

MA Habitat Working Group on Offshore Wind

Virtual Meeting – May 31, 2023

MEETING SUMMARY

The following summary aims to capture the key themes and topics discussed during the meeting. It is not intended to provide a verbatim transcript of the conversation but rather to offer an overview of the main points covered. Presentation slides and a meeting agenda can be found on the Habitat Working Group on Offshore Wind Energy webpage: <https://www.mass.gov/service-details/habitat-working-group-on-offshore-wind-energy>.

Updates from Massachusetts

Lisa Engler, Massachusetts Office of Coastal Zone Management, (MA CZM) began the meeting with several updates for working group members.

- The next offshore wind procurement, 83C IV, finished its comment period in March, and is now available from the website (<https://macleanenergy.com/83c-iv>) in its draft form. The Request for Proposals (RFP) will be released formally in June. All bids will be due in early fall. As a reminder, the draft RFP requested up to 3600 MW of offshore wind and includes considerations for fisheries and habitat impacts and monitoring. Bidders are requested to think about offshore and shared transmission.
- The Executive Office of Energy and Environmental Affairs announced the creation of two new commissions related to offshore wind.
 - The first is the Commission on Clean Energy Infrastructure Siting and Permitting, which aims to consider and site new energy infrastructure, including offshore wind, solar, storage, and transmission, in a mindful and purposeful way.
 - The second is the Interagency Offshore Wind Council (IOWC), which brings together stakeholders to responsibly site clean energy infrastructure. The IOWC includes representatives from various state agencies and focuses on developing an offshore wind strategy as well as minimizing and mitigating impacts to land and environmental resources.
 - More information can be found here: <https://www.mass.gov/news/healey-driscoll-administration-launches-commission-on-siting-and-permitting-interagency-offshore-wind-council-to-expedite-clean-energy-development>.
- Regarding the Bureau of Ocean Energy Management's (BOEM) Gulf of Maine Leasing process, there are currently two open comment periods. Lisa noted the Commonwealth will be submitting comments and are working closely with other agencies and stakeholders, including the fishing industry, to inform their input.
 - Comments on the Maine Research Array are due June 5th
 - Comments on the Gulf of Maine Call Area are due June 12th
 - Information and links to both of BOEM's open comment periods can be found here: <https://www.boem.gov/renewable-energy/state-activities/maine/gulf-maine>.

Comment: Mass Audubon is working on a letter for the Gulf of Maine Call Area that is focused on securing a 24 nautical mile buffer excluding offshore wind development from any nesting islands. Mass Audubon's concern with Stellwagen Banks is that it is a critical area for birds. Therefore, Mass Audubon is hoping to encourage more protection around the Stellwagen Bank National Marine Sanctuary.

Comment: BOEM recognizes the value of research, including many of the research priorities outlined in the State of Maine's research lease application. BOEM believes that information generated from such research can be used to facilitate the responsible and expeditious commercial offshore wind development in the Gulf of Maine, as well as the deployment of floating offshore wind technology nationwide (e.g., Pacific region).

Seafloor Impacts Relating to Offshore Wind Construction

Lisa Engler, MA CZM, delivered an update on seafloor impacts relating to offshore wind construction. The Commonwealth has been working with National Oceanographic and Atmospheric Administration (NOAA) Fisheries and BOEM to assess the potential impacts of cable lay activities. The goal is to characterize the disturbance and estimate its magnitude to determine how it may affect fish habitat and fishing activities. These agencies are considering drafting a guidance document to address these issues.

Key questions and topics regarding these activities include:

- Level of concern from the fishing industry,
- Construction methods used by developers,
- Potential impacts understood by the developers,
- Possibilities for minimizing and mitigating these impacts, and
- The role of federal and state agencies in reviewing these impacts during the project permitting processes.

Lisa emphasized the importance of effectively communicating any changes in sea floor conditions to fishermen, as it can affect their safety and fishing activities. Some developers are already providing information about relocated boulders to fishermen, but the group aims to establish guidelines for consistent and timely information sharing.

Comment: My concern for birds would be relocation of a boulder onto sandy bottom, thus taking away habitat for Ammodytids. One boulder is not a problem, thousands probably are.

Comment: The Stellwagen Bank National Marine Sanctuary Advisory Committee is considering developing their own guidance on best practices for potential cable laying were it to occur in the Sanctuary.

The following group members were interested in a follow-up discussion on boulders:

- Chris McGuire, The Nature Conservancy
- Mike Pol, ROSA
- Joan Walsh, Mass Audubon

Long-term Funding for Aerial Wildlife Surveys

Nils Bolgen from Massachusetts Clean Energy Center (MassCEC) highlighted the surveys in the southern New England region. These surveys have been conducted since 2011 and provide valuable information on the presence and changes in wildlife populations. The surveys are not perfect but have helped document trends and changes over time. Nils emphasized the need for a long-term plan to monitor the presence of whales in and around the wind energy areas, both during construction and the long-term operation.

Stormy Mayo, Center for Coastal Studies (CCS), discussed surveys by highlighting the work in Cape Cod Bay, particularly in relation to right whales. Stormy spoke to the importance of a dynamic management approach employed by CCS where they work closely with the Division of Marine Fisheries to inform them of the presence of whales. This information helps adjust management practices accordingly. Stormy mentioned the limitations of aerial surveys. They do not provide information on whale presence at night or during bad weather conditions. Like Nils, Stormy stressed the importance of long-term aerial survey support and monitoring for wind energy development areas as well as a need for ongoing monitoring to assess the impacts of these projects on whale behavior.

Emily Shumchenia, Regional Wildlife Science Collaborative (RWSC), presented on how these aerial surveys are discussed in the RWSC Science Plan. The focus has been on coordinating and aligning existing funds from the four sectors involved: federal agencies, Atlantic coast states, offshore wind developers, and Non-Governmental Organizations (NGOs). The goal of the RWSC is to efficiently conduct monitoring, data collection, and research by leveraging resources and addressing gaps in knowledge. The science plan aims to build on ongoing research efforts and prioritize areas such as standardized data collection, data sharing, and effective data management for large-scale analyses. In terms of aligning funds, the RWSC has collaborated on projects such as a regional-scale passive acoustic monitoring network and aerial surveys for megafauna, with contributions from various partners. Emily encouraged participants to share comments related to aerial surveys on the draft RWSC and shared contact info for RWSC staff if participants had additional questions: emily.shumchenia@gmail.com and Deborah.brill@duke.edu.

Q: What aerial surveys are being conducted or discussed for Gulf of Maine?

A: Emily answered that the same team surveying areas in Southern New England are also involved with the Gulf of Maine though they are using a different source of funding. The team is doing lots of passive acoustic monitoring and collaborating with Maine Division of Marine Resources and NOAA Fisheries.

Environmental and Fisheries Mitigation Plans

Heidi Ricci, Mass Audubon, raised a question about the process for determining the content of environmental and fisheries mitigation plans required by Chapter 179 of the Acts of 2022. She expressed the need for additional guidance and input from experts to ensure the plans are

comprehensive and consistent. She also mentioned that the workload and lack of resources make it challenging for stakeholders to provide input on various aspects of the projects. Lisa Engler, MA CZM, echoed Heidi's concerns and asked the group if anyone would be interested in developing recommendations or guidance for these to plans. Several participants acknowledged that working group members do not have the capacity to write guidance and observed that the group would need someone else to draft the guidance for their review. Participants also noted the guidance should pull from other related documents and reports already in existence. The following group members were interested in developing guidance:

- Priscilla Brooks, Conservation Law Foundation
- Joan Walsh, Mass Audubon
- Chris McGuire, The Nature Conservancy
- Stormy Mayo, Center for Coastal Studies

Offshore Wind Developer Updates

Erin Healy, SouthCoast Wind (formerly Mayflower Wind)

Currently, two vessels are conducting surveys in the lease area to gather additional geotechnical and geophysical data for final engineering and design purposes. One vessel has been conducting geotechnical work since April and is expected to complete its work in early August. Another vessel is conducting a short geophysical survey to collect additional data from May 29 to June 13. The project is currently in the environmental impact statement phase, with the Draft Environment Impact Statement (DEIS) having been released. The project is undergoing state permitting, including the export cable route. The project follows the BOEM project design criteria and best management practices to avoid unnecessary impacts to the environment. They have protected species observer teams that include trained tribal members sponsored by SouthCoast Wind.

Kyle Cassidy, Orsted

Orsted currently has four leases in the Northeast, including Block Island, Revolution Wind, South Fork Wind, and Sunrise Wind. South Fork Wind is under construction, while the other projects are in various stages of development. For permitting milestones, the cable installation for South Fork Wind started in March. Foundation installation is scheduled to begin in June. Revolution and Sunrise Wind both have ongoing surveys and permits still in review. Sunrise Wind continues to do more stakeholder engagement as well as work with the New England Aquarium on marine mammal research. He mentioned the approval of the Preservation, Control, and Mitigation Plan (PCMP) and the upcoming implementation of an adaptive monitoring plan. Kyle provided fisheries updates, including completed cod spawning monitoring.

Michelle Fogarty, Equinor

The Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) is expected this summer with a 30-day comment period and scoping meeting to happen afterwards. Equinor has no surveys on-going. The MetOcean buoys and moorings are in the lease area with data being processed and prepared for sharing. The significant update shared was the power purchase

agreement for Beacon 1 and Empire Wind 2, which secured funding for regional monitoring. RWSC will administer the approximately \$25 million, with half allocated to each organization for wildlife and fisheries monitoring. The first round of requests for proposals is expected to be developed in 2023, leading to the award of contracts in 2024.

Q: Are you influencing what studies are funded through RWSC? Or is that just kind of at the discretion of subcommittees and the science plan?

A: Michelle answered that the idea is that they be just involved for information, but all of the hard work that went into developing the science plan, all of the people who know what they're talking about and can verify what would be the most effective use of that funding. Equinor will shape what those RFPs look like and how they're awarded. They are involved, but not selecting the projects or studies.

Juan Levesque, Vineyard Wind

Juan Levesque provided updates on the Vineyard Wind 1 project, highlighting the progress in offshore export cable construction and the installation of nearshore cables.

- For lease area OCS-A 0501, they expect to start pile driving on 6/1/23. The goal is to install 62 piles by the end of November or first of December, depending on conditions and weather. Sound Source verification will be taking place in real-time on the first three piles to ensure thresholds do not exceed the marine mammal limits. Jasco will be leading these efforts and agencies will confirm the levels. A bubble curtain will be used to minimize sound impacts with a second one on standby. Fishery baseline sampling continues (trawl, drop-camera, lobster/fish pots, and larvae). Surveys will continue during construction and after. Vineyard Wind anticipates that Project Wow will attempt to tag whales at the end of July during operations.
- For lease area OCS-A 0522, various phases of the construction and operations plan (COP) are in draft and review with BOEM. They expect to complete the COP by October. Fishery baseline surveys continue in the area with the University of Massachusetts leading these efforts.

Atma Khalsa, Avangrid

Avangrid is in advanced permitting stages for lease area OCS-A 0534. They are in the process of finalizing benthic habitat, fisheries, and bird and bat monitoring plans. There are no on-going project surveys. Highly Migratory Species monitoring in the lease area (done by New England Aquarium) and channeled whelk monitoring (UMass School for Marine Science and Technology (SMAST) and partners) are on-going, but no new updates. The Final Environmental Impact Statement for Park City Wind and Commonwealth Wind (known as “New England Wind” for the federal BOEM process) is expected December 26, 2023.

Announcements

- Reminder that Gulf of Maine Public Comments are open for the Call Area and Research Array.
- CZM and/or CBI will be in touch with updates on the development of guidance for boulder removal and relocation.
- Members are invited to add comments related to Aerial Wildlife Surveys to the RWSC Draft Science Plan: <https://rwsc.org/science-plan/>
- The planning team will be in touch with those interested in providing guidance on Environmental and Fisheries Mitigation Plans.
- The next working group meeting will likely be in early September.

Meeting adjourned at 12:00 PM