

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL (HMSAS)
REPORT ON MARINE PLANNING

The Highly Migratory Species Advisory Subpanel (HMSAS) and Highly Migratory Species Management Team (HMSMT) participated in a joint session and received a briefing of the reports on Marine Planning under Agenda Item C.2.a by Mr. Mike Conroy.

We very much appreciate the work of the Marine Planning Committee (MPC), Habitat Committee (HC) and Ecosystem Workgroup (EWG) for their thorough work in creating these policy guidance documents on a topic of increasing import. We share the view, held by many, that offshore wind represents one of the biggest challenges facing commercial and recreational fisheries, buyers and processors, and the fishing community members dependent upon those activities. Given the location of Wind Energy Areas (WEAs) off California and the proposed Call Areas off Oregon, HMS fisheries will be impacted directly and indirectly: directly by the loss of important fishing grounds; and indirectly by increased cost(s) of operating, increased safety risks to vessels and crewmembers, potential for fish to be unavailable to the fishery should the turbines have a Fish Aggregation Device (FAD) effect, and safety zones or insurance exclusions near windfarms.

MPC Report 1

We thank the Pacific Fishery Management Council (Council) for its comments on: (1) the Morro Bay WEA designation and public scoping to inform the development of an Environmental Assessment (EA) and (2) the Draft EA for the Humboldt WEA. Both areas have historic importance for the albacore fleets and the Morro Bay WEA is important for the swordfish fishery and increasingly important for bluefin fisheries. Regarding the Bureau of Ocean Energy Management's (BOEM's) use of an EA for WEA designation, we acknowledge BOEM's position that issuance of a lease only gives the winning bidder the right to conduct site assessment and site characterization activities, with no promise of a permit to install turbines. With the recent lease sales in the New York Bight, [488,000 acres generating \\$4.37 Billion](#), it is illogical to assume the foreign companies who won the bids do not have an expectation that turbines will be installed. Because it is reasonably foreseeable that issuance of a lease will result in installation of turbines, we believe an Environmental Impact Statement (EIS) is the appropriate environmental review at the WEA stage.

MPC Proposed Policy Guidance for Offshore Development Activities ("MPC Guidance")

We appreciate the suggestion to consider siting "development in waters deeper than the 1,300 m (700 fm) depth contour." We note, prime fishing grounds for HMS fisheries exist in waters deeper than 1,300 m. We recommend, if considering waters deeper than 1,300 m, there be 15-mile buffers around seamounts, ridges, and canyons to minimize impacts to HMS fisheries.

Under Transit and navigation challenges, the MPC Guidance states, "large metal towers **can** reduce the utility of radar." We wish to call to the Council's attention a recent study published by

the National Academies Press¹ which found “there is currently no standard system of active radar tailored to a wind turbine generator environment.” The study came to two conclusions; one reads, “Wind turbines in the maritime environment affect marine vessel radar in a situation-dependent manner, with the most common impact being a substantial increase in strong, reflected energy cluttering the operator’s display, leading to complications in navigation decision-making.” We recommend modifying the language in the MPC Guidance to read “large metal towers reduce the utility of radar.”

EWG Report on Marine Planning

The section with the heading *Species with additional or unusual jurisdictional issues* references internationally managed stocks in which the U.S. has obligations. While all HMS fisheries are managed through a multilateral process, we suggest specifically mentioning the North Pacific albacore fishery as one which is subject to a U.S. – Canada North Pacific Albacore Treaty.

HC Proposed Policy Guidance for Offshore Development Activities (“HC Guidance”)

We remind the Council that in March of 2021, it adopted the Phase 2 [Action Plan](#) for developing potential revisions to highly migratory species (HMS) essential fish habitat (EFH) provisions as part of a Fishery Management Plan (FMP) amendment process. We hope you will consider taking next steps on completing the HMS EFH update to better inform offshore development activities.

General

We wish to call to the Council’s attention a number of recent studies which are informative and warrant inclusion in the MPC Guidance, EWG Report, and/or HC Guidance as the Council sees fit:

- A [December 2021 study](#) requested by the California Ocean Protection Council that evaluates potential upwelling effects resulting from the installation of wind turbines offshore of Morro Bay, Diablo Canyon and Humboldt Call Areas. The model shows about a 5 percent reduction in wind speeds found in the lee of wind farms, which in this model, leads to an approximately 10 – 15 percent decrease in upwelled volume transport and resulting nutrient supply to the coastal zone in the vicinity of the Morro Bay and Diablo Canyon Call Areas. Changes are smaller in the Humboldt WEA.
- A February 2022 study which analyzes the potential impact of offshore wind farms through decreasing sea surface wind speed on the shear forcing and its consequences for the ocean dynamics are investigated². News story on the study - [Offshore wind farms reshape the North Sea \(hereon.de\)](#). This could inform potential impacts to upwelling, ocean stratification, and prevailing currents in the California Current.

¹ Can be downloaded at <https://www.nap.edu/catalog/26430/wind-turbine-generator-impacts-to-marine-vessel-radar>

² [Frontiers | Emergence of Large-Scale Hydrodynamic Structures Due to Atmospheric Offshore Wind Farm Wakes | Marine Science \(frontiersin.org\)](#)

- A [March 2022 study](#) which shows sea turtles can experience temporary hearing loss from an excess of underwater noise³. Construction activities and increased vessel use could generate such underwater noise.
- A January 2022 study⁴ which “considers the potential impacts on marine mammals, seabirds, fishes and benthic ecosystems.” The focus is “on the unique risks floating turbines may pose with respect to: primary and secondary entanglement of marine life in debris ensnared on mooring lines used to stabilize floating turbines or dynamic inter-array cables; behavioral modification and displacement, such as seabird attraction to perching opportunities; turbine and vessel collision; and benthic habitat degradation from turbine infrastructure, for example from scour from anchors and inter-array cables.”
- A [February 2022 study](#) which highlights environmental risks to the seabed and biodiversity from offshore wind farms in the Mediterranean sea. Two of the study’s “highlights” are: (1) Offshore wind farms (OWF) pose serious environmental risks to the Mediterranean Sea; and (2) OWF should be excluded from areas of high biodiversity and/or high valuable seascape.

We also believe referencing end-of-project-life considerations need to be addressed. For example, neither the MPC Guidance, the EWG Report, nor HC Guidance mention decommissioning (and/or turbine failure, destruction or collapse). We recommend inclusion of such in the Guidance documents.

Supplemental MPC Report 3

A number of HMSAS members attended the March 4th MPC work session “to discuss the next steps in the authorization process for commercial offshore wind energy leasing, including a description of proposed offshore wind (OSW) planning Call Area(s) off the Oregon Coast.” We agree with the MPC’s observations about the challenges of the BOEM process. We have concerns that their process is not delivering the science or stakeholder engagement needed to arrive at an outcome that will minimize impacts on the ocean or coastal communities. Specifically, the considerable scientific uncertainties regarding potential impacts from offshore wind is of significant concern. For example,

- The December 2021 study is of particular interest to HMSAS. The paper identifies that HMS impacts/ interactions are more difficult to predict because of distribution patterns that vary over time. Datasets currently being utilized by BOEM seem too broad and lack specificity on potential impacts on HMS and other species (CPS for example).
- The February 2022 study finding that offshore wind is reshaping the North Sea, shows it is entirely possible that large-scale windfarms, hundreds of square miles in size, will have negative impacts on upwelling in the California Current – such upwelling being a primary driver of productivity. There are other similar questions related to impacts to human safety

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⁴ Can be downloaded at [Potential impacts of floating wind turbine technology for marine species and habitats - ScienceDirect](#)

at sea, impacts to protected species and their critical habitats, etc. This is an example of a foundational question that needs to be answered or more fully understood before we embark on industrializing our oceans with floating wind turbines,

We recommend future Council comments to BOEM suggest the lack of data quality demonstrates the need for further analyses.

We agree with the many commenters and reports submitted on this item suggesting the need for a Programmatic Environmental Impact Statement before additional WEAs are announced. We support and encourage BOEM's plans for sector-specific outreach, particularly planned engagement with the albacore fleet(s) who have not been approached for OSW planning discussions.

We thank the MPC for including an overview of the common threads from the question, discussion and public comment portion of the March 4th meeting. We highlight some HMS-specific concerns based on those items:

- We support the comment in the [Groundfish Management Team Report on Marine Planning](#), reiterated by others, highlighting the need for inclusion of recreational fisheries and recreational fishery participants to be included in these processes.
- Stock assessment for HMS species are based on catch; and if US catch drops as a result of lack of access how will this impact those international stock assessments?
- There is a need for more detailed and expanded economic analysis of impacts to the fishing industry, businesses/communities dependent upon seafood, and others. Reliance on ex-vessel revenues is short-sighted and fails to account for the true economic value in terms of downstream multipliers, jobs, etc.
- Will purported climate benefits of OSW be offset by the carbon footprint of production, development, installation, and operation of OSW farms and the necessary back-up land-based power supply options. HMS fisheries, particularly, will likely have to travel greater distances and burn more fuel, thus increasing the climate impact(s) of our fishing operations. This would be compounded if there was increased travel time if sufficient transit lanes are not incorporated that allow access to the grounds without having to travel hundreds of miles to avoid OSW farms.

Recommendations:

- The Council acknowledge and communicate its position that the proposed offshore wind Call Areas will impact West Coast HMS fisheries and there are considerable scientific uncertainties regarding impacts that necessitates additional scientific data collection, analysis, monitoring and stakeholder engagement.

- The Council communicate its position that BOEM conduct a full Programmatic EIS which will evaluate the potential impacts, individually and cumulatively, associated with development of OSW facilities in Federal waters off the U.S. West Coast.
- When BOEM announces the availability of the Draft Environmental Assessment for the Morro Bay Wind Energy Area, we strongly recommend the Council comment the EA is not sufficient and an EIS should be prepared.
- In the MPC Guidance document:
 - If considering waters deeper than 1,300 m for siting of offshore development, there be a 15-mile buffer around seamounts, ridges and canyons to minimize impacts to HMS fisheries.
 - Remove the word “can” from the sentence discussing marine radar impacts as noted above.
 - Include a discussion about decommissioning and turbine failure, destruction, or collapse and what expectations will be for project developers.
- Based on our comments and comment from other advisory bodies and the public, we recommend that future Council comments to BOEM suggest the lack of data quality demonstrates the need for further analyses.
- The Council should encourage BOEM to follow through with promised stakeholder engagement, in particular the albacore fleet(s) – including those based outside of the immediate area(s) being considered for offshore wind development.
- Incorporate the studies referenced above within the appropriate Guidance/Policy document.

PFMC
03/10/22