



Pacific Fishery Management Council

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Marc Gorelnik, Chair | Charles A. Tracy, Executive Director

Date

Agenda Item C.2
Supplemental Attachment 1
November 2021

Ms. Necy Sumait
Bureau of Ocean Energy Management
760 Paseo Camarillo Suite 102
Camarillo, California 93010-6002

Dear Ms. Sumait,

The Pacific Fishery Management Council (Council) is charged with sustainably managing United States West Coast fisheries, which includes conserving and enhancing habitats that support fisheries production and ecosystem functions. The Council develops management actions for Federal fisheries off Washington, Oregon, and California, and 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 access to those resources. In pursuit of these goals, the Council works closely with West Coast states, the National Marine Fisheries Service (NMFS), tribes, and numerous stakeholders dedicated to sustainable fisheries, vibrant fishing communities, and healthy ecosystems.

The Bureau of Ocean Energy Management (BOEM) has announced its intent to publish a Call for Information and Nominations (Call Areas) off the Oregon Coast in the near future, and the Council anticipates providing comments on draft Oregon Call Areas once they are announced. To help us provide focused and meaningful comments to BOEM, we have compiled several questions and suggestions.

First, there is a BOEM-Oregon Task Force meeting tentatively scheduled for January 2022. It is our understanding that BOEM will present the proposed Call Areas to the Task Force during that meeting, and that the Call Areas will be formally announced in the *Federal Register* some time thereafter. Will there be a comment opportunity after the January BOEM-Oregon Renewable Energy Task Force meeting and before the publicly noticed formal comment opportunity? If so, would BOEM consider modifying the draft Call Areas prior to publication in the *Federal Register*? The Council would appreciate it if the formal comment opportunity encompassed one of our five annual meetings. In early 2022, the Council has meetings scheduled March 9 – 14 and April 8 – 13, 2022.

Second, the Council is interested in understanding BOEM's decision-making process and the suite of factors included in determining Call Areas. We understand that in establishing Call Areas off Oregon, BOEM considers multiple ecological, technological, and user-based factors including wind speeds, available port and energy infrastructure, fishing activities, maritime vessel transit, depth, and bathymetric slope. As described by BOEM during the November 10, 2021, Marine Planning Committee (MPC) meeting, BOEM will balance multiple factors and weigh trade-offs to move through the process. There is no scoring or weighting of factors as BOEM considers whether trade-offs merit a change in area designations, and the BOEM Director will take a big-picture view

as the ultimate decision maker. The Council requests greater clarification on the metrics BOEM uses for determining Call Area or Wind Energy Area siting, how these factors are considered in the decisional process, and what threshold of potential impacts to any of the factors would exclude an area from consideration as a Call Area, Wind Energy Area, or Lease Sale? This information is not currently available to the public and would be helpful so the Council can focus its efforts on providing information and input most meaningful to BOEM's process and congruent with Council's mandates.

Third, BOEM has determined that the 1300-meter depth contour represents the outer extent of feasibility for offshore wind (OSW) development based on current technology and limitations of depth, bathymetric slope, and cost. However, except for fisheries targeting albacore and other highly migratory species, much of the commercial fishing activity within the Council's jurisdiction occurs in waters shallower than 1300 meters. We are concerned that the areas identified for siting wind energy infrastructure may overlap with important fishing areas. We urge BOEM to continue exploring solutions that minimize potential conflicts with fisheries. Recognizing that technology is improving continuously and that today's perceived barriers for the energy industry may be resolved as the industry matures and develops technologically, we encourage BOEM to extend the analysis of potential Call Areas to consider the technological potential, ecosystem factors, and fisheries conflicts in areas deeper than 1300 meters. Presenting the opportunity for future wind energy development to occur outside the 1300-meter depth could have the obvious advantage of minimizing conflicts with some fishing activities and access.

Fourth, the Council is invested in responsible decision making regarding future OSW energy planning. The Council's new MPC was designed in part to compile information that can be used in decision making regarding OSW and other ocean development activities. The MPC and the Council are available to provide expertise in support of sound decision making regarding Oregon Call Areas and other future OSW planning activities. We appreciate BOEM's agreement to work with NMFS and the Oregon Department of Fish and Wildlife and other data providers to allow for submission of available and relevant fisheries data, prior to BOEM's development of draft Oregon call areas. In addition to fisheries data, NMFS will have useful scientific information on the marine ecosystem, protected species, and essential fish habitat. In addition, we ask BOEM to consider the comments on habitat, fishery, and community impacts described in letters sent previously from the Council, appended to this letter. Once analysis is performed, we ask BOEM to provide very clear and specific rationale used to establish draft Call Areas, including the data layers used. After the draft Call Areas have been presented to the BOEM-Oregon Task Force, we ask that Task Force input and comments from the Council be considered and incorporated prior to publication of the formal *Federal Register* notice on Call Areas off Oregon.

Please contact Kerry Griffin of Council staff with any questions or clarifications. We appreciate BOEM's outreach efforts and communication with the Council and stakeholders.

Sincerely,

Marc Gorelnik
Chair, Pacific Fishery Management Council

KFG:xxx

Cc: Council Members
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DRAFT