

Q & A on the Bottom Trawling and Deep Sea Coral Habitat Act of 2005



1. What would the Bottom Trawling and Deep Sea Coral Habitat Act of 2005 do?

The Bottom Trawling and Deep Sea Coral Habitat Act establishes that United States policy is to protect deep sea corals and sponges and their habitats from damage by bottom trawl and dredge commercial fishing gear.

2. What are deep sea corals and sponges and why are they important?

In recent years, scientists have found that most coral species live in deep or cold waters. Deep sea corals are typically found along continental margins, seamounts, undersea canyons and ridges. These corals may form reefs or other concentrations that are essential to many other species. Some commercially and recreationally important fish species rely on these complex habitats for spawning grounds, food, and shelter from predation. Some deep sea corals provide historical records of climate change and others provide new sources for biomedical compounds.

3. Why does the Bottom Trawling and Deep Sea Coral Habitat Act address only one threat?

Human impacts on deep sea coral habitats are increasing, particularly because of the recent, rapid spread of deep sea trawl fisheries into deepwater regions. Expansion of deep sea bottom trawling has outstripped scientific efforts to properly locate deep sea corals. Bottom trawling and dredging are the most destructive activities threatening deep sea coral and sponge ecosystems, as affirmed by the National Research Council, the U.S. Commission on Ocean Policy, and the Pew Oceans Commission. The President's Ocean Action Plan of 2004 also includes provisions to 'research, survey, and protect deep-sea coral communities' by closing them to bottom trawling, like was done in New England. Despite some protections, there has been no comprehensive or coordinated protection effort and many significant concentrations of coral are still under assault.

4. Can areas closed to bottom trawling be reopened under this Act?

Areas that have not been designated as Bottom Trawl Zones may be opened to bottom trawling if they are first surveyed for deep sea corals and sponges and no indication of a deep sea coral or sponge ecosystem is found. Once an area is designated a Coral Habitat Conservation Zone, it cannot be opened to trawling.

5. Are other uses allowed in Coral Habitat Conservation Zones?

Mining and drilling are not prohibited by the Bottom Trawling and Deep Sea Coral Habitat Act and are subject to a separate set of federal and state regulations. Fishing with hooks, fish traps, and other gears that have fewer or no impacts on coral and sponge ecosystems would not be affected by the Act.

6. What would be the economic impact of the Act?

The negative economic impact would be **very low**, because the areas currently fished by bottom trawlers would remain open to fishing and a standardized process would be used to open new areas that do not contain deep sea coral and sponge ecosystems. The Act would therefore freeze the footprint of bottom trawls until it could be determined if habitats in new areas are compatible with this type of gear.

7. Why do we need legislation to protect deep sea corals?

Legislation is needed because the existing process has not been effective at ensuring the needed long-term protection. Currently, fishery management councils have taken years to protect deep sea corals under the Magnuson-Stevens Act by closing small areas, restricting gear size, or freezing the footprint of trawlers. These restrictions often apply only to a particular fishery, leaving deep sea corals vulnerable to trawlers in other fisheries. Additionally, there is no assurance that the councils will not open the areas in future years. Legislation is needed to make protection more timely, comprehensive and permanent.

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