New England Fishery Management Council
50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116
John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

April 30, 2018

Program Manager
Office of Renewable Energy
Bureau of Ocean Energy Management
45600 Woodland Road, Mailstop VAM-LD
Sterling, VA 20166

RE: Notice of Intent to Prepare an Environmental Impact Statement for Vineyard Wind LLC's Proposed Wind Energy Facility Offshore Massachusetts

Please accept these comments from the New England Fishery Management Council (Council) regarding the March 30, 2018 Federal Register (FR) Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for Vineyard Wind LLC's proposed wind energy facility offshore Massachusetts.

The Council has sole or primary management jurisdiction over 28 marine fishery species[1], and develops management plans for each group of species that also identify and conserve their essential fish habitats including habitat areas of particular concern and locations where sensitive deep-sea corals occur. Commercial and recreational fisheries for the species managed by the Council are important sources of economic benefits along the entire Atlantic coast. They provide significant benefits to the nation, including contributions to our nation's food security. As the world's population continues to increase these renewable food resources and the employment opportunities they provide will grow in importance. If future benefits of these activities are to be realized, offshore energy development must minimize risks to marine species and existing human uses.

As an overarching comment, the Council requests that BOEM provide additional time for stakeholders to develop comments on this issue, and that BOEM consider longer comment periods on future COPs. We would suggest a minimum 45-day comment period on this notice (through May 15), 60 days if possible. While we understand that EIS development is planned to be quite rapid, with the goal to have a draft document this fall, the Vineyard Wind COP is a substantial document with many elements to review and react to. This first COP/EIS process for a commercial-scale offshore wind facility is important to get right, as it will set precedents for others. It is therefore essential for BOEM to be thorough in its NEPA process for this project, taking the time needed to gather feedback from stakeholders and ensuring that project effects are considered from all angles.

We agree with the points raised in NMFS Greater Atlantic Region's letter to BOEM on this issue, and emphasize the following suggestions for EIS development:

[1] Atlantic cod, haddock, pollock, white hake, Acadian redfish, Atlantic wolffish, ocean pout, Atlantic halibut, winter flounder, American plaice, witch flounder, windowpane flounder, yellowtail flounder, monkfish, winter skate, little skate, smooth skate, thorny skate, barndoor skate, rosette skate, clearnose skate, silver hake, red hake, offshore hake, Atlantic herring, Atlantic sea scallop, Atlantic salmon, Atlantic deep-sea red crab

- Establishing a clear purpose and need and specifying an appropriate range of alternatives are central to developing a high quality EIS that will inform decision makers and the public. Specifically, we ask that BOEM consider a robust range of alternatives related to turbine spacing and arrangement. A clear assessment of the costs and benefits associated with various layouts is critically important, as the set up of the array is fundamental to the ability of fishing activities to continue within the wind farm. Alternative cable routes should also be formally considered. Regarding both turbine layout and cable routing, we ask that BOEM consider alignment between adjacent wind energy projects.
- Commercial and recreational fisheries should be explicitly considered in both the affected environment and environmental consequences sections of the EIS. The EIS must examine fisheries data over multiple years to ensure identification of potentially affected fishery resources and fisheries because there can be significant interannual variability in resources and the fisheries that target them due to both environmental and regulatory factors. Longfin squid, seabass, scup, and whiting are just a few of the fisheries that work in this area. The area is particularly important for longfin squid in early summer, after the June 11 closure of the Massachusetts state waters fishery. The EIS should explore issues around displacement of fishing within the area as well as whether transiting might be impacted by the turbines.
- The EIS should also consider mitigation approaches to minimize and compensate for both environmental and economic impacts. Vineyard Wind should identify a transparent process for determining when compensation will be paid and should provide formal financial assurance of funding. Funds must be set aside for decommissioning as well.
- Given the number of wind energy projects being proposed along the Atlantic coast, the cumulative effects analysis must be comprehensive. The analysis should consider other existing, proposed or planned energy infrastructure projects. We encourage a broad view of those projects that are reasonably foreseeable, keeping in mind that many fisheries operate on a regional scale and could be affected by projects offshore of Massachusetts and Rhode Island, as well as New York and New Jersey.

Thank you for considering our comments. We will continue to work through NMFS to provide additional feedback on this project. Please contact Michelle Bachman (mbachman@nefmc.org, 978-465-0492) with any questions.

Sincerely,

Thomas A. Nies

Thomas A. Nies
Executive Director

cc:
Chris Moore, Executive Director, Mid-Atlantic Fishery Management Council
Robert Beal, Executive Director, Atlantic States Marine Fisheries Commission
Michael Pentony, Regional Administrator, National Marine Fisheries Service, Greater Atlantic Region