



Mid-Atlantic Fishery Management Council

800 North State Street, Suite 201, Dover, DE 19901

Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org

Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

M E M O R A N D U M

Date: December 4, 2020
To: Chris Moore, Executive Director
From: Jessica Coakley and Julia Beaty, staff
Subject: Update on habitat activities

The following documents are included behind this tab:

- 1) GARFO Habitat and Ecosystem Services Division updates
- 2) Staff memo on the Responsible Offshore Science Alliance (ROSA) and other Council involvement in offshore wind energy development
- 3) Comment letter from Lund's Fisheries to the U.S. Coast Guard on Port Access Route Study: Seacoast of New Jersey and Approaches to Delaware Bay (NJ/DE PARS) and Anchorage Grounds in Delaware Bay

MAFMC MEETING December 2020 GARFO Habitat and Ecosystem Services Division Updates

Wind Energy

Vineyard Wind

- [Vineyard Wind](#) has recently asked to temporarily withdraw their Construction and Operation Plan. They selected General Electric as a preferred turbine supplier and are requesting time to conduct a final technical review. The FEIS for this project was expected to be published on December 11th. We have not yet received information from BOEM on how this may affect the project timeline.
- We received a response from BOEM to our June 27, 2019 EFH Conservation Recommendations on December 1, 2020.

South Fork Wind Farm

- We received a draft EFH Assessment for the South Fork Project on October 13, 2020. We will be providing comments and an additional information request on December 12th.
- BOEM is planning to publish the Draft Environmental Impact Statement (DEIS) for the South Fork Project on January 8, 2021.

Additional Updates

- In addition to the two active projects (Vineyard Wind and South Fork), BOEM has an additional 8 Construction and Operation Plans (COPs) at varying stages of their completeness review. They are expecting to receive up to 5 more COPs over the next 12 months.
- BOEM has hosted interagency kick off meetings for the Skipjack (DE), Ocean Wind (NJ), and Empire Wind (NY) projects.
- We do not anticipate BOEM publishing any additional Notice of Intents to prepare an EIS until 2021.

Offshore G&G Activities

At previous council meetings we have provided an update on offshore geological and geophysical activities. There has been no action on offshore G&G surveys this year.

The status of the applications can be found on BOEM's website at <https://www.boem.gov/submitted-atlantic-ocs-region-permit-requests>

Permits Under Review

Use of Air Gun Array (NMFS issued IHA)

- [TGS-NOPEC Geophysical Company](#) - Permit Number E14-001 (Use of air gun array)
- [GX Technology Corp.](#) - Permit Number E14-003 (Use of air gun array)
- [CGG Services \(US\) Inc.](#) - Permit Number E14-005 (Use of air gun array)
- [Spectrum Geo Inc.](#) - Permit Number E14-006 (Use of air gun array)

Use of Air Gun Array (No Current IHA)

- [PGS](#) - Permit Number E14-007 (Use of air gun array)

Other

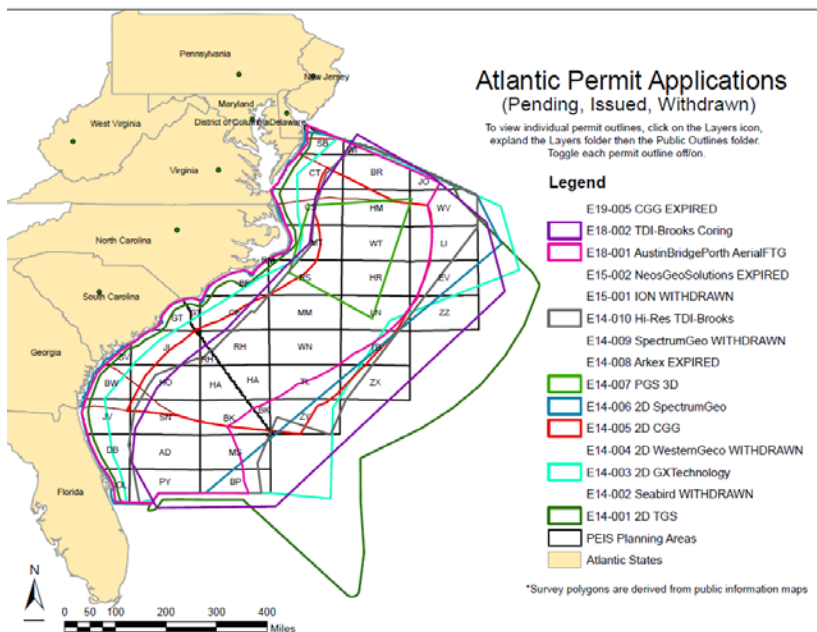
- [ABI Holdings Limited \(Austin Exploration\)](#) - Permit Number E18-001 (For aerial survey)
- [TDI Brooks International, Inc.](#) - Permit Number E18-002 (Piston coring and surface heat flow measurements)
- [TDI-Brooks International, Inc.](#) - Permit Number E14-010 (Use of Hull mounted multibeam and sub-bottom sonar)

Expired Permits

- [CGG Services \(US\)](#) - Permit Number E19-005 (For aerial survey)
[Approved Permit \(Expired\)](#)
- [NEOS GeoSolutions Inc.](#) - Permit Number E15-002
[Approved Permit](#) | [Application for Permit](#)
- [ARKeX Limited](#) - Permit Number E14-008
[Approved Permit \(Expired\)](#) | [Application for Permit](#)

Withdrawn Permits

- [WesternGeco, LLC](#) - Permit Number E14-004 (Use of air gun array)
- [Spectrum Geo Inc.](#) - Permit Number E14-009
- [SeaBird Exploration Americas, Inc.](#) - Permit Number E14-002
- [GX Technology Corporation](#) - Permit Number E15-001



From: https://www.boem.gov/sites/default/files/documents/Atlantic-Pending-Permit-Map_3.pdf

Aquaculture Activities:

- Aquaculture Opportunity Areas Initiative- In August, NMFS [announced](#) that federal waters off of Southern California and in the Gulf of Mexico will host the first two [Aquaculture Opportunity Areas](#) (AOAs) as part of a recent initiative under the federal [Executive Order](#) on Promoting American Seafood Competitiveness and Economic Growth. The selection of these regions is the first step in a process designed to identify and complete programmatic environmental impact statements for 10 AOAs nationwide. Currently NOAA Fisheries HQ is soliciting public input on the development of AOAs, both within the initial two selected regions and nationally, via a [Request for Information](#) in the Federal Register open through 12/22/2020.
- Manna Fish Farms, Inc. is continuing to move forward on their proposal to culture black sea bass and steelhead trout for commercial sale and research in Federal waters approximately 9 miles off the shore of Long Island, New York. A pre-application meeting with federal and state agencies, NE and MA fisheries management council and Atlantic States Marine Fisheries Commission staff, NOAA staff, and the project proponent was held on September 21, 2020. General project details, proposed baseline environmental survey plans, and an alternative site analysis [report](#) produced by the NOS Coastal Aquaculture Siting and Sustainability (CASS) program were presented. During the meeting concerns about the location of the proposed fish farm in relation to sand borrow areas and potential offshore wind power transfer line areas were presented. The NOS CASS program provided these [resultant maps](#). The Sunrise Wind Farm Cable Corridor is mapped with a 500 m. buffer per side to make it consistent with the setback NOS CASS used for all cables.

Port Development Activities:

There are a number of large ports development projects proposed within the Mid-Atlantic including:

- Diamond State Port Corporation - Edgemoor Port Facility - A new multi-use port facility proposed at the former Chemours Edgemoor manufacturing facility on the mainstem Delaware River in New Castle County, Delaware. The project includes 87 acres of new dredging, fill, bulkheading, wharf construction, and anti-shoaling fans for the construction of a new port facility on 600 plus acres of land owned by Diamond State Port Corporation (a State owned entity).
<http://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/Article/2286572/2019-278/>
- PSEG Hope Creek Port Facility - A new port facility on the mainstem Delaware River adjacent to the Salem Nuclear Power Plant in Lower Alloways Creek Township, Salem County, New Jersey to cater to the U.S. East Coast offshore wind industry. The project includes 86 acres of new dredging, bulkheading, wharf construction and potentially wetland fill within an existing dredged material disposal site.
<http://www.nap.usace.army.mil/Missions/Regulatory/Public-Notices/Article/2371503/2019-01084-39/>

- New York & New Jersey Harbor Deepening and Channel Improvements Feasibility Study's Draft Integrated Report/Environmental Assessment (Draft IFR/EA) and Draft General Conformity (GC) Determination - The US Army Corps is evaluating improvements to the navigation channels within the New York and New Jersey Harbor including deepening several channels from the existing 50 feet below mean low lower (MLLW) water to 54 to 55 feet depending upon the location to accommodate the Ultra Large Container Vessel Class (1,308 feet long, 193.5 wide, with a draft of 52.5 feet).

Coastal Storm Risk Management Projects

As reported in June, many of the US Army Corps Coastal Storm Risk Management Studies proposed in the region have been paused. Only the Nassau County Back Bay Study on the south shore of Long Island remains active. The scope of the project has been scaled back and no longer includes storm surge barriers along the inlets. The study is currently evaluating alternatives that include residential elevation, non-residential dry floodproofing, localized floodwalls in highly vulnerable areas and areas with critical infrastructure. Natural and nature based measures such as living shorelines, wetlands restoration, oyster reefs will also be evaluated as complementary features to the alternatives proposed.

General Permit Renewal/Reissuance

- In September, the U.S. Army Corps of Engineers issued a federal register notice (<https://www.federalregister.gov/documents/2020/09/15/2020-17116/proposal-to-reissue-and-modify-nationwide-permits>) with their proposal to reissue 52 existing nationwide permits (NWP), some of which are proposed to be modified, and five new nationwide permits. NWPs are intended to authorize activities under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 that will result in no more than minimal individual and cumulative adverse environmental effects. Regional conditions can be added to the NWPs to provide targeted resource protections including conditions to avoid and minimize impact to EFH and other aquatic resources. Four of the five Corps Districts in GARFO use NWPs and HESD has been working with individual Corps Districts to revise and develop regional conditions for this latest version of the NWPs. Of note, two new NWPs have been proposed for aquaculture activities, one for finfish mariculture and one for seaweed mariculture to comply with the federal [Executive Order](#) on Promoting American Seafood Competitiveness and Economic Growth.
- The US Army Corps Baltimore District recently issued a [public notice](#) seeking comments on the proposed reissuance of the Maryland State Programmatic General Permit-6 (MDSPGP-6). Activities authorized by the SPGP are similar to those permitted by the NWPs, so many NWPs are not used in Maryland. Because SPGPs are developed with the state, they provide both federal and state authorization for certain activities, while NWPs only provide federal authorization. Separate state approvals are required for NWP actions, but not SPGPs. HESD provided comments on some of the proposed modifications this past summer, but because the Corps has proposed to modify the SPGP to allow 500 sf of fill in submerged aquatic vegetation (SAV) for living shoreline projects and beach nourishment projects, additional coordination is needed. The Council has designated SAV a habitat area of particular concern for summer flounder.



Mid-Atlantic Fishery Management Council

800 North State Street, Suite 201, Dover, DE 19901

Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org

Michael P. Luisi, Chairman | P. Weston Townsend, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: December 4, 2020
To: Chris Moore, Executive Director
From: Julia Beaty, staff
Subject: Update on ROSA and other Council involvement in offshore wind energy development

This memo summarizes the Mid-Atlantic Fishery Management Council's (Council's) involvement in offshore wind energy development activities, with an emphasis on recent developments of the Responsible Offshore Science Alliance (ROSA).

Involvement of Council Members in ROSA and Other Organizations

Council members participate in many organizations that are involved in offshore wind energy development. In some cases, they serve as a representative of the Mid-Atlantic Council. In other cases, they serve in other capacities. In all cases, their involvement can help the Council as a whole stay informed on offshore wind energy development. Below are some examples of organizations related to offshore wind in which Council members are involved.

Responsible Offshore Science Alliance (ROSA)

ROSA (<https://www.rosascience.org/>) is an independent 501(c)(3) organization dedicated to providing for and advancing regional research and monitoring of fisheries and offshore wind interactions in federal waters through collaboration and cooperation in order to: (a) increase salient and credible data on fisheries and wind development; and (b) increase the understanding of the effects of wind energy development on fisheries and the ocean ecosystems on which they depend.

Council member Peter Hughes serves as co-chair of the ROSA board of directors in his role as RODA chair.

Many Council members sit on the ROSA Advisory Council. The role of the ROSA Advisory Council is to provide substantive direction and strategic guidance for ROSA. The ROSA Advisory Council has met twice to begin to develop the priorities for ROSA as an organization. More information is available at: <https://www.rosascience.org/leadership>.

Two Mid-Atlantic Council members serve on the ROSA Advisory Council as the primary member and alternate for a seat designated for the Mid-Atlantic Fishery Management Council. In their roles as Ecosystem and Ocean Planning Committee Chair and Vice Chair, Peter deFur is the primary member for the Mid-Atlantic Council and Kate Wilke is the alternate.

Two Mid-Atlantic Council members serve on the ROSA Advisory Council as representatives of the commercial fishing industry, not as representatives of the Mid-Atlantic Council (i.e., Peter Hughes and Wes Townsend).

Three Council members serve on the ROSA Advisory Council in their role as state employees (i.e., Joe Cimino for New Jersey, Ellen Bolen for Virginia, and Chris Batsavage for North Carolina).

A major next step for ROSA is to appoint Research Advisors, including subject matter experts from governmental agencies, academia, the fishing and offshore wind industries, and other organizations. Research Advisors will provide support and guidance to ROSA on scientific activities. More information and instructions for how to apply to be a Research Advisor are available at: <https://www.rosascience.org/leadership>. The deadline for applications is December 18, 2020.

Responsible Offshore Development Alliance (RODA)

RODA (<https://rodafisheries.org/>) is a broad membership-based coalition of fishing industry associations and fishing companies with an interest in improving the compatibility of new offshore development with their businesses. It endeavors, through collaborations with NOAA Fisheries and other partners, to coordinate science and policy approaches to managing development of the Outer Continental Shelf in a way that minimizes conflicts with existing traditional and historical fishing.

Council members Dan Farnham, Dewey Hemilright, Peter Hughes, Wes Townsend, and Eric Reid are RODA members in their roles as members of the commercial fishing industry, not as Mid-Atlantic Council members. Dewey Hemilright, Peter Hughes (RODA chair), and Eric Reid (RODA treasurer) all serve on the RODA Board.

State Offshore Wind Energy Development

Multiple states have formed their own groups related to offshore wind energy development. For example, New York state formed a Fisheries Technical Working Group (F-TWG; <https://www.nyftwg.com/>) with membership including commercial fisheries representatives and offshore wind energy developers. The F-TWG provides guidance and advice on how to responsibly implement New York State's efforts to advance offshore wind energy development. A Mid-Atlantic Council staff member sits on the F-TWG.

New York State has also employed Council member Anthony DiLernia as a recreational fishing liaison. In this role, he engages with the recreational fishing community to keep them informed on offshore wind energy development and provides feedback to the state to help improve decision making. He serves in this role as a knowledgeable member of the recreational fishing community, not as a Mid-Atlantic Fishery Management Council member.

Fisheries Liaisons for Offshore Wind Energy Development

Most offshore wind energy developers with leases in the northeast have hired fisheries liaison offices to facilitate two-way communication between the fishing community and offshore wind energy developers. A list of most fisheries liaison officers and their contact information is available here: <https://www.boem.gov/atlantic-fishing-industry-communication-and-engagement>.

Council member Adam Nowalsky serves as a recreational fishery liaison officer for the Atlantic Shores Wind project off New Jersey. He serves in this role as a knowledgeable member of the recreational fishing community, not as a Mid-Atlantic Fishery Management Council member.

Council Outreach on Offshore Wind

The MAFMC maintains three webpages and an email list to communicate updates on offshore wind energy development with interested stakeholders.

The webpages are maintained jointly with the New England Fishery Management Council and NOAA Fisheries. The main webpage, <http://www.mafmc.org/northeast-offshore-wind>, provides general background information on offshore wind energy development in the northeast region and includes links to all Mid-Atlantic and New England Council comment letters on offshore wind energy projects.

A second webpage titled “Offshore Wind Notices to Fishermen” (<http://www.mafmc.org/offshore-wind-notices>) includes notices provided by offshore wind project developers regarding offshore surveys, buoy installations, and other activities that may occur in areas used by fishermen. This page is updated frequently.

The third webpage is titled “Offshore Wind Comment Opportunities” (<http://www.mafmc.org/offshore-wind-comment-opportunities>) and contains links to open public comment periods.

The Mid-Atlantic Council also maintains a public email list for offshore wind updates relevant to Mid-Atlantic fisheries. Anyone can subscribe using the form at <http://www.mafmc.org/email-list>. Updates are sent approximately once a month.

Council Comments on Offshore Wind

The Council periodically submits comment letters to federal agencies such as the Bureau of Ocean Energy Management (BOEM) and the U.S. Coast Guard.

Recent letters include comments to BOEM on the Supplemental Environmental Impact Statement for the Vineyard Wind I project and comments to the U.S. Coast Guard on the Port Access Route Study for the Seacoast of New Jersey, including offshore approaches to the Delaware Bay.

All comment letters are posted here: <https://www.mafmc.org/actions/offshore-energy>.



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

November 10, 2020

Captain Maureen Kallgren, Mr. Jerry Barnes
Fifth Coast Guard District
431 Crawford Street
Portsmouth, VA 23704

Via: www.regulations.gov

**Re: Port Access Route Study; Seacoast of NJ and Approaches to DE Bay (NJ/DE PARS)
USCG-2020-0172 / Anchorage Grounds; DE Bay USCG-2019-0822**

Dear Captain Kallgren and Mr. Barnes:

Thank you for the opportunity to provide comments on the Notice of Study (NOS) for the NJ/DE PARS, and proposed Anchorage Grounds in the vicinity of Delaware Bay. We appreciate your extending the comment period for both notices, for holding two public hearings on the NOS, which alerted us to the anchorage notice of inquiry (NOI) of a year ago, and for allowing our comments on the anchorages to be included in this letter in response to the route study.

I am writing on behalf of our family-owned and operated, vertically-integrated, commercial fishing company employing more than 200 on our company-owned vessels and in our freezing/processing plant and cold storage operation, based in Cape May, New Jersey. In addition to the 17 federally permitted vessels that we operate, we work with many independent fishermen to develop and serve domestic and export markets for our combined catch.

We appreciate both USCG District 5 and District 1 working together to focus these PARS, primarily, on the need for consistent long-term fishing vessel access within, and safe transit through, planned or potential offshore wind energy development along the Atlantic Coast.

As a member of the Responsible Offshore Development Alliance (RODA), and as an active member in the federal fishery management process under the jurisdictions of the Mid-Atlantic Fishery Management Council (MAFMC) and the New England Fishery Management Council (NEFMC), we would like to associate our comments with those RODA is expected to submit in response to this NOS today and with those of the MAFMC in July.

Specifically, we ask for the following to be considered in developing the study:

- The use of all available data to understand patterns of commercial fishing vessel activity in the areas proposed for development including VMS, VTR, NEFOP and AIS. These data sets must be supplemented with extensive input from the region's commercial fishing industry, including in-person meetings once they are again considered to be safe.



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

- An analysis of potential fishing vessel access, safety and navigational risk using Closest Point of Approach (CPA) methodology under all weather conditions and associated with multiple layouts in each of the proposed and pending lease areas in the region.

This should include an evaluation of radar interference potential (including any risk reduction that may accrue from the use of Pulse Suppression Radar) and the establishment of designated, directional, traffic lanes to minimize costs in crew time, fuel, CO2 emissions and product quality. In particular, the northern edge of OCS-A 0498 (Ocean Wind) and the southern edge of OCS-A 0499 (Atlantic Shores) should include safety routing measures for fishing vessel transit. We do not expect to be able to operate our mobile fishing gear within these wind arrays with spacing between structures proposed of one nautical mile or less in each case and we encourage the USCG to specifically evaluate 4 nm transit corridors as proposed by RODA.

- Incorporation of the New York Bight Transit Lanes Surveys, Workshop and Outreach Summary, relative to the review of vessel routing measures for the Hudson South Call Area, which we participated in along with others in the region's commercial fishing industry. It is extremely important that these navigational safety issues lead to becoming a BOEM-mandated requirement on prospective wind developers *before* a lease sale occurs, not only after the fact as is the situation today.

Since your October 13 notice asked for comments on nine individual questions, we provide additional comment here:

1. What proposed routing measures would you suggest to preserve shipping safety around and within the offshore wind energy areas?

For commercial fishing, when most of us will be unable to use our gear to catch seafood within the planned wind arrays, safe, two-way traffic lanes of a minimum distance of 2 nautical miles, to safely minimize our transit times to areas where we can fish, is critical to establishing a basis for coexistence with the planned wind farm expansion of more than 2000 structures, within the areas where we and others in the Port of Cape May have operated for generations.

2. What areas within the study area have you traditionally used for anchoring and why?

Our vessels will not commonly anchor in the study area unless in an emergency situation, which needs to be considered, particularly as cable is laid in the wind farm development areas.



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

3. If fully developed, how will the offshore wind energy projects in the study area impact your anchoring practices or other waterway uses?

Loss of access to the Hudson South Call Area, for Cape May vessels alone, will significantly, negatively affect scallop and squid harvesting and processing in the Mid-Atlantic and New England regions, for example. The effects will be cumulative as the wind footprint expands. We will be forced into a narrow ribbon of Continental Shelf, if all the proposals by States in the Mid-Atlantic and New York Bight areas are eventually built out. This makes rational, safe transit to the fishing grounds that will remain available, after inshore wind development occurs, from Cape Hatteras to Cape Cod and into the Gulf of Maine, a critical element of the potential for commercial fishing and wind development coexisting in the region, on a daily basis. The establishment of designated, directional traffic lanes will minimize costs in crew time, fuel, CO2 emissions and help maximize product quality.

4. What other navigational concerns do you have regarding the proposed wind energy projects in the study area?

During a recent DOE webinar on coastal radar used to detect currents and sea state, which we understand is a fundamental part of USCG search and rescue success, it appeared as if this technology could be seriously disturbed by the rotation of windmill blades, as currently being modeled. We encourage the Coast Guard to fully consider the potential negative effects of this problem, and encourage its continue evaluation.

5. What alternatives for mitigating anchor damage to underground cables are available, and is it possible for underground cables to coexist within the anchorages?

Underground cables, if buried deep enough, and if they stay where they should be will likely not be a problem for intermittent commercial fishing anchoring, however, if large wind-construction vessels will be using designated anchorages, as is being proposed, burial depth parameters need to be publicly negotiated. The best mitigation strategy for cables is to minimize the amount of cable used.

6. Which fisheries do you primarily target that cause you to transit or fish in the study area?

Black Sea Bass, Bluefish, Butterfish, Croaker, Chub mackerel, Herring, Illex squid, Loligo squid, Mackerel, Menhaden, Monkfish, Porgy (Scup), Sea Scallops, Skate, Summer flounder represent the majority of species harvested and processed within the Port of Cape May/Wildwood. Rational, safe transit to fishing grounds that will not be closed to us from wind construction will be crucial to our business success in the future.



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

7. While fishing offshore, how much time do you spend underway, making way versus how much time do you spend underway, not making way as a percentage of the overall time frame (for example, I spend 10% of the trip transiting to and from port, 70% engaged in fishing, and 20% setting or hauling back gear)?

This varies with the fishery, the port where the trip began and the port where the landing occurs, along with the availability of the fish on any given day. A complete modeling and analysis of these questions is necessary to evaluate the impact of proposed wind energy areas on navigational safety, as recommended by the Atlantic Coast Port Access Route Study, Final Report, Docket Number USCG-2011-03251.

8. What risk control measures would you propose during the construction and operation of the wind energy areas?

This question should also extend to the period where planning for a wind energy area begins and prior to BOEM calling for proposals on future lease sales. As stated more than once, above, our analysis of the current situation with wind energy development occurring where we work and produce sustainable seafood is to plan for us to get safely, and in a rational way, to the fishing grounds where we may still be able to operate. This will require strategically-located, two-way dedicated traffic lanes of no less than two nautical miles in width, in our view.

9. Where is the predominant recreational boating traffic within the study area? Is there a time of year that traffic is more prevalent?

You will find significant recreational boat traffic occurring within the study area. Most of them do not sail in the winter months, as we do. Coast Guard will need to work with NMFS, the Councils and the States to better answer this question.

Anchorage Grounds; DE Bay and Atlantic Ocean USCG-2019-0822

As mentioned above, we appreciate your reopening the comment period on Coast Guard's amending its regulations to establish new anchorage grounds in the Delaware Bay and Atlantic Ocean because, in part, 'traditional anchorage areas may not be available due to planned or potential offshore wind energy development'. We were not aware of this NOI being published a year ago, on November 29, and were particularly interested in the comments of Mr. Kevin Wark, a Barnegat Light, New Jersey fisherman, during the October 29 webinar, this year, relative to this notice.

Mr. Wark is a fishing captain who has worked for several years with Dr. John Madsen, at the University of Delaware, and Dr. Dewayne Fox, at Delaware State University, in tracking,



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

identifying and tagging endangered Atlantic sturgeon (under the Endangered Species Act) in the Delaware Bay Region.

We have read these researchers' January 27, 2020 letter to Rear Admiral Smith concerning this proposed rulemaking, and we recommend that 'Anchorage B – Breakwater' no longer be considered as a prospective anchorage area due to its proximity to important endangered Atlantic sturgeon habitat. We ask that Coast Guard work with the National Marine Fisheries Services' Office of Habitat Conservation to further evaluate the potential for this anchorage to negatively impact the conservation and recovery of this endangered fish throughout its range.

The January letter states that, 'although it is unlikely Atlantic sturgeon will be directly impacted (e.g. crushed during anchoring)...the process of anchoring (creates) the large-scale disruption of sediments...of concern given the key role that the lower Delaware River Estuary plays in the recovery of coastwide (sturgeon) populations.'

The letter begins by saying, "Occurring in the immediate vicinity of the proposed Anchorage B, we have recently documented what is arguably the largest known aggregation of adult and sub-adult Atlantic sturgeon along the East Coast of North America. The aggregation is comprised of individuals that have been tagged in river systems ranging from Connecticut to Georgia and underscores the importance of the lower portion of Delaware Bay, as this region provides foraging resources for Atlantic sturgeon from a broad geographic area. In essence, any modifications to this region may dramatically impact the conservation and recovery of this imperiled species across its range.'

As an appendix to this letter, I am attaching a chart depicting the sturgeon study area being directly adjacent to the proposed Anchorage B. With two other anchorage areas being proposed in the study area (Anchorages C and D) and with wind area construction still some months and years away, it would seem prudent to remove Anchorage B from further consideration and collaborate with NMFS toward further assessing the important fish habitat in the area.

Please do not hesitate to contact me if I can provide any additional information about our company's fishing activities within the proposed wind energy areas under the jurisdiction of the 5th Coast Guard District. We look forward to working with you during the development of this important study.

With best regards,

Wayne Reichle

Wayne Reichle, President

Lund's Fisheries, Inc., 997 Ocean Drive, Cape May, NJ 08204 wreichle@lundsfish.com



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

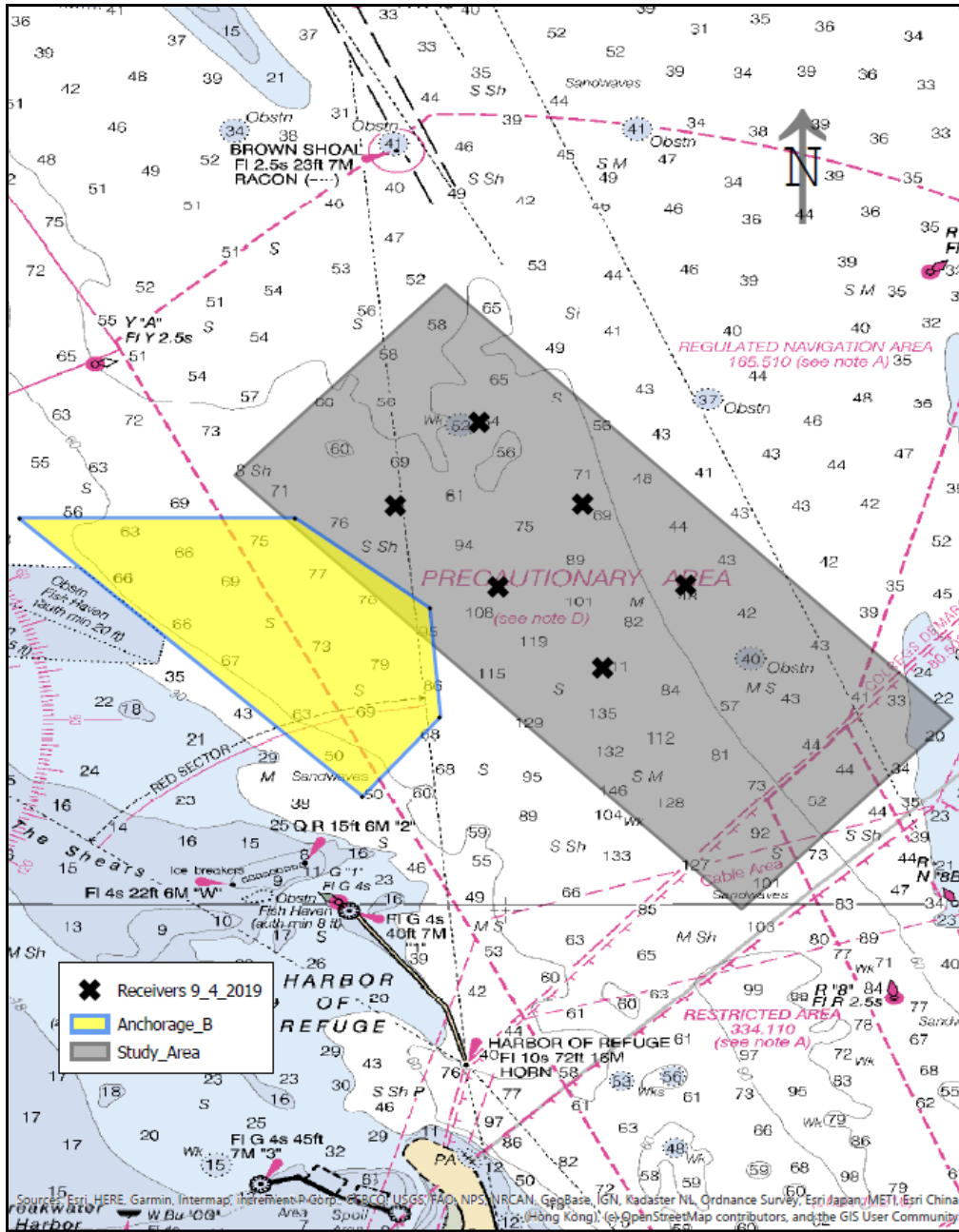


Figure 1, from Madsen and Fox, January 27, 2020. General location of Delaware Sea Grant Atlantic Sturgeon study site and proposed Anchorage B. The study site is within the gray box; Anchorage B is within the yellow polygon. The crosses shown are the locations of acoustic receiver stations used to detect the presence of tagged fish.