

NOAA Strategic Plan for Deep-Sea Coral and Sponge Ecosystems: Summary of Public Comments

Background:

The 90-day public comment period resulted in 18 sets of comments and comprising approximately 39 pages. Comments were received from five Regional Fishery Management Councils (New England (NEFMC), Mid-Atlantic (MAFMC), Western Pacific (WPFMC), North Pacific (NPFMC), and South Atlantic (SAFMC)), three NGOs (Marine Conservation Biology Institute (MCBI), Oceana, and the George Institute for Biodiversity and Sustainability), one other Federal agency (USGS), two representatives from the fishing industry (Prowler Fisheries of Alaska, RV Tiburon Inc.), three members of Academia (Moss Landing Marine Laboratories, Scripps Institution, U. Connecticut), and two NOAA Offices (International Affairs and NOS/ONMS). An additional submission from the Embassy of Norway was received after the public comment deadline.

The writing teams have fully revised the *Strategic Plan*, addressing all comments received during the 90-day public comment period. The writing teams developed logs of how each individual comment was addressed. Below are the major categories of substantive issues raised during the comment period and the comments.

Major Comment Overview:

ISSUE 1: The Strategic Plan goes beyond the scope of Section 408 of the Magnuson-Stevens Reauthorization Act by including sponges.

Comments Received from:	Opposing Comments Received from:	Outcome
NPFMC, NEFMC, Gerry Merigan (Prowler Fisheries); (Similar comments submitted previously by MAFMC staff but not in this round)	Oceana, MCBI, Lisa Levins (Scripps)	<ul style="list-style-type: none"> - Kept sponges. There was NOAA consensus that sponge-dominated ecosystems represent important conservation targets. - Provided additional clarification that NOAA’s authorities addressed by the Plan go beyond Section 408 of the MSA. NOAA has the authority to manage sponges under the discretionary provisions, EFH and bycatch provisions of MSA.

ISSUE 2: Deep-sea coral and sponge ecosystems are valuable resources that clearly merit further study and protection, but corals and sponges are only a subset of the valuable continental margin/bathyal environments that support significant biodiversity and commercial resources, are threatened by fishing, mining, drilling and other activities, and thus are in need of attention.

Comments Received from:	Opposing Comments Received from:	Outcome
Lisa Levins (Scripps)	See issue 1	– Added a discussion to the introduction on the importance of other biogenic habitats. The Strategic Plan does not deal explicitly with these habitats or make recommendations concerning their protection, except to the extent they are associated with deep-sea coral or sponge habitats or are included in international conservation efforts to protect vulnerable marine ecosystems. However, NOAA will look for opportunities to expand our knowledge of these habitats in the context of deep-sea coral and sponge exploration and research

ISSUE 3: The plan is overly ambitious and will require a lot of funding and time to complete the tasks identified. The document should let the reader know that progress on the research objectives of the strategic plan will be a gradual process, and one that requires adequate funding to fully implement.

Comments Received from:	Opposing Comments Received from:	Outcome
NPFMC, MCBI, Tim Taylor (Research Vessel Tiburon, Inc.)	None	– Expanded the planning horizon from 5 to a more realistic 10 years. - Added a section on “Implementing the Strategic Plan” to clarify how the Strategic Plan would be implemented.

ISSUE 4: The language of the plan is too aggressive and prescriptive. The Plan seems to require the Fishery Management Councils to protect deep-sea corals “at all costs.”

Comments Received from:	Opposing Comments Received from:	Outcome
NPFMC, NEFMC, Gerry Merigan (Prowler Fisheries)	Oceana, MCBI, West Coast Sanctuaries, Peter Auster (NURC U. Conn.)	- Clarified that activities and planning dealing with protection will be done according to current legislation (in consultation with the Councils...) and using existing authorities.

ISSUE 5: The agency should amend the plan to include a set of required actions or minimum requirements to address the impacts of mobile bottom tending gear in response to coral discoveries and that do not depend on the will of a Council.

Comments Received from:	Opposing Comments Received from:	Outcome
Oceana, MCBI	NPFMC, NEFMC, Gerry Merigan (Prowler Fisheries)	- Destructive practices can vary by region, therefore NOAA Regional Offices will develop regional approaches to further reduce interactions between bottom tending gear and deep-sea corals

ISSUE 6: NOAA should give strong guidance to the Councils and minimum thresholds of coral or sponge bycatch above which new areas would be ‘identified’ as coral areas and should be closed if corals are present.

Comments Received from:	Opposing Comments Received from:	Outcome
MCBI	None	- This is a highly contentious issue that goes beyond the scope of a strategic plan. NOAA is working on addressing this issue on a regional basis for the high seas.

ISSUE 7: Plan lacks measurable objectives.

Comments Received from:	Opposing Comments Received from:	Outcome
MCBI	None	- Objectives for each year will be provided as the Deep-Sea Coral Working Group develops implementation plans through the PPBES process.

ISSUE 8: How should the Strategic Plan identify deep-sea coral or sponge communities for which we will recommend evaluation for enhanced protection (e.g., under discretionary provisions)?
(Note: This issue was reviewed separately with the NMFS Regions, Centers, and GCF)

Comments Received from:	Other Comments Received from:	Outcome
SAFMC – Delete “major”	NPFMC, Oceana, NMSP – Define “major”	The ambiguous term “major” was removed. Language was added identifying that identification of areas that NOAA will ask the Councils to review will be done on a case-by-case based on factors such as large size of the aggregations or high concentrations of structure-forming deep-sea corals and/or deep-sea sponges, the occurrence of rare species, or the importance of the habitat for managed species or other associated fauna.

ISSUE 9: Identification of an area as a habitat of particular concern and/or closing an area to specific actions does not necessarily equate to protecting it. Without enforcement measures there is no protection.

Comments Received from:	Opposing Comments Received from:	Outcome
Tim Taylor, Research Vessel Tiburon, Inc	None	- References to monitoring, surveillance, control and enforcement have been further strengthened.

OTHER ISSUES: The Plan has been thoroughly reviewed in order to

- Address factual errors or minor helpful comments provided by the reviewers.
- Clarify ambiguous or undefined terms.
- Replace the reference section with a more general “Selected References for Further Reading”
- Reformat the International Chapter to match the other Chapters.