

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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Christopher M. Moore, Ph.D.
Executive Director

MEMORANDUM

DATE: November 18, 2011

TO: Ecosystems and Ocean Planning Committee

FROM: Dr. Peter deFur, Tom Hoff, and Jim Armstrong *Tom*

SUBJECT: Summary minutes of November 14 meeting

The Ecosystems and Ocean Planning Committee met November 14, 2011 from 10AM to 4PM at the Sheraton BWI airport. In attendance were Committee members: deFur (Chair), McMurray (Vice Chair), Berg, Elliott, Linhard, Luisi, Schafer, Travelstead, and Zeman. Tom Hoff and Jim Armstrong of Council staff were present. Additionally, Dr. Jason Link (NEFSC and MAFMC SSC), Chris Boelke (RO Habitat), Cristi Reid (NOAA and MARCO), Paul Ticco (National Marine Sanctuaries) and Greg DiDomenico (Garden State Seafood) participated.

The majority of the morning was spent reviewing and discussing the November 7 staff memo (attached) which focused on areas and issues the Committee has been involved in recently (i.e., December 2010 Habitat-Ecosystem workshop, BOEMRE, deep-sea corals (DSC), and MARCO).

After lunch, the Committee focused on the staff recommendations and potential activities for 2012 and walked through the November 7 staff memo. Dr. Jason Link updated the Committee on the activities of the SSC Ecosystem Subcommittee and expressed his belief that the MAFMC is at the forefront of Council ecosystem efforts. Significant discussion focused on the development of a mission statement for the Committee and nearly every member offered their slightly different priorities and desired function for the Committee. Hoff proposed using the December 2010 workshop design as a focus for the Committee to foster the understanding that coastal and marine resources and the habitats that support them are important to many groups in the mid-Atlantic region for a variety of reasons. Furthermore, this Committee and the Council could use its specific role in the fishery management process to forge broader discussions about coastal and marine ecosystems, current and projected human activities, and resource management approaches and tools available to improve habitat and ecosystem health. Other ideas that were advocated to support the mission of the Council include:

- understand how ecosystem characteristics can be applied to Council efforts
- coordinate and cooperate, as appropriate, with other entities involved with overlapping issues/areas/topics
- educate/inform the full Council
- take a broad brush overarching examination of the role of ecosystem consideration in Council actions and work
- provide leadership in the area of regional oceanic management

- protect habitat
- facilitate the inclusion of ecosystem ideas into FMPs
- facilitate a transition to a more holistic ecological approach to fishery management
- provide a forum for discussion of habitat/ecosystem topics with our constituents

A mission statement needs to be drafted, distributed and approved post haste.

Walking through the staff prepared list of issues on potential activities (attached November 7 memo)

1) Committee name -- no definitive resolution except that the Committee would not like to revert to purely a Habitat Committee. There was a feeling that perhaps "Habitat" should be specifically mentioned and one likely proposal was for Habitat and Ecosystems Planning Committee (dropping "Ocean" as it is implied).

2) Need for Advisors -- at present, a standing committee does not appear to be needed, but the Committee will re-evaluate. We may need advisory input in the future on specific issues which makes creating a specific advisory committee difficult to assemble without knowing the specific issue.

3 and 4) Recommendations from the December 2010 Habitat/Ecosystem Workshop -- the 5 recommendations that are currently ongoing need to be continued. The five new areas that the Council approved initiating in April have not really been started because of time constraints with the exception of continued and expanded coordination (i.e., there has been limited discussions with the Restoration Center and initiation of demonstration projects).

5, 6, 8, and 9) Committee strongly believes we need to continue our coordinating efforts with other entities: BOEM (formerly BOEMRE), deep-sea corals (and other activities with NEFMC Omnibus Habitat amendment), MARCO, MARACOOS, and the Regional Planning Body, as it develops (see below).

7 and 10) Committee believes that they will not have resources to add new areas for MPAs, National Marine Sanctuaries, or the development of a policy for outside speakers.

The committee had a brief discussion of forming task groups or other subgroups of the committee, but deferred any further consideration pending future needs.

In addition to the staff proposed list for consideration, the Committee decided that one of their top priorities would be the digitization of the old EFH maps and discussed the possibility of completion of this task by an outside contractor or possibly graduate student intern.

The Committee is very interested in the development of an FEP that could provide an umbrella document for all our fisheries. While most of the work would be performed by the NEFSC, staff coordination and cooperation would be imperative. The development of an FEP could meet two of the April 2010 approved significant new recommendations in that it would be a pilot project and would also initiate a demonstration project. This effort should also be coordinated with the SSC Ecosystem Subcommittee. The Committee should examine various existing FEPs to determine what constitutes a useable decision making document.

The Committee would like to maintain its annual update from the Habitat Division of the RO and the Ecosystem Branch of the NEFSC. The Habitat Division will be presenting to the Committee at the December meeting. Additionally, presentations should be scheduled for the Atlantic Wind Connection project (also December 2011), BOEM, and NEFMC and their Habitat Omnibus Amendment

(particularly the SASI model and its applicability to MAFMC). Interest was also expressed in a presentation on the BOEM-funded DSC work that is ongoing in the mid-Atlantic.

Finally, the discussion indicated that the Regional Planning Body (RPB) for this region is not likely to be MARCO, in part owing to the nature of the organization and its structure. In December 2011, MARCO, CEQ, and the Federal partners will have a discussion on how to incorporate the FMCs into the RPB process. This development is, obviously, something the Council will want to follow. It may also be beneficial to explore the NEFMC/NROC interactions and opportunities as NROC seems to be slightly ahead of MARCO.

In summary, the Committee's top priorities are: staying coordinated with other entities that can advance this Committee's agenda, digitizing EFH maps, development of an FEP, CMSP, and staying involved with BOEM, DSC and RPBs.

Drs. deFur and Hoff will work with the Council Chairman and Executive Director on the best way to accomplish this coordination. Dr. deFur will also communicate with Chairman Robins and ED Moore regarding staff time and means for completing the above tasks.

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MEMORANDUM

DATE: November 7, 2011

TO: Ecosystems and Ocean Planning Committee (deFur, McMurray, Berg, Elliott, Linhard, Miko, Munden, Schafer, Travelstead, Zeman) Bigford, Colosi, Chiarella, Boelke, Link, O'Shea, Robins and Moore

FROM: Tom Hoff and Jim Armstrong

SUBJECT: November 14 Ecosystems and Ocean Planning Committee meeting

Chairman deFur has called a Committee meeting for Monday November 14 at the Four Points Sheraton BWI airport. The purpose of the meeting is to review previous Committee efforts and chart the future direction under the new leadership. The meeting will begin at 10am and is expected to end by 4pm.

With a new Chairman and several new Committee members, staff has assembled numerous background materials for your review:

1) National AFS presentation (attachment 1) -- 15 minute presentation that was part of a day-long workshop on ecosystem efforts. Please take a look at the first 10 slides as the latter 5 deal with the SSC Committee. Attached is the 6 page Advisory Panel Report on Developing an Ecosystem Approach to Fisheries (EAF) from the 2005 workshop (attachment 1A). Also mentioned in the presentation, and with the Executive Summary attached (1B), is our Council's 2006 report on EAF.

2) December 2010 Council Habitat-Ecosystem Workshop -- The NOAA Technical Memorandum is enclosed and I would like to specifically call your attention to the summaries provided by Dr. John Boreman (page 69) and Rick Robins (page 71). Attachment 2 is the April Committee presentation that was used to set priorities.

3) BOEMRE (simply BOEM since October 1) has consumed significant staff time this summer. Attachment 3 is a presentation that our two sister Councils and I gave to an East

Coast BOEMRE workshop in July. Attachments 3A (Delaware), 3B (NJ), and 3C (overall EA for wind energy areas from NJ through VA) are comment letters provided by the Council to BOEMRE. It is possible that I may be able to discuss the BOEM fishery-related research prioritization effort that I am involved in if this issue becomes ripe.

4) Deep Sea Corals (DSC) -- Attachment 4 is an introductory glossy from NMFS. Attachment 4A is an agenda for an August DSC workshop to identify critical information needs (report not yet available). Attachment 4B is a joint presentation we did with the NEFMC at the workshop. Attachment 4C is a summary of a recent NEFMC Habitat Plan Development Team meeting on DSC. Please check out the classifications on pages 12 and 13 pertaining to DSC in the mid-Atlantic canyons.

5) Tilefish Gear Restricted Areas part of National System of Marine Protected Areas (attachment 5).

6) Mid-Atlantic Regional Council on the Ocean (MARCO) -- Attachment 6 is a letter requesting MAFMC representation on their Management Board and offering to assist with their Action Teams on Habitat and Coastal Marine Spatial Planning (CMSP). The Action Work Plan for the Habitat Team (attachment 6A) and the Coastal and Marine Spatial Planning Team (attachment 6B) are included here.

7) Mid Atlantic Regional Association Coastal Ocean Observing System (MARACOOS) -- Council is a contributing member. I am the representative for fisheries and eco-decision making to their Users Council. Attachment 7 is a meeting summary of their September workshop with commercial and recreational fishermen. This Committee's former Chairman moderated the workshop. Attachment 7A announces their annual meeting in D.C. which overlaps with our December Council meeting.

8) October 2011 National SSC Workshop -- MAFMC hosted the national SSC workshop last month and ecosystems were one of the two focused topics (attachment 8). A report is due in January and will be discussed by the Executive Committee.

In addition, there are two other issues to consider:

1) Annual habitat/ecosystems presentations -- Traditionally the Committee has received presentations from the RO Habitat Division (June 2010/Dec 2010) and the NEFSC (Dec 2010/June 2011). Do you wish to continue these updates from Colosi/Chiarella and Link/Fogarty?

2) Requests from outside scientists or other agencies/industry -- Traditionally the Committee has received presentations that in general have been very informative. We currently have requests from the Atlantic Wind Connection project (the backbone transmission line that is trying to connect all the state wind energy projects to land and which was presented to the Committee in October 2010) and Dr. Steve Ross (UNC Wilmington) who is mapping the mid-Atlantic canyons and looking for DSC under a grant with BOEM.

Staff Recommendations for Associated List of Potential Activities for 2012

1) Consider our Committee name. Ecosystems and Ocean Planning Committee about 7 years ago was three separate Committees (Habitat, Comprehensive Management, and Ecosystems) that were combined into Ecosystems Committee. "Ocean Planning" was added because of CMSP and planning/zoning type issues in 2009. Leadership has decided that work and advice on ecosystems that is mainly scientific will be handled by SSC which will report to the Executive Committee. Policy and management for ecosystem issues could be the focus of this Committee or we could refocus more on habitat and simply revert to a Habitat Committee.

2) Determine if there is a need for Advisors for the Committee.

3) Habitat-Ecosystem Workshop 5 recommendations that we are already doing:

- a) Continue CMSP discussion
- b) Write letters on behalf of projects of interest
- c) Establish an improved protocol for providing NEFSC/RO habitat-science support
- d) Continue working with NEFSC EFH Omnibus Amendment
- e) Refine habitat TORs for stock assessments

4) Habitat-Ecosystem Workshop, 5 recommendations for coordination or that will require "significant new work":

- a) Coordination -- continue to expand these discussions to include groups and issues not represented in our first workshop
- b) Identify pilots for specific action using existing knowledge, staff, and funds
- c) Participate with Restoration Center staff in regional prioritization efforts
- d) Work with regional Restoration Center to develop funding proposals and projects of mutual interest
- e) NMFS habitat and stock assessment scientists should work with managers to initiate demonstration project

- 5) Committee needs to stay informed, review projects, draft letters and likely be briefed at least annually by BOEM. Committee should assist BOEM on their fishery-related research prioritization.
- 6) Committee needs to stay informed from both NMFS and NEFMC on deep-sea corals. Member should attend NEFMC Committee meetings (Staff is on PDT.) Committee should be briefed annually by NEFMC (ongoing update on Amendment as well as DSC now). Also should have presentation on BOEM project from UNC Wilmington.
- 7) Committee might want to consider other areas for MPAs or support of a National Sanctuary.
- 8) Committee should again request seat on Board of MARCO. Staff working on CMSP and Habitat Action Teams.
- 9) Member should attend meetings and ask for seat on Board of MARACOOS.
- 10) Committee needs a policy on requests from outside speakers regarding habitat issues.
- 11) Committee should review Essential Fish Habitat (EFH) sections. Updates are needed for dogfish, bluefish, summer flounder, scup and black sea bass. These sections are generally approved by full Council.

AGENDA

- 10:00 -- Introductions (deFur)
- 10:15 -- Overview of Previous Activities (Hoff)
- 11:00 -- Staff Recommendations for Associated List of Potential Activities for 2012 (Hoff)
- 11:30 -- Discussion on Where to Go in the Future -- and how to get there
- 12:30 -- Lunch
- 1:30 -- Discussion continued
- 3:30 -- Other Issues
- 4:00 -- Adjourn

Atlantic Marine Fisheries Priority Studies List Development
October 21, 2011

BACKGROUND: Through public comments and outreach in New England and the Mid-Atlantic (planning and analysis for offshore wind development in the South Atlantic has only just begun) BOEMRE has received many comments and questions from fishing constituents regarding the social and environmental impacts for the development of alternative energy facilities on the Atlantic outer continental shelf (OCS) as well as the quantity and quality of the data used to evaluate such impacts. BOEMRE would like to utilize the expertise of the New England, Mid-Atlantic, and South Atlantic Fishery Management Councils, and the Atlantic States Marine Fisheries Commission, and to prioritize these studies given the level of concern/impact and the status of existing information.

OBJECTIVE: To identify and prioritize fishery-related studies in regards to impacts from alternative energy facility construction and operation on the Atlantic OCS utilizing the expertise of fishery science and management entities.

Publically Submitted Study Topics for Consideration (in random order)

- Identify discrete fishing areas of the Atlantic by target species, gear type, and economic value of the catch from those areas.
 - It is envisioned that this project would be an analysis of existing data (e.g., VMS, VTR, previously published fishing atlases, etc.) that would be compiled into a search geospatial database.
- Identify marine habitat that may be vulnerable to negative impacts, including loss of fishery production, from alternative energy construction and operations.
 - It is envisioned that this project would create a habitat suitability index based upon current value. This project could conflict/overlap with several habitat classification and habitat suitability index projects already ongoing.
- Identify hazards and mitigations to navigation within wind turbine arrays.
 - Although this is a concern, it may not rise to the level of a stand-alone study since there is much information on this issue available from Europe.
- Effect of wind facility structures on global and local oceanic and atmospheric circulation patterns and larval disbursement from wind energy areas of the northwest Atlantic.
 - It is envisioned that this study would give an overview of possible impacts identify new or existing models that could help answer this question on a regional and project-specific basis.
- In situ investigation of the effect of buried DC and AC electric power cables on commercially and recreationally important fish and invertebrates of the NW Atlantic.

- This study is currently taking place in the Pacific with AC cables. However, studies in the Pacific may not satisfy the concerns of stakeholders in the Atlantic.
- Fisheries Baseline Data Collection.
 - It is envisioned that this study would identify existing fishery baseline data (e.g., State data, NEAMAP, SEAMAP, NEFSC bottom trawl survey, etc) and collect additional fisheries independent data for areas under consideration for offshore wind development. This study would likely be for finfish only.
- Fishery Physical Habitat and Epibenthic Invertebrate Baseline Data Collection.
 - It is envisioned that this study would build upon and continue the work conducted by the Marine Fisheries Research Group from the School for Marine Science and Technology University of Massachusetts Dartmouth. This group has conducted extensive video surveys in the Mid-Atlantic and New England Regions for the purpose of characterizing habitat and providing population estimates of sea scallops.

Ongoing Fishery-Related Studies

BOEM currently has several fishing related studies that are ongoing. Below is a short list of new or newly completed studies. Full profiles are attached.

- The Socioeconomic Impact of OCS Wind Development on Fishing (\$750K).
- Development of Mitigation Measures to Address Potential Use Conflicts Between Commercial Wind Energy Lessees/Grantees and Commercial Fishers on the Atlantic Outer Continental Shelf (\$450K).
- Renewable Energy *in situ* Power Cable Observation
- Protocols for Baseline Studies and Monitoring For Ocean Renewable Energy (\$500K)
- Effects of Pile Driving Sounds on Auditory and Non-Auditory Tissues of Fish (\$860K)
- Developing Environmental Protocols and Modeling Tools to Support Ocean Renewable Energy and Stewardship (\$750K).
- Characteristics, Behavior and Response Effectiveness of Spilled Dielectric Insulating Oil in the Marine Environment

ENVIRONMENTAL STUDIES PROGRAM: Studies Development Plan FY 2011-2013

Region: Atlantic

Planning Area(s): North Atlantic, Mid-Atlantic, and South Atlantic

Title: The Socio-Economic Impact of OCS Wind Development on Fishing

BOEMRE Information Need(s) to be Addressed: Concerns have surfaced on the potential impacts that OCS wind development may have on commercial and recreational fishing. These impacts are not currently well understood. Results of the study will be used in BOEMRE Atlantic Region environmental assessments.

Cost Range: (in thousands) \$500-\$750 **Period of Performance:** FY 2012-2013

Description

Background: The Atlantic OCS Region extends from the Canadian border to the tip of Florida. The diversity of fish resources is large and the manner of fishing varied. In New England and the northern mid-Atlantic offshore banks and major inshore marshes and estuaries are important habitats and fishing areas. In the southern mid-Atlantic and eastern Florida open water and reefs are important for fish resources and fishing. Fishing along the Atlantic seaboard supports direct and indirect food sales, industrial processing, and provides valuable recreational experiences. In 2008, commercial fishery landings in the Atlantic Region totaled approximately 1.4 billion pounds with a value of over \$1.43 billion. (NOAA, 2008). In 2008, over 1.58 million recreational anglers took 9.2 million fishing trips in New England alone with a value (fishing trip and durable equipment expenditures) of \$1.8 billion (NOAA 2008).

The BOEMRE is considering renewable energy development from southern New England to southern Florida. Key challenges relative to Atlantic Region fisheries are to minimize space-use conflicts, estimate artificial reef effects, avoid habitat alteration, reduce noise from pile driving, and moderate effects from electromagnetic fields, if any. For the Atlantic Region, the most noteworthy gap related to fisheries is that regarding potential space-use conflicts for commercial fishing, especially for the mid-Atlantic. The concern relates to the potential economic loss to fisheries. In addition offshore wind facilities could be de facto protected areas due to the inability of commercial fishers to obtain insurance to fish in wind facilities and thus benefit recreational fisher or the fishery resource itself due to the exclusion.

It is important to note that this study will focus on fishing effects in particular, as opposed to space-use conflicts in general (social, cultural, other economic, etc.), which are being examined under the 2009 study "AE: OCS Renewable Energy and Space-Use Conflicts and Related Mitigation".

Objective: The objective of this study is to assess the potential socio-economic burdens or benefits to commercial fishing along the Atlantic coast. Offshore wind facility assessments not only have to evaluate the impact to essential fish habitat and fishery resources themselves,

but also evaluate potential displacement/fishing effort changes and economic impacts from site development.

Methods: Information about major fishing grounds along the Atlantic coast will be collected in a form compatible with georeferencing. Interface will be established between these fisheries and the locations where industry interest on the OCS has occurred and been documented. Estimates will then be made as to the potential economic loss to these specific areas and how fishing behavior might be altered. Additionally, the literature on marine protected areas will be investigated for insights on commercial fishers.

Revised Date: September 29, 2010