



Mid-Atlantic Fishery Management Council

800 North State Street, Suite 201, Dover, DE 19901-3910
Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org
Richard B. Robins, Jr., Chairman | Lee G. Anderson, Vice Chairman
Christopher M. Moore, Ph.D., Executive Director

March 30, 2015

Mr. Geoffrey L. Wikel, Acting Chief, Division of Environmental Assessment
Office of Environmental Program (HM 3107)
Bureau of Ocean Energy Management (BOEM)
381 Elden St.
Herndon, VA 20170-4817

Dear Mr. Wikel,

Please accept these comments from the Mid-Atlantic Fishery Management Council (Council) on the 2017-2022 Proposed Oil and Gas Leasing Program and associated Programmatic Environmental Impact Statement (PEIS). The Council has management jurisdiction over 13 marine fishery species in federal waters of the Mid-Atlantic region, and members from the coastal states of New York to North Carolina (including Pennsylvania). The Council develops fishery management plans to ensure its vision, "Healthy and productive marine ecosystems supporting thriving, sustainable marine fisheries that provide the greatest overall benefit to stakeholders," is achieved.

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. In 2012, the commercial seafood industry in the Mid-Atlantic region supported 137,000 jobs, \$18 billion in sales, \$4 billion in income, and \$6.5 billion in value added impacts across the Mid-Atlantic.¹ Commercial fishermen landed 751 million pounds of finfish and shellfish, earning \$488 million in landings revenue. More than 2.3 million recreational anglers took 14 million fishing trips and spent nearly \$3.5 billion on trip and equipment expenditures across the Mid-Atlantic region in 2012.

Within our region, the only option under the Proposed Oil and Gas Leasing Program being considered is a lease area on the outer continental shelf (OCS), beginning 50 miles off the Virginia coast. This lease area contains Essential Fish Habitat (EFH) designations for golden tilefish, two species of squid, Atlantic butterflyfish, Atlantic mackerel, Atlantic bluefish, summer flounder, and black sea bass. All of these Council managed species could be adversely affected by oil and gas activities. In addition, Norfolk Canyon, one of several canyons within the lease area, has been designated as both a Habitat Area of Particular Concern (HAPC) for golden tilefish and a Marine Protected Area (MPA). Under Executive Order 13158, federal agencies must avoid causing harm to MPAs through federally conducted, approved, or funded activities. The PEIS for activities under the Proposed Oil and Gas Leasing Program must

¹ National Marine Fisheries Service. 2014. Fisheries Economics of the United States, 2012. U.S. Dept. Commerce, NOAA Tech. Memo. NMFS-F/SPO-137, 175p. Available at: <https://www.st.nmfs.noaa.gov/st5/publication/index.html>.

assess the potential impacts of explorative surveys and drilling on federally managed species of fish and their habitat, including EFH, HAPCs, as well as consider MPAs.

Deep water canyons and areas of the OCS within this lease area contain ecologically sensitive habitat-forming organisms, such as deep sea corals and sponges. The Council is in the process of identifying areas on the OCS where these coral habitats and associated species are in need of protection. The Council is considering the precautionary approach of restricting fishing, to ensure these activities do not expand into these areas in the future. Oil and gas activities may not be compatible with these most sensitive habitats; therefore, the proposed leasing plan and PEIS should consider the coral areas identified as needing protection in the Council's deep-sea coral amendment (available at: <http://www.mafmc.org/actions/msb/am16>). This amendment includes discrete zone alternatives to protect corals in 15 incised and shelf-slope canyons within the Council's jurisdiction, in addition to broad zone measures ranging from 200 to 500 meter depth contours. Three of the Council's proposed discrete zones currently under consideration for protection in the deep-sea coral amendment fall within the Mid-Atlantic BOEM planning area; including Norfolk Canyon, Washington Canyon, and Baltimore Canyon.

A number of commercial and recreational fisheries managed by the Council are prosecuted in deep water areas beyond 50 miles, including: golden tilefish, squid, black sea bass, summer flounder, bluefish, spiny dogfish, and monkfish. In addition, the deep waters of the OCS in the study area, including the canyon areas, are also the focus of other important fisheries for highly migratory species (including marlin, tuna, dolphin, and wahoo), shellfish (sea scallops, red crab, Jonah crab, lobster), and deepwater species in the snapper/grouper complex. Given these fishing activities, the Council recommends the proposed leasing plan and PEIS consider a leasing area which begins further offshore than 50 miles. It is also recommended that depth contours be considered as the basis for identifying the shoreward leasing boundary. Contours starting at 400-500 fathoms should move these activities offshore, beyond the areas prosecuted by these fisheries.

Although the Council's focus is on sustainable fisheries management, this objective is only feasible in the context of a healthy and resilient ecosystem. It is clear that oil and gas activities can have substantial impacts on marine ecosystems. Beyond the impacts on fish, the Council is concerned about impacts to marine mammals and sea turtles (many of which are listed under the Endangered Species Act and Marine Mammal Protection Act), sea birds, and other unmanaged species that contribute to the ecological function of the OCS marine ecosystem. These should be considered within the PEIS.

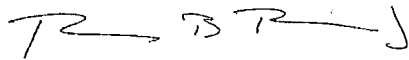
Environmental impacts can result directly from exploration surveys and drilling, or through any of the other oil and gas associated activities including platform and pipeline installation, operations and transport, decommissioning, sound impacts from surveys through operations, and both oil spill and non-spill water quality impacts. While the lease areas may be small, the scale and scope of impacts from all these oil and gas activities in the Mid-Atlantic would be significant and impacts would not be limited to 50 miles shoreward and beyond. In many cases, the information and research is not available to adequately evaluate the environmental impacts in the PEIS for this proposed leasing program. The Council believes it is important to fund the types of research that will allow us to understand the implications of extending oil and gas activities into the Atlantic OCS.

The Council recognizes the importance of energy exploration to U.S. economic security. The Council notes that the offshore canyons of the Mid-Atlantic region are ecologically sensitive areas that are rich in biodiversity and highly important in social, economic, and cultural currency to the fishing

communities in the region. We note that offshore renewable energy is most compatible with our vision for a healthy and productive marine ecosystem in the region. We suggest that the current study area proposed by BOEM for oil and gas exploration exclude the ecologically sensitive canyons within our jurisdiction. We appreciate the opportunity to comment on the proposed activities and look forward to continuing to work closely with BOEM to ensure that offshore energy development in the Mid-Atlantic region advances the Nation's energy priorities in a manner that ensures the future health of the marine ecosystem and the associated communities in our region.

Please feel free to contact Chris Moore of my staff if you have any questions.

Sincerely,



Richard B. Robins
Chairman