



## Long Island Commercial Fishing Association

P.O. Box 191~Montauk, N.Y. ~11954

Phone 516-527-3099~ Fax 631-668-7654~E-mail [Greenfluke@optonline.net](mailto:Greenfluke@optonline.net)

[www.licfa.org](http://www.licfa.org) <https://www.facebook.com/LICFA> [Twitter@LICommFishAssn](https://twitter.com/LICommFishAssn)

Sustainable Fisheries *and* Fishermen for the 21<sup>st</sup> Century

Bureau of Ocean Energy Management  
Office of Renewable Energy Programs  
45600 Woodland Road  
Sterling, VA 20166

November 20, 2015

To Whom it May Concern:

Please find enclosed comments in reference to the proposed New York (NY) Call Area on behalf of the Long Island Commercial Fishing Association (LICFA). We represent commercial fishermen from eleven gear groups throughout fifteen ports on Long Island.

We are completely opposed to the NY call area chosen for an offshore windmill site for many reasons.

- Offshore windmills are not passive Quixotic structures spinning in the wind, they are industrial worksite complexes that destroy the ocean floor's benthic structure, and its flora and fauna. Hydraulic hammers<sup>1</sup> between 15 and 25 feet in diameter pile drive steel towers some 200 feet into the ocean floor, causing extreme underwater noise, vibration, and destruction of benthic habitat. Next, jet plowing of the ocean floor begins in order to lay electrical cable grid six feet below the ocean floor surface, carving up and obliterating additional square miles of benthic habitat. Jet plowing creates massive sedimentation, scour and silt which causes dead zones within and outside of the windmill "farm" footprint, due to the tidal current flow<sup>2</sup>. Lastly, the buried electrical grid cables on the ocean floor are energized, heating the ocean floor where the cables are laid and emitting from it low-level electromagnetic fields.

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<sup>1</sup> <http://www.ecori.org/s/BIWF-CVA-status-Installation-2015-08-25-1.pdf>

<sup>2</sup> <https://fish-news.com/cfn/guest-column-wind-farms-ecosystem-effects-differ-depending-on-species-seafloor-features/>

Offshore windmills in Thanet, England (one of the world's largest installations as of 2010) are in similar depth and tidal ranges as the New York call area, and have been shown to have up to seventy meters (210 feet) of sedimentation scour behind each structure. The pile driving has created a silt layer of several inches on the previously fishery productive sand bottom. Thanet's windmill configuration has changed tidal patterns, and underwater noise, vibration and disturbance of the ocean floor have caused cod to leave the area where they were once productive. Increased sediment due to the scour has also destroyed productive lobster, crab and scallops fisheries.

Thanet Fishermen that once fished within the area now occupied by the Thanet windfarm complex are no longer deriving fishing income from the area. It was only through an agreement with the fishing group representing Thanet's fishermen (Thanet Fishermen's Association) and Warwick Energy (and later Vattenfall) that they received financial compensation for their missed fishing time during construction, along with negotiating a contract that required all fuel for support personnel boats for the windmill complex to be purchased from their fuel dock. Selling fuel to the support boats was the only thing that allowed many of them to survive economically since they weren't fishing.<sup>3</sup>

- Placing an offshore windmill complex in the NY call area, also known as the New York Bight, will create massive economic losses to New York's commercial fishermen in the area due to displacement of fish and destruction of primary fishing habitat for adult, juvenile and larval species.

The area is a well-known commercial scallop, squid and whiting fishing area, worth millions yearly to Long Island's coastal communities, and is also traditional fishing grounds for New Jersey and Rhode Island's commercial fleet. In addition to scallops, squid and whiting, there are a total of 35 species of commercially caught fish whose essential fish habitat is within the NY call area, along with two types of highly migratory tuna and nine different species of shark, three of which, basking, dusky and sand tiger, are listed as species of concern.<sup>4</sup>

The Bight itself is "home to shoreface sand ridges which can provide vertical relief up to 10 meters, (McBride and Moslow, 1991) and these ridges provide important habitat for economically important fish species,

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<sup>3</sup> Mr. Merlin Jackson, Thanet Fishermen's Association, personal communication and <http://www.boem.gov/MAFMC-Offshore-Wind-Workshop/>

<sup>4</sup> <http://www.regulations.gov/contentStreamer?documentId=BOEM-2013-0087-0027&attachmentNumber=1&disposition=attachment&contentType=pdf> Letter to Dr. Andrew Krueger, project coordinator from NMFS NERO Regional Administrator John Bullard, July 8 2014.

supporting higher species and richness compared to the surrounding areas (Vasslides and Able 2008).”<sup>5</sup>

As New York’s Governor Andrew Cuomo made clear in his November 12<sup>th</sup> letter to USDOT’s Maritime Administrator, part of his reasoning for disproving the Port Ambrose LNG project was because the area sited would impact Long Island’s highly productive and lucrative squid and scallop commercial fisheries. The LNG site was in the NY call area.

The Governor noted that in 2012, the East Coast squid fishery was valued at \$31.1 million. The New York commercial scallop fishery landed over 430,000 pounds of scallops worth over \$4 million in 2012 in the New York call area.

- In addition to the economic losses by New York’s commercial fishermen, charter and recreational fishermen from New York, New Jersey, Connecticut, and Rhode Island who also fish for highly prized recreational species, will be subject to the same losses as Cholera Bank overlaps within the call area.<sup>6</sup>
- The economic data being used by BOEM to determine economic “hotspots,” within the NY Call area, as I mentioned to those in attendance in Riverhead, NY for a stakeholder meeting on November 6, 2015, is not an appropriate method to determine economic value for the commercial fishery. At the very least, you should go back to 2000 for revenue streams from the various fisheries that are caught in the NY call area. At best, taking the five best years from 2000-2014 for all of the fisheries that are commercially prosecuted in that area, some of which are also regulated with the Atlantic States Marine Fisheries Commission (ASMFC) or the New England Fishery Management Council (NEFMC) as the lead agency.

For example, as I mentioned in the Riverhead meeting, the longfin loligo squid fishery can be a hit or miss fishery depending on the year. Some years it is a \$6 million dollar fishery to NY, other years less. Using only 2007-12 data may in fact show an inaccurate picture of the amount of revenue that *could* occur in a year that has red hot fishing that year.

Also, by using only those years, if a fishery plan was rebuilding an overfished stock, it could mean severe quotas were enforced at the time restricting catch in order to achieve a rebuilt fishery, but that may make the fishery look unprofitable. Going back at least to 2000 if you are planning on averaging fishing years could at least give a more clear picture of which fisheries are most caught in the NY Call area, and the true

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<sup>5</sup> Ibid, pg 3

<sup>6</sup> ibid, pg 3

economic loss that could occur with a offshore windmill complex in its grounds.

At the very least, fisheries that must be included in the amended economic mix should include squid, fluke (summer flounder), whiting, ling, butterfish, bluefish, blackfish (tautog), lobster, black sea bass, scallops, surf clams and ocean quahogs. They should all be reassessed, preferably with the most profitable five years to be included as an average. Fisheries from the NEFMC and ASMFC as lead council/commission must be added to the value for industry, because it is not just one fishery that could be affected but all of them.

Along that example, butterfish is now a directed fishery, (a species that swims with squid,) so that economically the years used MUST include all directed fishery years because prior to that it was considered a "choke species," for squid and given a cap, similar to a quota. When the cap was reached, squid fishing was then forced to shut down in the area. Without including the most recent economic data on butterfish, which now is a several thousand metric ton quota, it will show an falsely low dollar value of the present-day fishery.

In general, when quotas are high, the economic value is greater, so to average catch based on a depressed stock due to possible overfished status with reduced quotas will not show a true picture of the economic value of the call area. It really needs to be fixed.

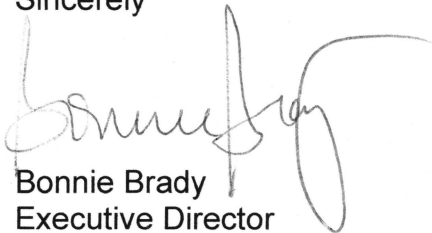
- I am also submitting from two New York trawler boats who fish in the NY call area a series of screenshots of their plotter gear showing tows (lines represent the towing of their mobile tending bottom gear) within the NY call area for squid and whiting trips. While the plotter data does not show which kind of fish or the quantity that were caught, plotter data is dated so that through plotter data a date could be tracked to the Vessel Trip Report, that could then be tracked to a fish buyer's fish return for the same day so that the true dollar value of catch from within the NY call area could be achieved. Also, one of the captains who sent this information, which should be held as personally confidential, informed me that not all tows are recorded on plotters, because to do so would block the ability of fishermen to see where their hangs (underwater snags- represented by orange x's) are, thereby risking the possibility of their net gear destruction.
- From a safety perspective, as it stands with the shipping lanes, the commercial fleet has barely enough room to catch their fish in the space that is carved out presently. To place a offshore windmill complex within the area would further denigrate the safety at sea component of commercial fishermen's job as the mechanics of pulling a net or pulling gear to catch fish, while at the same time maintain alert vigilance as large

transport vessels invade their passageway without appropriate communication skills, there's a reason it is called the most dangerous job in the world. Adding a windmill complex that by its very nature will add other obstacles both in the water and under (hopefully- depending on tide) the sand, plus the proven interference to marine radar that could show false information masking incoming ships, it is an accident waiting to happen.

- I have also submitted 15 documents electronically regarding a variety of issues including studies on how offshore windmills sound, EMF, construction, safety et al, affect both fish and their environment. They are:
  - 08-03e\_Consolidated Guidance for Offshore Windfarms.doc 401
  - Electromagnetic activity on fish with windmills.
  - pdf 5455.
  - pdf 5456.pdf
  - Assessing environmental impacts of offshore wind farms-2014.pdf
  - ASSESSING-EFFECTS-TO-FISHES-FROM-PILE-DRIVING\_2009.pdf
  - EFFECTS OF PILE-DRIVING NOISE ON THE BEHAVIOUR OF MARINE FISH.pdf
  - Effects\_of\_Electromagnetic\_Fields\_on\_Marine\_Species.pdf
  - EM effects present\_gill\_europe.pdf
  - Final report elasmobranchs windmills- BOEM 400+pgs.pdf
  - marinewindfarms and cetaceans.pdf
  - pile driving acoustic and sediment.pdf
  - Radar from Cape Wind- USCG Report.pdf
  - Threshold for fish injuries from piledriving Halvorsen.pdf
  - Windmills Andre\_etAl\_Frontiers\_Cephalopods-2011.pdf

Thank you for your time and allowing me the opportunity to comment on the NY call area.

Sincerely



Bonnie Brady  
Executive Director  
Long Island Commercial Fishing Association