



New England Fishery Management Council

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John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

March 27, 2017

Mr. John Bullard
Regional Administrator
National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

Dear John:

In accordance with provisions of the Magnuson-Stevens Act, I have reviewed the draft regulatory text for Omnibus Essential Fish Habitat Amendment 2 in order to deem whether it is consistent with the amendment text and the Council's intent. The draft regulatory text was originally provided to the Council staff by email on January 23, 2017. We revised the draft regulations in collaboration with your staff, and the enclosure reflects the agreed upon revisions. Our revisions are limited to those regulations implementing the Omnibus Habitat Amendment. I am not commenting on portions of §648.81 (NE multispecies year-round and seasonal closed areas) that are unaffected by the amendment. I have concluded that the proposed regulatory text implementing the amendment measures is consistent with Council intent.

Please feel free to call me with any concerns.

Sincerely,

John F. Quinn, J.D., Ph.D.
Council Chairman

Enclosure: OHA2 Draft regulations

Notes:

Cross references which require final review are highlighted.

GARFO staff are reviewing §648.81 (b)(2)(ii) to see if the language can be cleaned up at all.

This is the existing language.

Subpart A

§648.2 Definitions

Bottom-tending mobile gear, means gear in contact with the ocean bottom, and towed from a vessel, which is moved through the water during fishing in order to capture fish, and includes otter trawls, beam trawls, hydraulic dredges, non-hydraulic dredges, and seines (with the exception of a purse seine).

Bridles connect the wings of a bottom trawl to the ground cables. The ground cables lead to the doors or otter boards. The doors are attached to the towing vessel via steel cables, referred to as wires or warps. Each net has two sets of bridles, one on each side.

Ground cables on a bottom trawl run between the bridles, which attach directly to the wings of the net, and the doors, or otter boards. The doors are attached to the towing vessel via steel cables, referred to as wires or warps.

Subpart D

§648.5X

(?) *Closed Area II Seasonal Scallop Closure*. From June 15 through October 31 of each year, no fishing vessel may fish with scallop dredge gear in the portion of Closed Area II, as specified in section 648.81XXX, north of 41° 30'N.

Subpart F

§ 648.80 NE Multispecies regulated mesh areas and restrictions on gear and methods of fishing.

(a) * * *

(3) * * *

(vii) {Reserved}

§648.81 NE multispecies year-round and seasonal closed areas.

(a) *Year-round groundfish closed areas*. (1) No fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, the Cashes Ledge or Western Gulf of Maine Closure Areas, unless otherwise allowed by or exempted under this part. Charts of the areas described in this section are available from the Regional Administrator upon request.

(2) Exemptions. Unless restricted by the requirements of subpart (P) or elsewhere in this part, paragraph (a)(1) of this section does not apply to a fishing vessel or person on a fishing vessel when fishing under the following conditions:

(i) Fishing with or using exempted gear as defined under this part, except for pelagic gillnet gear capable of catching NE multispecies, unless fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided that:

- (A) The net is attached to the boat and fished in the upper two-thirds of the water column;
- (B) The net is marked with the owner's name and vessel identification number;
- (C) No regulated species or ocean pout are retained; and
- (D) No other gear capable of catching NE multispecies is on board;

(ii) Fishing in the Midwater Trawl Gear Exempted Fishery as specified in §648.80(d);

(iii) Fishing in the Purse Seine Gear Exempted Fishery as specified in §648.80(e);

(iv) Fishing under charter/party or recreational regulations specified in §648.89, provided that:

(A) A letter of authorization issued by the Regional Administrator is onboard the vessel, which is valid from the date of enrollment until the end of the fishing year;

(B) No harvested or possessed fish species managed by the NEFMC or MAFMC are sold or intended for trade, barter or sale, regardless of where the fish are caught;

(C) Only rod and reel or handline gear is on board the vessel; and

(D) No NE multispecies DAS are used during the entire period for which the letter of authorization is valid.

(3) *Cashes Ledge Closure Area*. The Cashes Ledge Closure Area is defined by straight lines connecting the following points in the order stated:

CASHES LEDGE CLOSURE AREA

Point	N. lat.	W. long.
CL1	43°07'	69°02'
CL2	42°49.5'	68°46'
CL3	42°46.5'	68°50.5'
CL4	42°43.5'	68°58.5'
CL5	42°42.5'	69°17.5'
CL6	42°49.5'	69°26'
CL1	43°07'	69°02'

(4) *Western GOM Closure Area*. The Western GOM Closure Area is defined by straight lines connecting the following points in the order stated:

WESTERN GOM CLOSURE AREA

Point	N. lat.	W. long.
WGM1	42°15'	70°15'
WGM2	42°15'	69°55'
WGM3	43°15'	69°55'
WGM4	43°15'	70°15'
WGM1	42°15'	70°15'

(b) *Gulf of Maine spawning groundfish closures.* (1) Unless allowed in this part, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, the spawning closure areas described in paragraphs (b)(3) and (b)(4), during the times specified in this section. Charts depicting the areas defined here are available from the RA upon request.

(2) *Exemptions.* Paragraph (b)(1) of this section does not apply to a fishing vessel or person on a fishing vessel:

(i) That has not been issued a NE multispecies permit that is fishing exclusively in state waters;

(ii) That is fishing with or using exempted gear as defined under this part, excluding pelagic gillnet gear capable of catching NE multispecies, except for a vessel fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided:

(A) The net is attached to the vessel and fished in the upper two-thirds of the water column;

(B) The net is marked with the vessel owner's name and vessel identification number;

(C) No regulated species or ocean pout are retained; and

(D) No other gear capable of catching NE multispecies is on board;

(iii) That is fishing as a charter/party or recreational fishing vessel, provided that:

(A) With the exception of tuna, fish harvested or possessed by the vessel are not sold or intended for trade, barter, or sale, regardless where the species are caught;

(B) Any gear other than pelagic hook and line gear, as defined in this part, is properly stowed and not available for immediate use as defined in §648.2; and

(C) No regulated species or ocean pout are retained; and

(iv) That is transiting pursuant to paragraph (i) of this section.

(3) *GOM Cod Spawning Protection Area.* Except as specified in paragraph (b)(2) of this section, from April through June of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, the GOM Cod Spawning Protection Area, as defined by straight lines connecting the following points in the order stated:

GOM COD SPAWNING PROTECTION AREA

Point	N. latitude	W. longitude
CSPA1	42°50.95'	70°32.22'
CSPA2	42°47.65'	70°35.64'
CSPA3	42°54.91'	70°41.88'
CSPA4	42°58.27'	70°38.64'
CSPA1	42°50.95'	70°32.22'

(4) *Winter Massachusetts Bay Spawning Protection Area.* Except as specified in paragraph (b)(2) of this section, from November 1 through January 31 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or be on board a vessel in, the Massachusetts Bay Spawning Protection Area, as defined by a straight line connecting the following points along the Massachusetts state waters boundary:

WINTER MASSACHUSETTS BAY SPAWNING PROTECTION AREA

Point	N. Latitude	W. Longitude
1	42° 23.6'	70° 39.2'
2	42° 07.7'	70° 26.8'

(1) Western/southern boundary at Massachusetts state waters

(5) *Spring Massachusetts Bay Spawning Protection Area.* (i) From April 15 through April 30 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, the thirty minute block defined by straight lines connecting the following points in the order stated:

SPRING MASSACHUSETTS BAY SPAWNING PROTECTION AREA

Point	N. Latitude	W. Longitude
1	42° 00'	70° 30'
2	42° 30'	70° 30'
3	Massachusetts coastline south of Duxbury and 42° 00' N	
4	Massachusetts coastline near Marblehead and 42° 30' N	

(ii) Unless otherwise restricted in this part, the Block 125 closure does not apply to a fishing vessel or person on a fishing vessel that meets the criteria in paragraphs (d)(5)(ii) through (vi) and (d)(5)(x) of this section (listed under the exemptions for the GOM Cod Protection Closures). This includes recreational vessels meeting the criteria specified in paragraphs (d)(5)(v)(A) through (D) of this section.

(c) *Georges Bank Spawning Groundfish Closures.* (1) Unless otherwise allowed in this part, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used on board a vessel in the spawning closure areas described in paragraphs (b)(3) and (b)(4), and during the times specified in this section. Charts depicting the areas defined here are available from the RA upon request.

(2) Exemptions. Paragraph (c)(1) of this section does not apply to a fishing vessel or person on a fishing vessel:

(i) That is fishing with or using exempted gear as defined under this part, excluding pelagic gillnet gear capable of catching NE multispecies, except for vessels fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided:

- (A) The net is attached to the vessel and fished in the upper two-thirds of the water column;
- (B) The net is marked with the vessel owner's name and vessel identification number;
- (C) No regulated species or ocean pout are retained; and
- (D) No other gear capable of catching NE multispecies is on board;

(ii) That is fishing for scallops consistent with any restrictions imposed by the scallop fishery management plan, including rotational access program requirements specified in § 648.59.

(iii) That is fishing in the mid-water trawl exempted fishery.

(iv) That is transiting pursuant to the requirements described in § 648.2.

(3) *Closed Area I North.* Except as specified in paragraph (c)(2) of this section, from February 1 through April 15 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or be in; and no fishing gear capable of catching NE multispecies may be used on board a vessel in, Closed Area I North, as defined by straight lines connecting the following points in the order stated:

CLOSED AREA I—NORTH

Point	N. lat.	W. long.
CI1	41°30'	69°23'
CI4	41°30'	68°30'
CIH1	41°26'	68°30'
CIH2	41°04'	69°01'
CI1	41°30'	69°23'

(4) *Closed Area II.* Except as specified in paragraph (c)(2) of this section, from February 1 through April 15 of each year, no fishing vessel or person on a fishing vessel may enter, fish, or

be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, Closed Area II, as defined by straight lines connecting the following points in the order stated:

CLOSED AREA II

Point	N. lat.	W. long.
C1I1	41°00'	67°20'
C1I2	41°00'	66°35.8'
G5	41°18.6'	66°24.8' ¹
C1I3	42°22'	67°20' ¹
C1I1	41°00'	67°20' ¹

(d) *GOM Cod Protection Closures.* (1) Unless otherwise allowed in this part, no fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies may be used or on board a vessel in, GOM Cod Protection Closures I through V as described, and during the times specified, in paragraphs (d)(4)(i) through (v) of this section.

(2) The New England Fishery Management Council shall review the GOM Cod Protection Closures Areas specified in this section when the spawning stock biomass for GOM cod reaches the minimum biomass threshold specified for the stock (50 percent of SSB_{MSY}).

(3) *Seasons.* (i) GOM Cod Protection Closure I is in effect from May 1 through May 31.

(ii) GOM Cod Protection Closure II is in effect from June 1 through June 30.

(iii) GOM Cod Protection Closure III is in effect from November 1 through January 31.

(iv) GOM Cod Protection Closure IV is in effect from October 1 through October 31.

(v) GOM Cod Protection Closure V is in effect from March 1 through March 31.

(4) *GOM Cod Protection Closure Areas.* Charts depicting these areas are available from the Regional Administrator upon request.

(i) *GOM Cod Protection Closure I.* GOM Cod Protection Closure I is the area bounded by the following coordinates connected in the order stated by straight lines:

GOM COD PROTECTION CLOSURE I

[May 1-May 31]

Point	N. latitude	W. longitude
CPCI 1	43°30' N	(1)
CPCI 2	43°30' N	69°30' W
CPCI 3	43°00' N	69°30' W
CPCI 4	43°00' N	70°00' W
CPCI 5	42°30' N	70°00' W

CPCI 6	42°30' N	70°30' W
CPCI 7	42°20' N	70°30' W
CPCI 8	42°20' N	(2) (3)
CPCI 1	43°30' N	(1) (3)

¹The intersection of 43°30' N latitude and the coastline of Maine.

²The intersection of 42°20' N latitude and the coastline of Massachusetts.

³From Point 8 back to Point 1 following the coastline of the United States.

(ii) *GOM Cod Protection Closure II.* GOM Cod Protection Closure II is the area bounded by the following coordinates connected in the order stated by straight lines:

GOM COD PROTECTION CLOSURE II

[June 1-June 30]

Point	N. latitude	W. longitude
CPCII 1	(1)	69°30' W
CPCII 2	43°30' N	69°30' W
CPCII 3	43°30' N	70°00' W
CPCII 4	42°30' N	70°00' W
CPCII 5	42°30' N	70°30' W
CPCII 6	42°20' N	70°30' W
CPCII 7	42°20' N	(2) (3)
CPCII 8	42°30' N	(4) (3)
CPCII 9	42°30' N	70°30' W
CPCII 10	43°00' N	70°30' W
CPCII 11	43°00' N	(5) (6)
CPCII 1	(1)	69°30' W ⁶

¹The intersection of 69°30' W longitude and the coastline of Maine.

²The intersection of 42°20' N latitude and the coastline of Massachusetts.

³From Point 7 to Point 8 following the coastline of Massachusetts.

⁴The intersection of 42°30' N latitude and the coastline of Massachusetts.

⁵The intersection of 43°00' N latitude and the coastline of New Hampshire.

⁶From Point 11 back to Point 1 following the coastlines of New Hampshire and Maine.

(iii) *GOM Cod Protection Closure III.* GOM Cod Protection Closure III is the area bounded by the following coordinates connected in the order stated by straight lines:

GOM COD PROTECTION CLOSURE III

[November 1-January 31]

Point	N. latitude	W. longitude
CPCIII 1	42°30' N	(1)
CPCIII 2	42°30' N	70°30' W
CPCIII 3	42°15' N	70°30' W
CPCIII 4	42°15' N	70°24' W
CPCIII 5	42°00' N	70°24' W
CPCIII 6	42°00' N	(2) (3)

CPCIII 1	42°30' N	(1)(3)
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¹The intersection of 42°30' N latitude and the Massachusetts coastline.

²The intersection of 42°00' N latitude and the mainland Massachusetts coastline at Kingston, MA.

³From Point 6 back to Point 1 following the coastline of Massachusetts.

(iv) *GOM Cod Protection Closure IV*. GOM Cod Protection Closure IV is the area bounded by the following coordinates connected in the order stated by straight lines:

GOM COD PROTECTION CLOSURE IV

[October 1-October 31]

Point	N. latitude	W. longitude
CPCIV 1	42°30' N	(1)
CPCIV 2	42°30' N	70°00' W
CPCIV 3	42°00' N	70°00' W
CPCIV 4	42°00' N	(2)(3)
CPCIV 1	42°30' N	(1)(3)

¹The intersection of 42°30' N latitude and the Massachusetts coastline

²The intersection of 42°00' N latitude and the mainland Massachusetts coastline at Kingston, MA

³From Point 4 back to Point 1 following the coastline of Massachusetts

(v) *GOM Cod Protection Closure V*. GOM Cod Protection Closure V is the area bounded by the following coordinates connected in the order stated by straight lines:

GOM COD PROTECTION CLOSURE V

[March 1-March 31]

Point	N. latitude	W. longitude
CPCV 1	42°30' N	70°00' W
CPCV 2	42°30' N	68°30' W
CPCV 3	42°00' N	68°30' W
CPCV 4	42°00' N	70°00' W
CPCV 1	42°30' N	70°00' W

(5) The GOM cod protection closures specified in this section do not apply to a fishing vessel or person on board a fishing vessel under any of the following conditions:

(i) No multispecies permit has been issued and the vessel is fishing exclusively in state waters;

(ii) Fishing with or using exempted gear as defined under this part, except for pelagic gillnet gear capable of catching NE multispecies, unless fishing with a single pelagic gillnet not longer than 300 ft (91.4 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.6 cm), provided that:

(A) The net is attached to the boat and fished in the upper two-thirds of the water column;

(B) The net is marked with the owner's name and vessel identification number;

(C) No regulated species are retained; and

(D) No other gear capable of catching NE multispecies is on board;

(iii) Fishing in the Midwater Trawl Gear Exempted Fishery as specified in §648.80(d);

(iv) Fishing in the Purse Seine Gear Exempted Fishery as specified in §648.80(e);

(v) Fishing under charter/party or recreational regulations specified in §648.89, provided that:

(A) A vessel fishing under charter/party regulations in a GOM cod protection closure described under paragraph (f)(4) of this section, has on board a letter of authorization issued by the Regional Administrator that is valid from the date of enrollment through the duration of the closure or 3 months duration, whichever is greater;

(B) No harvested or possessed fish species managed by the NEFMC or MAFMC are sold or intended for trade, barter or sale, regardless of where the fish are caught;

(C) Only rod and reel or handline gear is on board; and

(D) No NE multispecies DAS are used during the entire period for which the letter of authorization is valid;

(vi) Fishing with scallop dredge gear under a scallop DAS or when lawfully fishing in the Scallop Dredge Fishery Exemption Area as described in §648.80(a)(11), provided the vessel does not retain any regulated NE multispecies during a trip, or on any part of a trip; or

(vii) Fishing in the Raised Footrope Trawl Exempted Whiting Fishery, as specified in §648.80(a)(15), or in the Small Mesh Area II Exemption Area, as specified in §648.80(a)(9);

(viii) Fishing on a sector trip, as defined in this part, and in the GOM Cod Protection Closures IV or V, as specified in paragraphs (f)(4)(iv) and (v) of this section; or

(ix) Fishing under the provisions of a Northeast multispecies Handgear A permit, as specified at §648.82(b)(6), and in the GOM Cod Protection Closures IV or V, as specified in paragraphs (f)(4)(iv) and (v) of this section .

(x) Transiting the area, provided it complies with the requirements specified in paragraph (i) of this section.

(e) *Restricted Gear Areas.* (1) *Restricted Gear Area Seasons.* No fishing vessel with mobile gear on board, or person on a fishing vessel with mobile gear on board may fish or be in the specified

Restricted Gear Areas, unless transiting, during the seasons below. No fishing vessel with lobster pot gear on board, or person on a fishing vessel with lobster pot gear on board, may fish in, and no lobster pot gear may be deployed or remain in the specified Restricted Gear Areas. Vessels with lobster pot gear on board may transit during the seasons below.

	Mobile Gear	Lobster Pot Gear
Restricted Gear Area I	October 1-June 15	June 16-September 30
Restricted Gear Area II	November 27-June 15	June 16-November 26
Restricted Gear Area III	June 16-November 26	January 1-April 30
Restricted Gear Area IV	June 16-September 30	n/a

(2) Vessels with mobile gear may transit this area, provided that all mobile gear is on board the vessel while inside the area, and is stowed and not available for immediate use as defined in §648.2.

(3) *Restricted Gear Area I.* Restricted Gear Area I is defined by straight lines connecting the following points in the order stated:

Point	N. latitude	W. longitude
Inshore Boundary		
to 120		
69	40°07.9'	68°36.0'
70	40°07.2'	68°38.4'
71	40°06.9'	68°46.5'
72	40°08.7'	68°49.6'
73	40°08.1'	68°51.0'
74	40°05.7'	68°52.4'
75	40°03.6'	68°57.2'
76	40°03.65'	69°00.0'
77	40°04.35'	69°00.5'
78	40°05.2'	69°00.5'
79	40°05.3'	69°01.1'
80	40°08.9'	69°01.75'
81	40°11.0'	69°03.8'
82	40°11.6'	69°05.4'
83	40°10.25'	69°04.4'
84	40°09.75'	69°04.15'
85	40°08.45'	69°03.6'
86	40°05.65'	69°03.55'
87	40°04.1'	69°03.9'
88	40°02.65'	69°05.6'
89	40°02.00'	69°08.35'
90	40°02.65'	69°11.15'
91	40°00.05'	69°14.6'
92	39°57.8'	69°20.35'
93	39°56.65'	69°24.4'

94	39°56.1'	69°26.35'
95	39°56.55'	69°34.1'
96	39°57.85'	69°35.5'
97	40°00.65'	69°36.5'
98	40°00.9'	69°37.3'
99	39°59.15'	69°37.3'
100	39°58.8'	69°38.45'
102	39°56.2'	69°40.2'
103	39°55.75'	69°41.4'
104	39°56.7'	69°53.6'
105	39°57.55'	69°54.05'
106	39°57.4'	69°55.9'
107	39°56.9'	69°57.45'
108	39°58.25'	70°03.0'
110	39°59.2'	70°04.9'
111	40°00.7'	70°08.7'
112	40°03.75'	70°10.15'
115	40°05.2'	70°10.9'
116	40°02.45'	70°14.1'
119	40°02.75'	70°16.1'
to 181		
Offshore Boundary		
to 69		
120	40°06.4'	68°35.8'
121	40°05.25'	68°39.3'
122	40°05.4'	68°44.5'
123	40°06.0'	68°46.5'
124	40°07.4'	68°49.6'
125	40°05.55'	68°49.8'
126	40°03.9'	68°51.7'
127	40°02.25'	68°55.4'
128	40°02.6'	69°00.0'
129	40°02.75'	69°00.75'
130	40°04.2'	69°01.75'
131	40°06.15'	69°01.95'
132	40°07.25'	69°02.0'
133	40°08.5'	69°02.25'
134	40°09.2'	69°02.95'
135	40°09.75'	69°03.3'
136	40°09.55'	69°03.85'
137	40°08.4'	69°03.4'
138	40°07.2'	69°03.3'
139	40°06.0'	69°03.1'
140	40°05.4'	69°03.05'
141	40°04.8'	69°03.05'

142	40°03.55'	69°03.55'
143	40°01.9'	69°03.95'
144	40°01.0'	69°04.4'
146	39°59.9'	69°06.25'
147	40°00.6'	69°10.05'
148	39°59.25'	69°11.15'
149	39°57.45'	69°16.05'
150	39°56.1'	69°20.1'
151	39°54.6'	69°25.65'
152	39°54.65'	69°26.9'
153	39°54.8'	69°30.95'
154	39°54.35'	69°33.4'
155	39°55.0'	69°34.9'
156	39°56.55'	69°36.0'
157	39°57.95'	69°36.45'
158	39°58.75'	69°36.3'
159	39°58.8'	69°36.95'
160	39°57.95'	69°38.1'
161	39°54.5'	69°38.25'
162	39°53.6'	69°46.5'
163	39°54.7'	69°50.0'
164	39°55.25'	69°51.4'
165	39°55.2'	69°53.1'
166	39°54.85'	69°53.9'
167	39°55.7'	69°54.9'
168	39°56.15'	69°55.35'
169	39°56.05'	69°56.25'
170	39°55.3'	69°57.1'
171	39°54.8'	69°58.6'
172	39°56.05'	70°00.65'
173	39°55.3'	70°02.95'
174	39°56.9'	70°11.3'
175	39°58.9'	70°11.5'
176	39°59.6'	70°11.1'
177	40°01.35'	70°11.2'
178	40°02.6'	70°12.0'
179	40°00.4'	70°12.3'
180	39°59.75'	70°13.05'
181	39°59.3'	70°14.0'
to 119		

(4) *Restricted Gear Area II*. Restricted Gear Area II is defined by straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
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Inshore Boundary		
to 1		
49	40°02.75' N.	70°16.1' W.
50	40°00.7' N.	70°18.6' W.
51	39°59.8' N.	70°21.75' W.
52	39°59.75' N.	70°25.5' W.
53	40°03.85' N.	70°28.75' W.
54	40°00.55' N.	70°32.1' W.
55	39°59.15' N.	70°34.45' W.
56	39°58.9' N.	70°38.65' W.
57	40°00.1' N.	70°45.1' W.
58	40°00.5' N.	70°57.6' W.
59	40°02.0' N.	71°01.3' W.
60	39°59.3' N.	71°18.4' W.
61	40°00.7' N.	71°19.8' W.
62	39°57.5' N.	71°20.6' W.
63	39°53.1' N.	71°36.1' W.
64	39°52.6' N.	71°40.35' W.
65	39°53.1' N.	71°42.7' W.
66	39°46.95' N.	71°49.0' W.
67	39°41.15' N.	71°57.1' W.
68	39°35.45' N.	72°02.0' W.
69	39°32.65' N.	72°06.1' W.
70	39°29.75' N.	72°09.8' W.
to 48		
Offshore Boundary		
to 49		
1	39°59.3' N.	70°14.0' W.
2	39°58.85' N.	70°15.2' W.
3	39°59.3' N.	70°18.4' W.
4	39°58.1' N.	70°19.4' W.
5	39°57.0' N.	70°19.85' W.
6	39°57.55' N.	70°21.25' W.
7	39°57.5' N.	70°22.8' W.
8	39°57.1' N.	70°25.4' W.
9	39°57.65' N.	70°27.05' W.
10	39°58.58' N.	70°27.7' W.
11	40°00.65' N.	70°28.8' W.
12	40°02.2' N.	70°29.15' W.
13	40°01.0' N.	70°30.2' W.
14	39°58.58' N.	70°31.85' W.
15	39°57.05' N.	70°34.35' W.
16	39°56.42' N.	70°36.8' W.
21	39°58.15' N.	70°48.0' W.
24	39°58.3' N.	70°51.1' W.

25	39°58.1' N.	70°52.25' W.
26	39°58.05' N.	70°53.55' W.
27	39°58.4' N.	70°59.6' W.
28	39°59.8' N.	71°01.05' W.
29	39°58.2' N.	71°05.85' W.
30	39°57.45' N.	71°12.15' W.
31	39°57.2' N.	71°15.0' W.
32	39°56.3' N.	71°18.95' W.
33	39°51.4' N.	71°36.1' W.
34	39°51.75' N.	71°41.5' W.
35	39°50.05' N.	71°42.5' W.
36	39°50.0' N.	71°45.0' W.
37	39°48.95' N.	71°46.05' W.
38	39°46.6' N.	71°46.1' W.
39	39°43.5' N.	71°49.4' W.
40	39°41.3' N.	71°55.0' W.
41	39°39.0' N.	71°55.6' W.
42	39°36.72' N.	71°58.25' W.
43	39°35.15' N.	71°58.55' W.
44	39°34.5' N.	72°00.75' W.
45	39°32.2' N.	72°02.25' W.
46	39°32.15' N.	72°04.1' W.
47	39°28.5' N.	72°06.5' W.
48	39°29.0' N.	72°09.25' W.
to 70		

(5) *Restricted Gear Area III*. Restricted Gear Area III is defined by straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
Inshore Boundary		
to 49		
182	40°05.6' N.	70°17.7' W.
183	40°06.5' N.	70°40.05' W.
184	40°11.05' N.	70°45.8' W.
185	40°12.75' N.	70°55.05' W.
186	40°10.7' N.	71°10.25' W.
187	39°57.9' N.	71°28.7' W.
188	39°55.6' N.	71°41.2' W.
189	39°55.85' N.	71°45.0' W.
190	39°53.75' N.	71°52.25' W.
191	39°47.2' N.	72°01.6' W.
192	39°33.65' N.	72°15.0' W.
to 70		

Offshore Boundary		
to 182		
49	40°02.75' N.	70°16.1' W.
50	40°00.7' N.	70°18.6' W.
51	39°59.8' N.	70°21.75' W.
52	39°59.75' N.	70°25.5' W.
53	40°03.85' N.	70°28.75' W.
54	40°00.55' N.	70°32.1' W.
55	39°59.15' N.	70°34.45' W.
56	39°58.9' N.	70°38.65' W.
57	40°00.1' N.	70°45.1' W.
58	40°00.5' N.	70°57.6' W.
59	40°02.0' N.	71°01.3' W.
60	39°59.3' N.	71°18.4' W.
61	40°00.7' N.	71°19.8' W.
62	39°57.5' N.	71°20.6' W.
63	39°53.1' N.	71°36.1' W.
64	39°52.6' N.	71°40.35' W.
65	39°53.1' N.	71°42.7' W.
66	39°46.95' N.	71°49.0' W.
67	39°41.15' N.	71°57.1' W.
68	39°35.45' N.	72°02.0' W.
69	39°32.65' N.	72°06.1' W.
70	39°29.75' N.	72°09.8' W.
to 192		

(6) *Restricted Gear Area IV*. Restricted Gear Area IV is defined by straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
Inshore Boundary		
193	40°13.60' N.	68°40.60' W.
194	40°11.60' N.	68°53.00' W.
195	40°14.00' N.	69°04.70' W.
196	40°14.30' N.	69°05.80' W.
197	40°05.50' N.	69°09.00' W.
198	39°57.30' N.	69°25.10' W.
199	40°00.40' N.	69°35.20' W.
200	40°01.70' N.	69°35.40' W.
201	40°01.70' N.	69°37.40' W.
202	40°00.50' N.	69°38.80' W.
203	40°01.30' N.	69°45.00' W.
204	40°02.10' N.	69°45.00' W.
205	40°07.60' N.	70°04.50' W.
206	40°07.80' N.	70°09.20' W.

to 119		
Offshore Boundary		
69	40°07.90' N.	68°36.00' W.
70	40°07.20' N.	68°38.40' W.
71	40°06.90' N.	68°46.50' W.
72	40°08.70' N.	68°49.60' W.
73	40°08.10' N.	68°51.00' W.
74	40°05.70' N.	68°52.40' W.
75	40°03.60' N.	68°57.20' W.
76	40°03.65' N.	69°00.00' W.
77	40°04.35' N.	69°00.50' W.
78	40°05.20' N.	69°00.50' W.
79	40°05.30' N.	69°01.10' W.
80	40°08.90' N.	69°01.75' W.
81	40°11.00' N.	69°03.80' W.
82	40°11.60' N.	69°05.40' W.
83	40°10.25' N.	69°04.40' W.
84	40°09.75' N.	69°04.15' W.
85	40°08.45' N.	69°03.60' W.
86	40°05.65' N.	69°03.55' W.
87	40°04.10' N.	69°03.90' W.
88	40°02.65' N.	69°05.60' W.
89	40°02.00' N.	69°08.35' W.
90	40°02.65' N.	69°11.15' W.
91	40°00.05' N.	69°14.60' W.
92	39°57.8' N.	69°20.35' W.
93	39°56.75' N.	69°24.40' W.
94	39°56.50' N.	69°26.35' W.
95	39°56.80' N.	69°34.10' W.
96	39°57.85' N.	69°35.05' W.
97	40°00.65' N.	69°36.50' W.
98	40°00.90' N.	69°37.30' W.
99	39°59.15' N.	69°37.30' W.
100	39°58.80' N.	69°38.45' W.
102	39°56.20' N.	69°40.20' W.
103	39°55.75' N.	69°41.40' W.
104	39°56.70' N.	69°53.60' W.
105	39°57.55' N.	69°54.05' W.
106	39°57.40' N.	69°55.90' W.
107	39°56.90' N.	69°57.45' W.
108	39°58.25' N.	70°03.00' W.
110	39°59.20' N.	70°04.90' W.
111	40°00.70' N.	70°08.70' W.
112	40°03.75' N.	70°10.15' W.
115	40°05.20' N.	70°10.90' W.

116	40°02.45' N.	70°14.1' W.
119	40°02.75' N.	70°16.1' W.
to 206		

Subpart P – Habitat-related management measures.

648.330. Habitat Management Areas (HMAs).

648.331. Dedicated Habitat Research Areas.

648.332. Deep-Sea Coral Protection Zones.

648.330. Habitat Management Areas. Unless otherwise specified, no fishing vessel or person on a fishing vessel, may fish with bottom-tending mobile gear in the areas defined in this section. Copies of charts depicting these areas are available from the Regional Administrator upon request.

(a) *Eastern Maine Habitat Management Area.* The Eastern Maine HMA is defined by straight lines connecting the following points in the order stated:

Eastern Maine HMA

Point	N Latitude	W Longitude
1	44° 02.5'	68° 06.1'
2	43° 51.0'	68° 33.9'
3*	43° 56.6'	68° 38.1'
4*	44° 07.6'	68° 10.6'

*Landward boundary at state waters. Only endpoints provided.

(b) *Jeffreys Bank Habitat Management Area.* The Jeffreys Bank HMA is defined by straight lines connecting the following points in the order stated:

Jeffreys Bank HMA

Point	N Latitude	W Longitude
1	43° 31'	68° 37'
2	43° 20'	68° 37'
3	43° 20'	68° 55'
4	43° 31'	68° 55'

(c) *Cashes Ledge Habitat Management Area.* The Cashes Ledge HMA is defined by straight lines connecting the following points in the order stated:

Cashes Ledge HMA

Point	N Latitude	W Longitude
1	43° 01.0'	69° 00.0'
2	43° 01.0'	68° 52.0'
3	42° 45.0'	68° 52.0'
4	42° 45.0'	69° 00.0'

(d) *Fippennies Ledge Habitat Management Area.* The Fippennies Ledge HMA is defined by straight lines connecting the following points in the order stated:

Fippennies Ledge HMA

Point	N Latitude	W Longitude
1	42° 50.0'	69° 17.0'
2	42° 44.0'	69° 14.0'
3	42° 44.0'	69° 18.0'
4	42° 50.0'	69° 21.0'

(e) *Ammen Rock Habitat Management Area.* (1) The Ammen Rock HMA is defined by straight lines connecting the following points in the order stated:

Ammen Rock HMA

Point	N Latitude	W Longitude
1	42° 55.5'	68° 57.0'
2	42° 52.5'	68° 55.0'
3	42° 52.5'	68° 57.0'
4	42° 55.5'	68° 59.0'

(2) No fishing vessel, including private and for-hire recreational fishing vessels, may fish in the Ammen Rock HMA, except for vessels fishing exclusively with lobster traps, as defined in §697.2.

(f) *Western Gulf of Maine Habitat Management Area.* (1) The Western GOM HMA is defined by the straight lines connecting the following points in the order stated:

Western Gulf of Maine HMA

Point	N Latitude	W Longitude
WGM4	43° 15'	70° 15'
WGM1	42° 15'	70° 15'
WGM5	42° 15'	70° 00'
WGM6	43° 15'	70° 15'

(2) *Western Gulf of Maine Shrimp Exemption Area.* Vessels fishing with shrimp trawls under the Small Mesh Northern Shrimp Fishery Exemption specified at §648.80(a)(5) may fish within the Western Gulf of Maine HMA Shrimp Exemption Area which is defined by the straight lines connecting the following points in the order stated:

Western Gulf of Maine Shrimp Exemption Area

Point	N Latitude	W Longitude
1	43° 15'	70°
2	43° 13'	70°
3	43° 13'	70° 05'
4	43° 09'	70° 05'
5	43° 09'	70° 08'
6	42° 55'	70° 08'

7	42° 55'	70° 15'
8	43° 15'	70° 15'

(h) *Georges Shoal Habitat Management Area*. (1) The Georges Shoal HMA is defined by the straight lines connecting the following points in the order stated:

Georges Shoal HMA

Point	N Latitude	W Longitude
1	41° 46'	67° 46'
2	41° 39'	67° 40'
3	41° 30'	67° 40'
4	41° 30'	68° 10'
5	41° 41'	68° 10'

(2) *Hydraulic Clam Dredge Exemption*. Surfclam and ocean quahog permitted vessels may fish with hydraulic clam dredges in the Georges Shoal HMA only until {INSERT DATE 1 YEAR FROM EFFECTIVE DATE}.

(i) *Northern Edge Habitat Management Area*. The Northern Edge HMA is defined by the straight lines connecting the following points in the order stated:

Northern Edge HMA

Point	N Latitude	W Longitude
1	42° 02' 00"	67° 02' 14.205"
2	41° 50' 00"	66° 52' 01.383"
3	41° 50' 00"	67° 20' 00"
4	42° 02' 00"	67° 20' 00"

(j) *Northern Edge Reduced Impact Habitat Management Area*. (1) The Northern Edge RIHMA is defined by the straight lines connecting the following points in the order stated:

Northern Edge Reduced Impact HMA

Point	N Latitude	W Longitude
1	42° 10' 00"	67° 09' 18"
2	42° 02' 00"	67° 02' 14.205"
3	42° 02' 00"	67° 20' 00"
4	42° 00' 00"	67° 20' 00"
5	42° 00' 00"	67° 26' 00"
6	42° 05' 30"	67° 26' 00"

(2) *Scallop Dredge Exemption*. Atlantic sea scallop permitted vessels may fish with scallop dredges in the Northern Edge Reduced Impact HMA as authorized under the sea scallop area rotation program as described in § 648.59.

(3) Eastern US/CA Haddock Special Access Program (SAP) Exemption. Vessels fishing under the Eastern US/CA Haddock special access program, as defined in § 648.85(b)(8), may use bottom trawls in the Northern Edge Reduced Impact HMA west of 67° 20' W.

(k) Great South Channel Habitat Management Area. (1) The Great South Channel HMA is defined by the straight lines connecting the following points in the order stated:

Great South Channel HMA

Point	N Latitude	W Longitude
1	41° 30.3'	69° 31.0'
2	41° 0.00'	69° 18.5'
3	40° 51.7'	69° 18.5'
4	40° 51.6'	69° 48.9'
5	41° 30.2'	69° 49.3'

(2) Hydraulic Clam Dredge Exemption. (i) Except for the portion of the Great South Channel HMA defined in paragraph (iii) of this section, surfclam and ocean quahog permitted vessels may fish with hydraulic clam dredges in the Great South Channel HMA.

(ii) The Hydraulic clam dredge exemption is effective until {**INSERT DATE 1 YEAR FROM EFFECTIVE DATE**}. After which, no vessels fishing with hydraulic clam dredges may fish within the Great South Channel HMA.

(iii) The hydraulic clam dredge exemption does not apply in the area defined as the straight lines connecting the following points in the order stated:

Point	N Latitude	W Longitude
GSC 1	41° 30.3'	69° 31.0'
MBTG 2	41° 21.0'	69° 27.2'
MBTG 3	41° 21.0'	69° 43.0'
MBTG 4	41° 30.0'	69° 43.0'

(l) Cox Ledge Habitat Management Areas. (1) Cox Ledge 1 Habitat Management Area. The Cox Ledge 1 HMA is defined by the straight lines connecting the following points in the order stated:

Cox Ledge HMA 1

Point	N Latitude	W Longitude
1	41° 05.0'	71° 03.0'
2	41° 00.0'	71° 03.0'
3	41° 00.0'	71° 14.0'
4	41° 05.0'	71° 14.0'

(2) Cox Ledge 2 Habitat Management Area. The Cox Ledge 2 HMA is defined by the straight lines connecting the following points in the order stated:

Cox Ledge HMA 2

Point	N Latitude	W Longitude
1	41° 12.0'	70° 55.0'
2	41° 07.5'	70° 55.0'
3	40° 07.5'	71° 01.0'
4	41° 12.0'	71° 01.0'

(3) *Gear restrictions.* (a) No vessel may fish in the Cox Ledge HMAs with a hydraulic clam dredge.

(b) Vessels may fish in the Cox Ledge HMAs with bottom trawls, provided the gear is configured such that there are no groundcables and the bridle length is less than or equal to 30 fathoms per side.

(n) *Other Habitat Protection Measures.* (1) The Inshore Gulf of Maine/Georges Bank Restricted Roller Gear Area described in § 648.80 (a)(3)(vii) is considered a habitat protection measure and the restrictions outlined in that section apply to all bottom trawl gear.

(o) *Review of Habitat Management Measures.* The New England Fishery Management Council will develop a strategic process to evaluate the boundaries, scope, characteristics, and timing of habitat and spawning protection areas to facilitate review of these areas at 10 year intervals.

648.331. Dedicated Habitat Research Areas.

(a) *Dedicated Habitat Research Area Topics.* The areas defined in this section are intended to facilitate coordinated research on gear impacts, habitat recovery, natural disturbance, and productivity.

(b) *Stellwagen Dedicated Habitat Research Area.* (1) The Stellwagen DHRA is defined by the straight lines connecting the following points in the order stated:

Stellwagen DHRA

Point	N Latitude	W Longitude
1	42° 15.0'	70° 00.0'
2	42° 15.0'	70° 15.0'
3	42° 45.2'	70° 15.0'
4	42° 46.0'	70° 13.0'
5	42° 46.0'	70° 00.0'

(2) Vessels fishing with bottom-tending mobile gear, sink gillnet gear, or demersal longline gear are prohibited from fishing in the Stellwagen DHRA, unless otherwise exempted.

(c) *Georges Bank Dedicated Habitat Research Area.* (1) The Georges Bank DHRA is defined by straight lines connecting the following points in the order stated:

Georges Bank DHRA

Point	N Latitude	W Longitude
CIH3	40° 55'	68° 53'
CIH4	40° 58'	68° 30'
CI3	40° 45'	68° 30'
CI2	40° 45'	68° 45'

(2) Vessels fishing with bottom-tending mobile gear are prohibited from fishing in the Georges Bank DHRA, unless otherwise exempted.

(d) *Dedicated Habitat Research Areas Review*. (1) The Regional Administrator shall initiate a review of the DHRAs defined in this section three years after implementation.

(2) After initiation of the review and consultation with the New England Fishery Management Council, the Regional Administrator may remove a DHRA. The following criteria will be used to determine if DHRA should be maintained:

(i) Documentation of active and ongoing research in the DHRA area, in the form of data records, cruise reports or inventory samples with analytical objectives focused on the DHRA topics, described in paragraph (a) of this section; and

(ii) Documentation of pending or approved proposals or funding requests (including ship time requests), with objectives specific to the DHRA topics, described in paragraph (a) of this section.

(3) The Regional Administrator will make any such determination in accordance with the APA through notification in the *Federal Register*.

648.332. Deep-Sea Coral Protection Areas.

(a) Frank R. Lautenberg Deep-Sea Coral Protection Area.

(b) NEFMC Deep-Sea Coral Protection Areas.