

Deep Sea Coral Amendment Overview

Amendment Purpose

In June 2015, the Mid-Atlantic Fishery Management Council approved the Deep Sea Corals Amendment to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan (FMP). The amendment was designed to *identify and implement measures that reduce, to the extent practicable, impacts of fishing gear on deep sea corals in the Mid-Atlantic region.* The Council considered measures that would protect known or likely coral habitat while minimizing the associated costs to commercial fisheries operating in or near areas of deep sea coral habitat.

Coral Protection Measures

Coral protection measures for this amendment were developed under the discretionary provisions of the reauthorized Magnuson-Stevens Act (MSA) that give the Regional Fishery Management Councils the authority to designate zones where, and periods when, fishing may be restricted in order to protect deep sea corals from the impacts of fishing gear.

The Council recommended several measures to the National Marine Fisheries Service, including the designation of “deep sea coral zones,” within which the use of most types of bottom-tending fishing gear would be prohibited. The zones include only areas within the Mid-Atlantic Council Region. Two types of spatially overlapping coral zones were approved as Council-preferred options (Figure 1):

- A *Broad coral zone*, consisting of a large, deep area, the vast majority of which is beyond the depths of current fishing effort. This area is intended to limit and prevent the expansion of current commercial gear use into these deeper areas.
- A set of *discrete coral zones*, which are smaller areas of known or highly likely coral presence. These include specific offshore canyons and slope areas.

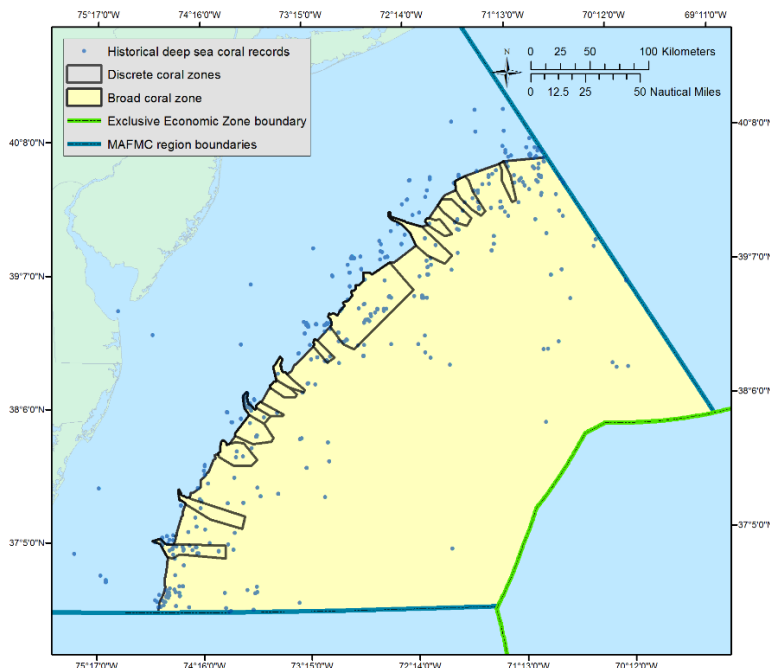


Figure 1: Proposed broad and discrete deep sea coral zones in the Mid-Atlantic Council region.

Within these zones, the Council recommended prohibiting all bottom-tending gear types, with an exemption for the deep sea red crab trap fishery. The proposed measures also would not apply to the American lobster trap fishery or other fisheries managed only by the Atlantic States Marine Fisheries Commission. Although the action amends the Atlantic Mackerel, Squid, and Butterfish FMP, these measures would apply to all federally managed fisheries operating within the coral zones using the relevant gear types. The Council also voted to allow for transit through the gear-restricted areas if gear is on deck.

The Council voted to name the proposed deep sea coral zones the “Frank R. Lautenberg Deep Sea Coral Protection Area,” in honor of the late Senator Frank Lautenberg, a five-term United States senator from New Jersey who was responsible for several important pieces of ocean conservation legislation. Senator Lautenberg authored several provisions included in the reauthorized MSA, including the discretionary provisions giving the Councils the authority to protect coral habitat areas from fishing gear.

The total area of the proposed combined coral zones is approximately 99,000 km², shown in Figure 2 in comparison to the eastern United States.

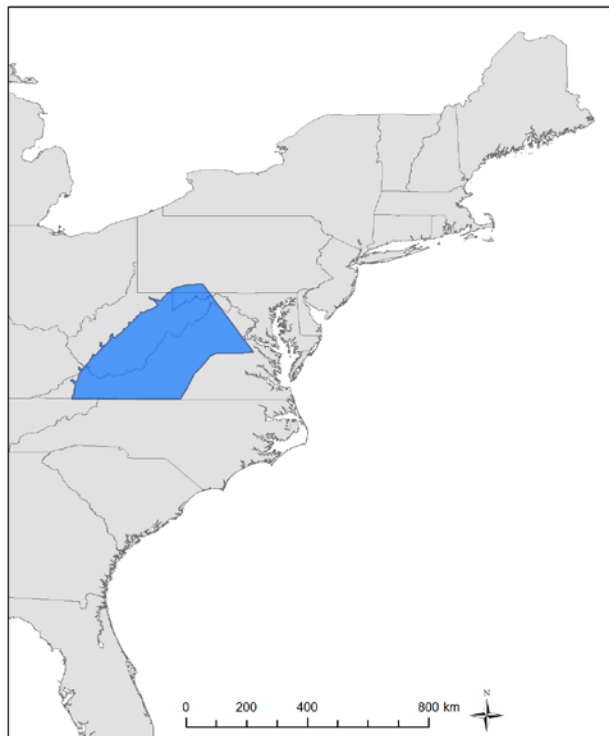


Figure 2: Size comparison of total proposed coral protection area.

Coral Zone Boundary Development

The development of coral zones involved reconciling several options for boundaries based on a number of considerations and proposals. Initially, boundaries were developed by the Council’s Deep Sea Corals Fishery Management Action Team (FMAT) based on a NOAA habitat suitability model for deep sea corals, as well as historical deep sea coral records and high resolution bathymetry data. Additional boundary options were submitted to the Council for consideration in 2013 (by a small group of commercial Advisors) and 2015 (one set submitted by the Garden State Seafood Association, and another submitted by a coalition of environmental NGOs).

To reconcile these various options, the Council held a Coral Zone Boundary Workshop in April 2015 in Linthicum, MD. Participants included the Council’s Squid, Mackerel, and Butterfish Advisory Panel, the Ecosystems and Ocean Planning Advisory Panel, members of the Deep Sea Corals FMAT, invited deep sea coral experts, additional fishing industry representatives, and other interested stakeholders. At the workshop, boundaries were developed through a collaborative process and negotiated in real time. The end result was a set of consensus boundaries developed by workshop participants. The revised boundaries were designed to protect corals while limiting impacts to the fishing industry.

These workshop boundaries were adopted as preferred alternatives in the Council’s final action for both the discrete and the broad coral zones (i.e., both areas follow these boundaries on the landward side). Workshop details and a summary report are available on the Council’s website at <http://www.mafmc.org/workshop/2015/deep-sea-corals>.

Amendment Process and Timeline

Action	Timeline
Council initiates amendment	August 2012
Scoping hearings and scoping comment period	February 2013
Fishery Management Action Team (FMAT) develops range of alternatives (based on alternatives originally developed by the New England Fishery Management Council)	January 2013
Ecosystems and Ocean Planning Committee reviews alternatives	February 2013
Coral Zone Boundary Development Workshop 1, with Ecosystems and Mackerel, Squid, Butterfish Advisory Panels	April 2013
Council approves range of alternatives	August 2013
Analysis of alternatives	Winter 2013/2014
Council receives update on amendment analysis	April 2014
Council approves public hearing document	August 2014
Amendment public hearings and summarization of comments (30-day comment period)	January 2015
Council considers public hearing comments; defers final action until June 2015 pending April boundaries workshop	February 2015
Coral Zone Boundary Development Workshop 2, with Ecosystems and Mackerel, Squid, Butterfish Advisory Panels, additional fishing industry participants, coral scientists, and FMAT members	April 2015
Council selects preferred alternatives and approves amendment for submission	June 2015
Staff submits to NMFS for secretarial approval	March 2016
Final rule effective	October 2016 (expected)

For additional amendment information and documents, see: <http://www.mafmc.org/actions/msb-am16>.