

1:30 p.m. – 3:30 p.m. Wind Updates

- Consider revisions to the Council's policy on offshore wind energy development
- Update on Kitty Hawk Wind Project
- Update from US Wind
- Updates from the Bureau of Ocean Energy Management



Offshore Wind Energy Policy

Council Meeting

December 13, 2021

Wind Energy Policy

- Communicates Council positions on offshore wind energy development.
- Informs comment letters submitted throughout the wind energy development process – from identifying initial wind energy areas for potential leasing to finalizing the EIS.

Meeting Objective

- Consider revisions offshore wind energy policy.
- Review recommendations from:
 - NEFMC Habitat PDT, Advisory Panel, and Committee.
 - MAFMC EOP AP and Committee.
 - NEFMC.

MAFMC

2015: Wind policy adopted

Nov 2021: EOP AP & Committee review of NEFMC PDT, AP, & Committee recommendations

Dec 13, 2021: MAFMC considers revisions to policy

NEFMC

2018: Adopted identical wind policy as MAFMC

Summer-Fall 2021: Habitat PDT recommends revisions

Oct 2021: Habitat AP and Committee review of PDT recommendations

Dec 7, 2021: NEFMC revised their policy

A Few Things to Keep In Mind...

- NEFMC and MAFMC do not need identical policies, but there are benefits to having similar policies.
- Focused on fisheries, fishery species, and habitats. ("Fish" = managed fish and invertebrates.)
- Does not address protected species and other wildlife.
- Intended to be specific but also broad enough to remain relevant for next several years.
- Current policy is still relevant; revisions expand upon it.

Introduction

- Short section referencing existing general policies on non-fishing activities and projects and preamble to all MAFMC fish habitat policies (see <https://www.mafmc.org/habitat>).
- The MAFMC will review this policy and consider revisions on a periodic basis.
- Responses to and impacts of MAFMC comments will be considered through this review.

Policy Goal

The Council supports efforts to mitigate the effects of climate change, including the development of renewable energy projects, provided risks to the health of marine ecosystems, ecologically and economically sustainable fisheries, and ocean habitats are avoided. To the extent that they cannot be avoided, they should be minimized, mitigated, or compensated for.

Best Management Practices and Stakeholder Engagement

- Best management practices should be employed throughout all phases to avoid adverse impacts on fish, their prey, and their habitats, and to prevent conflicts with other user groups, including recreational and commercial fisheries.
- BOEM and developers should engage with Councils, NOAA, ROSA, and any other interested stakeholders.
- Engagement should focus on shared problem identification, option generation, problem solving, and move beyond information sharing and communication as primary purpose and intent.
- BOEM and developers should communicate how comments from councils and other stakeholders were considered, as well as the impacts of those comments.

Project Siting and Env. Review

- Use NOAA recommendations for mapping fish habitat, especially complex habitats and deep-sea coral habitats.
- Conduct habitat surveys throughout all project phases.
- Avoid siting any structures in complex habitat.
- Lists considerations for analysis of impacts to fisheries, fishery species, and habitats.
- EIS should include alternatives to minimize impacts to habitats and fisheries.
- Impacts determinations should be clearly documented.
- Cumulative effects must be assessed.
- Encourage precautionary decision making, considering ongoing research as appropriate.
- NEFMC addition on 12/7: add micrometeorological effects to the list of examples of types of impacts.

Construction and Operations

- Cables should be buried to adequate depth and should be removed during decommissioning.
- Scour protection/cable armoring materials should be selected based on value to com and rec fishery species and should mimic natural habitats.
- Minimize boulder relocation and clearly document when relocation is necessary.
- Minimize noise from all sources.
- Avoid or minimize impacts on spawning and settlement.
- Evaluate, minimize, and monitor impacts from water entrainment.
- Consider using fishing community resources for construction and operations.

Navigation and Safety

- Layouts across different projects should be coordinated and developed in consultation with fishermen.
- Identified additional threats to safety and navigation.
- Recommend marking structures associated with floating projects.
- NEFMC addition on 12/7: Add ice shedding to the list of example threats to safety and navigation.

Research and Monitoring

- Should be done at project-specific and regional scales before, during, and after construction to understand cumulative effects.
- Habitat, geological, geophysical, and fisheries surveys should be coordinated across projects.
- Monitoring should be consistent with regionally developed survey mitigation and monitoring protocols (e.g., NOAA and ROSA).
- Developer-funded monitoring and research data should be made publicly available on a timely and regular basis, while protecting fishermen's confidential business information.
- Consider using fishing community resources for research and monitoring.

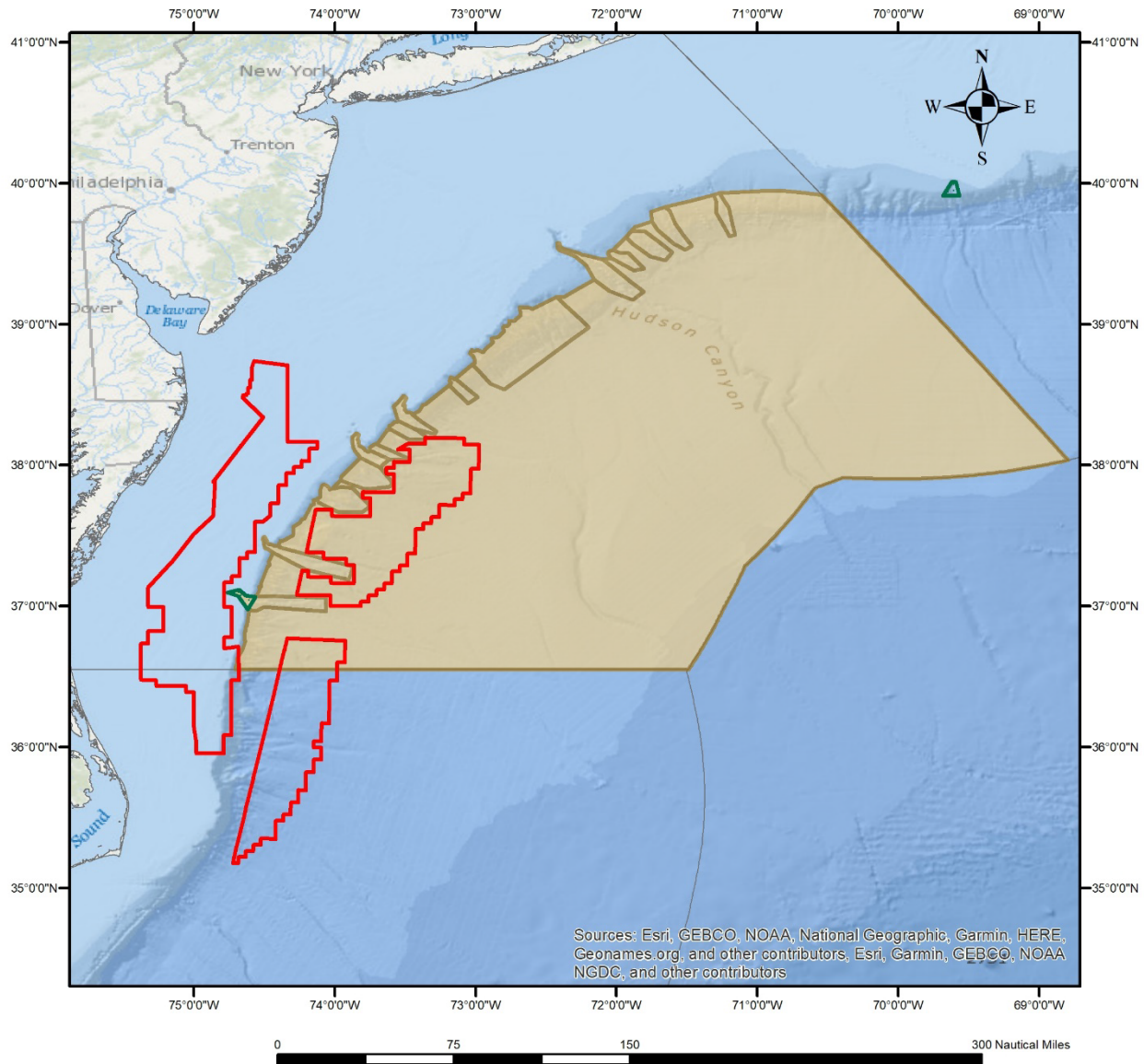
Compensation and Mitigation

- Support compensatory mitigation fund for damages to the env., fish habitat, and damages or losses to fisheries.
- Support creation of a fisheries development and research fund (e.g., development of new fisheries or fishing techniques or enhance existing fisheries).
- Identify and mitigate impacts to fishery-independent surveys.

Questions/Discussion

- Consider approval of revisions to offshore wind energy policy.

Backup Slides



Legend

- BOEM Central Atlantic Planning Area (Dec 2021)
- Frank R. Lautenberg Deep Sea Coral Protection Areas
- Tilefish Gear Restricted Areas
- Fishery Management Council Regions