



## New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

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Ms. Karen J. Baker  
Chief for the Office of Renewable Energy Programs (OREP)  
Bureau of Ocean Energy Management  
45600 Woodland Road (VAM-OREP)  
Sterling, Virginia 20166

Dear Ms. Baker:

I would like to thank you for having your staff brief the Council on offshore wind development at our June 30, 2022 Council meeting. They gave clear explanations of pending activities, including the development of a Programmatic Environmental Impact Statement (PEIS) for the New York Bight as well as for the next steps in the Gulf of Maine. We request that BOEM also develop a PEIS for the Gulf of Maine, but earlier in the process to inform the identification of wind energy areas (WEAs) and eventually lease areas.

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. 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 also 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.

The Council has repeatedly expressed concerns over the pace and number of offshore wind projects in development in our region. The speed of this process makes it difficult to conduct a thorough analysis of potential individual and cumulative impacts and provide informed public input. It also makes it nearly impossible to adopt lessons learned from each project. Many fishing businesses, fishery management organizations, and fisheries science and research organizations operate at regional scales. These organizations will be affected by and are trying to engage in the development of multiple offshore wind projects. We are collectively struggling to provide meaningful input on a diverse range of related issues including siting, project design, mitigating impacts to fisheries science, compensation for fishermen, appropriate monitoring strategies, navigational concerns, and possible effects on protected and endangered species. A timely PEIS

would allow for additional time for the public and other stakeholders to engage in offshore wind development in the Gulf of Maine including an additional comment opportunity under NEPA.

Wind Energy Area (WEA) identification in the Gulf of Maine is expected during Quarter 3 2023 and a proposed sale notice is expected during Quarter 4 2023. A PEIS for the Gulf of Maine Planning Area will better support an inclusive, collaborative, and transparent planning effort for wind development in the area. We believe that a PEIS would help BOEM and ocean users better understand the risks and cumulative effects of offshore wind development on important resources. This includes fishing communities and their cultural heritages, fishing and shoreside businesses with portfolios located entirely or largely within the Gulf of Maine, Council-managed commercial and recreational fishery species, deep-sea corals and other sensitive and vulnerable habitat, and endangered and protected species and their designated critical habitat (e.g., North Atlantic right whale, Atlantic salmon, Atlantic sturgeon, sea turtles).

The Council is concerned that the commercial leasing process for the Gulf of Maine will not be adequately informed by development of the state of Maine's research array. The timelines for these two efforts appear to overlap, making it difficult to understand how the research array experience will be considered in future leases. Learning from the research array will be important given that there is less experience worldwide with floating wind technology and its differential impacts on natural resources and other ocean users.

A PEIS prior to identifying WEAs also would provide increased transparency and more thorough review in how potential impacts are identified and evaluated when considering offshore wind development in the Gulf of Maine. This is especially important given the three-year gap between the first Gulf of Maine Intergovernmental Renewable Energy Task Force meeting held in December 2019 and the second task force meeting in May 2022. It is crucial for all stakeholders, especially those likely to be impacted by offshore wind development, to fully understand the types of projects that may be developed as well as any expected impacts.

Specifically, we expect the PEIS to accomplish the following:

- Provide a baseline assessment of important resources in the Gulf of Maine Planning Area, including an accounting of all data sources used to characterize these resources. This will allow all participants in the siting process to understand which data BOEM is using to understand the occurrence, distribution, and current condition of resources.
  - o Importantly, this assessment would allow participants to focus on providing additional or new information to BOEM that is not already being considered, avoiding duplication of efforts across individuals and organizations.
- Evaluate the potential impacts of wind energy development on these resources. This analysis can serve as a foundation for future NEPA analysis of specific leases, should leasing occur in the Gulf of Maine.
  - o The PEIS can identify the magnitude of expected impacts and can thus focus site-specific surveys and environmental reviews more thoroughly on the more moderate and/or major impacts and less on minor or negligible impacts on affected resources. This would frontload the analysis but should create efficiencies later.
- Develop a range of programmatic avoidance, minimization, mitigation, and monitoring measures that could be applied to all future leases, similar to the approach being undertaken for the New York Bight.

- More specifically, the PEIS could identify any significant issues, potential alternatives, and draft mitigation measures that should be considered during the NEPA and leasing process and analyze how those impacts would be avoided, minimized, or mitigated.
- Evaluate the benefits and costs of adopting programmatic avoidance, minimization, mitigation, and monitoring measures.
- Consider whether there are areas in the Gulf of Maine that should not be leased for offshore wind development.
- The PEIS should include a focused, regional cumulative analysis of offshore wind development within the Gulf of Maine (e.g., a regional analysis of potentially multiple lease areas for offshore renewable energy in the Gulf of Maine). A realistic discussion of the cumulative impacts of multiple projects needs to be provided to the public so there is an understanding of the scale of development that is anticipated in this area.

A deliberate, open, and information-driven process for commercial wind leasing and development in the Gulf of Maine is essential. The wind energy area siting phase for any region, including the Gulf of Maine, represents a critical early opportunity for avoiding impacts through scaling development appropriately and locating development areas in locations that will limit effects on resources and users. We expect that a PEIS would facilitate identification of areas that should not be leased. It would also improve the transparency of the BOEM decision-making process. Ideally this will result in more consistency in the decisions made for offshore wind in the Gulf of Maine and perhaps allay fishing industry concerns about the unpredictability of the process.

We will continue to provide our expertise in both the commercial and research leasing processes and look forward to continued partnerships with BOEM and other regional organizations as this work progresses.

Please contact me if you have any questions.

Sincerely,



Eric Reid  
Chair

cc: Michael Pentony, GARFO  
Dr. Chris Moore, MAFMC