

## **MID-ATLANTIC COUNCIL**

### **2012 Planned Council Meeting Topics**

#### **April 10-12, 2012 -- Duck, NC**

- Adopt Tilefish Specifications for 2013
- Adopt Framework 5 to the Squid, Mackerel, Butterfish FMP to modify the vessel hold certification requirements for mackerel vessels (meeting 2)
- Review and approve advisors using revised process
- Approve alternatives for Amendment 3 to the Spiny Dogfish FMP
- Adopt Framework 6 to the Squid, Mackerel, Butterfish FMP to revise a provision of Council risk policy related to the Omnibus Amendment (meeting 2)
- Consider revised Ecosystem Based Fisheries Management Working Group draft documents

#### **June 12-14, 2012 -- New York, NY**

- Adopt Mackerel and Butterfish Specifications for 2013
- Adopt Amendment 14 to the Mackerel, Squid, Butterfish FMP
- Adopt Surfclam/Ocean Quahog Specifications for 2013-2014
- Approve DEIS, select preferred alternatives for Amendment 3 to the Spiny Dogfish FMP
- Present Visioning results and discuss next steps
- Provide RSA Award recommendations for 2013
- Review scup allocation project results

#### **August 14-16, 2012 -- Philadelphia, PA**

- Swearing in of New and Reappointed Council members
- Election of Officers
- Adopt Summer Flounder, Scup, Black Sea Bass Specifications for 2013
- Adopt Bluefish Specifications for 2013
- Consider public hearing comments and approve final measures for Amendment 3 to the Spiny Dogfish FMP
- Review draft alternatives for Amendment 17 to the Summer Flounder, Scup, Black Sea Bass FMP (black sea bass recreational management)
- Approve RSA Priorities List for 2013 (and beyond if warranted)

#### **October 16-18, 2012 -- Long Branch, NJ**

- Approve Dogfish Specifications for 2013 (and beyond)
- Approve Amendment 3 to the Spiny Dogfish FMP for secretarial submission

#### **December 11-13, 2012 --Baltimore, MD**

- Adopt Summer Flounder, Scup, Black Sea Bass Recreational Specifications for 2013
- Approve SSCs multi-year research priority recommendations
- Council reviews Draft Ecosystem Based Fisheries Management Advisory Document and recommends additions/changes

## MID-ATLANTIC COUNCIL

### 2012 Schedule of Events

#### March

- Mar 1-2 Ecosystems Workshop, New Brunswick, NJ
- Mar 1-3 Maine Fishermen's Forum, Rockport, ME
- Mar 5-9 South Atlantic Fishery Management Council Meeting, Savannah, GA
- Mar 6 Ad-hoc Sturgeon Meeting, Baltimore, MD
- Mar 6-7 Habitat Plan Development Team Meeting, Boston, MA
- Mar 11-13 Boston International Seafood Show, Boston, MA
- Mar 19-23 Bureau of Ocean Energy Management (BOEM) Workshop, San Diego, CA
- Mar 21-22 SSC Meeting - ABC recommendations for Tilefish, Baltimore, MD
- Mar 21 Tilefish Monitoring Committee Meeting, Baltimore, MD
- Mar 27-29 MRIP Calibration Workshop, Raleigh, NC

#### April

- Apr 3 BOEM Renewable Energy Task Force Meeting, Plainview, NY
- Apr 3 Monkfish Committee Meeting, Warwick, RI
- Apr 10-12 Mid-Atlantic Fishery Management Council Meeting, Duck, NC
- Apr 21 NC Sea Grant Recreational Stakeholder Workshop, Raleigh, NC
- Apr 24-26 New England Fishery Management Council Meeting, Mystic, CT
- Apr 30-May 3 Atlantic States Marine Fisheries Commission Meeting, Alexandria, VA
- Apr 30-May 4 Council Chairs Annual Meeting, Kohala Coast, HI

#### May

- May 1-2 ICCAT Advisory Committee Species Working Group, Silver Spring, MD
- May 21-22 NRCC Meeting
- May 23-24 SSC Meeting - ABC recommendations for SMB and SC/OQ, Baltimore, MD

#### June

- Jun 5-8 Capitol Hill Ocean Week (CHOW), Washington, DC
- Jun 11-15 South Atlantic Fishery Management Council Meeting, Orlando, FL
- Jun 12-14 Mid-Atlantic Fishery Management Council Meeting, New York, NY
- Jun 19-21 New England Fishery Management Council Meeting, Portland, ME

**Status of Open Amendment/Framework Actions  
(as of March 30, 2012)**

<u>FMP</u>	<u>AMD\FW</u>	<u>Issues Addressed</u>
Squid / Mackerel / Butterfish	Amendment 14 Framework 5 Framework 6	<i>Alosine</i> incidental catch Hold Certification Requirements Revise provision of Council risk policy
Summer Flounder/ Scup/Black Sea Bass	Amendment 17	Spatial/regional management of black sea bass recreational fishery
Dogfish	Amendment 3	Authorize RSA program Consider alternatives to seasonal quotas Limited Access Quota Rollover EFH Definitions
Surfclam/ Ocean Quahog	Amendment 15	Cost Recovery EFH Data Collection Overfishing threshold may not be conservative enough for ocean quahogs Excessive shares and ownership disclosure Provide RA the authority to require PSP testing protocol

**Mid-Atlantic Fishery Management Council**  
**Status of FMPs, Amendments and Frameworks**  
 (As of March 30, 2012)

FMP/Amendment	Date Approved by Council	Lapse	Date submitted to NMFS/NERO	Lapse	FR Notice of Plan Availability	Lapse	Proposed Rule Publication Date	Lapse	Plan Approval/Disapproval Letter	Lapse	Final Rule Publication Date
Squid, Mackerel, Butterfish Framework 5											
Squid, Mackerel, Butterfish Framework 6											
Squid, Mackerel, Butterfish Amendment 14											
Surfclam and Ocean Quahog Amendment 15											
Dogfish Amendment 3											

"Lapse" is the amount of time in days from Council approval to column-heading action.

# Mid-Atlantic Fishery Management Council Specifications

(As of March 30, 2012)

Fishery Management Plans	2011				2012				2013			
	Council Approved	Specs Package Submitted	NMFS Proposed Rule	NMFS Final Rule	Council Approved	Specs Package Submitted	NMFS Proposed Rule	NMFS Final Rule	Council Approved	Specs Package Submitted	NMFS Proposed Rule	NMFS Final Rule
Summer Flounder, Scup, Black Sea Bass Commercial Recreational	08/18/10 12/15/10	10/01/10 <sup>b</sup> 02/17/11	11/17/10 04/21/11	12/28/10 06/30/11	08/17/11 12/14/11	10/02/11 03/18/12	Interim Rule: 12/30/11					
Squid, Mackerel, Butterfish	06/09/10	07/19/10	11/17/10	02/14/11	06/15/11	08/09/11	10/26/11	03/21/12				
Dogfish	10/13/10	01/28/11	03/17/11	06/07/11	10/12/11	01/27/12	03/19/12					
Bluefish	08/18/10	11/29/10	01/14/11	03/31/11	08/17/11	12/02/11	02/15/12					
Surfclam, Ocean Quahog	12/27/10 <sup>a</sup>											

<sup>a</sup> Final rule applies for surfclam and ocean quahog fishing years 2011, 2012, and 2013.

<sup>b</sup> Supplement to the package with recommended scup TAC increase to NMFS 01/26/11.

# MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

Richard B. Robins, Jr.  
Chairman

Lee G. Anderson  
Vice Chairman

800 North State Street, Suite 201  
Dover, Delaware 19901-3910  
Tel: 302-674-2331  
Toll Free: 877-446-2362  
FAX: 302-674-5399  
www.mafmc.org

Christopher M. Moore, Ph.D.  
Executive Director

## MEMORANDUM

**DATE:** March 30, 2012

**TO:** Chris Moore

**FROM:** Mary Clark *MC*

**SUBJECT:** Visioning Project Update

At the end of February we concluded the data gathering phase of the Visioning Project. We received 1,253 main survey responses (1167 online and 87 hard copy) and 1,048 species-specific surveys. We also interviewed 212 individuals at 20 small group meetings throughout the region. This initiative has yielded a large amount of both quantitative and qualitative information about stakeholders' interests, concerns, and priorities. We are in the process of analyzing and packaging the data and expect to provide a full report at the June Council meeting. At that point we will present a proposal to move forward with drafting a vision and strategic plan.

One immediate result of this initiative is that we have tripled the size of the Council's email list with new contacts from the surveys and small group meetings. It is apparent that there is a widespread desire among stakeholders to stay informed about the Council's activities. Over the course of this project we heard a lot of suggestions for improving communications with stakeholders, and we are already working to incorporate some of these strategies in to the Council's communications plan.

I am extremely appreciative of the Council members, Council staff, state agencies, and other organizations who have worked to communicate the importance of this project to the Council's stakeholders. If anyone has questions about the project prior to the June meeting, they may contact me at [mclark@mafmc.org](mailto:mclark@mafmc.org) or (302) 526-5261.

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Christopher M. Moore, Ph.D.  
Executive Director

March 8, 2012

Mr. Dan Morris  
Deputy Regional Administrator  
National Marine Fisheries Service  
Northeast Region  
55 Great Republic Drive  
Gloucester, MA 01930-2276

Dear Dan:

Enclosed please find a copy of the Supplement to the 2012 Summer Flounder, Scup and Black Sea Bass Specifications package. This document constitutes the Council's formal submission of the specifications for recreational measures for summer flounder, scup, and black sea bass, and includes the Supplemental Environmental Assessment (SEA), the Regulatory Impact Review (RIR), and the Initial Regulatory Flexibility Analysis (IRFA).

The Council also requests that NMFS expedite the rulemaking process for this action by limiting the comment period to 15 days and waiving the delayed effectiveness period under the Administrative Procedures Act (APA). These actions are intended to enable final rulemaking such that the recreational black sea bass fishery can open on May 19, 2012 consistent with the recommendation of the Council. As discussed at the Council meeting, allowing the black sea bass fishery to open on May 19, as opposed to the current May 22 opening, will allow increased opportunity for fishing the weekend prior to Memorial Day. As the majority of the recreational fishing occurs on the weekends, and the majority of the fishery occurs from May to October, the opportunity to fish on as many weekends as possible is economically important to the recreational industry and would mitigate any social and economic impacts associated with a more restrictive fishing season.

A copy of this document was also sent to Moira Kelly of your staff via e-mail. Please call me or Jessica Coakley of my staff if you have any questions.

Sincerely,



Christopher M. Moore, Ph.D.  
Executive Director

cc: Moira Kelly  
Rick Robins  
Lee Anderson  
Jack Travelstead

CONTRACTOR: Mid-Atlantic Fisheries Management Council  
800 North State Street  
Suite 201  
Dover, DE 19901-3910

CONSULTANT: Gentner Consulting Group, Inc.  
9007 Eton Road  
Silver Spring, MD 20901

EFFECTIVE DATE: February 31, 2012

This NO COST EXTENSION agreement is made between Mid-Atlantic Fisheries Management Council with offices at 800 North State Street, Suite 201, Dover, DE 19901-3910 (hereinafter referred to as MAFMC) and Gentner Consulting Group (hereinafter referred to as "CONSULTANT"). This agreement is to modify item 3 (PERIOD OF PERFORMANCE) to read:

3. PERIOD OF PERFORMANCE

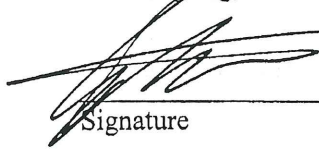
The period of performance begins May 9, 2010 and ends April 30<sup>th</sup> 2012. This period of performance shall not be extended without written authorization by MAFMC.

The basis for extending the period of performance is as follows: While GCG, Inc. has made excellent progress on the scup allocation project; several events beyond our control have the project behind schedule. The consumer demand model has been completed as has the commercial trawl model, even with significant delays in receiving the commercial data from NMFS. However, the recreational sector models are running behind. The private recreational sector model, which is NMFS' responsibility, has been delayed by two main events. First, the woman in charge of the analysis resigned without any notice in the fall leaving the project stalled. Rita Curtis and Scott Steinback worked hard to find a suitable replacement analyst, but doing so set the process back considerably. Currently Min-Yang Lee has the larger groundfish simulation model completed and feels it will take another 30-60 days to have the scup version up and running. Compounding this issue, NMFS released the new MRIP estimates this past week. Unfortunately, the release was rushed to meet a NERO deadline for setting sector TAC's leaving the MRIP unable to support estimates they have provided before. The calibration and simulation of the scup private recreational model requires these products. The biggest differences between old catch and effort estimates and the new MRIP estimates are found across species such as summer flounder and groundfish and these species are part of the scup model. Using old estimates will likely have an impact these models and will draw criticism from their use from stakeholders. GCG, Inc. and NMFS feels it would be in the best interest of the MAFMC to wait until these new estimates are available. However, NMFS currently has no estimate of when they



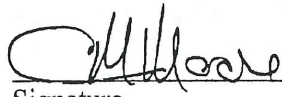
will be able to support the old products under the new estimation techniques. Finally, the for-hire recreational model has not been started as GCG, Inc. has yet to receive the data from NMFS. It is hoped that data will become available shortly. While GCG, Inc. has no control over the completion of MRIP products, we hope that we can complete this work within 90 days from the original contract end date. This additional time is contingent on receiving new MRIP estimates within the next 30 days allowing 60 days after receipt of the new estimates to complete the recreational modeling.

CONSULTANT  
Gentner Consulting Group  
President  
9007 Eton Road  
Silver Spring, MD 20901

  
\_\_\_\_\_  
Signature

2/1/2012  
\_\_\_\_\_  
Date

MAFMC  
Christopher Moore  
Executive Director  
Suite 201, 800 North State Street  
Dover, DE 19901-3910

  
\_\_\_\_\_  
Signature

1/31/12  
\_\_\_\_\_  
Date

## MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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Christopher M. Moore, Ph.D.  
Executive Director

March 14, 2012

Ian Scott  
Intertek Moody Marine  
99 Wyse Road, Suite 815  
Dartmouth, Nova Scotia B3A 4S5  
Canada

Dear Mr. Scott,

The Mid-Atlantic Fishery Management Council (Council) has been asked to support MSC certification of the U.S. Atlantic spiny dogfish fishery. The Council has lead responsibility for the Federal Spiny Dogfish Fishery Management Plan (FMP) and was one of several fishery management entities consulted during the audit/assessment of the U.S. Atlantic spiny dogfish fishery. During your site visit and subsequent follow up communications, MAFMC staff shared information about the fishery which is used in the preparation of documents that support that plan. This information is annually reviewed by the National Marine Fisheries Service (NMFS) in the course of setting management measures for spiny dogfish. NMFS accepts our management documents only after determining that the statements, conclusions, and recommended actions contained therein are consistent with the mandates of the Magnuson-Stevens Act (MSA) as well as many other Federal requirements.

In 2000, when the Council was given responsibility for managing the fishery, the stock was determined to be overfished. The Council quickly developed stringent management restrictions to curtail excessive harvest and, in 2010, the fishery was determined to be rebuilt. We maintain that the recovery and current/continued sustainable management of the spiny dogfish stock was accomplished because of the Council's consistent adherence to the principles of sustainable management as set forth in the MSA.

Additionally, as part of the Council's annual review of the fishery, we evaluate the impacts of the fishery on habitat, including Essential Fish Habitat, both for the managed species and other stocks within its geographic range. The Council has consistently concluded, and NMFS has agreed, that the impacts of the federal spiny dogfish fishery on EFH are "minimal and temporary in nature" and not at a level requiring mitigation. Evaluation of the impacts of the fishery on non-target species, including protected resources, has likewise found those impacts to be non-significant. To the extent that any significant interaction is determined, numerous federal statutes (e.g., MSA, MMPA, ESA) will require the imposition of restrictions to minimize those interactions.

As a regulatory instrumentality, the Council cannot provide an endorsement for MSC certification. However, we appreciate being consulted as part of the MSC process and believe that the federal spiny dogfish fishery is being managed in a manner consistent with the MSC Principles for a sustainable fishery.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Moore". The signature is fluid and cursive, with a large initial "C" and a stylized "M. Moore" following.

Christopher M. Moore  
Executive Director

cc: L. Anderson, J. Armstrong, F. Munden, R. Robins



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116  
C. M. "Rip" Cunningham, Jr., *Chairman* | Paul J. Howard, *Executive Director*

February 24, 2012

Mr. Dan Morris  
Acting Northeast Regional Administrator  
NMFS/NOAA  
55 Great Republic Drive  
Gloucester, MA 01930-2298

Dear Dan:

On February 2 and February 16, 2012, the New England and Mid-Atlantic Councils, respectively, voted to request that NMFS publish in the *Federal Register* as soon as possible, a control date pertaining to management of the monkfish fishery that is applicable to, but not limited to, limits on the accumulation of excessive control or ownership of fishing privileges, qualifying landings history and referendum qualification. I am hereby forwarding this request, along with draft notice language reviewed and approved by both Councils.

If you have any questions, do not hesitate to contact me.

Sincerely,

Paul J. Howard  
Executive Director

Enclosure

cc: Chris Moore, MAFMC Exec Director

## MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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Christopher M. Moore, Ph.D.  
Executive Director

March 14, 2012

Mr. Aditi Mirani, Project Coordinator  
BOEM, Office of Renewable Energy Programs  
381 Elden Street, Mail Stop 1328  
Herndon, Virginia 20170

Dear Mr. Mirani:

The Mid-Atlantic Fishery Management Council (MAFMC) encourages and supports development of alternative energy sources to reduce our Nation's reliance on foreign oil. To the extent that near shore windmill farms can help alleviate this dependence, we support their development and operation. However, this development must consider the impacts such activities might have on the fishery resources found in those same federal waters.

The MAFMC has reviewed the Bureau of Ocean Energy Management (BOEM) Call for Information and Nomination for Commercial Leasing for Wind Power on the Outer Continental Shelf (OSC) Offshore Maryland published in the *Federal Register* February 3, 2012. As indicated in the notice, the call itself is not a leasing announcement. However, as indicated, the area described in the notice may be subject to future leasing. This area is approximately 80 thousand acres and contains 9 whole OCS blocks and 9 partial OCS blocks.

In July 2010, President Obama signed Executive Order 13547 to establish the National Ocean Council, and to establish a comprehensive, integrated national policy for the stewardship of the Nation's ocean, coasts, and Great Lakes. This order provides a process for the development of ecosystem-based coastal and marine spatial planning (CMSP) through the work of the regional planning bodies. As described within the recommended framework, CMSP would take a regional approach to the development of CMS plans, including planning for multiple existing and emerging uses, such as offshore wind energy facilities. At the same time, BOEM's "Smart from the Start" initiative established a process for the leasing of sites for offshore wind energy facilities. However, BOEM's process is being conducted on a state-by-state basis and is focused on only a single sector -- offshore wind. At this point, it is still unclear how these two parallel processes will intersect in a cohesive and comprehensive manner.

As this project moves forward into the permitting phase, please be aware that of the 13 species managed by MAFMC, a number of them (summer flounder, scup, black sea bass, surfclams, bluefish, dogfish, *Loligo* squid, Atlantic mackerel and butterfish) can be found in the water column or are in/on the Essential Fish Habitat (EFH) that underlies the "foot print" of this proposed windmill farm. Numerous other species of fish managed by the New England Fishery Management Council, the South Atlantic

Fishery Management Council and the National Marine Fisheries Service Highly Migratory Division also have identified EFH in this area.

As you might expect, significant commercial fisheries occur within this area. Vessels trip report (VTR) data for fisheries along the Atlantic Coast identify commercial landings from the call area for over 100 species of fish and invertebrates between the years 2000 and 2010. Additionally, landings of 180,000 – 1.5 million pounds were reported from the area from five important commercial fisheries (Table 1). Reported fishing activity in the call area during the same timeframe indicated 241 unique vessels with more than one thousand vessel crew members from 58 separate coastal communities (Table 2). In addition, the extent to which the recreational fishing community uses the call area is unknown but would only add to the number of citizens whose livelihoods should be considered. As such, a dialog with the affected fishing public is needed to proactively identify development areas that will not unreasonably disenfranchise their historic use of the area.

We have other concerns as well. First, it is important to consider that electromagnetic disruption will likely occur at the proposed project site and has the potential to alter migratory patterns of fish sensitive to such changes. Also, the impact of wind turbines and scour mats on oceanographic processes is still an open question and may adversely affect the local habitat of these species. In addition, National Standard 10 of the Magnuson Fishery Conservation and Management Act requires that our regulatory actions "promote safety of life at sea" and it is our understanding that the U.S. Coast Guard may have concerns with its ability to deploy air search and rescue operations within the proposed project area. If this is so, then this proposed windmill farm has the potential to compromise the safety of fishermen when they are engaged in fishing activities in the proposed area.

We are also concerned that an Environmental Assessment (EA) rather than a full Environmental Impact Statement (EIS) was conducted for these mid-Atlantic Wind Energy Areas (WEAs). We believed that a full EIS is needed to address the fisheries issues associated with this type of project -- as well as the other issues of marine mammals, migratory birds, endangered species, transportation, safety and security. We understand that in a secondary phase prior to construction, an EIS may be prepared by the applicant that will examine the tradeoffs between energy sources and other uses. However, we believe that a full EIS is needed before any further activity is undertaken.

At our next Council meeting in Duck, NC, April 10 - 12, we will be discussing this project. We have been assured that should our stakeholders wish to provide comments at that meeting, they can and those comments will be considered. We look forward to working with BOEM to clearly establish the process for input of data and other information as well as addressing the concerns of the MAFMC and their stakeholders. Thank you for the opportunity to provide our comments. Should you have any questions, please contact me or Dr. Tom Hoff of my staff.

Sincerely,



Christopher M. Moore Ph.D.  
Executive Director

cc: Anderson, deFur, Greene, Hooker, Morris, Robins

Table 1. Atlantic Coast fisheries with significant harvest from within the MD call area (2000 – 2010).

Species	Trips	Landings (lbs)	Landings as Pct of Species Total
Croaker, Atlantic	963	1,503,815	1.3%
Sea Bass, Black	1334	860,797	3.8%
Whelk, Channeled	956	442,580	2.4%
Crab, Horseshoe	243	186,800	4.6%
Dogfish, Smooth	361	183,119	1.9%

Table 2. Top ports, vessel count, and crew associated with fishing activity within the MD call area (2000 – 2010).

Port	N_Vessels	N_Crew
CAPE MAY, NJ	45	199
OCEAN CITY, MD	28	87
BARNEGAT LIGHT, NJ	10	23
NEW BEDFORD, MA	9	51
LOWLAND, NC	9	41
SWAN QUARTER, NC	6	23
NEWPORT NEWS, VA	6	101
TILGHMAN, MD	5	13
CHINCOTEAGUE, VA	5	12
Other Ports (79)	118	509
<b>Total</b>	<b>241</b>	<b>1,059</b>

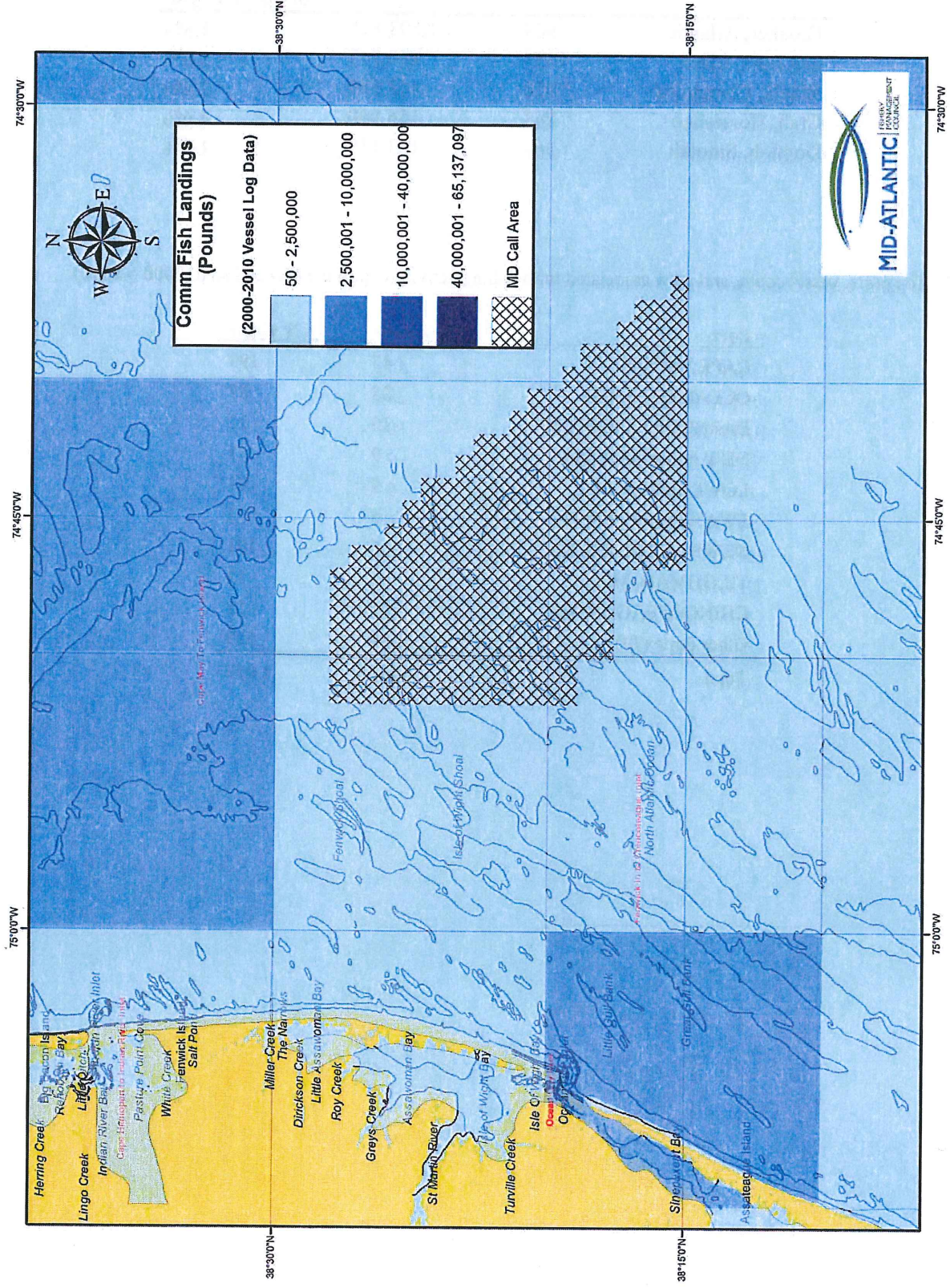


Figure 1. Spatial overlay of commercial fishing effort (2000-2010 VTR data) and MD Call Area.



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Christopher M. Moore, Ph.D.  
Executive Director

March 14, 2012

Ms. Erin Trager, Project Coordinator  
BOEM, Office of Renewable Energy Programs  
381 Elden Street, Mail Stop 1328  
Herndon, Virginia 20170

Dear Ms. Trager:

The Mid-Atlantic Fishery Management Council (MAFMC) encourages and supports development of alternative energy sources to reduce our Nation's reliance on foreign oil. To the extent that near shore windmill farms can help alleviate this dependence, we support their development and operation. However, this development must consider the impacts such activities might have on the fishery resources found in those same federal waters.

The MAFMC has reviewed the Bureau of Ocean Energy Management (BOEM) Call for Information and Nomination for Commercial Leasing for Wind Power on the Outer Continental Shelf (OSC) Offshore, Virginia published in the *Federal Register* February 3, 2012. As indicated in the notice, the call itself is not a leasing announcement. However, as indicated, the area described in the notice may be subject to future leasing. This area is approximately 113 thousand acres and contains 19 whole OCS blocks and 13 partial OCS blocks.

In July 2010, President Obama signed Executive Order 13547 to establish the National Ocean Council, and to establish a comprehensive, integrated national policy for the stewardship of the Nation's ocean, coasts, and Great Lakes. This order provides a process for the development of ecosystem-based coastal and marine spatial planning (CMSP) through the work of the regional planning bodies. As described within the recommended framework, CMSP would take a regional approach to the development of CMS plans, including planning for multiple existing and emerging uses, such as offshore wind energy facilities. At the same time, BOEM's "Smart from the Start" initiative established a process for the leasing of sites for offshore wind energy facilities. However, BOEM's process is being conducted on a state-by-state basis and is focused on only a single sector -- offshore wind. At this point, it is still unclear how these two parallel processes will intersect in a cohesive and comprehensive manner.

As this project moves forward into the permitting phase, please be aware that of the 13 species managed by MAFMC, a number of them (summer flounder, scup, black sea bass, surfclams, bluefish, dogfish, *Loligo* squid, Atlantic mackerel and butterfish) can be found in the water column or are in/on the Essential Fish Habitat (EFH) that underlies the "foot print" of this proposed windmill farm. Numerous other species of fish managed by the New England Fishery Management Council, the South Atlantic

Fishery Management Council and the National Marine Fisheries Service Highly Migratory Division also have identified EFH in this area.

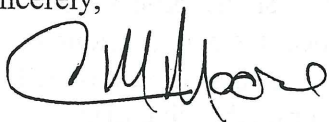
As you might expect, significant commercial fisheries occur within this area. Vessels trip report (VTR) data for fisheries along the Atlantic Coast identify commercial landings from the call area for over 100 species of fish and invertebrates between the years 2000 and 2010. Additionally, landings of 200,000 – 350,000 pounds were reported from the area from four important commercial fisheries (Table 1). Reported fishing activity in the call area during the same timeframe indicated 241 unique vessels with 291 vessel crew members from 58 separate coastal communities (Table 2). In addition, the extent to which the recreational fishing community uses the call area is unknown but would only add to the number of citizens whose livelihoods should be considered. As such, a dialog with the affected fishing public is needed to proactively identify development areas that will not unreasonably disenfranchise their historic use of the area.

We have other concerns as well. First, it is important to consider that electromagnetic disruption will likely occur at the proposed project site and has the potential to alter migratory patterns of fish sensitive to such changes. Also, the impact of wind turbines and scour mats on oceanographic processes is still an open question and may adversely affect the local habitat of these species. In addition, National Standard 10 of the Magnuson Fishery Conservation and Management Act requires that our regulatory actions "promote safety of life at sea" and it is our understanding that the U.S. Coast Guard may have concerns with its ability to deploy air search and rescue operations within the proposed project area. If this is so, then this proposed windmill farm has the potential to compromise the safety of fishermen when they are engaged in fishing activities in the proposed area.

We are also concerned that an Environmental Assessment (EA) rather than a full Environmental Impact Statement (EIS) was conducted for these mid-Atlantic Wind Energy Areas (WEAs). We believed that a full EIS is needed to address the fisheries issues associated with this type of project -- as well as the other issues of marine mammals, migratory birds, endangered species, transportation, safety and security. We understand that in a secondary phase prior to construction, an EIS may be prepared by the applicant that will examine the tradeoffs between energy sources and other uses. However, we believe that a full EIS is needed before any further activity is undertaken.

At our next Council meeting in Duck, NC, April 10 - 12, we will be discussing this project. We have been assured that should our stakeholders wish to provide comments at that meeting, they can and those comments will be considered. We look forward to working with BOEM to clearly establish the process for input of data and other information as well as addressing the concerns of the MAFMC and their stakeholders. Thank you for the opportunity to provide our comments. Should you have any questions, please contact me or Dr. Tom Hoff of my staff.

Sincerely,



Christopher M. Moore Ph.D.  
Executive Director

cc: Anderson, deFur, Greene, Hooker, Morris, Robins

Table 1. Atlantic Coast fisheries with significant harvest from within the VA call area (2000 – 2010).

Species	Trips	Landings (lbs)	Landings as Pct of Species Total
Whelk, Channeled	161	352,819	1.9%
Sea Bass, Black	652	314,194	1.4%
Croaker, Atlantic	35	276,486	0.2%
Flounder, Summer	69	230,621	0.2%

Table 2. Top ports, vessel count, and crew associated with fishing activity within the VA call area (2000 – 2010).

Port	N Vessels	N Crew
Virginia Beach, VA	14	39
Wanchese, NC	9	31
Cape May, NJ	7	40
Hampton, VA	6	32
Norfolk, VA	3	4
Engelhard, NC	3	13
Lowland, NC	3	12
Other Ports (28)	36	120
<b>Total</b>	<b>81</b>	<b>291</b>

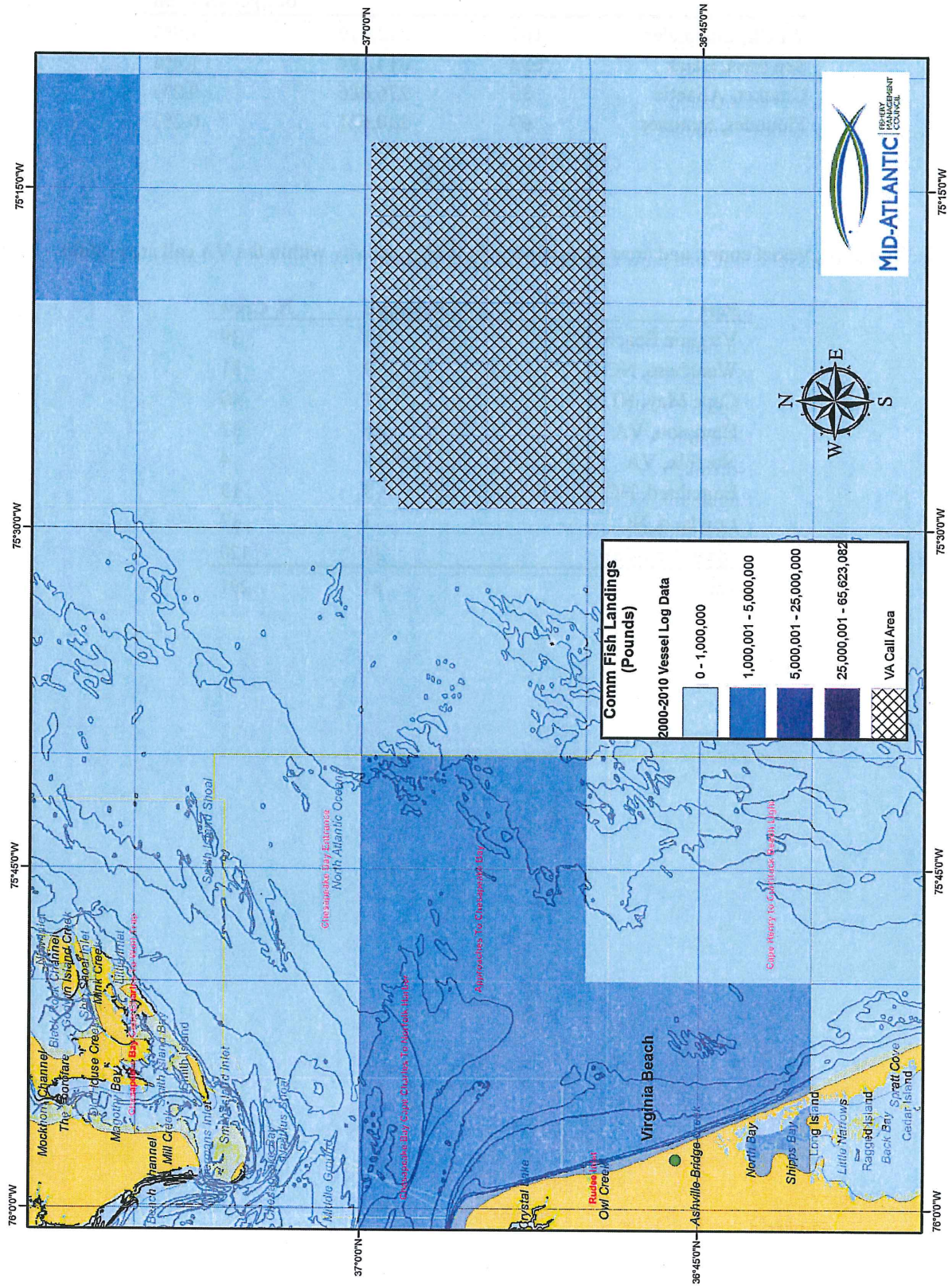


Figure 1. Spatial overlay of commercial fishing effort (2000-2010 VTR data) and VA Call Area.

# Managing Our Nation's Fisheries

**Save the Date!**

***Managing Our Nation's Fisheries 3: Advancing Sustainability  
Renaissance Mayflower Hotel  
Washington, D.C.  
May 7-9, 2013***

Mark your calendar for the third Managing Our Nation's Fisheries conference, co-sponsored by the eight Regional Fishery Management Councils and the National Marine Fisheries Service. The conference will be held in Washington, D.C. and will be open to the public.

The last major national conference on U.S. marine fishery management, Managing Our Nation's Fisheries 2, was held in Washington D.C. in 2005. At that time, the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act was being debated across the country. The conference focused on reauthorization issues, and many of the ideas brought forth there found their way into the 2007 reauthorization legislation. It is time for another national conference of similar relevance.

**Managing Our Nation's Fisheries 3** will focus on advancing fishery sustainability. Conference discussions will interest members of the public, fishery participants, environmental advocates, fishery scientists and managers, policymakers, legislators, and journalists. The discussion will look at Magnuson-Stevens Act reauthorization issues, as well as management actions that do not require legislation to implement. The conference will provide a forum for information exchange and an opportunity to hear a wide range of perspectives on the sustainability of fish stocks and ecosystem functions, and the fishing communities that depend on them.

In the near future, a website and additional notices will provide detailed information on conference topics, structure, and registration requirements. But for now, **please save the date!**

**Conference Logistics:**

**When:** May 7-9, 2013

**Where:** [Renaissance Mayflower Hotel and Conference Center](#)  
1127 Connecticut Ave. NW, Washington D.C.

For more information, please contact Jennifer Gilden at the Pacific Fishery Management Council at [jennifer.gilden@noaa.gov](mailto:jennifer.gilden@noaa.gov), 503-820-2280, or toll free at 866-806-7204.

