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DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF MARINE FISHERIES

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Jamestown, Rhode Island 02835

TO: NOAA Fisheries and the Bureau of Ocean Energy Management
FROM: Conor McManus, Chief of Marine Fisheries
DATE: May 6, 2022
RE: Comments on NOAA Fisheries and BOEM Federal Survey Mitigation Implementation Strategy – Northeast U.S. Region (Draft March 2022)

Staff from the Rhode Island Department of Environmental Management (RIDEM), Division of Marine Fisheries (DMF) have reviewed the NOAA Fisheries and BOEM Federal Survey Mitigation Implementation Strategy – Northeast U.S. Region released on March 21, 2022 and offer the following comments:

- The document does not discuss prioritization of addressing impacts to individual NOAA Fisheries surveys (Table 1).
 - Does NOAA have an order of how they will address or assess impacts to surveys, or will all surveys be addressed simultaneously?
 - RIDEM DMF understand the challenges with having to prioritize survey mitigation strategies given the use of all surveys' data towards promoting sustainable fish, fisheries, and ecosystem function. However, if prioritization is required, we recommend focusing first on the Autumn and Spring Bottom Trawl Surveys and the North Atlantic Right Whale Aerial Survey due to the importance of these surveys to ongoing management.
 - The Bottom Trawl Surveys provide vital data that supports the stock assessments, and ultimately fisheries management, for dozens of fish and invertebrate stocks of the Northeast U.S. Shelf. RIDEM DMF staff have been engaged in the Survey Simulation Experimentation and Evaluation Project (SSEEP) and will look to support similar efforts as able to into the future.
 - Given the critical state of the North Atlantic Right Whale, and the impact of regulatory impacts on regional fisheries and the economy, ensuring continued and improved data collection on the abundance and distribution of this species is paramount to constructing effective management plans for rebuilding the population.
- We are supportive of the tiered approach to first mitigate impacts to fisheries surveys and then evaluate integration of energy development monitoring surveys with NOAA Fisheries surveys if impacts cannot be mitigated.
- Page 6, Box 1 notes that surveys need to be conducted for at least 10 years to be used quantitatively in NOAA Fisheries scientific advice.

- In the event that NOAA surveys are disrupted, and energy development monitoring is intended to fill these data gaps, will the data be calibrated (e.g., bottom of Page 9) in such a way that 10 years of data will not be required for the data to be used for stock assessment?
- Page 9 explains that new approaches must be standardized across development projects to ensure the spatial integrity of the impacted surveys and six components of federal survey mitigation will be used to meet this requirement.
 - Is there potential for standardized surveys to not meet state-specific survey requirements, and if yes, how will NOAA work with states to remedy this issue?
- Page 21 – solicitation of comments
 - We recommend that both written and verbal comments via public hearing be available for all solicitations to ensure that stakeholders, such as the fishing industry, have appropriate opportunities to ask questions and offer feedback.
- This document is focused on impacts to the surveys directly, rather than impacts to the programs or processes that rely on data from these surveys. Will a mitigation plan or research track assessment be developed to determine how prospective new uncertainty or variability in the survey data products be addressed in future stock or ecosystem assessments?

The Division of Marine Fisheries thanks you for the opportunity to provide comments at this stage. If you have any questions about the information provided, please contact Julia Livermore, Deputy Chief of Marine Fisheries (julia.livermore@dem.ri.gov; 401.423.1937).

Sincerely,



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