



Pacific Whiting Conservation Cooperative

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A Partnership to Promote Responsible Fishing

June 28, 2022

Dr. Whitney Hauer
Renewable Energy Specialist
BOEM, Office of Strategic Resources
760 Paseo Camarillo (Suite 102)
Camarillo, California 93010

RE: Request for Information and Nominations: Commercial Leasing for Wind Energy Development on the Outer Continental Shelf Offshore Oregon – BOEM-2022-0009-0001

Dear Dr. Hauer:

I am writing on behalf of the Pacific Whiting Conservation Cooperative (PWCC) about the call for information related to commercial leasing for wind energy development on the outer continental shelf offshore Oregon. The PWCC is a fishing cooperative comprised of the three companies that participate in the catcher-processor sector of the Pacific whiting fishery in federal waters off the Pacific coast. The PWCC's interest in BOEM's request for information about the proposed call areas is primarily due to its members commercial fishing operations and conflicts between a longstanding, sustainable fishery and proposed offshore renewable energy development. PWCC is an important stakeholder in BOEM's renewable energy program because our members are established users of marine areas and fishery resources. PWCC member companies are almost certain to be harmed by BOEM actions related to wind energy development off Oregon. Specifically, the proposed call areas overlay critically important fishing grounds for our members and myriad other commercial and recreational fisheries. Therefore, before proceeding with this action, it is incumbent upon BOEM to thoroughly evaluate the economic impacts from fishery displacement and the downstream effects on coastal communities; to analyze the environmental impacts to fish stocks, protected resources, and the California Current Ecosystem; to coordinate with National Marine Fisheries Service (NMFS) to fully understand (and avoid) disruption to critical fisheries research; and to carefully assess how offshore wind (OSW) arrays will affect safety of life at sea. Our request is for BOEM to slow down this OSW development process because public engagement needs to be meaningful and environmental and economic analyses are needed *prior* to defining Call Areas and certainly before wind energy areas are identified and leases are requested.

In [2013](#), [2014](#), and [2015](#), PWCC commented (and incorporates by reference these letters into this public comment) to BOEM about a proposal from Principal Power, Inc. for an offshore lease application and energy development in waters off Coos Bay, Oregon. At that time, the PWCC clearly identified why the proposed floating OSW project would have significant, negative economic and environmental impacts. These concerns were shared by a diverse group of resource management agencies, fishery stakeholders, and conservation organizations. The consensus recommendation was that BOEM needed to conduct thorough environmental and economic analyses prior to the project moving forward because of the scope and magnitude of potential impacts. Now, in 2022, BOEM again proposes an action that will harm existing fisheries and coastal communities, fisheries science, and the marine environment while ignoring the need to understand these impacts. And, again, the resounding call from fishery participants, conservation organizations, coastal communities, and state and federal legislators is to slow down and to conduct comprehensive analyses before moving forward.

The PWCC is concerned about the direct impact the current proposal will have on access to productive Pacific whiting fishing grounds. The attachment included with our letter (*Projected Impact of BOEM Oregon Wind Farm in the Pacific Whiting Fishery*, Sea State Inc., 22 June 2022) details the importance of the proposed area to our sector of the Pacific whiting fishery. The projected foregone harvest over the lifetime of an OSW lease represents lost revenue of hundreds of millions of dollars to PWCC member companies. It is also critical to recognize that the graphical representation of past tow tracks cannot display the effect the proposed call areas will have on fishing behavior. For example, when fished by a catcher-processor vessel (that can be 375 feet in length), a whiting trawl net can be as large as 25 meters tall, 50 meters wide, and 150 meters in length. Successful (and safe) fishing requires the vessel operator to have sufficient area to “fly” their net in the water column. Obstructions, such as an array of wind turbines, hinder safe and effective fishing. Moreover, even if there were no formal closure zones, it would be neither effective nor safe to fish in these areas because of these operational characteristics.

The attached analysis clearly shows that the proposed call areas overlay important and productive fishing grounds for all non-tribal sectors of the whiting fishery (that is, catcher-processor, mothership, and shoreside). They also demonstrate that, when accounting for the operational dynamics of fishing described above, that there are no discrete areas within the proposed call areas where OSW sites would not harm our member companies. The analysis also shows that there would be less impact to the catcher-processor sector if the call areas were moved outside 700 fathoms. Finally, this analysis is based on information that is known by and readily available to BOEM because it uses information from NMFS and vessel monitoring systems. Fishery participants, as well as fishery scientists and managers, have informed BOEM for over 2 years that the databases BOEM is using lack complete and accurate information. BOEM must fix this problem prior to taking further action relative to the call areas.

In addition to the significant impacts on fishing operations and safety, the proposed call areas will also significantly impact the ability of the fishery to operate in areas of historically lower bycatch of federally protected salmon and other species of concern (such as, rockfish and sablefish). Success in our fishery requires a balance between catching whiting and avoiding incidental catch of non-whiting species. Loss of fishing areas creates an imbalance where the fishery is precluded from a “clean” area and forced to fish in areas with a greater risk of catching incidental species. This imbalance results in the potential for tens of millions of dollars in lost annual revenue if the whiting fishery is closed because it could not access areas that would have allowed the fishery to avoid depleted or endangered species. Reduction in available fishing grounds also creates gear conflicts with other fisheries because fishermen are forced to compete for space in areas (notably, less productive areas) away from OSW arrays. The results of this certain displacement are increased production costs, decreased revenue, and increased likelihood of gear conflicts and impacts to safety of life at sea. BOEM itself recognized and detailed these issues in 2012.¹

Providing further evidence of potential harm to fisheries and validating the need to take the time necessary to comprehensively analyze the range and scope of potential impacts, the Pacific Fishery Management Council (PFMC) received information in June 2022 about impacts to fisheries science. In their report ([Agenda Item F.1.b, Supplemental NWFSC Report 1, June 2022](#)), NMFS stated: If the West

¹ See page 140 in – [OCS Study, BOEM 2012-083 *The Identification of Outer Continental Shelf Renewable Energy Space-Use Conflicts and Analysis of Potential Mitigation Measures*](#) – the following statement pertains to all fisheries and fishing areas along the U.S. west coast:

“Although fishermen in a given fishery may seek the same kind of habitat, the actual location (e.g., in state waters, on the OCS) can vary considerably given the variability in the North Coast’s ocean environment and conditions. Moreover, and especially important, fish move (some more than others) intra- and inter-annually. In order to catch them, fishermen move as well – they “follow the fish.” **As a result, fishermen highly value broad access to the ocean to better enable them to apply and build their cumulative knowledge of ocean conditions, fishing areas, and fish distribution and behavior, knowledge that is central to their safety and success.**” (Emphasis added)

Coast Bottom Trawl Survey was precluded from sampling in Oregon OSW areas, for some species, “we would expect assessment uncertainty to increase throughout much of the existing survey period, with the potential for unpredictable changes in population scale or status.” NMFS further stated: “Were the Pacific hake survey to be excluded from the [OSW area], the assessment would suffer a substantial information loss.”

The PFMC [Groundfish Management Team \(March 2022\)](#) reported their concerns about these disruptions:

“The GMT is concerned with the ramifications of areas where wind energy is sited that fall within the areas of ongoing long-term National Marine Fisheries Service Northwest Fisheries Science Center West Coast Groundfish Bottom Trawl and the Joint U.S.-Canada Integrated Ecosystem and Pacific hake Acoustic Trawl surveys, which collect data to inform groundfish species-specific indices of abundance along with other key biological data (e.g., lengths, otoliths, weights), critical pieces of information used in stock assessments. The GMT also believes that there will be consequences for how we manage species if there are large areas closed to all fishing and fishing-adjacent activities (i.e., surveys), thereby restricting biological data collection within these areas. These implications for stock assessments and how stock assessments are interpreted for management are significant and should be considered as we move forward through the planning process.”

The collective work of these fishery scientists and managers clearly demonstrates that harm to existing fisheries, fishery management systems, and critically important fishery research is likely to occur.

To further highlight potential impacts, PWCC incorporates by reference comments made to the PFMC by its Groundfish Advisory Subpanel (GAP) in [March 2022](#), and [June 2022](#). In its March 2022 report, the GAP highlighted numerous areas of concern. The PWCC requests BOEM address each of the following in responding to comments received related to this proposed action:

- **How will BOEM engage meaningfully with fishery participants?** “The BOEM process is diametrically opposed to the collaborative stakeholder-driven, bottom-up processes used to manage federal and state fisheries on the west coast, and stakeholder and fishery management input appears to be ignored.”
- **How will BOEM avoid harm to current ocean users and the marine environment?** “The proposed Oregon Call Areas are sited directly atop valuable and productive grounds for whiting, sablefish, pink shrimp, Dungeness crab, and numerous other critically important commercial and recreational fisheries. The proposed Oregon Call areas also overlay vital habitats for Council-managed fisheries (including endangered salmonids), seabirds, and marine mammals.”
- **How will BOEM remedy the lack of critically important direct impact analyses?**
 - “It is unfathomable that a management agency can propose an action without performing even rudimentary impacts analyses, especially when it is plainly obvious that development activities in the proposed areas will have detrimental, if not existential, impacts on fisheries and fishing-dependent communities.”
 - “When fishing grounds are lost, fishermen are forced to fish in concentrated areas causing gear conflicts and creating management problems. Forcing fisheries into less productive grounds increases operational costs because more time is spent catching fewer fish. More time on the grounds increases safety risks, which are already heightened because of the navigational obstacles presented by OSW placements. Irresponsible offshore development displaces productive fisheries, increases gear conflicts, reduces profitability, and makes fishermen less safe.”

- **How will BOEM reconcile the lack of cumulative impact analyses?** “Moreover, when the above impacts from the proposed Oregon call areas are considered within the larger context of other west coast offshore development activities, it is clear that cumulative impacts – to fisheries, coastal communities, habitats, protected resources, and fisheries research – will occur. These broad impacts necessitate comprehensive analysis in a Programmatic Environmental Impact Statement.”

The concerns detailed by the GAP are shared widely by west coast fishing interests, conservation organizations, coastal communities, [Oregon state legislators](#), and [Oregon](#) and [Washington](#) congressional representatives. [This diverse group states with strong consensus](#) that OSW development within the proposed Oregon call areas will have negative impacts, those impacts need to be understood and analyzed in advance, and BOEM should slow down because of these significant risks and uncertainties. The PWCC agrees with and supports these recommendations.

Before moving forward with further action related to the proposed call areas, it is incumbent upon BOEM to thoroughly evaluate economic impacts from fishery displacement and the downstream effects on coastal communities; to analyze the environmental impacts to fish stocks, protected resources, and the California Current Ecosystem; to coordinate with NMFS to fully understand (and avoid) disruption to critical fisheries research; and to carefully assess how offshore wind (OSW) arrays will affect safety and life at sea. Our request is for BOEM to slow down the OSW development process off Oregon because meaningful public engagement is needed, and comprehensive and cumulative environmental and economic analyses must be completed before BOEM takes further action on the Oregon Call Areas.

Thank you for providing this opportunity to comment and for considering our views.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel A. Waldeck", is written over a faint, light blue grid background.

Daniel A. Waldeck
Executive Director

Enclosures:

*Projected Impact of BOEM Oregon Wind Farm in the Pacific Whiting Fishery, Sea State Inc., 22
June 2022*