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Re: Comments on Gulf of Mexico Draft Environmental Assessment

The American Clean Power Association ("ACP")[1] and the Southeastern Wind Coalition (SEWC)[2] welcome the opportunity to provide comments on the U.S. Bureau of Ocean Energy Management's ("BOEM") Draft Environmental Assessment ("Draft EA") for Commercial and Research Wind Lease and Grant Issuance and Site Assessment Activities on the Outer Continental Shelf of the Gulf of Mexico.[3] We support BOEM's intent to further the early actions and progress it has taken in the Gulf of Mexico ("GOM") Call Area to meet the Biden Administration's national goal to deploy clean energy and combat the threat of climate change.

[1] American Clean Power represents the renewable energy industry in the United States, bringing together over 1,000 member companies, 120,000 members, and a national workforce located across all 50 states. By uniting the power of wind, solar, storage, and transmission companies and their allied industries, we enable the transformation of the U.S. power grid to a low-cost, reliable, and renewable power system. Additional information is available at http://www.cleanpower.org

[2] The Southeastern Wind Coalition is a non-profit that works to advance the wind industry in the Southeast. We focus on land-based wind, offshore wind, wind imports, and the industry's supply chain. Their mission is to advance the wind industry in ways that result in net economic benefits to utilities, residents, and ratepayers. The Coalition takes an objective, data-driven, and economic development focused approach to ensure the Southeast can take advantage of this clean, low-cost generation source. Additional information is available at https://www.sewind.org.

[3] Available at https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/GOM-Wind-Lease-EA.pdf

In our previous comments,[4] we have fundamentally supported BOEM's proposed scope of analysis and intended activities. We believe this Draft EA is consistent with BOEM's intended activities, and we largely support the analysis and conclusions reached in the EA to support the Proposed Action, which is issuance of up to 18 commercial and/or research wind energy lease(s) within the Call Area that BOEM has designated on the GOM Outer Continental Shelf ("OCS"), site characterization and site assessment activities, and the granting of rights-of-way ("ROWs") and rights-of-use and easement ("RUEs") in support of wind energy development.

We generally agree with the scope of BOEM's Gulf of Mexico Draft EA, and requests that BOEM work closely with NOAA's Office for Coastal Management ("OCM") to ensure that Federal Consistency Reviews of this EA or subsequent EAs related to GOM lease sale(s) remains within this scope. We agree that BOEM should continue to limit activities in the EA to site assessment and surveying, consistent with case law and previous BOEM analyses. We have expressed concerns about not being able to take advantage of certain efficiencies in the site assessment process. In particular, through the past 60 years of oil and gas activities on the GOM OCS, there is an abundance of field survey data that could be used for the siting of meteorological buoys.

The BOEM Gulf of Mexico Region (GOMR) and Bureau of Safety and Environmental Enforcement (BSEE) have mitigation measures for current lessees aimed at the avoidance of sensitive habitats during the deployment of seafloor equipment that can be incorporated by reference in Site Assessment Plans. BOEM should also recognize the number of meteorological buoys deployed in the Gulf of Mexico and level of impact from deployment of buoys by offshore wind developers in a cumulative approach to assessing and reviewing Site Assessment Plans

[4] We incorporate by reference our earlier comments on this matter. See ACP Comment in Response to Public Scoping of Environmental Assessment for BOEM Leasing Activities in the Gulf of Mexico Wind Energy Area (Feb. 9, 2022),. https://www.regulations.gov/comment/BOEM-2021-0092-0016

(SAPs). There is also sufficient bathymetry data that could be used to ensure that sensitive habitats are avoided if physical site disturbance activities are needed such as the collection of sediment cores.

This existing data and information would streamline the process without creating impacts to the environment. If existing data can be used and is appropriate for certain site characterization and site assessments, then the Impact Producing Factors (IPFs) described in Appendix B would be similarly reduced. This would lead to a reduction of impacts including accidental events and cumulative impacts to the resources analyzed in the draft EA. Likewise, the use of existing data and information would result in fewer vessel trips, which also eliminates associated IPFs, but also increases personnel safety, if they are not needed to conduct some of the offshore site assessment work.

We note that Table 3.-1 (page 3-4) in the draft EA states that lessees would likely survey an entire lease area during the five-year site assessment term to collect required geophysical and geotechnical information, and that sub-bottom sampling would also occur in areas where structural placement is proposed or along the export cable corridor. We request that BOEM modify this language to recognize that the industry may use existing data and information provided that it is of sufficient quality and scope to meet the regulations and the standard operating conditions for proposed offshore wind site assessment activities.

We offer the following additional comments to inform BOEM's finalization of the Gulf of Mexico EA.

A. Wildlife Protection

I. Benthic Resources

We agree that impacts to benthic resources would be limited to the immediate footprint of the buoy anchors or direct sampling. Sediment suspension would be temporary and short-term. Noise impacts from HRG surveys and Project vessels to EFH and fishes would be minimal and temporary in duration. The artificial reef effect may provide a local, short-term (less than 5 years) benefit to fish populations.

As BOEM correctly notes, no marine geophysical data acquisition would impact the seafloor or subseafloor geology, and any shallow geotechnical sampling within the WEA would result in minor, temporary disturbance of the upper 25 m (82 ft) of Quaternary sediment that underlie the seafloor. Therefore, we agree that these impacts should be considered as negligible in the final EA and would likely be de minimis if existing field data can be used instead of new survey activities.

II. Marine Mammals

We agree that it is imperative to minimize impacts to marine mammals, especially from noise and strikes from vessels. While we encourage BOEM to continue to support and conduct additional studies, we also note that many mammals inhabit localized or specific habitat areas such as depth. Bryde's whales, in particular, seem to be concentrated in one area, and this finding is supported by observations of Bryde's whales -- and lack of observations in areas they do not inhabit -- during geophysical surveys.

The Call Area under consideration by BOEM does not overlap with the narrow depth corridor where Bryde's whales have been primarily sighted over the past 20 years in the Gulf of Mexico. Overall, the proposed site assessment activities would be unlikely to significantly affect marine mammals, and the lack of overlap between Bryde's whales and the Call Area further reduces the likelihood of impacts. We note that any additional information that arise through studies will be incorporated into minimizing impacts at the project-specific stage, and that robust mitigation measures will be more effective than alternative courses of action.

III. Sea Turtles

We understand the paramount importance of protecting the five endangered turtle species in the GOM and agrees with BOEM that mitigation measures will adequately minimize potential effects on turtle species. We agree with BOEM's analysis that although the open waters of the GOM are used by all five sea turtle species at different life phases, the use of water bottoms in deeper GOM waters represents a small fraction of sea turtles' habitat use.[5] We also agree that the small-scale nature of the site assessment and site characterization activities in the Call Area will greatly reduce potential interactions with sea turtles. Therefore, we agree with BOEM's conclusion that the mitigation measures will be particularly effective for minimizing impacts to sea turtles in the GOM.

B. Recreational and Commercial fishing

We agree with BOEM's conclusion that there will be likely be few impacts to either commercial or recreational fishing. This is particularly true since commercial fish trawling and shellfish dredge operations typically take place in nearshore waters and are limited to depths in which their gear can reach, typically less than 200 m.[6] Fishing activities form an integral part of the GOM's economy and community, and offshore wind is proud to continue to partner with local fishing organizations to ensure they flourish. At the end of the five-year term, data collection instrumentation will be decommissioned, and any large marine debris objects will be removed. This ensures that any existing *de facto* exclusion zones will be eliminated. Therefore, we agree with BOEM's analysis that the proposed action's effects on recreational and commercial fishing will be temporary and negligible.

[5] Chapter 3.6 of the Biological Environmental Background Report for the Gulf of Mexico OCS Region (BOEM 2021a) and the 2018 FWS Biological Opinion (FWS 2018; NMFS 2020)
[6] Gulf of Mexico Draft EA, Section B.3.2.2.6.

We also agree with BOEM's conclusion that implementation of the No Action Alternative would not meaningfully reduce ongoing impacts to commercial fishing from existing and potential future actions. Offshore wind is committed to working with the commercial fishing industry, and in the unlikely event there are space-use conflicts, the industry is dedicated to working on a project-by-project basis to assess these impacts with the commercial fishing or other affected resources or stakeholders including marine shipping, marine protected areas, and the IPFs associated with the Proposed Action. We agree with BOEM's conclusion that lessees will develop a SAP that will aim to minimize adverse effects from their site assessment and site characterization activities.

C. Cultural Sites, Rich Data Area, Transmission, and Mitigation Measures

We agree that for offshore cultural, historical, and archaeological resources BOEM's primary mitigation strategy has been, and should continue to be, avoidance.[7] We agree that with this general guideline and other mitigation measures, impacts to historical or cultural sites will be minimal. This is particularly true because there is already extensive mapping of cultural and marine resources, in part due to other energy activities in the Gulf. Given the robust data sets that exist, we urge BOEM to consider the early mapping requirements already met by any definition. Early mapping and additional, not to mention unnecessary, buoy deployments would provide no further preliminary than has already been collected. There is a reliable, maintained network of deep-water buoys which offer an especially rich set of information. We therefore urge BOEM to review the pantheon of existing surveys to assess whether there already exists significant information to avoid redundant data collection and the associated disturbances.

[7] Standard Operating Conditions included in the Draft EA.

We also encourage more transmission planning. BOEM anticipates that each lease could have up to two transmission cable routes or would utilize a backbone transmission system. We believe that prospective transmission planning will set the Gulf up for the best possible outcomes. It might prove prudent for BOEM to consider transmission, and particularly the backbone system, on a basis larger than individual projects. The Appendix section A.3.2.1.4 describes using the NREL Atlantic Transmission Study currently in progress to guide the use of backbone transmission systems in the GOM, but more discussion of transmission planning in general might be more beneficial than leaving it on a project-by-project basis.

We agree with almost all of the BOEM mitigation measures in Appendix B and the Standard Operating Conditions (SOC) found in Appendix H. We do we wish to flag certain topics needing clarification. Our recommendations below reflect a concern for impacts to the timing and logistics of lessees' survey activities.

- The current Appendix H addresses keeping watch for marine mammals and adjusting activities, and stipulates that all relevant personnel, crew members, Protected Species Observers (PSOs), and new personnel must be briefed intimately on the provisions in the SOC as they join the work in progress. We request clarification on relevant personnel, since many of the procedures in the SOC would not seemingly apply to the function or capacity of many crewmembers.
- The current Appendix H addresses checking daily information for species locations. We suggest adding to the information sources NOAA weather radio, USCG NAVTEX Maritime Safety Broadcasts, and Notices to Mariners.
- The current SOC requires observing protected species, but should explicitly state that a crew trained to spot protected species should be sufficient for mitigation while transiting during daylight hours.

D. Offshore Wind is Necessary to Reduce the Impacts of Climate Change and Maintain a Resilient Power Grid

We applaud President Biden for advancing environmental review in the Gulf of Mexico Call Area, which is an important step in reaching the Administration's national offshore wind goal of 30 gigawatts (GW) by 2030.[8] These ambitious multi-GW goals represent important milestones for the offshore wind industry, demonstrating that America is serious about offshore wind to drive economies of scale and realize the substantial jobs, climate, and clean power benefits from responsibly developing this renewable energy resource. The goals send an important signal to the industry and other state and federal agencies that Texas and Louisiana are committed to moving forward expeditiously to make offshore wind power a reality.

In addition, the increased demand for green hydrogen could play an important role in developing offshore wind, especially in the GOM region, due to the reduced cost of direct transmission. The industrial and shipping industries present in Texas and Louisiana uniquely position the states to take advantage of the opportunity for producing green hydrogen with offshore wind. In the future, offshore wind facilities could be used to produce local hydrogen fuel, rather than sending its electricity to the grid, thereby avoiding the need for additional transmission.

The ultimate goal is to develop a thriving, world-leading floating and fixed wind industry and make offshore wind a key part of both Texas' and Louisiana's diverse energy portfolio, while also protecting the state's marine and coastal resources. The GOM has incredible potential for vast offshore wind energy deployment with a technical potential of more than 500 GW of

[8] White House Fact Sheet: Biden Administration Jumpstarts Offshore Wind Energy Projects to Create Jobs (March 29, 2021) https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/29/fact-sheet-biden-administration-jumpstarts-offshore-wind-energy-projects-to-create-jobs/.

clean energy generation from offshore wind.[9] Realizing even a fraction of this potential would provide a massive boost to meeting America's climate goals and creating thousands of well-paying American jobs.

Conclusion

In summary, the approach taken for the Gulf of Mexico allows for greater flexibility for future identification of WEAs and should provide for a more streamlined process for issuing leases and associated site assessment activities. Properly managed, the draft EA will provide valuable efficiencies to BOEM, the leaseholders, and the other stakeholders. We appreciate the opportunity to comment on the draft Gulf of Mexico EA, and we look forward to continuing its active engagement with BOEM on this critical leasing process in the coming year.

Respectfully,

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[9] A recent National Renewable Energy Laboratory study found there is over 500 GW of technical potential for offshore wind in the Gulf of Mexico.





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