April 28, 2022

Lt. Jg. Thomas Davis, Chief
Waterways Management Division
First Coast Guard District
408 Atlantic Ave.
Boston, MA 02110

Dear Lieutenant Davis:

Please accept these comments from the New England Fishery Management Council on the Notice of Study; request for comments on Port Access Route Study: Approaches to Maine, New Hampshire, and Massachusetts (MNMPARS).

The New England Fishery Management Council (Council) has primary management jurisdiction for 28 marine fishery species under nine FMPs in federal waters and is composed of members from Connecticut to Maine. In addition to managing these fisheries, the Council has developed measures to identify and conserve essential fish habitats, protect deep sea corals, and manage forage fisheries sustainably. A primary concern of ours is safe and efficient vessel operations given the potential for future offshore wind development in the Gulf of Maine. The Council supports policies for U.S. wind energy development and operations that will sustain the health of marine ecosystems and fisheries resources. While the Council recognizes the importance of domestic energy development to U.S. economic security, it recognizes that the marine fisheries in the Gulf of Maine, the New Hampshire Seacoast, and the Massachusetts Bay are profoundly important to the social and economic well-being of coastal communities in the Northeast US and provide numerous benefits to the nation, including domestic food security. This letter focuses on aspects of MNMPARS most relevant to New England fisheries resources, habitats, and stakeholders, as well as the fishery-independent surveys necessary for effective fisheries management.

**General Comments:**
The Council strongly supports the Coast Guard undertaking the MNMPARS. The Council is encouraged that the Coast Guard is taking a comprehensive regional approach that is bounded by Maine, New Hampshire, and Massachusetts, along with the Canadian border. This area would encompass all potential wind energy areas (WEAs) within the Gulf of Maine, NH Seacoast, and Massachusetts Bay regions and both present and potential future transit needs.
Beyond MNMPARS, the Council appreciates the Coast Guard evaluating route studies in other areas within the Northeast U.S. where lease areas are either approved or are under consideration, including Southern New England and the New York Bight. Completion of route studies early in the area designation and leasing process could provide value for mariners of all types, along with more clarity for BOEM and wind energy developers as sites are identified for development.

However, the Council is concerned how the timing of the MNMPARS will line up with the wind energy area development process in the Gulf of Maine, which is occurring through BOEM’s Gulf of Maine Task Force. The taskforce area includes the same geographic representation as this PARS, i.e., NH, MA, ME, and federally recognized Tribes in the area. The Federal Register notice notes that the PARS may take 12 months or more to complete, while the Task Force meetings will re-commence in May. BOEM and the U.S. Coast Guard should coordinate the timing of these projects because information from BOEM’s Task Force process may help to inform assumptions made in the MNMPARS. For example, the Task Force meetings may identify the most likely locations in the Gulf of Maine for wind energy development, the likely size and locations of WEA and lease areas, the spacing and arrangement of turbines and other structures that might be anticipated, and the possible configuration of interarray and export cables. Without some information on these issues, it will be very difficult to estimate the effects of future offshore wind development on navigation, and therefore the need for routing measures.

It is critical that the MNMPARS evaluate the cumulative impacts of wind development and other human activities on navigation.

In addition to the BOEM Task Force, the state of Maine is in the process of developing an Offshore Wind Roadmap, where the initial draft recommendations include developing a Port Access Study and a port impact assessment to help inform siting locations (Recommendations #7 and #8). Where applicable, the Roadmap and MNMPARS efforts should be coordinated.

**Comments on the Possible Scope of Recommendations:**

The Council is not endorsing any existing vessel routing measures or any specific transit options at this time. However, the Council strongly encourages the Coast Guard to prioritize both present and potential future fisheries activities and fisheries-independent surveys and other fishery management-related research activity in developing any new fairways or traffic separation schemes. We suggest evaluating the existing transit patterns and various combinations of additional vessel routing measures as part of this study. Recognizing that WEA in the Gulf of Maine will be identified in the near future, the Council suggests evaluating minimum suitable gaps between WEA or between adjacent leases within WEA to facilitate navigation. This is similar to what was done with the NY Bight leases where there is a buffer along the lease edges where structures are not permitted. While the Council is not taking a specific position on the width of corridors required for transit, 4 nm has been suggested frequently by the fishing industry and we suggest that the Coast Guard evaluate this width specifically. The Coast Guard should recognize that floating wind turbines might present different challenges for fishing and navigation as compared to the fixed turbines considered for other areas.

The Council encourages the Coast Guard to evaluate commercial and recreational fisheries activities in the MNMPARS. The Coast Guard should use all available information to understand where fishing activity, including transit, currently occurs, and carefully consider limitations of specific datasets. This is especially important for AIS data, which does not comprehensively
represent the activities of smaller commercial and recreational fishing vessels. As a first step the Coast Guard could review the AIS data for fishing vessels to gain a better understanding of critical ports and transit areas, provided in Figure 1 below. We are aware that NOAA Fisheries is developing data sets to depict activity in regional fisheries. Some of the NOAA approaches used in similar analyses, however, make assumptions on the distribution of fishing activity around a reported location that are inconsistent with fishing behavior. This is particularly the case in areas with rapidly changing bathymetry, where the assumption that activity is distributed evenly around a position may not be valid. The Council advises the Coast Guard to consult closely with NOAA staff as the PARS is developed, since they have significant expertise in analyzing and interpreting spatial information about fisheries and fisheries research activities.

The Council asks that the Coast Guard recognize research surveys in service of fisheries management as a high priority use and prioritize ‘safe transit’ requirements for the RV Bigelow and other research vessels. The Council also encourages the Coast Guard to engage fishery scientists including those working at the Northeast Fisheries Science Center in the PARS process and to consider research vessel traffic separately and in addition to commercial and recreational fishing activity. Fisheries management and Essential Fish Habitat protection are also necessary ‘uses’ of the marine area.

In terms of future transit needs, as offshore wind projects are installed, depending on the specific layout and orientation selected for turbines and other components, transit and fishing patterns will change. The Council is concerned that new wind farm installations could lead to pressure points where fishing activity and transit becomes concentrated in ways that negatively impact fisheries or fisheries research and management activities. Additionally, the Council encourages the Coast Guard to use the best available scientific methods for projecting potential future vessel traffic as wind farms become operational. NOAA Fisheries researchers are currently engaged in data management and analysis projects to summarize information about fishing distributions throughout the Gulf of Maine. The Council encourages the Coast Guard to consult with Eric Thunberg, Economist, NMFS Office of Science and Technology, 774-435-1330, Eric.Thunberg@noaa.gov and Douglas Christel, Fishery Policy Analyst GARFO, 978-281-9141, Douglas.Christel@noaa.gov on their ongoing work on this topic.

To ensure the safety of future fishing operations the Council encourages the Coast Guard to engage in the following activities:

- To add search and rescue as a category of impacts explicitly considered in the PARS,
- To specifically address whether cables associated with new wind farms would be allowed within safety fairways,
- To provide advice to developers and BOEM on ways that layout of turbines and electrical service platforms could facilitate transit within wind energy areas,
- To identify potential secondary effects of concentrating activity within safety fairways or other vessel routing measures, for example effects on managed or protected species, or essential fish habitats.
- To consider the effects of temporary restrictions on navigation designed to minimize risks to the Northern right whale.
- To consider the effects of severe winter weather, including icing, on the ability of vessels to navigate safely. These conditions occur less often in the areas previously studied but are encountered frequently in the Gulf of Maine.
- To further research how offshore wind can disrupt vessel radar systems and how these impacts can be mitigated. Small vessels rely on radar systems at night and during bad weather to help compensate for reduced visibility. Wind turbines are highly reflective which may skew data or display something on the radar screen that is not actually present (British Wind Energy Association study, 2007). An interagency Wind Turbine-Radar Interference Mitigation study1 was done in 2014 and 2018, which involved BOEM, NOAA, Departments of Defense and Energy, and the Federal Aviation Administration. In 2022, the National Academies published a study on wind turbine generator impacts on marine vessel radar2. These and other studies should be evaluated as part of the PARS.

This Notice does not include any specific vessel routing measures nor specific study objectives. The Council is not able to provide more specific comments given the large study area (20,500 square nautical miles) and lack of potential alternatives and specific objectives.

**Conclusion**

Again, we strongly support the Coast Guard undertaking the MNMPARS and we appreciate the opportunity to provide comments to ensure the study meets the needs of fisheries resources, habitats, stakeholders, and the scientific surveys necessary for effective fishery management decision-making. The Council looks forward to working with the Coast Guard to ensure that the MNMPARS meets its objectives so that offshore wind installations and other changes in patterns of vessel traffic offshore do not preclude the ability of the Council and NMFS to effectively manage the region’s fishery resources.

Please contact me if you have any questions.

Sincerely,

Thomas Nies
Executive Director

Cc Jim Bennett, Bureau of Ocean Energy Management

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Figure 1. 2019 Fishing vessel transit counts based on AIS data (shown in color scheme) with traffic lanes (shown in pink), Maine floating offshore wind research array area of interest (shown in orange), and principal ports based on tons of fish and shellfish landed (in white circles).