New England Fishery Management Council
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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

April 27, 2022

Dan Burgess, Director
State of Maine Governor's Energy Office
62 State House Station
Augusta, Maine 04333

Dear Mr. Burgess,

Please accept these comments from the New England Fishery Management Council (Council) regarding Maine's Offshore Wind Roadmap Draft Initial Recommendations.

The Council generally supports the draft recommendations, especially those of the Fisheries and Environment & Wildlife Working Groups. More specifically, we support the numerous recommendations on clear stakeholder communication and notification procedures between the fishing industry and offshore wind developers. We also support siting recommendations to avoid, minimize, and mitigate offshore wind development impacts on fish, habitat, and the fishing industry overall. Please note that our comments should not be interpreted as supporting Offshore Wind development in the Gulf of Maine, as the Council has not taken a stance on that issue.

More specific recommendations on the draft Offshore Wind Roadmap Recommendations include the following:

- Recommendation 1 of the Energy Markets and Strategies Working Group is to "Establish and initiate a floating offshore wind requirement and procurement process." We recommend that requirements include measures to avoid, minimize, and mitigate impacts to marine habitats, species, and fisheries, consistent with the recommendations of the Fisheries and Environment and Wildlife Working Groups. As part of the procurement process, we also suggest that draft solicitation be made available for public comment prior to issuance, as some other states have done.
- Related to Fisheries Working Group Recommendation #4, when available, include NOAA Fisheries' ongoing work on habitat monitoring recommendations for offshore wind projects. The purpose of these recommendations is to provide a framework for habitat monitoring studies that will improve our understanding of projects impacts. This work is still in development, but a draft document may be available as soon as summer 2022. In addition, we suggest clarifying recommendations #4c and #4k (*independent review and analysis of survey and monitoring plans and data*) to include a list of suggestions for who or which group would conduct this review.
- Fisheries Working Group Recommendation #6 entails *compiling and mapping areas of known concentration of priority species, habitat, and fishing activity to appropriately site wind lease areas.* This is an important early step and the results of this analysis should be useful for developing recommendations 9 and 11. It will be important to clarify whether the focus here is on Maine-based fishing operations, or if it includes vessels based in any state that fish off the coast of Maine. We recommend taking a regional view of fishing

activity, identifying home ports and landing ports where needed. We suggest providing rationale and criteria for determining why historic fishing (namely the cold-water shrimp fishery) in the last 20 years should be identified and included as part of Fisheries Working Group Recommendation #6b. It is unclear if, and to what extent, historical fisheries from decades prior will return as future fisheries.

- Fisheries Working Group recommendation #7 requests a navigational study; we note that since these recommendations were published, the United States Coast Guard has initiated a Port Access Route Study for Maine/New Hampshire/Massachusetts. We hope that Maine will participate in this effort. The scenarios in the PARS are not well defined, and the study could benefit from information such as which ports might serve as staging areas.
- Fisheries Working Group Recommendation #11 focuses on equity in participation of fishing industry members in the offshore wind development process. We agree that the issues raised under Recommendation #11 are important to consider and we understand from our own experience in offshore wind that it can be challenging to provide effective input on these very complex issues. Recommendation #9 focuses on avoidance of development inshore, which could impact/benefit some members of the fishing industry over others. The Working Group should discuss whether these recommendations conflict and should clearly explain the rationale for recommending inshore exclusion zones.
- We support the Environment and Wildlife Working Group's recommendations on benthic habitat surveys (#2) and ecological baseline monitoring (#3). Based on our own work on habitat management in the Gulf of Maine, existing data will not be sufficient for siting wind energy areas, or estimating or minimizing impacts to habitats and fisheries.

We look forward to continued engagement on fisheries issues as the Roadmap work moves forward. Please contact Michelle Bachman on my staff (mbachman@nefmc.org; 978-465-0492 x 120) if you need further information.

Sincerely,

Thomas A. Nies

Thomas A. Nies
Executive Director