



Pacific Fishery Management Council

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Philip Anderson, Chair | Charles A. Tracy, Executive Director

January 28, 2019

Ms. Jean Thurston
BOEM California Intergovernmental Renewable Energy Task Force Coordinator
Bureau of Ocean Energy Management
Office of Strategic Resources
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010

RE: Docket No. BOEM-2018-0045

Dear Ms. Thurston:

The Pacific Fishery Management Council (Council) submits the following comments in response to the Call for Information and Nominations on Commercial Leasing for Wind Power Development on the Outer Continental Shelf Offshore California.

The Council is charged with sustainably managing West Coast fisheries and the habitats upon which they depend. The Council is one of eight Regional Fishery Management Councils established by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 (MSA), and recommends management actions for Federal fisheries off Washington, Oregon, and California. The Council is required to achieve optimum yield for public trust marine resources. Optimizing the yield of our nation's fisheries requires safeguarding these resources, their habitats, and the fishing communities that rely on their harvest.

Essential Fish Habitat

The Council is particularly focused on actions that may have negative consequences for the essential fish habitat (EFH) of Council-managed species. The proposed lease areas are within areas of the ocean designated as EFH for federally-managed Pacific Coast groundfish, coastal pelagic species, salmon, and highly migratory species.

The MSA defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." The MSA includes provisions to identify, conserve, and enhance EFH for species managed under the Council's fishery management plans, and authorizes the Council to comment on any Federal or state activity that may affect the habitat, including EFH, of a fishery resource under its authority.

Special habitat types and geologic features of high biological significance or sensitivity found within EFH are designated as “habitat areas of particular concern” (HAPCs). Rocky reefs, estuaries, canopy kelp, seagrass, and a number of unique geological structures such as seamounts and canyons are designated as HAPCs for Council-managed groundfish species because of their high resource value, and should be avoided in your siting decisions.

We note that the Council and the National Marine Fisheries Service are currently reviewing the preferred alternative for revisions to groundfish EFH Conservation Areas and Rockfish Conservation Areas. This process will result in reconfiguration or removal of some bottom trawl closure areas, as well as designating new bottom trawl closure areas. These changes may be relevant to the BOEM leasing process and may be found on our website.¹ Implementation of these changes is expected by the end of 2019.

Adopt a Precautionary Approach to Ensure Fish Habitat is Protected

The Council is concerned about both short- and long-term actions and impacts on habitat and commercial fisheries as a result of offshore wind energy area designation. Potential habitat impacts related to the laying of electrical cables include vibration and noise generated by subterranean drilling, destruction of habitat features, disturbance of species during construction and maintenance, scouring and plume caused by seafloor trenching and transmission cable burial, and impacts of electromagnetic fields from suspended midwater cables.

The Council urges BOEM to adopt a precautionary approach by excluding lease blocks that contain ecologically sensitive resources, establishing buffer zones, and using location and design criteria within blocks to avoid impacts on HAPCs and EFH Conservation Areas from wind energy projects and cable routes, and any activities associated with the establishment or maintenance of those structures.

Displacement of Fishing Activity and Council Management Processes

The Council expects that BOEM or another agency would prohibit the use of some or all fishing gear in designated wind energy lease areas for safety and liability reasons. The socioeconomic impacts of these exclusions to Council-managed fisheries and other parts of the human environment may be significant. As you know, spatial data for many fisheries is lacking, making it difficult to estimate the economic impact these projects would have on the fishing industry. Impacts of wind energy area designation could result in a reduction in total fishing effort and lost productivity (economic impact), or displacement of fishing effort to areas outside the closed areas. Displaced fishers would likely concentrate their efforts immediately outside the wind farm boundary, resulting in increased pressure on fish and habitat in those areas.

The direct and indirect impacts of wind energy area designation to commercial fisheries and living marine resources should be considered in the wind energy area scoping process *before* the leasing, permitting, and construction phases of wind energy development.

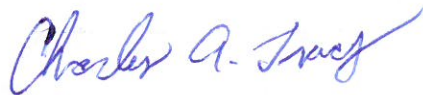
¹ <https://www.pcouncil.org/groundfish/fishery-management-plan/amendment-28/>

Future Engagement and Consultation with the Council

The Council intends to stay abreast of any leases and will provide comments on specific proposals as they arise. Please note that the Council's meeting schedule and opportunities for its advisory bodies to inform the Council do not necessarily align with public comment periods of other public processes. We appreciate your consideration of our comments if issues should arise outside the public comment window.

The Council looks forward to assisting BOEM in reviewing its NEPA document as it pertains to fishing activities on the West Coast, as well as in finding development options that avoid and minimize impacts to important ecological and fisheries resources and in achieving the long-term goal of responsible development of this industry.

Sincerely,



Charles A. Tracy
Executive Director

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Cc: Council Members