Mid-Atlantic Fishery Management Council
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Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

July 15, 2019

Bureau of Ocean Energy Management
Office of Renewable Energy Programs
45600 Woodland Road, Mailstop: VAM–OREP
Sterling, VA 20166

Dear Sir/Madam,

Please accept these comments from the Mid-Atlantic Fishery Management Council (the Council) on the request for competitive interest and public comments regarding development of a New York/New Jersey transmission line to deliver offshore wind energy to the onshore electric grid.

The Council manages more than 64 marine species[i] in federal waters and is composed of members from the coastal states of New York through North Carolina (including Pennsylvania). The Council supports policies for U.S. wind energy development that will sustain the health of marine ecosystems and fisheries resources. Risks to marine ecosystems and fisheries must be minimized.

Marine fisheries are profoundly important to the social and economic well-being of Mid-Atlantic communities and provide numerous benefits to the nation, including domestic food security. For example, in 2016, the commercial seafood industry in the Mid-Atlantic (i.e., NY-NC for all species, excluding imports) supported 41,784 jobs, almost $3 billion in sales, $991 million in income, and $1.4 billion in value added impacts. Commercial fishermen landed over 657 million pounds of finfish and shellfish, earning over $644 million in landings revenue, while 4.3 million recreational anglers took over 19 million fishing trips and spent nearly $5.6 billion on trip and equipment expenditures.[ii]

The cable route areas and offshore collector platform locations proposed by Anbaric Development Partners overlap with commercial and/or recreational fishing areas for many Council-managed species including longfin squid, butterfish, summer flounder, scup, black sea bass, bluefish, spiny dogfish, surfclams, and ocean quahogs. In addition, many vessels fishing in other locations transit through the area to return to ports in New Jersey and New York. This area is used by fishermen based not only in New Jersey and New York, but also in other states. The area includes essential fish habitat for 12 Council-managed species (i.e., summer flounder, scup, black sea bass, bluefish, Atlantic mackerel, *Illex* and longfin squids, butterfish, Atlantic surfclam, ocean quahog, spiny dogfish, and monkfish).

Given the importance of these commercial and recreational fisheries, it is imperative that negative impacts to fisheries be avoided during construction, maintenance, operation, and decommissioning of all offshore wind projects. The cables and offshore platforms referenced in the Anbaric proposal should not be placed in areas with sensitive fish habitats or important fishing grounds, including shipwrecks and other artificial reefs. Cables should be buried to sufficient depth to allow bottom-tending fishing gears such as bottom trawls and dredges to continue to operate in the area. In addition, impacts to crucial fisheries-independent surveys such as those carried out by the National Marine Fisheries Service must be avoided during construction, operations, maintenance, and decommissioning of all offshore wind projects. A binding requirement that developers eventually decommission all offshore wind projects, including regional transmission lines, is also essential to ensure that such

projects do not have negative impacts on fishing and navigation after they become obsolete.

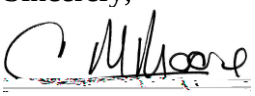
BOEM and developers should consult with states and the National Marine Fisheries Service for the best available data on commercial and recreational fishing and transiting locations, fishing ports, fish habitat, and the needs of fisheries-independent surveys. The limitations of each data set should be carefully considered. For example, data on fishing and transiting locations derived from automatic identification systems, vessel monitoring systems, and vessel trip reports do not account for all fishing activities in the area. Specifically, smaller vessels, vessels which only operate in state waters, and private recreational anglers are under-represented and/or completely missing from these data sets.

According to the Federal Register notice published on June 19, the Anbaric proposal includes 185 nautical miles of submarine cable on the Outer Continental Shelf and 118 nautical miles of submarine cable on state submerged lands. A project of this size could impact a large area that is important to commercial and recreational fisheries, fish habitat, and fisheries-independent surveys. However, this project also has the potential to minimize the total amount of cable in the water over the long term if projects in the multiple nearby lease areas use this cable to connect future offshore wind installations to the onshore grid as opposed to each developer laying their own cables. The Federal Register notice and the Anbaric proposal state that other developers could lay their own cables, even if the proposed NY/NJ transmission line is constructed. This is a cause for concern as it could negate the potential fisheries and ecological benefits of a regional transmission cable. A broader strategic approach from BOEM on regional transmission cables could help address these and other concerns. For example, does BOEM have policies to help limit the total amount of cable in the water? How does this proposal relate to ongoing efforts to establish transit lanes? How does it relate to the ongoing U.S. Coast Guard port access studies in the region?

The Council looks forward to working with BOEM to ensure that any future wind development activities minimize impacts to the marine environment and can be developed in a manner that ensures coexistence of our fisheries with these energy development activities.

Please contact me if you have any questions.

Sincerely,



Christopher M. Moore, PhD
Executive Director, Mid-Atlantic Fishery Management Council

cc: M. Luisi, W. Elliott, J. Beaty

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[i] 14 species (summer flounder, scup, black sea bass, bluefish, Atlantic mackerel, *Illex* and longfin squids, butterfish, Atlantic surfclams, ocean quahogs, golden and blueline tilefish, spiny dogfish [joint with the New England Fishery Management Council], and monkfish [joint with the New England Fishery Management Council]) are managed in specific fishery management plans. More than 50 additional species are managed as ecosystem components across all fishery management plans.

[ii] National Marine Fisheries Service. 2018. Fisheries Economics of the United States, 2016. U.S. Dept. Commerce, NOAA Tech. Memo. NMFS-F/SPO-87, 243p. Available at: https://www.fisheries.noaa.gov/resource/document/fisheries-economics-united-states-report-2016