Southern Oregon Ocean Resource Coalition
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June 28, 2022

Mr. Doug Boren
Bureau of Ocean Energy Management
Office of Strategic Resources
760 Paseo Camarillo; Suite 102
Camarillo, California 93010

Submitted online to Docket No. BOEM-2021-0009 via http://regulations.gov

RE: Oregon Call Areas: call for information and request for comments

Dear Mr. Boren:

The Southern Oregon Ocean Resource Coalition (SOORC) appreciates the opportunity to comment on the Oregon call areas. The call areas fall into the area SOORC board members represent.

SOORC is a coalition of marine related interests on the Southern Oregon Coast engaged in proposed uses of Oregon's coastal waterways. We work to encourage and facilitate dialog among marine natural resource dependent businesses to address their common interests and ensure access to those shared natural resources in perpetuity. SOORC serves as a forum to address issues of common interest to its members and associated industry through facilitation, engagement and communication. Two of our goals include ensuring new proposed uses of the marine environment avoid negative impacts to or do not supersede established use(s), and to minimize impacts through good stewardship of the ocean. It is with these goals in mind that we offer the following comments.

SOORC generally agrees with comments made by other West Coast entities (and submitted to this docket), including the Western Fishboat Owners Association/American Albacore Fishing Association, the Pacific Fishery Management Council, the Oregon Coastal Caucus, the West Coast Seafood Processors Association, the Oregon Dungeness Crab Commission, the Oregon Department of Fish and Wildlife, the letter from Rep. Peter DeFazio and Sen. Ron Wyden, and the letters and resolutions provided by a dozen or so ports, cities and county leaders.

Our overarching comment is that this process is moving forward too quickly, with inadequate accounting for potential harm to fisheries and the ocean ecosystem. There are too many questions and not enough answers. SOORC understands that answers aren't always readily available and finding those answers is part of the process.

However, we argue that other, established offshore wind sites around the world, both floating and fixed, have sufficient commonality in structure, design and ocean conditions to indicate potential California Current Ecosystem changes in the call areas and potential effects on the habitat and animals that use all or subsets of those areas. Proceeding without careful consideration is disgraceful; the ocean users and the wildlife that depends on these areas of the ocean deserve better.

With this in mind, SOORC suggests the following:

- ## Produce a full, programmatic environmental impact statement (PEIS), complete with consideration of cumulative impacts of other offshore wind sites on the West Coast

  Several commenters support conducting a PEIS; it is a reasonable request. We have heard BOEM staff say during workshops that, "that's not the way we do it." That answer is disingenuous and dismissive of the stakeholders who have a vested interest in what happens in these call areas.

  Further, conducting a full PEIS would be conducive to greater engagement and potential agreement between developers, ocean users and state/federal/tribal agencies. The number of requests and support for a PEIS and the activity of completing a PEIS seems inconsequential when compared with the angst and frustration on behalf of ocean users and residents concerned about ocean health and its inhabitants. Stakeholders, already frustrated by BOEM's lack of transparency about its call areas, wind energy areas and environmental review processes, will likely become even more frustrated with BOEM's process in the future. This is most definitely *not* the way to show a willingness to work with ocean users in general or the seafood industry, specifically.

- ## Go beyond the 1300m depth contour

  BOEM has said during recent meetings that it cannot go beyond the current call areas to propose offshore wind sites. SOORC disagrees. There is no reason BOEM can't recall or rescind the current areas and re-issue a new Call for areas deeper than 1300m. Developers have stated it is possible to place offshore wind turbines beyond the 1300m depth contour, although it may be more costly. We argue that it is unfair to displace fishermen, who have invested years of fishing and becoming accustomed to the fishing grounds and changes in the ocean, in favor of technology that is changing almost daily. Historical use of the ocean as a public resource has been in the realm of fishermen and marine shippers for decades; selling them off now for the sole use of companies whose profits are likely to go overseas is unethical.

- ## Pause until better data is available and fishing behavior is considered

  The BOEM outreach process is a critical concern and is fraught with poor communication issues. "Engagement" feels more like "check-the-box" exercises and does little to encourage open communication between BOEM staff and the fishing industry. Rep. Peter DeFazio and Sen. Ron Wyden addressed this issue in their letter to BOEM Director Amanda Lefton: "We also call on BOEM to consult with all relevant stakeholders to fully evaluate the wide-ranging impacts of these proposed developments along the Pacific Coast," noting that BOEM's Intergovernmental Task Forces do not have industry or stakeholder participation. BOEM could easily rectify this: Open the Task

Forces to industry and ocean users in compliance with the Federal Advisory Committee Act. This would go a long way to encouraging trust in BOEM and the BOEM process.

It is commonly known that BOEM proceeded with siting work ahead of all the ocean users' datasets being compiled in OROWindMap. This is still the case. For example:

- Vessel Monitoring System (VMS) data stops at 2017. The groundfish trawl fleet experienced dramatic change with the opening of several Rockfish Conservation Areas (RCAs) in 2020 that were previously closed. BOEM depends heavily on VMS data but it does not provide an accurate picture, especially regarding recent bottomfish trawl activity. Furthermore, as other commenters have stated, not all fishing vessels are required to carry VMS, including salmon trollers who don't also fish groundfish and all recreational fishing vessels. A better solution would be to actively include the National Marine Fisheries Service (NOAA Fisheries) as a partner in identifying recent and historical fishing grounds. BOEM seems bent on reinventing the wheel by matching automatic identification systems (AIS) data, VMS data and logbook data to determine fishing effort. The result is inaccuracy, underestimation of recreational fishing and additional frustration on behalf of all fishermen.
- Include greater benthic habitat details. For example, trawl fishermen have noted significant Dover sole and petrale sole spawning areas in middle sections of the Coos Bay call area. These should be avoided so we don't lose future abundance of these important species.

  The Call notice, at 3(f)(iv), marine habitats, indicates that mud habitats become more prevalent as the depth increases. Ideally, this would be the best area for placement of anchors for floating turbines. However, more modelling and analysis should be completed *prior* to development of WEAs or leasing on how new structure, specifically, how cables and the floating turbines will affect that muddy marine seafloor. Cables are likely to be large enough to create structure where none existed before and will become fouled with marine invertebrates. How will this change the predator-prey complexes at those depths? Furthermore, BOEM and developers have pointed to floating offshore turbines as fish-aggregating devices that could inherently *help* fisheries. On the surface, that seems plausible but more modeling of inter-species changes in the ocean environment needs to be considered first.

  Additionally, more studies relating to methane seeps and areas containing hydrates of methane should be included in OROWindMap and excluded from any proposed Wind Energy Area (WEA). Oregon State University has done initial surveys that indicate methane deposits are widespread. Nothing should go forward before a thorough understanding of the location and extent of these deposits is developed.

- Fishing behavior is poorly represented/understood. BOEM frequently cites data from OROWindMap on a species-by-species basis. For some species, like Dungeness crab, or pink shrimp, that works. But the "groundfish" category contains multiple species managed by the Pacific Fishery Management Council (PFMC) and NOAA Fisheries, for both sport and commercial fishermen. Sport and commercial fishermen use different gear types, have different seasons and fish for sub-categories of the groundfish complex. Additionally, some trawlers fish primarily the deeper waters, where Dover sole, thornyheads and sablefish (once known as the "DTS complex") are caught at the same time. Other trawlers fish closer to shore or are considered "beach trawlers" and target petrale sole, which lives closer to

shore. Some fixed-gear fishermen may fish longlines or pots and fish for halibut and/or sablefish. OROWindMap identifies some of the fixed-gear fishing areas, but not all. Ultimately, it is difficult to know how, when, where and why these fishermen fish without having those genuine conversations and partnering with NOAA Fisheries. This kind of information cannot be displayed or interpreted easily in OROWindMap.

- Bycatch avoidance. Like fishing behavior, it is important to understand where fishermen fish and to determine whether they are targeting fish or fishing in an area to avoid bycatch. For example, some whiting trawlers may fish an area to catch a lot of whiting but they also may catch bycatch species such as salmon. By moving to another area, they may not catch as much whiting but avoid the bycatch species or "choke" species that may restrict their overall whiting season. It's vitally important that BOEM better understand fishing behavior and areas that are important for bycatch avoidance, particularly with the Pacific whiting fleet that includes shoreside trawlers, the mothership fleet and the catcher-processors.

- ## Retain existing towboat-crabber towlanes; add transit lanes

  Washington Sea Grant, in its comments in this docket, notes how the Coos Bay call area abruptly cuts off the outer towboat lanes (year-round lanes) used primarily by towboats during the winter, when crabbers are fishing inshore of that area during Dungeness crab season. Eliminating this towlane will force towboats shoreward of the call area and into Dungeness crab grounds, exacerbating conflicts between crab gear and marine shippers. BOEM should include a north/south outer towlane of sufficient size to maintain shipping and towboat safety during winter storms to reduce conflicts with the crab fleet and reduce safety hazards.

  Transit lanes through the eventual WEAs, particularly in front of ports, would allow fishermen accessing deeper waters for say, albacore tuna, more direct access. This is particularly important to sport and small-boat commercial fishermen fishing out of Winchester Bay. The transit lanes should be of sufficient size to access the nearshore exclusion zone from a northwesterly, direct west or southwesterly entrance, to accommodate changing weather conditions. A transit lane that is too narrow may exacerbate safety concerns for vessels when returning to port.

  Ideally, it would behoove BOEM to wait until the U.S. Coast Guard completes its Pacific Port Access Route Study. This study should provide useful information to BOEM and the seafood industry regarding towlanes, potential transit lanes and necessary routes for the safest access to ports.

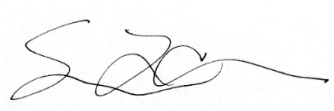
- ## Issue a *proposed* WEA and request refinements

  BOEM originally proposed three call areas off Oregon and announced them during a Feb. 25, 2022, Intergovernmental Task Force meeting. Without soliciting official public comment, BOEM received information that indicated the proposed Bandon call area be eliminated. Subsequently, this area was dropped from the official Call published in the Federal Register on April 29, 2022.

  SOORC supports this same process when announcing the WEA(s). Another Task Force meeting could be convened to solicit comments on a *proposed* WEA(s). More data will be available from both the seafood industry and developers about those proposed areas, providing BOEM with more resources to refine the WEAs to make them less intrusive to the seafood industry while providing opportunities for developers.

Again, thank you for the opportunity to comment. Our sport and commercial fisheries, processors and marine businesses are counting on BOEM to make sure our industries are protected as we transition to renewable energy.

Sincerely,



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