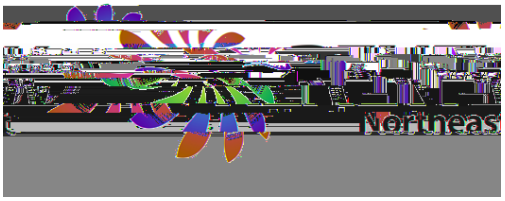

November 20, 2023

Zachary Jylkka
Bureau of Ocean Energy Management
Office of Renewable Energy Programs
45600 Woodland Road
Mailstop: VAM-OREP, Sterling, VA 20166

Re: Draft Wind Energy Areas, request for comments.

Submitted via federal register.gov Document ID: BOEM-2023-0054

The American Clean Power Association (ACP)[1] and RENEW Northeast Inc. (RENEW)[2] appreciate the opportunity to submit comments on the Bureau of Ocean Energy Managements (BOEM) Draft Wind Energy Area (WEA) on the Outer Continental Shelf offshore the States of Maine, New Hampshire and Massachusetts. ACP and RENEW appreciate BOEM's work to ensure that the Area ID process is transparent and inclusive, and its work to establish sufficiently large WEA to support commercial leasing in the Gulf of Maine. Robust leasing in the Gulf of Maine will allow Massachusetts and Maine to meet their current, and anticipated future offshore wind and decarbonization goals, but will also help grow and sustain a durable onshore supply BBy MCI official position of each of ACP's individual members.

[2] RENEW Northeast, Inc. ("RENEW") is a non-profit association uniting environmental advocates and the renewable energy industry whose mission involves coordinating the ideas and resources of its members with the goal of increasing environmentally sustainable energy generation in the Northeast from the region's abundant, indigenous renewable resources. RENEW members own and/or are developing large-scale renewable energy projects, energy storage resources and high

BOEM notes that it has identified three “Secondary Areas for Further Analysis” that are “not part of the draft WEA” but could be considered part of the final WEA. ACP and RENEW strongly recommend that BOEM include Secondary Area C in the final Wind Energy Area and prioritize its inclusion in the first phase of leasing. The inclusion of Secondary Area C would represent a meaningful increase in the amount of area feasible for HVAC transmission while avoiding other constraints identified by BOEM and the NCCOS model. Specifically, Secondary Area C avoids LMA1, is material in size (53,374 acres), close to key infrastructure and, critically, viable for HVAC.

Even though the majority of the call area is suitable for fixed bottom substations, portions would need floating substation technology and floating HVDC substations will likely not be an available, cost-competitive technology until the late 2030s. Furthermore, while the draft WEA is over 3 million acres in total area, the amount of area that is HVAC compatible is substantially lower. Therefore, because of its viability for HVAC, Secondary Area C is an area of significant potential for offshore wind. Overall, ACP and RENEW encourage BOEM to coordinate with the USCG on the recommended MNMPARS Gulf of Maine Fairways to ensure highly suitable offshore HVAC areas are included in the final WEAs, which would support Gulf of Maine states in meeting their OSW goals and lead to overall savings for rate payers in the Gulf of Maine. More generally, ACP and RENEW encourages BOEM to preserve as much HVAC compatible area as possible in the final WEA designation and include those in the first phase of leasing.

While more information and analysis is needed for Secondary Area A to confirm that it does not unduly conflict with the needs of lobster fishermen,

included in a final WEA, that it be part of a future lease sale in a phased leasing program. This will allow time for further evaluation to identify the extent the area is utilized by various fisheries, including lobster fisheries, and what mitigation measures, if any, should be implemented to reduce use conflicts with offshore wind and the lobster industry. The offshore wind industry is committed to continue to work with the fishing community to ensure that lobster fishing and offshore wind development can occur in ways that are mutually beneficial to both industries.

IV. BOEM should include bidding credits as part of a multi-factor auction.

ACP and RENEW strongly encourage BOEM to use bidding credits as a part of a multi-factor auction. In the notice, BOEM notes that "recent sales have focused bidding credits on developing the domestic offshore wind supply chain, workforce training, and providing compensatory mitigation for offshore wind's potential impacts to the fishing industry." ACP and RENEW support the use of bidding credits that are relevant to coastal state needs, and also recommend including a tribal and environmental justice bidding credit, as described in our Call comments. As discussed below, bidding credits to address impacts to the fishing industry should be in the form of a regional fisheries compensation fund.

a. BOEM should establish a substantial bidding credit.

In the notice, BOEM states it "limits the total value of bidding credits to 25% of the winning bid." However, in past lease sales in the Gulf of Mexico, BOEM utilized a 30% bidding credit. ACP and RENEW encourage BOEM to mirror this approach in the Gulf of Maine. This would best support(d)5 (i)-2 r01[-(s)3 (h a)]TJ 0 Tce sOE01[-(s--1 (s)-19 Td [(be)-1 1 (l)th-1 1 (l)th)(l)-2 (d)57c

commercial fishermen and the offshore wind industry are in negotiations to establish a regional compensation fund administrator for fisheries compensatory mitigation. This fund would provide financial compensation from economic loss to fisheries from offshore wind development, in recognition of the need to sustain a fishing community that can exist and thrive alongside offshore wind energy development.[15] To ensure a robust investment in this fund BOEM should establish an East Coast bidding credit for contributing to the fund. The bidding credits should be in exchange for the winning bidder's phased contributions to an established third-party compensation fund.

V. Transmission Considerations

As stated in our comments on the RFI and reiterated in our Call comments, ACORE and RENEW strongly urge BOEM to consider transmission issues early in the leasing process, given the limited number of potential interconnection points along the Gulf of Maine coastline, variable seabed conditions, numerous marine uses and users in the coastal and offshore marine spaces, and distance from shore considerations. Regardless of whether radial or mesh/backbone transmission is considered, numerous Gulf of Maine environmental constraints must be taken into account for meaningful early planning of potential transmission routing.

Offshore submarine cable route planning aims to minimize impacts to marine users and uses and, given the many environmental sensitivities that exist within the Gulf of Maine, the need for including this aspect of offshore wind generation into the BOEM evaluation of potential lease areas is of paramount importance. Coupling the offshore complexities with onshore routing and siting complexities amplifies the need for transmission in the greater Gulf of Maine region to be a priority consideration when designing final lease area locations. Moreover, it is imperative for BOEM to plan for transmission infrastructure that can deliver large amounts of offshore wind power not only to densely populated centers along the coast but also to the greater New England region.

---

[15] Request for Information (RFI): Framework for Establishing a Regional Fisheries Compensation Fund Administrator for Potential Impacts to the Fishing Community from Offshore Wind Energy Development, available at https://offshorewindpower.org/wp-content/uploads/2022/12/FisheriesCompensationFund_RFI_FINAL.pdf

To facilitate this, ACP and RENEW strongly encourage BOEM to coordinate with ISO-NE on both transmission planning as well as lease area identification. ISO-NE can help inform the planning process by identifying which lease areas are the most feasible from a terrestrial transmission standpoint. BOEM should consider coupling this ISO-NE input with industry expertise in submarine cable routing to examine transmission viability from a holistic, end-to-end perspective. In addition, ISO-NE would be an integral part of discussions with respect to radial or mesh/backbone transmission planning.

ACP and RENEW cannot impress enough the criticality of folding in end-to-end transmission complexities and considerations in the lease identification process in the Gulf of Maine. If BOEM would like to further discuss with ACP and RENEW ideas on how to effectively incorporate such inputs into a lease identification methodology, ACP and RENEW would be

b. Stellwagen Bank National Marine Sanctuary.

As noted in ACP and RENEW's call comments, Stellwagen Bank National Marine Sanctuary ("NMS") presents a unique challenge to transmission for Gulf of Maine offshore wind projects. Some of the most cost-effective, direct offshore submarine export cable corridor paths to available points of interconnection in the Boston Harbor and Massachusetts Bay areas would pass through the sanctuary. While we appreciate NOAA's openness to siting offshore wind transmission through Stellwagen Bank NMS at the May 11 BOEM taskforce meeting and agree that it can be done with minimal environmental impacts, ACP and RENEW are concerned that an efficient and transparent permitting pathway for routing through an NMS does not exist.

It is understood that BOEM's approval of projects' COPs grants the required easements necessary for a project's submarine transmission cables. However, as noted by NOAA, if the submarine transmission cable needs to traverse an NMS, BOEM is prohibited from issuing such easement for that portion of the cable's route and the project would -1 (o) (t)3 (i.bo1.1 (te7bjS T(b)2 p)

Besides the financing risk of needing to site a submarine transmission cable through a NMS, there are also risks associated with the increased regulatory burden of needing to obtain two more permits from an agency that would otherwise not have any regulatory authority over the project. ONMS sits in a different federal Department from BOEM, has different goals and objectives from BOEM, and may not align with BOEM on certain issues, requiring leaseholders to coordinate approval of its submarine cables between BOEM, NOAA, and the Army Corps of Engineers.

The timeline and financial impacts of a separate, additional, regulatory process to site submarine cables could be significant. Therefore, ACP and RENEW encourage BOEM to thoroughly coordinate and strategically plan with all concerned parties how a transparent and predictable permitting pathway can be designed to facilitate submarine cable routing through the Stellwagen Bank NMS. Such investment in designing a clear permitting pathway will encourage offshore wind investment and provide certainty to prospective developers in the Gulf of Maine.

VI. BOEM should replicate the model used for the Commercial and Research Wind Lease and Grant Issuance and Site Assessment Activities on the Outer Continental Shelf of the Gulf of Mexico Final Environmental Assessment

For offshore wind leasing in the Gulf of Mexico, BOEM took a more inclusive approach and conducted the environmental assessment on the entire Gulf of Mexico Call Area. This allowed for maximum flexibility when identifying lease areas. Conducting the EA4exi (o)02 (hw)2 (a)- (aN (A4

industry is committed to the responsible development of offshore wind to ensure that all development and operations activities are conducted in an environmentally responsible manner. It is also important to note that the primary threat to the marine ecosystem (including marine mammals) is human induced climate change, and that offshore wind offers one of the best solutions to climate change. A robust build out of offshore wind will help avoid the worst impacts of a warming world and ocean. Furthermore, any development in the Gulf of Maine would utilize floating technology that does not produce substantial sound during installation, thus eliminating the main impact producing factor for marine mammals from offshore wind development.

In addition, a study conducted by the National Academies of Science, Engineering, and Medicine on potential impacts from offshore wind on hydrodynamics found that potential ecological impacts of offshore wind farms would be difficult to detect, particularly considering the scale of natural variability as well as other anthropogenic variability of the Nantucket Shoals region's evolving oceanography and ecology.[16] In addition, the study found that when it comes to impacts to NARW prey fields, there are three possibilities:

> (1) turbines could cause an increase in zooplankton productivity and/or aggregation of zooplankton into high-density patches to support right whale foraging and increase right whale use of this habitat; (2) turbines may decrease zooplankton productivity and/or reduce the potential for high-density aggregations, thus potentially reducing foraging opportunities for right whales in the region; or (3) wind farm development may have no appreciable impact on right whale foraging dynamics.

Given the lack of evidence that demonstrates any connections between offshore wind turbines and changes in hydrodynamics and NARW prey fields, areas should not be removed from the WEA due to these concerns. ACP and RENEW encourage BOEM to only rely on the best available information and utilize an adaptive management approach where mitigation measures

[16] National Academies of Sciences, Engineering, and Medicine. 2023. Potential Hydrodynamic Impacts of Offshore Wind Farms on Nantucket Shoals. Washington, DC: The National Academies Press. https://doi.org/10.17226/26805.

are implemented only if new science definitively demonstrates negative impacts from offshore wind on hydrodynamics and NARW prey fields. Without that definitive data, it would be inappropriate and arbitrary to remove any areas due to these concerns or impose any development restrictions on lease areas.

VIII. Conclusion.

ACP and RENEW appreciate the opportunity to submit comments on the Gulf of Maine draft WEAs. We look forward to working with BOEM as it moves forward with this process.

Sincerely,

Brian Krevor
Senior Director, Offshore Environmental and Permitting
American Clean Power Association
bkrevor@cleanpower.org

Franics Pullaro
Executive Director
RENEW Northeast
fpullaro@renew-ne.org