May 2, 2018

Mr. Jeffrey Browning
Office of Renewable Energy
Bureau of Ocean Energy Management
45600 Woodland Road, Mailstop VAM-OREP
Sterling, VA 20166

Dear Mr. Browning:

Please accept these comments from the New England Fishery Management Council (Council) regarding the request for feedback on BOEM’s Proposed Path Forward for Future Offshore Renewable Energy Leasing on the Atlantic Outer Continental Shelf. The Council is collaborating with the National Marine Fisheries Service, Greater Atlantic Region staff and Mid-Atlantic Fishery Management Council staff to respond to this notice. Please refer to the detailed correspondence from NOAA/NMFS for additional information.

The Council has sole or primary management jurisdiction over 28 marine fishery species[1]. We develop management plans for each group of species and work to identify and conserve their essential fish habitats. These include habitat areas of particular concern and locations where sensitive deep-sea corals occur. Commercial and recreational fisheries are important sources of economic benefits along the entire Atlantic coast. These industries 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, energy development must minimize risks to marine species and existing human uses.

The Council requests that BOEM extend the comment period for the RFF for an additional 90 days beyond the May 21 deadline. We are aware that you have already heard from the Mid-Atlantic Fishery Management Council on this issue. The current comment period is insufficient to complete a review of the factors and metrics important to planning the future of wind lease locations for the entire outer continental shelf. As such, the extension of the comment period will allow the Council and its stakeholders the necessary time to develop meaningful comments on the positive and exclusionary factors for wind development in response to this RFF. Given the scale of this analysis, it will be important to continue to solicit information from stakeholders and the public on multiple occasions as BOEM moves forward.

The objectives for the Path Forward planning process should be clarified. Is there a goal to identify the total amount of wind energy production for the Atlantic coast? Does BOEM plan to consider the capacity of the wind industry in terms of their ability to assess and develop sites? Is

The Path Forward should be integrated with regional ocean planning efforts in both the Northeast and Mid-Atlantic. The regional planning bodies include a diverse range of constituents with expertise that could inform assessment of tradeoffs and identification of issues. There is a wealth of information within these bodies, and on their data portals, to support a meaningful analysis of tradeoffs about which areas are suitable for offshore wind development. We view the data portal resources as a starting point. BOEM should carefully review caveats associated with these data and seek more specific information as needed.

At present, the impacts of windfarm construction and operations, including the possible cumulative effects of multiple projects, are not evaluated at all during the leasing stage. The Path Forward process provides an opportunity to consider the potential additive impacts of multiple projects during the earliest stages of wind energy planning.

Additional factors should be incorporated into this planning effort. In particular, fisheries are routinely assessed on a landscape scale and we strongly disagree with their exclusion from this planning process. We believe that landscape level fisheries data can be used to inform identification of areas with importance to multiple fisheries. For example, BOEM could overlay spatial data from multiple fisheries to identify hotspots of catch and revenue. AIS vessel tracks and vessel monitoring system data can be used to corroborate these findings. Avoidance of mixed-use areas could be considered as an additional positive factor. Additional positive factors could include avoidance of environmentally sensitive areas, or areas of importance to multiple managed species. We are concerned that this process identifies distances greater than 10 nm from shore as a positive factor but does not consider exclusions for environmental protection or fisheries. This choice seems to elevate visual impacts above other concerns.

We suggest that BOEM prioritize the development of monitoring frameworks before embarking on additional leasing as a part of the Path Forward process. Large-scale monitoring is important to track both natural and human features of the ecosystem that overlap multiple planning areas and leases. If data collection and monitoring approaches are not coordinated and strategic, they may not generate data sufficient to track changes due to wind farms or other factors. Furthermore, continued studies on a lease by lease basis may be inefficient and provide lower-quality data, potentially at higher cost than a coordinated approach. Additional leases will only add to these inefficiencies.

Finally, we recommend that areas previously removed from consideration not be reconsidered as a part of this effort. These areas were removed after considerable public process and the outcomes of those earlier discussions should be respected.

In conclusion, the Council agrees that a comprehensive planning process is an important step forward for BOEM, but it must be done with the input of all stakeholders and should not be rushed. BOEM should utilize lessons learned from projects already under development before determining the next generation of lease areas. In particular, BOEM must establish a regional monitoring framework for existing sites before moving forward with new ones.

Thank you for considering our comments. Please contact Michelle Bachman (mbachman@nefmc.org, 978-465-0492) with any questions.

Sincerely,
cc:
Walter Cruikshank, Acting Director, Bureau of Ocean Energy Management
Chris Moore, Executive Director, Mid-Atlantic Fishery Management Council
Robert Beal, Executive Director, Atlantic States Marine Fisheries Commission
Greg Waugh, Executive Director, South Atlantic Fishery Management Council
Michael Pentony, Regional Administrator, National Marine Fisheries Service Greater Atlantic Region