

January 8, 2015

John K. Bullard, Regional Administrator
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

Re: OA2 DEIS Comments

Dear John,

Northeast Seafood Coalition (NSC) members are small, independent, entrepreneurial businesses that fish for – and support fishing for – cod, haddock, flounders, and other groundfish species along the northeast coast. NSC’s fishing business members fish from small and large ports all along the Northeast coast. They fish small, medium, and large vessels, and they deploy, among them, all groundfish gear types (predominantly trawl, longline, and gillnet). NSC currently represents over 250 commercial fishing entities—which hold over 500 limited access groundfish permits—in the northeast United States on political and policy issues affecting their interests as participants in the groundfish fishery.

Today, NSC offers our support for the following Spatial Management Alternatives (SMA) to be adopted by the New England Fishery Management Council (Council) for the Habitat Omnibus Amendment. The SMAs supported below are in accordance with the industry preferred alternatives submitted by NSC, AFM and the FSF to the Council on February 19, 2014. However, NSC offers additional comments in regards to NSC’s support for SMAs as well as Fishing Restriction (FR) Options below.

(1) SPATIAL MANAGEMENT AREAS

Eastern Gulf of Maine:

NSC supports a modified SMA Alternative 3: Small Eastern Maine, Machias, but excluding Toothaker Ridge

NSC supports FR Option 1: closed to mobile tending-bottom gear

Central Gulf of Maine:

NSC supports SMA Alternative 4: Modified Cashes, Modified Jefferies Bank, Amen Rock

NSC supports FR Option 1: closed to mobile tending bottom gear capable of catching groundfish

Comments:

- The footprint of the ENGO, research scientist or diving sector experience / knowledge inside the existing Cashes ledge closed area has not been delineated or quantified. This delineation is critical because tens of thousands of comments are likely to be based upon what is described to be scientific evidence yet there exists no coordinates outlining the footprint of the Cashes ledge observations that support maintaining the existing closure or that would indicate that the

Council's preferred Alternative is inadequate.

- It appears the very limited research and limited diving experiences have been primarily around Amen Rock and the immediate surrounding structures.
- NSC is left to assume that it is very likely that if the external research science, ENGO and diving stakeholders were to provide a graphic of the footprint where the vast majority of their experience has occurred it would fall well within the Council's preferred Alternative 4.
- NSC supports the Council's preferred Alternative 4 which provides a 130 square nautical mile protection (8 nautical miles wide X 16 miles long) centered on the very areas identified by the scientific models developed for the purpose of implementing this Amendment.

Western Gulf of Maine:

NSC supports SMA Alternative 6: Large Stellwagen

NSC supports FR Option 1: closed to mobile tending-bottom gear and NSC supports the shrimp trawl exemption area, located in the northwest portion of the existing closure.

Comments:

- NSC does not support the "No Action" alternative. This Alternative is worse than a true EFH "No Action" because it expands the existing habitat portion of the WGOM out to 69:55 (five more minutes east) from the current habitat area in the WGOM which ends at the 70:00.
- The WGOM was closed in 1998 as an effort (mortality) closure. This closure was supposed to sunset after 5 years; however in 2004 it was largely overlaid by a habitat protection area. At a minimum, the areas not previously designated for interim habitat protection should have reopened once the fishery transitioned from an effort controlled to a total allowable catch management regime in 2010. Not only has this not occurred to date, the Council has selected No Action as its preferred alternative (see bullet 1 above).
- Alternative 6, Large Stellwagen, was developed under a collaborative effort between industry and NOAA sanctuary advisory committee and staff. A fundamental part of that effort was to work directly through the Council's Habitat Committee process. All stakeholders had the opportunity to comment throughout that process.

Georges Bank:

NSC supports SMA Alternative 7: Georges Shoal 2 MBTG, EFH South MBTG on the Northern Edge

NSC supports FR Option 1: No mobile tending bottom gear

Comments:

- This Alternative strikes a balance between closing SASI identified areas with access to healthy stocks on Georges Bank (winter flounder)
- This Alternative was developed and supported by both groundfish and scallop industries
- This Alternative will replace Closed Area 2

- Unlike other Alternatives, Alternative 7 provides contiguous access to the Hague Line for the U.S. fishery
- NSC cannot support a universal exemption (management option 2) for clam dredges. However, NSC supports development of a new option that would identify discreet exemption areas of sand for clam dredges as long as these areas are well defined and represent a small relative portion of proposed MBTG areas
- It is critical the Council recognize that large portions of what is now Closed Area 2 would continue to be subjected to the mutually negotiated “Closed Area 2 Lobster and Groundfish Industry Agreement”. Additionally, the area that is now Closed Area 2 continues to be subject to Georges Bank spawning period February 1st through **April 31.** see next bullet
- NSC supports shortening the GB spawning period to April 15. This would provide 2 months of access to Closed Area 2 in the spring. The “Closed Area 2 Lobster and Groundfish Industry Agreement” prohibits trawling from June 15th through November 1st.

Great South Channel / Southern New England:

NSC supports SMA Alternative 5 (Nantucket Shoals and Coxes Ledge)

NSC supports FR Option 1: No mobile tending-bottom gear

Comments:

- This Alternative allows access to the SNE Winter Flounder stock while excluding MBTG from a substantial portion of the areas identified as most important by the SASI model.
- Similar to NSC comments provided above for Georges Bank, NSC does not support a universal exemption (management option 2) for clam dredges. Only small discreet areas of sand should be considered for clam dredge exemption as long as these areas are well defined and represent a small relative portion of proposed MBTG areas.

(2) SPAWNING ALTERNATIVES

Gulf of Maine Spawning Areas:

NSC supports the GOM cod Protection Measure as adopted by the Council under Framework (FW) 53.

NSC supports Option B, closed to all commercial and recreational gears capable of catching groundfish.

Note* The existing rolling closures in place today were implemented as an effort (mortality) control.

Georges Bank Spawning Season:

NSC supports Alternative 2, as selected as the Council Preferred, with ending date changed to April 15th.

(3) DESIGNATED HABITAT RESEARCH AREAS

NSC supports the sunset provision under the Amendment for DHRA.

General comments for consideration and deliberation by the Council:

Today, swept area of the commercial fleet is a mere fraction of historical effort. Output controlled management offers a win/win for the nation from both a biological and socio-economic perspective. Prudent management would be to strive for highest Catch Per Unit of Effort (CPUE) which would result in maximum efficiency and least bottom impact.

NSC strongly urges the Agency and the Council to request a thorough analysis to quantify the changes in swept area by the mobile gear fleet over the last 20 years with a focus on the break point in 2010 when the output controlled system went into place. The large areas prescribed by many as being necessary to protect habitat and increase commercial fish stock productivity will actually result in a higher carbon footprint per pound of commercial landings which runs counter to biological and socio-economic objectives. In doing so we are squandering the benefits of an output controlled system by imposing inefficiencies that cause increased effort for the same or even less yields.

Note that NSC continues to support closed areas as part of the management regime. We are not advocating for a NO closure approach. We believe the suite of Alternatives offered in these comments will provide habitat protection for areas identified by the analytical models while preserving ample access to commercial fishermen to achieve optimum CPUE while minimizing swept area impacts.

NSC appreciates the opportunity to provide our comments on the habitat measures under consideration.

Sincerely,



Jackie Odell, Executive Director