



## Mid-Atlantic Fishery Management Council

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Gary D. Goeke  
Chief, Regional Assessment Section  
Office of Environment (GM23E)  
Bureau of Ocean Energy Management  
Gulf of Mexico OCS Region  
1201 Elmwood Park Boulevard  
New Orleans, Louisiana 70123-2394

Dear Mr. Goeke,

Please accept these comments from the Mid-Atlantic Fishery Management Council (MAFMC or "Council") in response to the Draft Programmatic Environmental Impact Statement (PEIS) to evaluate potential environmental effects of multiple geologic and geophysical (G&G) activities in the Mid- and South Atlantic OCS Planning Areas. After receiving briefings on the proposed seismic activities and the potential impacts at the June Council meeting, the Council made the following motion:

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Move to submit written comments opposing the BOEM seismic testing on the US east coast due to our grave concerns of the enormous Level A and Level B marine mammal takes and the unexamined but suspected deleterious effects on other marine species that our Council manages.

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The Council's primary mission is to manage fishery resources in federal waters off the coast of the Mid-Atlantic region through the implementation of management measures that prevent overfishing while achieving optimum yield (OY) from each of 13 managed 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 G&G activities have substantial impacts on marine environments, yet the Draft PEIS provides insufficient information about how the specific proposed G&G activities may affect fish, marine mammals, benthic communities, and ecosystem structure and function. We understand that these impacts are difficult to predict or quantify, but given the existing value of marine resources to the region and the nation, it is clear that the potential benefits do not outweigh the risks of initiating the proposed G&G activities at this point.

Marine fisheries provide food, employment, recreational opportunities for millions of people in the Mid-Atlantic region, and many coastal communities depend on the utilization of fishery resources. For example, in 2009, the dockside value of commercial landings in the Mid-Atlantic region was \$511.6 million. In addition, more than 2.6 million recreational anglers took 17 million fishing trips and spent more than \$800 million on trip expenses. The commercial and recreational fishing industries in the Mid-Atlantic region support more than 166,000 jobs with an associated income exceeding \$6 billion. In light of the insufficient data and analysis about potential impacts of G&G activities on these valuable marine resources, the Council cannot support the Draft PEIS.



Over the past decades the Council has implemented management strategies to maintain sustainable levels of fishing and, in some cases, to rebuild overfished stocks. These efforts have often necessitated sacrifices from both the commercial and recreational fishing sectors in the form of economic losses and foregone fishing opportunities. After many years of working to rebuild Mid-Atlantic fisheries to sustainable levels, the potential negative impacts of G&G activities on these rebuilt resources are extremely troubling.

The Council recently hosted two scientists, Chris Clark and Aaron Rice of Cornell University, at a meeting in June. Dr. Clark reviewed the physical propagation of sound from seismic airgun surveys, and Dr. Rice addressed the potential for negative impacts of acoustic surveys on fish and fish populations. Their remarks suggest that highly mobile fish are able to easily relocate within 50 meters to avoid lethal effects of the airgun array. They may also avoid sub-lethal damage by maintaining even greater distances from areas subject to noise disturbance from the survey. However, the extensive (months long) survey timeframe makes it likely that prolonged avoidance of the arrays will be necessary and could lead to interruptions in fish spawning and access to forage. More importantly, the area under consideration in the PEIS, which includes the entire continental shelf along the mid- and South Atlantic, is enormous, and much of the shelf is at a depth (< 50 m) that would place the entire water column within the "lethal range" of the array.

The Council also has substantial concerns about the potential and unknown adverse impacts of G&G activities on marine mammals. The Council has participated in the development of Take Reduction Plans under the Marine Mammal Protection Act for Atlantic Large Whales, Harbor Porpoise and Bottlenose Dolphin. These efforts have resulted in area and gear restrictions for several fisheries within the Council's jurisdiction. In the case of north Atlantic right whales, which are among the most endangered whales in the world, protection measures have been extended to include seasonal vessel speed restrictions along the U.S. East Coast where endangered right whales travel to protect them from being injured or killed by ships. Initiating the activities described in the PEIS, many of which could harm or endanger marine mammals, would counteract many of the conservation measures that have taken years to enact.

The general lack of information included in the PEIS relative to impacts of G&G activities on fish, marine mammals, and the surrounding ecosystem is of serious concern. The Council recognizes the importance of energy exploration to U.S. economic security, but the activities described in the Draft PEIS have the potential to contravene the Council's efforts to conserve and manage living marine resources and habitat. Thank you for the opportunity to submit comments on this Draft PEIS. The Council looks forward to working with BOEM to ensure that any future G&G activities in the Mid-Atlantic region are conducted in a manner that minimizes negative impacts on the marine environment.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Moore", is written over the word "Sincerely,".

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