New England Fishery Management Council
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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

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Jessica Stromberg
BOEM, Environment Branch for Renewable Energy
45600 Woodland Road, Mail Stop VAM–OREP
Sterling, VA 20166

Dear Ms. Stromberg:

Please accept these comments from the New England Fishery Management Council (Council) on important issues to be considered as BOEM develops an Environmental Assessment (EA) for the proposed research lease in the Gulf of Maine. The EA will consider the impacts of leasing this area, which would allow the lessee to conduct geophysical, geotechnical, and biological surveys, and install meteorological measurement devices to assess the wind resources, pursuant to an approved Site Assessment Plan. The EA will not evaluate the impacts of constructing the wind farm as those impacts will be considered through a separate Environmental Impact Statement after submission of a Construction and Operations Plan.

The 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 recognizes that marine fisheries in the Gulf of Maine are profoundly important to the social and economic well-being of coastal communities in the Northeast U.S. and provide numerous benefits to the nation, including domestic food security.

Coordination with the commercial leasing process:

We remain concerned about the overlapping timing between commercial and research leasing in the Gulf of Maine. Given this timing it is 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. Furthermore, uncertainty about the potential scale and location of commercial leasing will make it challenging to estimate cumulative effects of research and commercial projects on fish, habitats, and fisheries.

Location of the research lease:

At the May 10-11 Gulf of Maine Renewable Energy Taskforce meeting in Bangor, ME, the United States Coast Guard (USCG) expressed concerns about the location of the research lease area relative to the offshore edge of the Traffic Separation Scheme (TSS) offshore of Portland. Via a recently completed Port Access Route Study (MNMPARS), the USCG has recommended extending the TSS further offshore expanding to 8 NM before connecting with the proposed Gulf of Maine fairway, putting its terminus within three miles of the Request for Competitive Interest Area and within six miles of the Request for Interest area.

We are unclear as to whether BOEM will move the research lease location, but it will be important to explore this possibility and identify alternative sites before developing the Environmental Assessment, so that the analysis reflects any areas where the research lease might occur.

Information to consider in the Environmental Assessment:

The environmental assessment should document available fish, fisheries, and habitat data within and around the lease site. This should include an evaluation of data quality and uncertainty in terms of seafloor habitat characteristics.

Both Vessel Monitoring System (VMS) and Vessel Trip Report (VTR) data should be considered when characterizing commercial fishing activities within the lease area, and it is important to document both catches and revenues. As we have noted in previous comments to BOEM, using only ex-vessel value to define the most affected fisheries can exclude fisheries which may have socioeconomic importance for other reasons (e.g., high volume but lower ex-vessel value, a seasonally or locally important fishery, or a lower value species that is used as bait for a higher value species). Furthermore, landings and revenue data should be provided by year and not merely averaged, given fisheries revenues can fluctuate for a variety of reasons. An average value may not accurately characterize the varying economic value of the fishery.

The EA should document patterns of vessel transit in the vicinity of the potential lease, relying on MNMPARS as appropriate. Transit activity should be based on a combined evaluation of AIS (Automatic Information Systems), VMS, and VTR data. Not every vessel has AIS especially smaller vessels fishing in the Gulf of Maine region, not every vessel is required to have VMS units (e.g., lobster fishery), and not every vessel submits a VTR. These data sources should be examined in aggregate to gain a more comprehensive understanding of vessel traffic patterns.

The EA should acknowledge the impacts of wind energy development at the site on fishery independent, ecosystem, and protected resource surveys. These surveys are essential for stock assessment and understanding ecosystem conditions. The EA must also account for the direct impacts of all types of pre-construction monitoring that are expected to occur during the site assessment phase. This would include estimates of cumulative removals of fishery species during baseline surveys and any takes of protected species.

Conclusion

We appreciate the opportunity to provide comments to ensure that issues of social and ecological importance are considered as BOEM considers leasing this area of the Gulf of Maine for wind energy development for research purposes. We look forward to working with BOEM to ensure that any wind development in our region minimizes impacts on the marine environment and can be developed in a manner that ensures coexistence with our fisheries. We would be happy to assist in communicating information about the research lease to the fishing industry through our Council meetings and other channels.

Please contact me if you have any questions.

Sincerely,

Thomas A. Nies
Executive Director