



## Pacific Fishery Management Council

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Marc Gorelnik, Chair | Merrick J. Burden, Executive Director

January 11, 2022

Office of the Environment  
Bureau of Ocean Energy Management  
760 Paseo Camarillo  
Camarillo, California 93010

To Whom It May Concern:

On October 19, 2018, the Bureau of Ocean Energy Management (BOEM) published in the Federal Register a Call for Information and Nominations for Commercial Leasing for Wind Power Development on the Outer Continental Shelf (OCS) Offshore California. BOEM delineated three geographically distinct Call Areas: Morro Bay and Diablo Canyon off the Central Coast, and Humboldt off the North Coast. On July 29, 2021, BOEM delineated two extensions of the Morro Bay Call Area, known as the East and West Extensions and published in the Federal Register the “Commercial Leasing for Wind Power Development on the Outer Continental Shelf (OCS) Offshore Morro Bay, California – Call for Information and Nominations”. On November 12, 2021, BOEM issued a press release announcing it had designated the Morro Bay Wind Energy Area (WEA). The WEA is located approximately 20 miles offshore the central California coastline and contains approximately 240,898 acres (376 square miles).

BOEM will prepare an Environmental Assessment (EA), per the National Environmental Policy Act (NEPA), to consider potential impacts from site characterization activities (e.g., biological, archeological, geological, and geophysical surveys and core samples) and site assessment activities (e.g., installation of meteorological buoys) off central California. As part of BOEM’s scoping process, the agency is seeking public comments through January 11, 2022, on what should be considered as part of the EA. In particular, BOEM is seeking input on site assessment and site characterization activities, which include a variety of scientific surveys to gather data on the environment in the WEA, as well as other uses of the OCS in the vicinity.

The Pacific Fishery Management Council (Council) is charged with sustainably managing U.S. West Coast fisheries, which includes conserving and enhancing habitats in support of sustainable fisheries and managed species. 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 their harvest. The Council notes that the Outer Continental Shelf Lands Act and Magnuson-Stevens Fishery Conservation and Management Act both contain mandates to responsibly manage ocean resources.

At the outset, we appreciate that BOEM acknowledged our comment letter in response to the 2021 Call for Information and Nominations on the Morro Bay East and West Extensions. We also submitted a comment in response to the Humboldt WEA designation and many of the comments

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raised in that letter are applicable here. Like the Humboldt Area Identification (Area ID) Memo, the Morro Bay Area ID Memo aggregates all fisheries together for discussion. For example, the sablefish fishery is prosecuted using different gear types (trawl, pot, long line, etc.); and the relative impact of the WEA may differ, based on the gear type used. The assessment of impacts should be broken out by fishery and gear type, and be done in such a way to show trends over time. To accurately reflect potential impacts, BOEM should look beyond the last decade for information regarding fisheries in the area, as the recent ten-year period has been a time of tremendous change for many West Coast fisheries and future years should be quite different from this time period. For example, Amendment 28 to our Pacific Coast Groundfish Fishery Management Plan, adopted in 2019, implemented changes to the groundfish fishery by providing increased access to productive fishing grounds where fish populations have rebounded in recent years. Incorporating fishery-data from years earlier than the recent ten-year period could be used to estimate potential impacts post-Amendment 28.

Amendment 28 also established additional protections for high valued benthic habitats, by prohibiting bottom trawling in known areas of rocky reefs, undersea canyons, and biogenic habitats. While most of the specific potential impacts to marine habitats will be considered on a project-specific basis, the potential impacts of site characterization, surveys, and transmission cables should be considered as part of the site assessment and characterization activities.

Section VI of the Morro Bay Area ID Memo<sup>1</sup> (Memo) discusses Considerations for Area Identification. Commercial and recreational fishing are listed as one of the uses found to interact most with potential offshore development in and around Morro Bay. BOEM outlines its internal analysis on fishing activities in subsection 1 and we address some of the information below:

- While BOEM lacks the authority to prohibit fishing within wind energy areas, the United States Coast Guard (USCG) does have the authority to establish safety zones in and around offshore wind installations. In the scope of their EA, BOEM should include analysis of potential impacts to fishing access and transit resulting from exclusion from all or part of the WEA. We note that other factors may also exclude fishing vessels from wind energy installations. For example, insurance companies may exclude coverage for fishing vessels within wind farms because of impacts to vessel radar systems<sup>2</sup> and other risk factors associated with large scale wind energy installations.
- BOEM incorrectly states that “[r]ecreational fishing is not expected to be negatively affected by offshore wind development in the Call Area because recreational fishers rarely fish in areas where water is deeper than 200 meters.” Recreational fisheries for highly migratory species, such as tuna and billfish, take place in waters deeper than 200 meters and recreational fishermen and women out of Morro Bay have historic reliance on albacore tuna and more recently, bluefin tuna. This means that the recreational fishery for highly migratory species will likely be negatively impacted. These impacts will be

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<sup>1</sup> <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/Area-ID-CA-Morro-Bay.pdf>

<sup>2</sup> [https://www.boem.gov/sites/default/files/documents/environment/Radar-Interference-Atlantic-Offshore-Wind\\_0.pdf](https://www.boem.gov/sites/default/files/documents/environment/Radar-Interference-Atlantic-Offshore-Wind_0.pdf)

felt by charter boat owners and operators, sportfishing landings, live bait providers, fuel docks and local hotels and restaurants.

- BOEM states that “currently no available information indicates unique fishing grounds within the Call Area that are either marginal or notably valuable.” We question this assertion and suggest that BOEM review available data and anecdotal information that would more accurately inform whether and which fishing grounds are valuable to fishermen utilizing the area(s). For example, it could be that potentially impacted fishing grounds are extremely valuable to Morro Bay or Port San Luis harvesters.
- Providing ex-vessel revenues is useful in determining the potential economic loss to commercial harvesters; but fails to capture the true economic impact. Members of the dependent fishing community – buyers and processors, fuel docks, marine mechanics, restaurants, etc., could all be negatively impacted. As part of the planning and site characterization evaluation, potential impacts to commercial and recreational fisheries as well as associated industries should be evaluated.
- Atop page 16 the following statement is made, “Fisheries economic productivity reflects biological productivity and is highest in shallower waters near the coast, declining as depth increases.” The Memo includes a reference for this claim (as footnote 34), but there is no footnote 34 in the Memo. Fisheries economic productivity is the result of many different factors that extend beyond biological productivity, such as market prices and other factors. When these other considerations are taken into account, areas near the shelf break and in the deep ocean become highly valuable in an economic sense. For example, important groundfish species such as sablefish are found along the outer shelf and slope, while highly migratory species have no economic productivity in shallower waters near the coast but are very valuable.

We also wish to address the analysis under Subsection 2 (Marine Navigation). That subsection begins with the statement that the “majority of commercial vessels that traverse the Call Area carry automated identification system (AIS) transmitters. BOEM conducted a review of 2011 and 2017 AIS vessel information provided to BOEM from the USCG.” Beginning in 2016, commercial fishing vessels 65 feet or greater were required to have AIS. However, the vast majority of commercial fishing vessels operating in and around the WEA are under 65 feet, and thus not required to use AIS. BOEM should include all commercial and recreational fishing vessels in this subsection, not just those with AIS.

Finally, the Council recommends the items described in the attached table should be included in the scope of the EA. We appreciate your consideration of our comments. Please contact Kerry Griffin ([Kerry.griffin@noaa.gov](mailto:Kerry.griffin@noaa.gov); 503-820-2409) if you have any questions.

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Sincerely,

A handwritten signature in black ink, appearing to read "Merrick J. Burden", is written over a light pink rectangular highlight.

Merrick J. Burden  
Executive Director

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Enclosure: Summary Table of Issues to Include in Scope of Environmental Assessment

Cc: Council Members  
Susan Chambers  
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Doug Boren  
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### Summary Table of Issues to Include in Scope of Environmental Assessment

Scoping Issue	Rationale
Benthic habitat	<p>The WEA is located in designated essential fish habitat (EFH) for Pacific Coast groundfish, coastal pelagic species, salmon, and highly migratory species, and overlaps considerably with Council-designated rocky reef Habitat Areas of Particular Concern (HAPC). Additionally, the West Extension is completely within the “Big Sur Coast/Port San Luis” EFH Conservation Area (EFHCA), and roughly 50 percent of the original Call Area is in that EFHCA. The EFHCA extends from Santa Lucia Bank to Monterey Bay Canyon and encompasses an expansive and geologically complicated region of contiguous rock, mixed substrates, submarine canyons, rocky banks, and steep slope terrain. As evidenced by the EFHCA and HAPC designations, this region is comprised of ecologically important habitat features. By definition, the EFHCA and HAPC designations convey the need for protection from human activities, including wind energy installations, that can impact seafloor habitats for Council-managed species.</p>
Whale, sea turtle, and bird migrations	<p>The high use of much of the shelf and shelf break as both a foraging area and a migratory corridor is a concern. The potential for disruption of along-shore movement especially of seabirds and marine mammals is something with little information and reasonable potential for significant impacts. Telemetry data gathered from tagged leatherback sea turtles indicate they may inhabit waters within or near the WEA. The EA scope should include characterization of migration pathways and use by birds, whales, sea turtles and other marine life. This should include characterization of timing windows of activities for use and migration</p>
Commercial Fishing Activities	<p>Consideration should be given to commercial fishing activities as BOEM conducts site characterization activities. The Morro Bay Area Identification Memorandum aggregates all fisheries together for discussion. For example, the sablefish fishery is prosecuted using different gear types (trawl and non-trawl); and the relative impact of the WEA may differ. The assessment of impacts should be broken out by fishery and be done in such a way to show trends over time. To accurately reflect potential impacts, BOEM should look beyond the last decade. Amendment 28 to our Groundfish Fishery Management Plan, adopted in 2019, implemented changes to the groundfish fishery by providing increased access to productive fishing grounds where fish populations have rebounded. Incorporating fishery-data from earlier years, could be used to estimate potential impacts post-Amendment 28. The California Department of Fish and Wildlife (CDFW) has preliminarily identified the following primary fisheries operating Inside the WEA: groundfish, HMS sharks and tunas, opah, Pacific hagfish, sablefish, Chinook salmon, and swordfish. The primary fisheries operating adjacent to the WEA that could be affected by the transmission cable during construction and operation: Dungeness crab, Coastal Pelagic Species, lobster, market squid, nearshore elasmobranchs (e.g., angel shark), pink shrimp, rock crab, sea urchin, spot prawns, surf perch, and white sea bass.</p>
Core Samples	<p>Cables support the Block Island OSW facility (East Coast) were originally buried at a depth of 4-6 feet. Shifting sediment caused sections of the cable to become unburied and in October of last year. The operator of the wind farm stated its intent to rebury the cables at a depth of 25 - 50 feet. Given ocean conditions along the Central Coast of California - it is foreseeable that cables will need to be buried at similar depths. Any EA needs to account for core samples being taken from that depth - as opposed to something shallower (i.e., five feet as the original Block Island cables - and the proposed burial depth for the Vandenberg projects)</p>

<p>Community and Socio-Economic Impacts</p>	<p>There is concern that a future wind farm could negatively impact fishing activity, which would have ripple effects across the community. Processing plants could be forced to curtail operations and lay off employees, which would decrease economic activity and potentially the local tax base. The EA scope should include a thorough evaluation and characterization of the socio economics of the coastal communities that derive revenues from commercial fishing and processing.</p>
<p>Recreational fishing activities</p>	<p>Sport fishermen (albacore tuna, salmon, rockfish, etc.) may be affected by site characterization activities, especially in terms of transit to and from fishing grounds. Sport fishing is an important economic driver in the area and consideration should be given to minimizing impacts to the sport fishing fleet. The scope of the EA should include locations, number of trips, revenues and revenue multipliers, and characterization of how recreational fishing may be impacted by the presence of a wind farm.</p>