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New England Fishery Management Council

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John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

October 7, 2010

Ms. Jean McGovern, OOI Program Director
Division of Ocean Sciences
National Science Foundation
4201 Wilson Boulevard, Ste 725
Arlington, VA 22230

Re: NSF's Ocean Observatories Initiative Pioneer Array – Draft Programmatic Environmental Assessment (DPEA) and Micrositing Process

Dear Ms. McGovern:

The New England Fishery Management Council (NEFMC) offers the following comments on the DPEA for the Ocean Observatories Initiative as well as the ongoing micrositing process. We understand that the formal comment period on the DPEA closed on September 30, but due to a Council meeting last week we were unable to assemble comments in time to meet that deadline. Based on our reading of the DPEA document, as well as our attendance at the siting meeting on October 5, we offer the following for your consideration.

First, we support the general concept of ocean observing arrays, and hope the data gathered from this specific initiative will benefit regional ocean science and management efforts over the long term. However, as you are aware, the same oceanographic features that make the array location ideal for studying transport properties and ecosystem dynamics contribute to the area's importance as habitat for economically-significant finfish and invertebrates, and the fisheries that they support.

As noted in similar correspondence you have received from the state of Rhode Island DEM, various bottom tending fishing gears are deployed in the proposed array location, including fixed gears (longlines, gillnets, traps) and mobile gears (otter trawls). Some of the target species, including deep-sea red crab, monkfish, and whiting, are managed or co-managed by NEFMC, while others are managed by the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission.

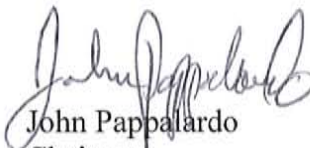
Upon consultation with National Marine Fisheries Service Northeast Regional Office Habitat Conservation Division staff, we concur with the findings in Section 4.2.2.1 of the DPEA that placement of the proposed moorings and sensors will not adversely affect essential fish habitat, as the impacts to the seabed will be both minimal in their spatial scope, and temporary in duration. However, the DPEA does not specify the extent to which commercial fisheries operations would be restricted in the area immediately surrounding the array, and it is unclear to us why socioeconomics (fisheries) were not evaluated as a valued environmental component for the Pioneer Array. We understand that you have received other comments on this issue and are encouraged that you plan to respond with a socioeconomic analysis.

Obviously, the potential for fisheries interactions will be less for the Mid-Atlantic components of the OOI as compared to the Pacific components, as there are no buried submarine cables, but we believe that there could still be significant fisheries impacts depending on the restrictions placed on fishing operations in the vicinity of the moorings. As discussed at the October 5 meeting at URI, impacts on the fishing industry could vary depending on the extent of the buffer zone required around each fixed array, and although 0.5 nm radius buffers were proposed by NSF, the buffer zone required will ultimately be determined by the Coast Guard. We would encourage you to consult with the Coast Guard as you develop an appropriate range of options for your socioeconomic assessment. We would be happy to put you in touch with the Coast Guard personnel that participate in our Council process.

We are pleased to see that NSF's is engaging regional fisheries stakeholders during the micrositing process, and we strongly encourage you to consider the location and magnitude of fishing operations in and around the array location as you proceed. As the Pioneer Array is intended to be moved every 3-5 years, we hope that efforts to engage regional fisheries interests will be ongoing. We would strongly encourage you to at least consider the scientific feasibility of other similar sites along the Mid-Atlantic shelf/slope break as an array location, given the importance of the currently proposed area to regional fisheries. Short of development of another siting alternative, we encourage you to better justify why the selected location meets the scientific needs of the project as you update the draft PEA.

I understand that you have already been in contact with David Preble, who chairs the Council's Habitat/MPA/Ecosystems Committee. We hope that you will continue to consult with us as you further develop your efforts to work with the fisheries community on siting issues for the Pioneer Array.

Sincerely,



John Pappalardo
Chairman