attributes.

Ron Smolowitz agreed that from a juvenile cod, scallop, epifauna, hard bottom standpoint, we lost out in the decision about the Hague Line. He asked what were we trying to do in terms of protecting habitat – is protection a ban? Is protection to limit the frequency/intensity of impacts? Is there actually a benefit to a ban on fishing vs. a reduction in frequency/intensity?

The maker of the motion agreed that the more productive habitats are on the Canadian side of the Hague Line. But he noted that what we do in terms of balancing habitat protection vs. access is a judgment call, for the Committee, and for the PDT. The intent of the motion was to indicate to the PDT the elements that should be considered when determining a recommendation.

Another Committee member reiterated earlier concerns about delays, and asked if it would be possible to develop these recommendations before the April Council meeting. Staff responded that after upcoming CATT meetings on 3/28 and 4/4 we will have a much better sense for groundfish recommendations related to this area, and that input from the scallop PDT and on fine-scale habitat distributions from SMAST are readily at hand. It is probably possible to develop these recommendations before the April Council meeting.

Greg Cunningham clarified that based on prior Committee recommendations about packaging new/modified vs. existing areas, the result of this could be Council approval of a modification in Closed Area II and elimination of the Closed Area I and Nantucket Lightship closures. He asked if increased access in those areas would be weighed in the economic analysis, since that access could balance some continued habitat management in Closed Area II. The motion represents an attempt to weigh economic and environmental costs and benefits. He expressed concern that you might not consider an area at this stage based on economics, when the full economic analysis has not yet been completed to show how access/protection balances out. A Committee member responded here that the goal at this time is not to evaluate economic impact, the goal is to minimize area swept by increasing access to quota-managed fish. Staff responded that ultimately, we will look across various options to estimate overall habitat, economic, and other impacts, but that short term work on this area will focus on the northern edge region only, without making assumptions about changes in other areas.

Deep-sea coral zones in the GOM

Documents for this part of the meeting included:

- **Document 8 – Memo: Gulf of Maine Coral Zones as possible areas to minimize the adverse effects of fishing on EFH**

Staff described the contents of this memo from the PDT to the Committee regarding the two sets of deep-sea coral (DSC) zones in the Gulf of Maine. The Council moved the coral zone alternatives from OA2 into a separate Omnibus DSC amendment in September 2012. The memo notes that the GOM coral zones adjacent to Mt. Desert Rock and in W. Jordan Basin (4 sub-areas) could easily be justified as either coral zones under the MSRA discretionary provisions or as habitat management areas under the EFH provisions.

Ms. Raymond questioned how it is that mesh size exemptions for the directed redfish fishery might pose increased risk to these coral habitats. Staff responded that the PDT's question was whether the ability to target redfish with small mesh would increase fishing in certain locations, possibly in parts of W. Jordan Basin, as we know redfish associate with the corals in the identified zones. Ms. Raymond noted that exempted redfish fishing activities to date have occurred in other places, and a Committee member familiar with the fishery agreed that redfish fishing was likely to be relatively limited in W. Jordan Basin. Another Committee member commented that these two sets of areas should be left as part of the coral action, and no one made a motion to move the alternatives into OA2.

Dedicated Habitat Research Areas

Documents for this part of the meeting included:

- **Document 6 – Habitat Omnibus Amendment 2 Adverse Effects and DHRA Options**

Staff reviewed the information contained in this document related to three possible DHRAs in Eastern Maine, on and around Stellwagen Bank, and on Georges Bank within the southern part of CAI.

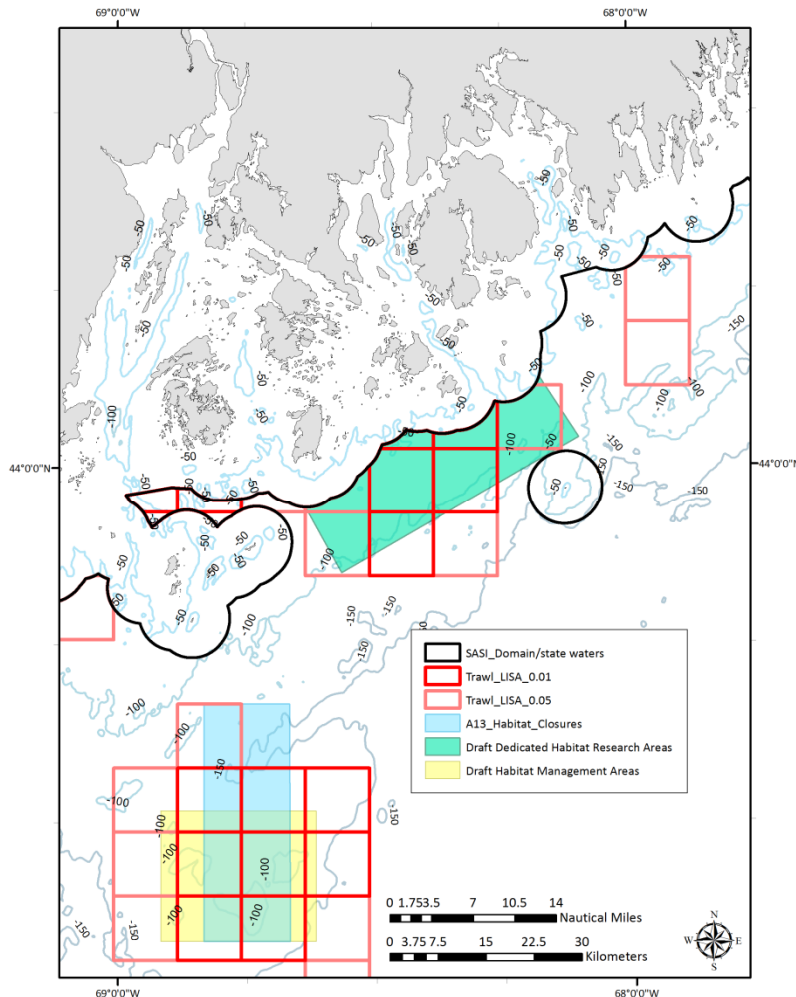
At the December Committee meeting, the Penobscot East Resource Center (PERC) recommended some type of management for an area in Eastern Maine, and the Committee asked the PDT to investigate the potential of this area as a DHRA. (Note that PERC has also presented their proposal to the Groundfish Committee and the Closed Area Technical Team.) The Committee recommended a SASI LISA cluster as the basis for a DHRA in this location. Starting there, the PDT drafted a maximum area from which a DHRA could be drawn. First, the westernmost partial grid cells of the cluster were removed, as these are bounded on three sides by state waters. Ideally, the DHRA would include a mix of habitats with a focus on more complex and vulnerable seabed types, but the PDT discussed that substrate maps for this area are very limited, and while there are useful maps of inshore areas, data are very limited further offshore. However, based on visual evidence from ROV work, we know that steep, complex, rocky habitats occur southwest of Mt. Desert Rock and also further east offshore to roughly the 170 m contour. In general in this region, rocky areas are interspersed with mud habitats. To capture the more complex bottom types, the PDT recommended an area that roughly used the 170 m contour as its offshore boundary. The PDT noted that the area includes and is offshore of historical spawning areas, and that it overlaps with sentinel longline fishery stations.

One Committee member commented that the area is too large and recommended that it be shifted further inshore to better overlap with spawning areas. Another Committee member questioned

why the proposal goes so far to the east if the LISA cluster is to the west, and spawning grounds to the west. Staff commented that the problem with relying on the LISA cluster as a starting point is that the data that underlie the SASI model in this region are relatively sparse, and in general clusters along the ME coast are probably underrepresented. In other words, while the nearshore LISA clusters in the GOM do represent locations of complex and vulnerable habitats, their actual shapes are really an artifact of the often limited substrate sampling frequency, rather than an accurate bounding of habitat types of interest. The areas to the east rely on ROV observations of complex habitats. He suggested that the area should be scaled back, using the ME state waters boundary, and commented that the PDT should look at where the shrimp fishery operates in this area – people are fishing there this year, but shrimp don't occur in this location until after March 1 so there will only be shrimp fishery activity in years when the fishery is open for a longer season. Current activity includes vessels from Port Clyde who are fishing offshore of Bar Harbor and in and offshore of Frenchman Bay, as well as vessels from Stonington. There is also a lobster fishery in the area.

Following the meeting, the PDT updated the boundaries of the Eastern Maine DHRA according to the Committee's discussions. See Figure 2.

Figure 2 Eastern Maine DHRA as modified following the March 19 Habitat Committee meeting



Regarding possible fishing restrictions in the SERA II area, and in DHRAs in general, a Committee member commented that if restrictions for more than just mobile bottom tending gear are envisioned for this location, that the proponents of the area be more upfront about the restrictions they are looking for. The general concept is that a DHRA can better serve as a reference site if many or all types of fishery removals are limited, but the Committee and Council will need to balance research objectives and possible long term benefits of improved understanding of ecosystem dynamics with impacts to the fishery over the short-medium term.

Other business

On behalf of the Advisory Panel, Ms. Raymond reminded the Committee that the AP passed a motion at their October 2012 meeting to move the Platts Bank area to considered but rejected. She noted that the substrate data underlying the development of this area were sparse relative to some of the other areas identified for habitat management. A Committee member made the AP motion, noting that he had recently observed that the Council's Committees do not appear to consider AP advice very well. The motion failed for lack of a second.

Motion 8 (Alexander): Move the Platts Bank areas to considered but rejected.