Proposed NEFSC Protected Species Survey Mitigation Plans ASRG Panel Review

Goal:
To provide peer review of NOAA Fisheries Northeast Fisheries Science Center (NEFSC) protected species survey mitigation plans.

Background:
NOAA Fisheries shares a commitment with the Bureau of Ocean Energy Management (BOEM) to develop offshore wind energy, while protecting biodiversity and promoting ocean co-use. One element of this shared commitment includes mitigation of the impact of offshore wind energy development on NOAA Fisheries surveys. The Federal Survey Mitigation Strategy[1] (the Strategy) describes the impacts of wind energy development on fisheries independent surveys and outlines the goals, objectives, and actions to guide the development and implementation of a program to mitigate the impacts on fisheries and protected species surveys over the expected duration (30+ year) of wind energy development in the Northeast U.S. (Hare et al. 2022). Action 1.1.1 of the Strategy calls for the development of survey-specific mitigation plans (plans) for all impacted NOAA Fisheries surveys. The Northeast Fisheries Science Center's (NEFSC) goal in the development of the Northeast Survey Mitigation Program (Program) and survey mitigation plans is to ensure NEFSC can continue to provide equal or higher quality science. Products include precise, accurate, and timely surveys, stock assessments, data, and advice, to NOAA Fisheries partners, stakeholders, and other ocean users, in light of impacts caused by offshore wind energy development now and into the future. NEFSC survey teams have worked with internal and external expertise to develop draft plans for each of the long-term, recurring surveys conducted by NEFSC that will be impacted by offshore wind development. The survey plans include descriptions of the impacted survey, specific stakeholders for the data collected, impacts of offshore wind development, and planned mitigation measures to address the impacts of wind energy development on scientific surveys.

Objective 3.3 of the Strategy outlines the use of peer-review processes to ensure elements of the Program represent the best science available. To this end, NEFSC has requested the expertise of the Atlantic Scientific Review Group (ASRG) to support the peer review of 5 draft survey mitigation plans prepared by NEFSC, plus 1 for new supplemental surveys. Similarly, NEFSC has requested the expertise of New England Fisheries Management Council, Mid-Atlantic Fisheries Management Council, and the Atlantic States Marine Fisheries Commission to support the peer review of 11 fisheries survey mitigation plans.

Survey mitigation plans are intended to be flexible. Goal 4 of the Strategy calls for adaptive implementation, in recognition of the long-term nature of survey mitigation plans (30+ years), the dynamic nature of wind energy development, and to allow for adaptation to future changes

[1] Hare JA, Blyth BJ, Ford KH, Hooker BR, Jensen BM, Lipsky A, Nachman C, Pfieffer L, Rasser M, Renshaw K. 2022. NOAA Fisheries and BOEM Federal Survey Mitigation Implementation Strategy -Northeast U.S. Region. NOAA Technical Memorandum 292. Woods Hole, MA. 33 pp.

in survey technologies, marine ecosystems, and human-uses of marine ecosystems. We anticipate the Strategy, Program, and survey plans (including new survey approaches) will be annually evaluated and adapted for the duration of wind energy development in the Northeast U.S.

Panel Review Charge:

The primary objective of NEFSC survey mitigation plans is to ensure that NEFSC and NOAA Fisheries can provide survey data of equal or higher quality to stakeholders in light of impacts to long-running surveys from offshore wind energy development. An external review of survey mitigation plans conducted by an independent panel of protected species experts will evaluate the detail and scientific soundness of the mitigation approaches described in each plan following a set of Terms of Reference (below). A focus of the review will be to evaluate the relative effectiveness of the proposed survey mitigation responses to the 4 impacts of offshore wind energy development which have previously been evaluated and reported by the NEFSC in regulatory review documents, including in Hare et al. (2022). The 4 impacts are:

1. Potential changes in habitat
2. Impacts on a survey due to preclusion from the survey area
3. Needed changes to a survey's statistical design
4. Reduced sampling efficiency

Furthermore, the panel will assess the plan's effectiveness of addressing 6 key elements of survey mitigation:

1. Evaluation of survey designs
2. Identification and development of new survey approaches
3. Calibration and integration of new survey approaches
4. Development of interim provisional survey indices
5. Wind energy monitoring to fulfill regional scientific survey data needs
6. Development and communication of new regional data streams

Terms of Reference

1. Existing Survey - Does the plan describe the existing survey design, methods, and uses of the data generated from the survey with a level of detail sufficient to assess proposed mitigation solutions for offshore wind impacts? If not, please describe what additional detail is needed.

2. Impacts on the Existing Survey - Does the plan adequately describe how the survey may be affected by the 4 impacts of wind energy development?
    a. Are there additional offshore wind-related impacts the plan should consider?
    b. Are key areas of uncertainty in the impacts from offshore wind identified and addressed?

3. Mitigation of Impacts - Will the proposed approach mitigate the 4 impacts of wind energy development on surveys to ensure time series continuity and the same or better data quality compared to current survey methodologies?

   a. Does the plan effectively describe approaches, both specific and general, for addressing each of the 6 elements of survey mitigation listed above?
   b. What additional mitigation plan elements or mitigation strategies should be considered?
   c. Are key assumptions made about methods to mitigate the impacts on the survey reasonably justified?
   d. Are key areas of uncertainty in the effectiveness of the survey mitigation sufficiently described and addressed in the plan elements?

4. Communication - Does the plan effectively describe steps for communicating important changes in plan implementation? How can communication plans be improved?

Survey Mitigation Plans to be Reviewed:

- North Atlantic Right Whale Aerial Survey
- Marine Mammal and Sea Turtle Aerial Survey
- Marine Mammal and Sea Turtle, and Seabird Vessel-based Abundance Survey
- Vessel-based Sea Turtle Ecology Survey
- Seal Aerial Abundance Survey
- Passive Acoustic Monitoring Survey

Meeting Review Logistics

- Draft Plan Review Documents publicly released ~April 30, 2024 and served through NEFSC Website Landing Page
- Presentations available (at least in draft form) the week before the review
- Presentations should all follow the same format
- Presentations must specifically address each of the TORs

Timing and Agenda

- Date: 29-30 May 2024
- Agenda
  - 6 surveys mitigation plans to be reviewed
  - 30 minute presentation per survey including clarifying questions and then 60 minutes for discussion of plan structured around the ToRs
  - Presentation describes the traditional survey; most of the time focused on the mitigation plan for each survey
  - Public comment/questions after each survey

Date	Time	Survey	Survey Lead
May 29	10:30-12:00	MM&ST Aerial	Debra Palka
	1:00-2:30	MM&ST Vessel Abundance	Debra Palka

	2:45-3:45	MM&ST Vessel Turtle Ecology	Heather Haas
May 30	10:30-12:00	Seal Aerial Abundance	Kimberly Murray
	1:00-1:30	Digital Aerial Survey Techniques	Debra Palka
	1:30-3:00	North Atlantic Right Whale Aerial	Tim Cole
	3:15-4:15	Passive Acoustic Monitoring	Sofie Van Parijs

Format

- Virtual review for presenters, panelists, and public
    - Use GoogleMeet

ASRG Review Panel

- Richard Merrick (co-chair), Francine Kershaw (co-chair), Kathy Ono, Ana Sirovic, Len Thomas, Lesley Thorne
- Produce report responding to TORs for each survey reviewed
- Draft report available within 2 weeks of review's conclusion