

SCOPING FOR THE EFH COMPONENTS OF GROUND FISH AMENDMENT 13 AND SCALLOP AMENDMENT 10

Suggested Alternatives from February 22, 2001 public meeting and written comments through March 29, 2001. Some editorial commentary by the Habitat Technical Team is provided in *italics* following each summary comment to assist the Habitat Committee determine which comments should be incorporated in the DEIS for analysis and which, if any, should be eliminated from further consideration.

Alternatives for EFH Designations

1. Use tow by tow survey data instead of binning by 10 minute squares
 - *This approach was considered in 1997 during development of the original EFH Amendment. The approach was rejected as impractical based on the quantity and quality of data available. Current data do not change this conclusion. Although this approach is not suitable for implementation at this time, we will reconsider this approach as data quality and quantity improve over time.*
2. Look at areas of species overlap as most important habitats
 - *This approach was attempted in 1999 as part of the Habitat Annual Review Report. Problems were identified in determining the groupings of species most appropriate for this process (e.g., intersections of some species may actually represent the marginal habitats of each individual species). The scale of the overlap areas was also identified as a problem -- for some groups of species the area of overlap was so small as to be overly restrictive for management use, and yet for other groups of species the area of overlap was so large as to be no better than the individual species' areas.*
3. Look at commercial "hot spots"
 - *This approach was attempted during the 2000 Habitat Annual Review Report. Problems were identified with the data used to identify areas of commercial fish landings. Some landings data are intended to be based on 30 minute squares of latitude and longitude, while other data are intended to be based on 10 minute squares. None of the specific location data are very reliable and may actually incorrectly attribute landings to certain areas. Currently, problems with the landings data have not been resolved. Also, use of commercial landings to identify EFH can only be used for adults of each species. Another technique would be necessary for eggs, larvae, and juveniles. If VMS data were available for the groundfish fleet, this approach could be used to identify certain areas important for commercial landings.*
4. Utilize Maine DMR 2000 inshore trawl survey and scallop survey to refine EFH in Maine coastal waters
 - *Data from the Maine DMR are being addressed by NMFS Sandy Hook Lab,*

along with data from other state and inshore sources. The Northeast Region EFH Steering Committee will discuss the 2000 survey data to decide if they should be given a higher priority than the other datasets NMFS is compiling and summarizing in reports for the New England and Mid-Atlantic Councils.

5. Utilize other existing studies to refine EFH for cod and haddock spawning in coastal Maine waters
 - *The specific comment referred to work done by Ted Ames identifying historic cod and haddock spawning areas along the coast of Maine. This information was incorporated in the original EFH designations for cod and haddock in the omnibus EFH Amendment.*
6. EFH should be designated based upon the highest 10-30% distributions of each species
 - *This alternative is being considered by the Habitat Technical Team and will be presented to the Habitat Committee and Council for consideration.*

Alternatives for HAPC designations

1. HAPC should be designated for entirety of juvenile cod EFH
 - *This does not conform to the Regulations and Technical Guidance on EFH which specifies that an HAPC should be a subset of EFH and meet at least one of the specific criteria established for HAPC's.*
2. Designate HAPC for all species
 - *The Council's process for the consideration and designation of new HAPC's allows for HAPC's to be designated for any species managed by the Council. At some point, the Council could have HAPC's designated for all managed species, but at this time there is not enough information available to support the designation of HAPC's (according to the criteria and guidance developed by NMFS) for all species managed by the Council.*
3. Eliminate the juvenile cod HAPC
 - *Consideration of the existing juvenile cod HAPC on the northern edge of Georges Bank will be included in the DEIS, thus it is possible that the Council will not recommend retaining this designation.*
4. No further HAPC's should be designated
 - *This alternative is being considered by the Habitat Technical Team and will be presented to the Habitat Committee and Council for consideration.*
5. HAPC's should be designated based upon the greatest overlap of EFH
 - *This alternative is being considered by the Habitat Technical Team and will be presented to the Habitat Committee and Council for consideration.*

Alternatives for Habitat Measures to Minimize Gear Effects (Groundfish)

1. Establish trawling restrictions in HAPC's

- *The process and rationale used to designate each individual HAPC will help identify management issues related to that HAPC. Appropriate management action, if any, is only appropriately considered on a case-by-case basis and tailored specifically to the circumstances of the HAPC. For example, the juvenile cod HAPC on Georges Bank is contained within a groundfish closed area. Trawling restrictions may be appropriate in this area, but they are unnecessary as the regulations for the groundfish closed area already prohibit all types of fishing gear capable of catching groundfish. Also, the Council designated eleven rivers in Maine as an HAPC for Atlantic salmon. Trawling restrictions are not appropriate or necessary in this HAPC, as the intent of the HAPC was to protect these river systems from adverse impacts associated with non-fishing related activities such as pollution and development.*
2. Establish maximum size limits for rock hopper gear
 - *This alternative is being considered by the Habitat Technical Team and will be presented to the Habitat Committee and Council for consideration.*
 3. Establish baseline protections for HAPC's
 - *See #1.*
 4. Establish gear restrictions in juvenile cod habitat on Georges Bank
 - *The Council will consider an additional HAPC intended to protect juvenile cod habitat. The Council will also consider redesigning the existing groundfish closed areas to better protect habitat, and this will include juvenile cod habitat on Georges Bank. Depending on the management approach selected by the Council and the specific management alternatives considered, there may be additional gear restrictions in juvenile cod habitat on Georges Bank.*
 5. Establish area restrictions
 - *This alternative is being considered by the Habitat Technical Team and will be presented to the Habitat Committee and Council for consideration.*
 6. Establish closed areas
 - *This alternative is being considered by the Habitat Technical Team and will be presented to the Habitat Committee and Council for consideration.*
 7. Increase and enhance the growth of dense epifauna and related communities by active intervention (i.e., seeding)
 - *The growth of dense epifauna and related communities can be increased and enhanced by protecting areas where these organisms grow. Seeding of these communities may not be practicable at this time, and in most cases is probably unnecessary as there is no demonstrated shortage of natural "seed" in the environment. Suitable space with the proper physical and oceanographic conditions free from anthropogenic disturbance most likely is the limiting factor.*
 8. Create more shelter (artificial reefs) and harvest predators (weed and feed)
 - *Additional shelter may not benefit all species and artificial reefs have not been*

demonstrated conclusively to add to production but may only serve to aggregate fish. The objective of this comment could be achieved by protecting known areas currently containing shelter. In cases where known shelter has been destroyed, this approach may have utility. Harvesting predators could have unintended adverse effects that could ripple through the food web and actually serve the opposite effect that they were intended. For example, suppose that the adults of resource species A are preyed upon by adults of predator species B, but that the juveniles of resource species A feed upon the larvae of predator species B. Removing adults of B would result in fewer B larvae, reducing the available food for species A, limiting survival and recruitment.

9. HAPC's should have minimum management actions that protect habitat characteristics
 - See #1.
10. Utilize a precautionary approach regarding management of the effects of fishing on EFH
 - *The precautionary approach is an approach to decision-making, not a specific management alternative that can be implemented through regulation.*
11. Support the use of selective fishing gears such as gill nets which have little impact on the bottom
 - *This type of action is being considered under a number of alternatives for new habitat-specific closed areas and incentives for reduced impact fishing gears.*
12. Prohibit rockhopper gear greater than 22 inches
 - *Although not specifically identified by the Habitat Technical Team, a range of alternatives for rockhopper and roller trawl gear maximum sizes are being considered. A maximum size of 22" could be specifically included.*
13. Prohibit the use of the flophopper (what is it?)
 - *Need to better understand what the "flophopper" gear is.*
14. Close Closed Area (CA) I, CA II, and WGOM for 10 more years
 - *The current groundfish closed areas, except for WGOM, are indefinite in duration. Amendment 13 will examine all current groundfish closed areas and explore their effectiveness and whether they should be continued.*

Due to time constraints, the Habitat Technical Team only discussed the above scoping comments specific to Groundfish Amendment 13. Comments on Scallop Amendment 10 and other issues will be discussed at future meetings.

Alternatives for Habitat Measures to Minimize Gear Effects (Scallops)

1. Develop rotational management program
2. Rotational management should consider habitat protection
3. Focus scalloping in most productive areas and away from low production areas to provide more habitat protection to the low production areas (habitat)

4. Examine alternative gear such as lightly constructed dredges as a means to protect mixed substrate scallop production areas
5. Reopen Georges Bank to a limited access scallop program which support dense scallop concentrations

Other Alternatives (non-EFH)

1. Manage scallops using a quota based system (ITQs)
2. Add 20 DAS to the single permit boats