From: Donni Borchard
To: PERMITS coast * DLCD
Subject: AGAINST
Date: Tuesday, June 4, 2024 8:28:44 AM

Dear All:

I am writing to state that I am against any and all offshore wind turbines. Not now, not ever should this project go forward. The destruction to our waters would never recover from this project. The death of marine life, the fishing industry, recreation, birds and housing values will be destroyed. If the state is so interested in creating renewable energy, then there are millions of roofs that could house solar panels. Start there. That makes more sense than destroying our land and waters.

Enough is enough.

Donni Borchard
Brookings, OR

From: LB Carty
To: PERMITS coast * DLCD
Subject: Are there also to be independent scientific studies regarding their proposed construction?
Date: Saturday, May 4, 2024 3:32:33 PM

To whom it may concern: Are there independent scientific studies also being done in these areas? What about the wildlife here in our western Pacific? What does an "assessment" involve? How would future construction of such a facility affect the lives of our ORCAS, and other precious marine life?? Many private companies have been negligent as far as pollution and reckless in repair, which most often doesn't resolve the actual damage!
While I am glad to hear it it not the LNG pipeline, we need to seriously take our oceanic, biological diversity into strong protection form the ravages of mankind!
Thank you,
Lori B Carty

From: Vernon Eastburn
To: PERMITS coast * DLCD
Subject: Benefit?
Date: Thursday, May 2, 2024 7:56:46 PM

[You don't often get email from vern_connie@yahoo.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Could a sponsor of this bill please tell us how this proposal will have a positive impact to fish, wildlife, and estuarine life? Let this idea pass, please.
Sent from my iPad

From: S.Christopher
To: PERMITS coast * DLCD
Subject: BOEM Lease Comments
Date: Friday, June 14, 2024 2:34:54 PM

Dear Mr. Burright and Mr. Lanier,

Thank you for coming to Brookings and attempting to gather insight from the community. I know it is challenging dealing with the heavy emotions of the public mixed with political views, anger and general misinformation.

Your presence and ability to take action regarding the BOEM leasing gives me hope that there will be careful consideration on any decisions.
Below is a letter I am sure you have already received, but it well expresses my own concerns:

As a resident of the South Coast, I am extremely concerned about the fast pace of wind energy leasing and the incremental process that does not take a big picture look at cumulative impacts until the very end. I care deeply about our coastal and marine ecosystems and wildlife, and am concerned that BOEM is rushing to advance its program without understanding the unique attributes of the west-coast wide California Current ecosystem and of Oregon's cherished coast.

I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon’s Coast.

Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects, which include wind energy arrays in several locations on the West Coast.

Please require that BOEM, as a condition of concurrence, require that lessees follow best management practices to avoid harm to wildlife by requiring a qualified observer be onboard any vessels and by requiring vessels to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Goal 19 stipulates that when State and Federal agencies carry out actions in the ocean, they shall be in such a manner as to protect living marine organisms and the functional integrity of the marine ecosystem.

Please require that BOEM, as a condition of concurrence, require that lessees follow best management practices to avoid any harm to wildlife

from noise that could mask communication or foraging success by requiring lessees to use low-energy acoustic testing methods and to collaborate on surveys to reduce impacts. Goal 19 stipulates that when State and Federal agencies carry out actions, they shall be in such a manner as to protect "biologic communities" that are “especially vulnerable because of….noise….”

Please require that BOEM, as a condition of concurrence, require that lessees avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral-, sponge- and methane-vent habitats, and include a buffer that protects these important seafloor habitats. Goal 19 stipulates that when State and Federal agencies carry out actions, they shall be in such a manner as to protect “important marine habitat" as these are.

Please require that BOEM, as a condition of concurrence, require lessees to coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. The Territorial Sea Plan Part 5 is specifically directed at ensuring renewable energy facilities are sited to best serve coastal needs. Minimizing cables will help to protect marine ecosystems and coastal habitats, and leasing is the right time to stipulate this requirement.

Please require that BOEM engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. BOEM has documented many meetings, but Goal 1 requires meaningful back and forth engagement.

Please require that BOEM, as a condition of concurrence, require lessees to conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Special attention should be given to Oregon Conservation Strategy Species that have been identified as needing help but do not have any Endangered Species Act protections. Having solid "before" data will be crucial for proper adaptive management in the future and lessees should also be required to make their data public. It is the policy of the State of Oregon (ORS 496. 012) that wildlife shall be managed to prevent serious depletion of any indigenous species and that depends on solid data.

Please require that BOEM, as a condition of concurrence, add conservation bid credits to its Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. It is the policy of the State of Oregon (ORS 496. 012) that wildlife shall be managed to prevent serious depletion of any indigenous species and that depends on solid and unbiased data and data analysis.

Although this current consistency review is for site characterization and

assessment activities that will follow leasing, it is a reasonable and foreseeable consequence that energy companies will seek to lease areas off Oregon’s coast to propose energy developments in the future. For that reason, I am counting on DLCD’s Coastal Management Program and ODFW to take a hard look at the possibility of incremental and expansive industrial energy development that could ultimately be damaging to our cherished coastal and marine ecosystems, wildlife, and fisheries. I support the need for rapid decarbonization as a means to address the climate crisis, but still, proposals for energy development off Oregon's Coast need to be considered carefully. We just don't yet have enough information to understand if this is a good idea and if trade offs required are really worth the mammoth costs and impacts. Finally, I urge DLCD to complete estuary management planning, especially in estuaries that could be impacted by offshore wind energy development, such as Coos Bay.

I care deeply about Oregon’s Coast and I don’t want to see it get wrecked by industrial energy development.

Thank you for considering my comment.

Sincerely,
-Shannon M Christopher

From: C Press
To: PERMITS coast * DLCD
Subject: BOEM lease off Coos Bay
Date: Wednesday, June 12, 2024 2:46:10 PM

I have lived in the Coos Bay area for the last 24 years. I love it here. The natural beauty keeps me centered and the myriad of outdoor activities keeps me healthy.
I am for renewable energy both solar and wind but have many reservations about the proposed FOSW project.

I am writing to express my concerns and questions.

Concerns

This area is earthquake prone. Recently, there have been several small earthquakes 20 to 30 miles out to sea. It seems that the cables to anchor these floating windmills would be subject to loosening with these small quakes. There could be possible damage to the transmission lines or other unforseen events due to these quakes.The scientists always say 'when the big one hits, not if." How will the ensuing tsunami effect these wind mills? Will there be wind mills with those massive blades in the big waves?

This is untested technology. I'm concerned that the project will eventually run into unforseen issues and either be over budget and way late or will be canceled. Can the state put some safeguards in place in the case of damages to the work site, the environment or potential hazards to the public?

Has BOEM or the state reviewed existing data on the effects on sea life around existing windmills? I realize they are not the floating type but this type of data is a valuable resource when considering if this is a viable option for this area. Out seafood industry is a valuable resource for jobs.

If this project is approved, there will be a great increase in marine traffic in this area. I am concerned about any effects of this increased traffic might have on the estuaries. I am thinking of possible hazard material or fuel spills. The estuaries are important sources of food and habitat for a wide range of birds and sea life. Also, a possible speed limit on ships and boats that will be involved in the construction, would decrease the possble injury from propellers, especially to whales.

Questions

Why has BOEM chosen to use floating windmills here? It is unproven technology and no one likes to be the guinea pig.

Will the south coast benefit from this project? Local rumor says no.

How will the project be financed? If there are cost overruns, who is responsible? Can the state protect itself and the citizens from being financially involved in unforseen cost liabilities? Has the cost of upgrading grids been factored into the cost? Also, there are 2 or 3 local electric providers here in Coos Bay. Has this issue of multiple providers been evaluated for the south

coast?

Has BOEM contracted with a business to build, as yet?

How will the generation of electricity be monitored, maintained and repaired?

What will occur in the winter when there are gale force winds? Will the windmills be shut down? No electricity generated? There can be really nasty storms here lasting days. Will the windmills weather the storm without damage? Remember the New Carissa and the expense and years it took to remove the remains of the ship.

There are many state and federally owned lands that have consistent wind. Why does this project have to be ocean based? Surely, there are more areas on the west coast that could be used to meet criteria set out by the President.

Finally, I think a lot more comprehensive analysis and research is required to determine the impacts this project will have on the socio-economic, marine, environmental and longterm issues. This information should be shared with the public. TV and radio announcements about meetings or information available on line information would be helpful.

Thank you for your consideration of my conerns.

Chris Press

From: Tiffany Wilkins
To: PERMITS coast * DLCD
Subject: BOEM Offshore Letter of Support
Date: Wednesday, June 12, 2024 11:14:27 AM

6-12-24

Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Re: BOEM Offshore Wind Leasing on the Outer Continental Shelf

To Whom It May Concern,
I am a Field representative for the International Union of Operating Engineers Local 701. Our union covers nearly 4,000 heavy equipment operators and stationary members in Oregon and SW Washington — many of whom would benefit from work constructing and maintaining offshore wind turbines that could be developed in the coming years through offshore wind leasing on the outer continental shelf off Oregon's coast.

Thank you for the opportunity to comment on BOEM's request to issue leases within the designated Oregon Wind Energy Areas, including the Coos Bay Wind Energy Area and the Brookings Area. I am strongly in support of this project moving forward, as issuing these leases would allow potential developers to start site characterization activities and prepare a Site Assessment Plant for BOEM, moving Oregon closer to building offshore wind technology. Granting BOEM's request and permitting a lease auction will not only improve Oregon's environmental well-being, it paves the way for more vital and much needed jobs for workers in Oregon's rural coastal regions. Offshore wind development projects would ensure heavy equipment operators will be able to secure steady income, without having to travel far from their families.

The length and size of a potential offshore wind project would allow apprentices to complete the required hours to graduate into full-fledged journeymen on a single jobsite, helping address Oregon's concerns about an aging construction workforce. These projects are also an excellent opportunity for increasing diversity in the construction industry and expanding opportunities for workers of all experiences.

Approving these amendments will only augment the benefits to all of Oregon and its vital workforces. I strongly urge the Coastal Management Program to approve the request to issue leases within the designated Oregon Wind Energy Area.

Respectfully,
Tiffany Wilkins
Field representative
IUOE Local 701

From: Tallon Trentz
To: PERMITS coast * DLCD
Subject: BOEM offshore wind lease proposal public comment
Date: Tuesday, June 11, 2024 8:42:00 AM
Attachments: image001.png

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6/11/24

Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Re: BOEM Offshore Wind Leasing on the Outer Continental Shelf

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Respectfully
Tallon Trentz
Southern Oregon Business Agent
IUOE Local 701

Thank You in Solidarity

Tallon Trentz
Southern Oregon Business Agent

555 E First St.
Gladstone OR 97027
Office 503-650-7701
Cell 971-230-4094

From: Kim Johansen
To: PERMITS coast * DLCD
Subject: BOEM
Date: Tuesday, June 11, 2024 11:35:24 AM
Attachments: image002.png
BOEM.pdf

You don't often get email from kim@iuoe701.com. Learn why this is important

Please see attached letter of support.

Solidarity,
Kim Johansen
Business Agent

555 E First St
Gladstone OR 97027
Office 971.204.5091
Cell 971.204.5091

June 11th, 2024

Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Re: BOEM Offshore Wind Leasing on the Outer Continental Shelf

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Respectfully,
Kimberly Johansen
Business Agent
IUOE Local 701

From: DeEtte Miller
To: PERMITS coast * DLCD
Subject: BOEM
Date: Wednesday, June 5, 2024 7:32:46 AM

You don't often get email from deettemiller@gmail.com. Learn why this is important

Dear Mr. Burright and Mr. Lanier,
As an elder long time resident of the Oregon Coast, I am shocked by the fast pace of wind energy leasing and the incremental process that does NOT take a BIG PICTURE look at cumulative impacts until the very end. I care deeply about our coastal and marine ecosystems and wildlife, and am concerned that BOEM is rushing to advance is program without understanding the unique attributes of the west-coast wide California Current ecosystem and of Oregon's cherished coast.

I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon’s Coast.

Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects, which include wind energy arrays in several locations on the West Coast.

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I care deeply about Oregon’s Coast and I don’t want to see it get wrecked by industrial energy development.

Thank you for considering my comment.

Sincerely,
DeEtte David-Miller
Florence, Oregon

From: kathi lindsay
To: PERMITS coast * DLCD
Subject: BOEM
Date: Wednesday, June 5, 2024 6:36:37 AM

You don't often get email from tofukatie@gmail.com. Learn why this is important

Dear Mr. Burright and Mr. Lanier,
As a resident of the South Coast, I am extremely concerned about the fast pace of wind energy leasing and the incremental process that does not take a big picture look at cumulative impacts until the very end. I care deeply about our coastal and marine ecosystems and wildlife, and am concerned that BOEM is rushing to advance is program without understanding the unique attributes of the west-coast wide California Current ecosystem and of Oregon's cherished coast.

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I care deeply about Oregon's Coast and I don't want to see it get wrecked by industrial energy development.

Thank you for considering my comment.

Sincerely,
Kathi Lindsay

From: Lloyd Vivola
To: PERMITS coast * DLCD
Subject: BOEM"s Consistency Determination for Offshore WEAs
Date: Wednesday, June 12, 2024 9:15:18 PM

You don't often get email from nouveladam@hotmail.com. Learn why this is important

Email to: Oregon Department of Land Conservation and Development

Re: BOEM's Consistency Determination for Offshore WEAs

Date: June 12, 2024

Dear Mr. Burright and Mr. Lanier:

I am hopeful that offshore renewable energy production on the Oregon coast can be accomplished in ways that preserve the good health and diversity of the region's marine and avian species. I am also reminded that such projects are new to Oregon coastal waters, and that unforeseeable variables and challenges can undermine the best of environmental protections.

With that in mind, I am writing to urge the Department of Land Conservation and Development to assure that BOEM's “Consistency Determination” for offshore leasing adheres to the highest standards of Oregon law and in ways that better address the environmental liabilities which could arise during the development phase of the project.

As a condition for lease approval and in accordance with the Territorial Sea Plan, BOEM should be required to conduct a west coast-wide Programmatic Environmental Impact Statement that includes a comprehensive analysis of the project's cumulative impact on all marine and avian species that transit multiple WEAs as planned.

Likewise, BOEM should enhance best management practices in accordance with Statewide Goals by requiring WEA developers to:

1. Conduct rigorous pre-construction surveys to provide adequate baseline data for monitoring changes on marine species and their habitat.

2. Limit vessel speeds to avoid collisions with wildlife.

3. Assign qualified wildlife observers to be aboard vessels to record the impact of WEA development on marine and avian species.

4. Design single onshore cable plans to minimize the impact of WEA cabling.

5. Foster earnest, constructive consultation with local tribes, coastal communities, and government agencies.

Our Oregon coastal waters are renowned worldwide for the rich diversity of marine and avian species, both resident and seasonally migratory. If renewable offshore energy is to be part of an environmentally sane economic future, the time to get it done right should start now.

As always, thank you for receiving public comments.

Lloyd Vivola

6035 SE Knapp Street

Portland, Oregon 97206

From: Larry Moser
To: PERMITS coast * DLCD
Subject: BOEM"s
Date: Friday, June 14, 2024 4:37:27 PM
Attachments: ocean winmill.docx

> You don't often get email from larry@iuoe701.com. Learn why this is important

To whom it may concern,
Please see attached document.

Larry Moser

6-14-24

Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Re: BOEM Offshore Wind Leasing on the Outer Continental Shelf

To Whom It May Concern,

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Thank you for the opportunity to comment on BOEM's request to issue leases within the designated Oregon Wind Energy Areas, including the Coos Bay Wind Energy Area and the Brookings Area. I am strongly in support of this project moving forward, as issuing these leases would allow potential developers to start site characterization activities and prepare a Site Assessment Plant for BOEM, moving Oregon closer to building offshore wind technology.

Granting BOEM's request and permitting a lease auction will not only improve Oregon's environmental well being, it paves the way for more vital and much needed jobs for workers in Oregon's rural coastal regions. Offshore wind development projects would ensure heavy equipment operators will be able to secure steady income, without having to travel far from their families.

The length and size of a potential offshore wind project would allow apprentices to complete the required hours to graduate into full-fledged journeymen on a single jobsite, helping address Oregon's concerns about an aging construction workforce. These projects are also an excellent opportunity for increasing diversity in the construction industry and expanding opportunities for workers of all experiences.

Approving these amendments will only augment the benefits to all of Oregon and its vital workforces. I strongly urge the Coastal Management Program to approve the request to issue leases within the designated Oregon Wind Energy Area.

Respectfully,
Larry Moser
Field Representative
IUOE Local 701

From:	Annie Merrill
To:	PERMITS coast * DLCD
Cc:	BURRIGHT Jeff D * DLCD; LANIER Andy * DLCD; PHIPPS Lisa * DLCD
Subject:	Coalition comments RE: OCMP federal consistency review for offshore wind
Date:	Friday, June 14, 2024 6:02:40 PM
Attachments:	Letter to DLCD RE Consistency Review FOSW.pdf

You don't often get email from annie@oregonshores.org. Learn why this is important

Greetings,

Please see the attached coalition letter, submitted as public comment on the OCMP's Federal Consistency review of BOEM's proposed leasing of Wind Energy Areas off the coast of Oregon.

Please don't hesitate to reach out if any DLCD staff reviewing these comments has questions or wishes to discuss further.

Thank you for the opportunity to provide input, and we wish you all the best in deliberating this important action.

Kind regards,
Annie Merrill
Ocean and Estuaries Manager
Oregon Shores Conservation Coalition

--

Comments to the Oregon Coastal Management Program RE Coastal Zone Management Act Federal Consistency Review for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf of Oregon

Submitted by Oregon Shores Conservation Coalition, Oceana, Bird Alliance of Oregon, Kalmiopsis Audubon Society, Lane County Audubon, Salem Audubon Society, Audubon Society of Corvallis, Rogue Climate, Surfrider Foundation, East Cascades Audubon Society

June 14, 2024

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I. Introduction

On behalf of Oregon Shores Conservation Coalition, Oceana, Bird Alliance of Oregon, Kalmiopsis Audubon Society, Lane County Audubon, Salem Audubon Society, Audubon Society of Corvallis, Rogue Climate, Surfrider Foundation, East Cascades Audubon Society, and our members and supporters nationally and across Oregon, we urge the Department of Land Conservation and Development (DLCD) to object to the Bureau of Ocean Energy Management's (BOEM) Consistency Determination[1] regarding wind leasing on the Outer Continental Shelf (OCS) off the coast of Oregon in its current iteration. Alternatively, if DLCD concurs with the consistency determination, we recommend conditions that will ensure consistency with Oregon's enforceable policies.

The Coastal Zone Management Act (CZMA) consistency review is a process in the United States that ensures federal actions occurring in or affecting coastal areas are consistent with state coastal management programs. Any federal action that will have a foreseeable effect on Oregon's coastal zone must be "consistent to the maximum extent practicable"[2] with Oregon's enforceable policies, which include state and local laws and regulations that have been specifically implemented as enforceable policies through the Oregon Coastal Management Program (OCMP). Oregon has a Geographic Location Description (GLD)[3] specific to renewable energy development that extends beyond the limit of state jurisdiction and automatically subjects actions within the GLD to the consistency review process.

While our organizations recognize the urgency of developing renewable energy and transitioning from fossil fuels, the transition must be done responsibly to ensure it does not perpetuate harm to the environment, wildlife, and communities. The undersigned organizations

[1] U.S. Department of the Interior Bureau of Ocean Energy Management Pacific Outer Continental Shelf Region. (2024, April 30). *Coastal Zone Management Act Consistency Determination for Leasing Wind Energy Areas Offshore Oregon*. https://www.oregon.gov/lcd/OCMP/FCDocuments/Consistency-Determination_LeasingWEAsOffshoreOregon.pdf

[2] Consistent to the maximum extent practicable "means fully consistent with the enforceable policies of management programs unless full consistency is prohibited by existing law applicable to the Federal agency." 15 CFR § 930.32.

[3] Oregon Department of Land Conservation and Development, Coastal Management Program. (n.d.). *State of Oregon geographic location description: Analysis of reasonably foreseeable effects of federal actions related to marine renewable energy projects on resources and uses occurring within the federal waters of the Oregon Ocean Stewardship Area*. https://www.oregon.gov/lcd/OCMP/Documents/OCMP_MarineRenewable_GLD_final.pdf

have emphasized throughout this process the need for a review of the full lifecycle effects of wind development in the proposed lease areas, including the cumulative effects of similar developments along the West Coast, prior to committing large areas of our ocean to industrial development. This review has yet to happen. Instead, BOEM chose to fragment the review process and limit its scope to push leasing forward without addressing substantial uncertainties.

"Informed decision making [is] the heart of Goal 19 and the Ocean Plan."[4] To date, BOEM's process has fallen far short of that ideal. The California Coastal Commission, in its review of a similar Consistency Determination (CD) for wind leasing stated:

> [I]t is reasonably foreseeable that the leases will lead to construction and operation of at least some offshore wind facilities. It is also feasible to describe, at least at a high level, the types of impacts that such facilities could have on coastal resources. **Review of this CD is the state's opportunity to examine the impacts of offshore wind development at a programmatic level** and to assess whether the Morro Bay [Wind Energy Area] is an appropriate place to site offshore wind in California.[5] (emphasis added).

Here, BOEM has not provided DLCD with the information required by the CZMA and Oregon's enforceable policies to determine whether these sites are "an appropriate place to site offshore wind."[6] Accordingly, we recommend DLCD object to the consistency determination until BOEM provides this necessary information.

We recommend DLCD object to BOEM's consistency determination for the proposed leases at this time for two reasons. First, BOEM's scope of review is impermissibly narrow and BOEM incorrectly determined that certain Oregon enforceable policies were inapplicable. Second, BOEM's plan to issue these leases without prior review of any of the effects that the lease(s) will have beyond site assessment within the leased areas is contrary to Oregon's enforceable policies. BOEM's decision not to analyze 1) site assessment for cable corridors going to shore; 2) the effects of eventual development of the site; and 3) the cumulative effects of future development of other wind energy projects along the West Coast — is contrary to the structure of Oregon's enforceable policies regarding ocean uses. This includes the resource inventory and effects analysis of the Territorial Sea Plan (TSP) Parts Two and Five, which both require analysis of "probable future projects."

If DLCD does not object to the leases, BOEM must include conditions in its concurrence to ensure the federal government's actions align with the state of Oregon's enforceable policies and that wildlife, environmental, and community protections are implemented. Section III below details our recommendations for these conditions, which include:

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[4] Oregon Coastal Management Program, Territorial Sea Plan Part Two: Making Resource Use Decisions, Section A.1, https://www.oregon.gov/lcd/OCMP/Documents/otsp_2-a.pdf.
[5] California Coastal Commission, Consistency Determination for Morro Bay Wind Energy Area (Apr. 15, 2022), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/W7a-6-2022-AdoptedFindings.pdf.
[6] *Id.*

- Conditions to mitigate wildlife and habitat impacts, including: development of anchoring plans, vessel speed limits, mandatory coordination with DLCD/OCMP, required consultation with the Oregon Department of Fish and Wildlife, incorporation of best management practices, and coordination between lessees
- Conditions to require adaptive management and monitoring, including: development of adaptive management and monitoring plans and requirements that gathered data be made publicly available
- Conditions to develop necessary information for future consistency review, including: resource baseline surveys, and planning to minimize cable routes
- A condition to require development of community benefit agreements
- A condition to require tribal consultation
- A condition to Increase Workforce development & General CBA Bid Credit for housing

Many of these conditions are based on conditions implemented by the California Coastal Commission in their Consistency Review for a similar lease sale.[7] However, we believe Oregon's strong enforceable policies, which emphasize protection of ocean resources, demand additional, stronger conditions.

II. BOEM's Consistency Determination Impermissibly Limits the Scope of the Consistency Review and Fails to Apply Necessary Oregon Policies

BOEM's decision to only include site assessment on the Outer Continental Shelf (OCS) within this consistency determination does not meet the requirements of the CZMA. Additionally, BOEM failed to apply certain Oregon enforceable policies that are crucial to determining this action's consistency. Due to both of these flaws, the information supplied by BOEM is inadequate for DLCD to determine whether this action is consistent with Oregon law.[8]

A. The Scope of Consistency Review Includes All "Foreseeable Effects," Which Extends Beyond BOEM's Analysis

In its consistency determination, BOEM narrowly limits its assessment of the project's impacts to the issuance of leases, intentionally excluding future development or operation from consideration. BOEM claims this exclusion is warranted because "the lease does not grant the lessee the right to construct any facility."[9] In taking this approach, BOEM ignores the likely outcome for the action: development of wind energy facilities off the coast of Oregon. BOEM's narrow approach is counter to the purpose of the CZMA and diminishes the cooperative approach between BOEM and the State. Under the CZMA, DLCD is required to review

[7] California Coastal Commission, Consistency Determination for Morro Bay Wind Energy Area (Apr. 15, 2022), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/W7a-6-2022-AdoptedFindings.pdf.
[8] DLCD may object to a consistency determination for "[failing] to supply sufficient information." In doing so, "the State agency's response must describe the nature of the information requested and the necessity of having such information to determine the consistency of the Federal agency activity with the enforceable policies of the management program." 15 CFR 930.43(b).
[9] BOEM, Consistency Determination at 16.

"reasonably foreseeable direct and indirect effects on any coastal use or resource" for consistency with the State's coastal management plan. As acknowledged by the California Coastal Commission,[10] reasonably foreseeable effects of the proposed leases include the future development and operation of wind energy facilities.[11]

BOEM's consistency review aligns with an antiquated view of the CZMA that was explicitly rejected by Congress and written out of the statute. In direct response to the Supreme Court's narrow interpretation of "effects" in *Secretary of Interior v. California*, Congress amended the CZMA to clarify that the consistency review requirements would protect States from both direct *and indirect* effects of federal actions beyond the continental shelf.[12] As Justice Stevens noted in his dissent in *Secretary of Interior v. California*, the sale of leases also involves "expenditure of millions of dollars" and creates a probable consequence" of future development, further extending what should be considered "effects" under the CZMA.[13]

Following *Secretary of Interior v. California*, Congress's expanded view of the CZMA's scope has governed what effects must be included in consistency determinations. In case after case, courts have determined that the "reasonably foreseeable effects" includes consideration of "future private activity,"[14] "future possibilities,"[15] and "very broad and long term effects."[16]

Most notably, an early 2000s dispute over oil and gas projects off the coast of California demonstrates the broad interpretation of "reasonably foreseeable direct and indirect effects" within the Ninth Circuit. When the United States attempted to argue that its granting of suspensions for 36 oil leases that were about to expire was not a federal action requiring a consistency review, the Ninth Circuit Court of Appeals disagreed.[17] The Ninth Circuit found that future extraction activities on the leases that would have otherwise expired would have "long term" and "far reaching effects and perils."[18] Accordingly, the lease suspensions warranted a consistency review. The fact that California would have an opportunity to review production plans at a later date after the lessees' exploration was successful did not foreclose its opportunity to review the broader effects at the time of the lease suspensions.[19]

Even if BOEM reserves the right to deny future development of the leasehold and lacks details on the lessees' potential development, proper interpretation of "reasonably foreseeable"

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[10] California Coastal Commission, Consistency Determination for Morro Bay Wind Energy Area (Apr. 15, 2022), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/W7a-6-2022-AdoptedFindings.pdf.
[11] 15 CFR 930.33(a).
[12] 136 Cong. Rec. H8068, 8075-76.
[13] Sec'y of Interior v. California, 464 U.S. 312, 357 (1984) (J. Stevens, dissenting)Id. at 257.
[14] Envtl. Def. Ctr. v. Bureau of Ocean Energy Mgmt., 36 F.4th 850, 884 (9th Cir. 2022).
[15] False Pass v. Clark, 733 F.2d 605, 616 (9th Cir. 1984).
[16] California v. Norton, 311 F.3d 1162, 1174 (9th Cir. 2002).
[17] California v. Norton, 311 F.3d 1162, 1173 (9th Cir. 2002).
[18] *Id.* at 1174, 1173.
[19] *Id.* at 1174.

effects requires that such future action cannot be ignored.[20] BOEM must include reasonable estimates based on forecasting in its consistency determination, and DLCD is required to review these forecasts for consistency with Oregon's Coastal Management Program.

Not only is BOEM required to consider the reasonably foreseeable effects of future development and operation in its consistency determination, but it is also required to provide DLCD with comprehensive information on those effects.[21] The consistency determination lacks any useful information beyond acknowledging that "development of a leasehold and associated project easements" is a potential outcome for the project. Without comprehensive information related to the reasonably foreseeable direct and indirect effects of development, DLCD cannot perform a proper review and guarantee the project will be consistent with the State's coastal management plan.

Including the future development and operation of the wind energy facilities in the scope of BOEM's consistency determination is not only warranted under the CZMA but also aligns with the goals and enforceable policies of Oregon's Territorial Sea Plan (TSP). As discussed further below, the enforceable policies of TSP Parts Two and Five explicitly require an analysis of the lifecycle effects of the project. TSP Part One establishes an overall ocean-management goal to "conserve the long-term values, benefits, and natural resources of the nearshore ocean and continental shelf."[22] Policy 3 also requires that management measures for ocean uses "provide flexibility for future actions."[23] These forward-looking aims require consideration of future development and operation of the wind energy facilities.

In addition to considering the consistency of future construction and operation, the CZMA clearly requires that site assessment activities extending from the WEAs be consistent, including for cable corridors and other easements. BOEM admits in the EA that it "anticipates" these activities will occur prior to the construction and operation phase.[24] However, BOEM provides no explanation for its failure to include these as reasonably foreseeable effects in its consistency determination. Nothing in the CZMA regulations limits the necessary review of "reasonably foreseeable direct and indirect effects,"[25] based on whether additional state permits might be required for future actions.[26] These activities have large implications for the

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[20] In a subsequent challenge to the California lease suspensions at issue in *California v. Norton*, a District Court interpreted NEPA's "reasonably foreseeable" requirement to include future exploration and development, even if the federal agency did not currently have detailed proposals for the activities on all the leases. This forward-looking reading of "reasonably foreseeable" under NEPA offers a window into how the similar provision under the CZMA could be interpreted. League for Coastal Prot. v. Norton, No. C 05-0991 CW, 2005 U.S. Dist. LEXIS 32379, 5 (N.D. Cal. Aug. 31, 2005).
[21] *Id.* at 3; 15 CFR 930.39.
[22] Oregon Coastal Management Program, Territorial Sea Plan Part One G: Ocean Management Goals and Policies (amended May 4, 2001), https://www.oregon.gov/lcd/OCMP/Documents/otsp_1-g.pdf.
[23] *Id.*
[24] Oregon Draft Environmental Assessment at 4.
[25] 15 CFR 930.33(a)(1).
[26] And, as argued in Section III.A below, for many of these assessment activities extending to the shore, it is not clear that additional state permits will be necessary.

consistency of this project given that they will extend to the shoreline and thus trigger additional enforceable policies that BOEM failed to analyze.

The CZMA specifies "reasonably foreseeable direct and indirect effects" as the appropriate scope for consistency determinations,[27] and it requires federal agencies to "broadly construe the effects test."[28] As interpreted within the Ninth Circuit, these effects include future impacts such as development and operation of facilities after the leasing and surveying stages. Exclusion of such future development and operations from a consistency determination is inconsistent with the CZMA. Oregon's TSP also emphasizes a forward-looking, cumulative approach that requires consideration of these future impacts. In order to properly perform a consistency review for the Coos Bay and Brookings WEAs, DLCD must include the future development and operation of the wind energy facilities in its review.

B. BOEM's Consistency Determination Fails to Address Applicable Oregon Enforceable Policies

BOEM incorrectly concluded that many relevant enforceable policies — including Statewide Land Use Planning Goal 16 covering estuarine resources,[29] Goal 18 covering beaches and dunes,[30] and TSP Parts Three and Five — do not apply to this action. Because BOEM failed to consider these enforceable policies, BOEM has not provided sufficient information to determine whether the proposed action complies with them.

i. The Territorial Sea Plan Part Five Applies

TSP Part Five should be applied to this action even under BOEM's narrow scope of review.[31] The purpose of TSP Part Five is to decide what areas are suited to renewable energy development.[32] BOEM's leasing of the wind energy areas commits significant resources to developing these areas as the initial locations for offshore wind in Oregon. Failing to apply TSP Part Five runs counter to the Plan's purpose and plain language, which contains multiple provisions directed at leasing.

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[27] 15 CFR 930.33(a).
[28] 15 CFR 930.33(d).
[29] Oregon Statewide Land Use Planning Goal 16, Estuarine Resources, https://www.oregon.gov/lcd/OP/Documents/goal16.pdf.
[30] Oregon Statewide Land Use Planning Goal 16, Estuarine Resources, https://www.oregon.gov/lcd/OP/Documents/goal16.pdf.
[31] Oregon Coastal Management Program, Territorial Sea Plan Part Five: Uses of the Territorial Sea for the Development of Renewable Energy Facilities or Other Related Structures, Equipment or Facilities (2019), https://www.oregon.gov/lcd/OCMP/Documents/TSP_Part5_PublicationVersion_correctedEPs_01172023.pdf.
[32] "The requirements of Part Five are intended to protect areas important to renewable marine resources (i.e. living marine organisms), ecosystem integrity, marine habitat and areas important to fisheries from the potential adverse effects of renewable energy facility siting, development, operation, and decommissioning and to identify the appropriate locations for that development which minimize the potential adverse impacts to existing ocean resource users and coastal communities. TSP Part Five.

BOEM suggests that TSP Part Five does not apply in this action because of language in Section B.1 of the Plan, which states that "the Department of Land Conservation and Development will review federal decisions to permit, license, or *otherwise authorize* renewable energy facilities."(emphasis added). BOEM's interpretation of the TSP is incorrect for two reasons. First, the catch-all phrase "otherwise authorize renewable energy facilities" clearly includes leasing, as evidenced by other parts of TSP Part Five that refer specifically to a lease as an authorization.[33] Second, TSP Part Five, Section B.1 is a targeted provision that does not limit the scope of applicability of other Part Five provisions including Section D, which explicitly requires development of an operation plan for any "lease or other authorization."[34] The effect of Section B.1 is merely to contrast the decision making process for siting of federal projects — which can happen anywhere the federal government has jurisdiction subject to federal consistency review — with the decision making process for siting state projects —which is cabined to the limited areas outlined in Part Five. Accordingly, even if a lease was not an "authorization," that statement does not limit the applicability of other parts of the Plan.

ii. Additional Land Use Goals and the Territorial Sea Plan Part Three Apply

As discussed above, the foreseeable effects of leasing the WEAs for offshore wind will inevitably extend to the shoreline and upland areas during site assessment and future construction for the cable corridors. This triggers an array of other enforceable policies that must be analyzed for which BOEM has not provided DLCD with any information. These policies include: 1) Statewide Land Use Planning Goals 16-18, 2) local comprehensive plans and ordinances, and 3) the TSP Part Three - Rocky Habitat Management Strategy.[35]

For example, because BOEM has provided no information about where site assessment of potential cable corridors might occur, there is no way for DLCD to know whether these actions could impermissibly occur in rocky habitat management areas identified in the TSP Part Three,[36] extend into estuaries covered by estuary management plans and local land use ordinances, or otherwise impact resources protected by Statewide Land Use Planning Goals 16-18.

III. The Proposed Action is Not Consistent with Oregon's Enforceable Policies Absent a Comprehensive Review of its Full Life Cycle Effects

[33] For example, TSP Part Five, Section D, which is included as an enforceable policy, provides that "[t]he regulating agency shall require the applicant to submit an operation plan as a condition of approval for a state permit, license, lease or other authorization for renewable energy facility development." (emphasis added)
[34] TSP Part Five, Section D.
[35] Oregon Coastal Management Program, Territorial Sea Plan Part Three: Rocky Habitat Management Strategy, https://www.oregon.gov/lcd/OCMP/SiteAssets/Pages/Territorial-Sea-Plan/TSP3_RHMS_April202023.pdf.
[36] Oregon Territorial Sea Plan Part Three: Rocky Habitat Management Strategy, https://www.oregon.gov/lcd/OCMP/SiteAssets/Pages/Territorial-Sea-Plan/TSP3_RHMS_April202023.pdf.

As discussed above, the errors BOEM made with regards to the scope of the consistency determination and the applicable enforceable policies make it infeasible for DLCD to decide this project is consistent with Oregon's enforceable policies. However, regardless of the scope of CZMA review and the lack of information BOEM has provided the State, this action is plainly inconsistent with Oregon enforceable policies for its failure to conduct an environmental review of the full lifecycle effects of the project, as required by both the TSP Parts Two and Five. Like California, "[r]eview of this CD is the state's opportunity to examine the impacts of offshore wind development at a programmatic level and to assess whether the proposed [WEAs are] an appropriate place to site offshore wind in [Oregon]."[37] However, DLCD cannot examine those impacts without the required effects analysis from BOEM.

Issuing leases for vast areas of ocean without any environmental analysis beyond the effects of site assessment and characterization within the lease areas is contrary to the comprehensive and precautionary approach to resource planning and management and renewable energy siting outlined by Oregon's enforceable policies.[38] The proposed action is not consistent with Oregon law without an analysis of its cumulative impacts combined with 1) site assessment and characterization activities outside of the OCS, 2) future construction and operation activities within the leased areas, and 3) cumulative effects of the proposed development combined with other proposed projects along the West Coast.

BOEM claims that the "EA serves as the written evaluation of all reasonably foreseeable effects of the Proposed Action as required by [the TSP Part Two.]"[39] However, contrary to the TSP Parts Two and Five, the EA narrowly focuses on the impacts of site assessment on the OCS.

Oregon's TSP Part Two requires that agencies prepare a resource inventory and effects evaluation to understand the "short-term and long-term" effects of the proposed decision on affected resources.[40] This effects evaluation provides the basis for determining whether an action complies with Oregon policies applicable to the territorial sea. TSP Part Two effects evaluation must include analysis of the cumulative effects of the proposed action in combination with "probable future projects."[41] This enforceable policy is central to achieving the State's overall ocean management policy of acting "with regard for the accumulated consequences or effects of activities in the environment that may occur at a distance, over time, or in combination with other action."[42] The required resource inventory and effects analysis is necessary for

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[37] California Coastal Commission, Consistency Determination for Morro Bay Wind Energy Area (Apr. 15, 2022), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/W7a-6-2022-AdoptedFindings.pdf.

[38] "Oregon prefers to develop renewable energy through a precautionary approach . . . " Territorial Sea Plan Part Five, https://www.oregon.gov/lcd/OCMP/Documents/TSP_Part5_PublicationVersion_correctedEPs_01172023.pdf.

[39] BOEM, Consistency Determination at 77.

[40] Oregon Coastal Management Program, Territorial Sea Plan Part Two: Making Resource Use Decisions, Resources Inventory and Effects Evaluation, https://www.oregon.gov/lcd/OCMP/Documents/otsp_2-a.pdf.

[41] Territorial Sea Plan Part Two, Section A.4.

[42] Territorial Sea Plan Part One, Section G, Policy 3.

"consistently evaluating ocean resource proposals to determine whether they satisfy Oregon's ocean resource protection policies."[43]

TSP Part Five — which, as discussed above, must be considered in this consistency review — envisions an almost identical comprehensive and early review of the environmental effects of decisions specifically regarding where renewable energy is sited.[44] The purpose of TSP Part Five is to "protect areas important to renewable marine resources (i.e. living marine organisms), ecosystem integrity, marine habitat and areas important to fisheries from the potential adverse effects of renewable energy siting … and to *identify the appropriate locations for that development* which minimize the potential adverse impacts to existing ocean resource users and coastal communities." (emphasis added). The effects analysis of TSP Part Five must include "the cumulative effects of a project, *including the shoreland component*, in conjunction with effects of any prior phases of the project, past projects, other current projects, and *probable future projects.*"[45]

The clear purpose and effect of both of these provisions is to require critical thinking about where development happens in the ocean, especially as it pertains to the location of renewable energy development. Such an analysis is crucial to ensuring actions protect the Ocean's vast environmental, social, recreational, and cultural resources. For example, without at least some high-level analysis of future construction at this site, it is impossible to know whether inevitable cable landings will be sited in a way that is congruent with communities and/or recreational uses. The need for such early analysis has been identified by Oregon in past trans-Pacific telecommunication projects which came into conflict with land use in cable landings as well as through the federal leasing and associated cable landing for the PACWAVE energy project. Such conflicts lead to statutory direction in HB 2603 (2021) for early analysis of cable routes and impacts before siting and during assessment, specifically calling for amendments to Oregon's TSP and financial provisions for unforeseen impacts and accidents. The lack of early analysis also makes it impossible to know whether facilities can be developed in this location without impermissibly impacting cultural viewsheds important to coastal Tribes.[46]

Each of the actions outlined below, if not part of the same project, are plainly "probable future projects" with fundamental implications for whether these lease areas are "appropriate location[s]" for wind development. Until analysis of these aspects occurs, the proposed action is not consistent with Oregon's enforceable policies.

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[43] Territorial Sea Plan Part Two,.

[44] If the TSP Part Five applies, which we argue it must, the resource and effects analysis of the TSP Part Two does not apply. However, the review required by the effects analysis of TSP Part Five is similarly comprehensive and also includes the requirement for analysis of cumulative impacts and "probable future projects."

[45] Territorial Sea Plan Part Five, Section B.4.

[46] CTCLUSI Press Release: https://ctclusi.org/tribe-disappointed-with-wind-energy-decision-citing-failure-of-boem-to-honor-its-obligations-to-tribe-and-impacts-to-fisheries-cultural-resources-and-heritage/.

A. BOEM Must Analyze the Cumulative Impacts of This Action Combined with Site Assessment and Characterization Outside of the OCS

Under BOEM's regulations, issuing a renewable energy lease on the OCS also grants the lessee the right to a project easement for the purpose of installing gathering, transmission, and distribution cables.[47] Upon approval of the leases, the lessees enter into a five-year site assessment term during which — according to BOEM — they will likely survey potential cable easement routes.[48] This surveying will likely include both magnetometer surveying and geotechnical sampling.[49] BOEM acknowledges this in its consistency determination but fails to specify how this surveying will affect coastal uses or resources. Without this information, DLCD cannot conclude whether the action will be consistent with the State's coastal management plan.

BOEM also neglects to specify whether the surveying is expected to extend outside of the federal jurisdiction of the OCS. In order to identify ideal routes for its cable corridors, one could assume that the lessees' activities during the site assessment will proceed beyond the OCS and into the State's jurisdiction.[50] Inevitably, the cable routes will need to land onshore, which was the assumption BOEM made in its consistency determination for the Atlantic WEAs. There, BOEM acknowledged that sub-bottom sampling would be required every one kilometer along the cable corridor from the WEAs to the onshore energy grid.[51] The proposed action will have direct effects from the lessee's additional assessment in state waters extending to the shore and upland areas. The TSP requires BOEM to address the cumulative effects of the project in its written evaluation.[52] As it pertains to the site assessment, this would include the lessees' activities both inside and outside the OCS.

While BOEM may claim that these actions need not be reviewed because they might be subject to later state permitting authority, that is not a defense to conducting the necessary effects analysis of the TSP. The TSP's broad language requiring analysis of the "[c]umulative effects of [a] project in conjunction with effects of past projects, other current projects, and

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[47] 30 C.F.R. § 585.200(b).
[48] Consistency Determination at 28.
[49] Consistency Determination at 30, 32.
[50] Not only should the lessees' surveying in the territorial sea, shore, and upland areas be noted in BOEM's consistency determination, the activity should also be considered either short-term or long-term access requiring either short-term access agreement authorization or a special use authorization from the Department of State Lands. See Waterway Use Authorizations, Oregon Department of State Lands (last visited Jun. 6, 2024), https://www.oregon.gov/dsl/waterways/Pages/authorizations.aspx.
[51] Consistency Determination for Wind Energy Area Lease and Grants on the Atlantic Outer Continental Shelf Offshore North Carolina, Bureau of Ocean Energy Management, 7-8, https://www.deq.nc.gov/nccddocument-appendixfinalpdf/open. ("BOEM assumes that, during site characterization, a lessee would survey potential offshore export cable routes… from the WEA to shore… Geotechnical/benthic sampling of the WEAs would require… one sample per kilometer of offshore export cable corridor or backbone transmission route… As with HRG surveys, increased vessel presence and traffic during geotechnical surveys may result in several IPFs, including noise, air emissions, routine vessel discharges, and lighting from vessels. Additionally, bottom disturbance may occur as a result of geotechnical surveys due to physical sampling methods.")
[52] Territorial Sea Plan Part Five.

probable future projects,"[53] plainly contemplates early and cumulative review of all the long term effects of an action regardless of authority. Further, it is not clear whether all possible site assessment activities along the cable corridors would even require a state permit nor does BOEM provide any analysis or guarantees of this requirement. For example, magnetometer surveys are a likely assessment technique with potential wildlife impacts, but it is not clear that such surveys would require a permit. Therefore, this assumption may leave a gap in environmental review of the proposed surveys given that BOEM did not even identify where cable corridor assessment is likely to occur let alone analyze the effects this kind of assessment will have in them.

B. BOEM Must Consider the Cumulative Impacts of This Action Combined with Future Construction and Operation of Facilities in the Leased Areas

The future construction and operation of wind energy projects is self-evidently a "probable future project" associated with the leasing of areas for wind energy development. BOEM declines to consider these impacts under TSP Part Two because the lease is not "an irreversible and irretrievable commitment of resources."[54] However, this is a standard federal courts have articulated for deciding the point at which NEPA analysis is necessary. The requirements of Oregon's enforceable policies are entirely separate from those of NEPA, and BOEM offers no explanation for how it could conclude that future construction and operation on the leased sites is not a "probable future project." Presumably, BOEM would not conduct a lease sale for wind energy development off Oregon nor would any parties bid on them if it was not "probable" that any development would actually occur.

The cumulative effects of future construction includes the installation of cables that will connect wind energy projects on the OCS to the onshore grid. BOEM's consistency determination only considers the direct and immediate impact of cable surveying within the WEAs and easements, limiting its assessment to the area within its jurisdiction. While BOEM can only grant easements as far as the OCS, the cables will need to connect to the grid by extending through the territorial sea, shore, and upland areas, implicating both state and local governments.[55] In the consistency determination, BOEM acknowledged this fact, noting that the corridors' paths may "extend from the OCS through State waters to the onshore energy grid."[56] However, BOEM declined to analyze these effects.

The installation of gathering, transmission, and distribution cables that will result from this action is a probable future project under TSP Part Five and implicates TSP Part Four. Under TSP Part Four, DLCD must consider whether the proposed use of the seafloor for cables adheres to the State's policies, including to "protect ocean fisheries and other ocean uses from

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[53] Territorial Sea Plan Part Five, Section A.2.
[54] Consistency Determination, at 77.
[55] Undersea Infrastructure, Oregon Department of State Lands (last visited Jun. 6, 2024), https://www.oregon.gov/dsl/waterways/pages/undersea-infrastructure.aspx.
[56] Consistency Determination, at 24.

any adverse effects" and "protect marine habitat, fishery areas, and other marine resources."[57] Under the recent revisions to Part Four, DLCD would also need to consider the potential effects of undersea cables impacted by physical threats and natural disasters.[58]

This action is the first step towards developing floating offshore wind in Oregon, which initiates a cascade of foreseeable actions that will result in construction and operation of wind facilities in the WEAs. By the time construction and operation permits are applied for, it will be too late to analyze the cumulative effects of the full project's lifecycle and considerable resources will have been expended to develop these specific lease sites as the location for floating offshore wind in Oregon. Now is the best time to consider carefully whether the cumulative lifecycle impacts of this action are consistent with Oregon enforceable policies. DLCD must mandate BOEM conduct that analysis prior to leasing.

C. BOEM Must Consider the Cumulative Impacts of This Action Combined with Other Proposed Projects Along the West Coast

The proposed lease areas in this action are part of a larger program, which includes the construction of similar wind energy projects all along the West Coast such as those in the Humboldt Call Area, just south of the two wind energy areas proposed here. All of these leases occur in the California Current Large Marine Ecosystem (CCLME), and the cumulative effects of these projects could have a damaging effect on the CCLME, especially with respect to impacts on ocean upwelling as well as to migratory wildlife and fish. The requirement of the TSP to review the cumulative effects of a proposed project with "probable future projects" demands that BOEM consider the combined effects of each of these developments prior to committing these areas to development in its proposed action.

IV. If DLCD Concurs, The Following Conditions are Necessary to Ensure that the Proposed Activity is Consistent with Oregon Enforceable Policies

DLCD should object to BOEM's consistency determination for the glaring errors described above. However, if DLCD concurs with the consistency determination, DLCD must include conditions that require the additional effects analysis required by Oregon enforceable policies. Additionally, DLCD must include the other conditions outlined below to mitigate wildlife and habitat impacts, require adaptive management and monitoring, develop community benefit agreements, ensure adequate consultation with Tribes and community involvement, and keep DLCD involved in ensuring consistency for future stages of this project.

A. Condition to Conduct Additional Effects Analysis

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[57] Ocean Coastal Management Program, Territorial Sea Plan Part Four: Telecommunication Cables, Pipelines, and Other Utilities (2000), https://www.oregon.gov/lcd/OCMP/Documents/otsp_4.pdf.
[58] Undersea Infrastructure, Oregon Department of State Lands (last visited Jun. 6, 2024), https://www.oregon.gov/dsl/waterways/pages/undersea-infrastructure.aspx. ("The Territorial Sea Plan Part IV proposed revisions include… Considering undersea cables, pipelines, and other utilities as part of critical infrastructure that is subject to physical threats and natural disasters.")

The flaws in BOEM's analysis leave DLCD without sufficient information to analyze whether the project is consistent with Oregon's enforceable policies. The best course of action is for the State to object to this consistency determination until that information is provided and DLCD can conduct a proper consistency review. However, if DLCD concurs with BOEM, Oregon's enforceable policies still require the analysis described above to occur prior to leasing and DLCD must condition any concurrence to enforce those policies. We recommend the following condition language:

> Prior to issuing any leases in the WEAs, BOEM must conduct an inventory of affected resources and an analysis of the foreseeable effects of those leases as detailed in TSP Part Two. This analysis must include the effects of:
>
> 1) Site assessment activities extending to shore through predicted cable corridor routes
> 2) Construction and operation of floating offshore wind in the proposed lease areas
> 3) The cumulative effects of that construction and operation when combined with the probable future projects of additional offshore wind development along the West Coast
>
> This additional effects analysis is subject to final approval by DLCD that it is consistent with the detailed requirements of TSP Part Two.

B. Conditions to Mitigate Wildlife and Habitat Impacts

Oregon's enforceable policies prioritize protecting our crucial marine wildlife and habitat over commercial development in ocean management. Consistency with these enforceable policies demands strong conditions that ensure the wildlife and habitat impacts produced by this action are mitigated.

Statewide Land Use Goal 19 provides that "all actions by local, state, and federal agencies that are likely to affect the ocean resources and uses of Oregon's territorial sea shall be developed and conducted to conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social values and benefits and to give higher priority to the protection of renewable marine resources—i.e., living marine organisms—than to the development of non-renewable ocean resource."[59] The Goal requires that all actions be conditioned in order to protect marine organisms and ecosystems, including estuarine habitat, and areas important to fisheries.[60]

The ambitious purpose of this Goal lines up with other Oregon enforceable policies, including state statutes. For example, ORS 496.012 states that "[i]t is the policy of the State of Oregon that wildlife shall be managed to prevent serious depletion of any indigenous species and to provide the optimum recreational and aesthetic benefits for present and future

[59] Statewide Land Use Goal 19.
[60] Statewide Land Use Goal 19. Implementation Requirement 1.b.

generations of the citizens of this state."[61] Therefore, actions must be taken in a way that "maintain[s] all species of wildlife at optimum levels" and "maintain[s] public access to the lands and waters of the state and the wildlife resources thereon."[62]

We recommend the following conditions to ensure consistency with these strong enforceable policies and an explanation of why they are necessary to protect marine wildlife and habitat. We also encourage the agency to review Best Practices recommended in other regions[63], and employ stringent mitigation requirements for fish, wildlife, and habitat wherever possible.

i. Anchoring plan

Benthic habitats support marine biodiversity, nutrient cycling, and commercially important fisheries. BOEM should require the lessee to implement management practices to first avoid, then minimize and mitigate adverse impacts from all stages of development and types of project infrastructure that would destroy or significantly alter benthic habitat. It is also particularly important to protect biogenic structural habitat,[64] which is comprised of three-dimensional structures created by slow-growing living organisms (e.g., corals, sponges) that support a high density and diversity of marine species, as well as hydrothermal vents, cold seeps, and habitat areas of particular concern (HAPC), which are subsets of essential fish habitat that have a particularly important ecological role in fish life cycles or are especially sensitive, rare, or vulnerable to degradation. Benthic habitats also play an invaluable role in mitigating climate change by capturing and storing carbon, which can be released when soft sediments are disturbed from anchoring, dredging, and otherwise dragging equipment on the seafloor.

BOEM's Environmental Assessment failed to indicate how benthic habitats would be affected from vessel and buoy anchoring, and the frequency of anchoring and number of vessels permitted to anchor in study areas on the continental shelf is also unknown. Cumulatively, repetitive anchoring from many vessels and buoys in over five years of surveying could lead to significant disturbance to sensitive benthic habitats without appropriate mitigation.

We recommend DLCD require lessees to develop an Anchoring Plan to avoid, minimize, and mitigate impacts to sensitive benthic habitats when making contact with the seafloor, particularly biogenic structural habitat created by sponges and corals and habitat areas of particular concern. California included a condition within their consistency

[61] ORS 490.612.
[62] ORS 490.612(1), (4).
[63] Strong Mitigation Measures Are Essential to Protect Marine Mammals and Sea Turtles During All Phases of Offshore Wind Energy Development on the Pacific Coast https://downloads.regulations.gov/BOEM-2024-0020-0035/attachment_1.pdf
[64] Biogenic habitats "encompass both a) those living species that form emergent three-dimensional structure, that separate areas in which it occurs from surrounding lower vertical dimension seafloor habitats and b) non-living structure generated by living organisms, such as infaunal tubes and burrows." Source: New Zealand Government Ministry for Primary Industries, "Linking marine fisheries species to biogenic habitats in New Zealand: a review and synthesis of knowledge. New Zealand Aquatic Environment and Biodiversity Report No. 130. May 2014. https://fs.fish.govt.nz/Doc/23651/AEBR_130_2514_HAB2007-01%20(obj%201,%202,%20RR3).pdf.ashx.

determination, and ultimately as a lease stipulation to require an anchoring plan that we believe provides a model for what DLCD should require:

> The lessee shall submit an Anchoring Plan to BOEM as part of any survey plan that requires vessel anchoring. The Plan describes how the lessee will avoid placing anchors on sensitive ocean floor habitats and pipelines and shall include the following information:
>
> 1. A list of all vessels that will anchor during survey activities and the number and size of anchors to be set;
> 2. Detailed maps showing proposed anchoring sites that are located at least 40 feet (12 meters) from hard substrate, the distance between the proposed anchoring sites and any hard substrate shall be sufficient to fully protect the hard substrate from anchors and related infrastructure;
> 3. A description of the navigation equipment that would be used to ensure anchors are accurately set; and
> 4. Anchor handling procedures that would be followed to prevent or minimize anchor dragging, such as placing and removing all anchors vertically.[65]

ii. Benthic Zone Buffer

As mentioned above, it is critically important to *avoid* impacts to biogenic structural habitat, as destruction of these complex habitats are unmitigable due to the scale and duration of impacts and the time required for structure forming invertebrates, such as corals, to form biogenic assemblages. Within the Proposed Sale Notice, BOEM acknowledges that these sensitive seafloor habitats exist in the WEAs, particularly in the Brookings WEA, and further, that the presence of these habitats may limit development. Though BOEM states their intention to limit development to protect these habitats during the Construction and Operations Plan stage, it is critical to protect these habitats now, from the impacts of site assessment and site characterization, including anchoring and sampling.

In addition to the broad protections for marine life outlined above, because these benthic habitats are “irreplaceable,” they meet the definition of “Habitat Category 1” under OAR 635-415-0025, which thus requires “ no loss of either habitat quantity or quality.” Accordingly, these habitats necessitate especially strong conditions to ensure no damage is inflicted.

We strongly recommend DLCD include a condition that requires lessees to employ a buffer zone around structural benthic habitat. California included a condition to require this benthic zone buffer that we believe provides a model for what DLCD should require:

> As part of BOEM’s review of survey plans and activities, BOEM will ensure that lessees avoid intentional contact within hard substrate, rock outcroppings, seamounts, or

[65] California Coastal Commission, Consistency Determination CD-0004-22, (Morro Bay Wind Energy Area), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0004-22_ConcurrenceLetter.pdf.

> deep-sea coral/sponge habitat and include a buffer [of at least 40 feet] that fully protects these habitats from bottom contact, including but not limited to anchoring, mooring, and sediment sampling.[66]

Similarly, in the Gulf of Mexico, consultation with the National Marine Fisheries Service led to the following requirements for avoidance of sensitive benthic habitat:

> All bottom-disturbing activities shall be distanced at least 1,000 feet (ft) from any National Marine Sanctuary boundary and 500 ft from any other sensitive benthic features including chemosynthetic communities, topographic banks, pinnacles, live bottoms (e.g., submerged aquatic vegetation [SAV] and oyster beds), or any other hard bottom benthic feature(s). The lessee shall also maintain a minimum vertical clearance of at least 15 ft for mooring or anchoring lines, chains, and/or cables that cross sensitive benthic features. Departure from the above distancing requirements may be approved through coordination with BOEM's New Orleans Office and may require further project-specific EFH consultation with NMFS's Habitat Conservation Division, Southeast Regional Office. However, if consultation with NMFS results in avoidance standards greater than those referenced above, the lessee shall comply with the more conservative distance requirements. For all site characterization and site assessment activities that propose bottom disturbing activity (e.g., anchoring and benthic sampling), the lessee shall include, at minimum, in its survey plan how hard bottom and other potentially sensitive benthic features will be avoided.[67]

In addition, as part of consultation under the the Endangered Species Act and Magnuson-Steven's Act, NMFS' Letter of Concurrence to BOEM for the California WEAs recommended that BOEM implement a 500 meter buffer from hard bottom substrates for metocean buoy anchors to avoid, minimize, mitigate, or otherwise offset the impact of the proposed action on essential fish habitat.[68] NMFS' specific recommendation stated that:

> BOEM should ensure that the metocean buoy anchors avoid any hard bottom substrate (and adjacent transitional ecotone areas, as described above) by requiring a 500-meter

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[66] California Coastal Commission, Consistency Determination CD-0004-22, (Morro Bay Wind Energy Area), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0004-22_ConcurrenceLetter.pdf.

[67] Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, and the U.S. Environmental Protection Agency. *Best Management Practices for Fulfilling ESA and EFH Obligations When Conducting Offshore Wind Site Characterization and Site Assessment Activities in the Gulf of Mexico*. April 18, 2023, p. 7. https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/BMPs-for-REN_0.pdf; see also ESA Section 7(a)(2) Concurrence Letter, NOAA, Sep. 21, 2022, at 54 (stating "BOEM should ensure that the metocean buoy anchors avoid any hard bottom substrate by requiring a 500-m buffer from any hard bottom substrates[...].").

[68] *Endangered Species Act 7(a)(2) Concurrence Letter,* NMFS, at 53, Sep 21, 2022, https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/LOC-EFH%20for%20OSW%20leases%20in%20CA.pdf.

buffer from any hard bottom substrates given the duration of time the metocean buoys are expected to be in place within the WEAs.[69]

iii. Vessel Speed Restrictions

Vessel strikes are one of the leading causes of large whale injury and mortality and are a primary driver of the existing Unusual Mortality Events for marine mammals in the U.S. Serious injury or mortality can occur from a vessel traveling above 10 knots irrespective of its length,[70] and vessels of any length traveling below this speed still pose a serious risk.[71] The number of recorded vessel collisions on large whales each year likely grossly underestimates the actual number of animals struck, as animals struck but not recovered, or not thoroughly examined, cannot be accounted for.[72] In fact, observed carcasses of North Atlantic right whales from all causes of death may have only accounted for 36 percent of all estimated death during 1990-2017.[73]

Any interaction between a vessel and whale poses a risk of serious injury or mortality. This is true irrespective of the number of other vessels operating in the same location. As demonstrated by the documented deaths of adult, juvenile, and right whale calves over the last several years, even a single vessel traveling at speeds over 10 knots poses an unacceptable risk. Though currently larger vessels (65 ft or larger) are subject to vessel speed restrictions on the East Coast, the assumption that smaller vessels pose lower risk of a fatal collision are unsupported by the best available science.[74] Further, data from NMFS indicates that compliance

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[69] *Id.*

[70] NOAA-NMFS, "Reducing ship strikes to North Atlantic right whales." Available at: https://www.fisheries.noaa.gov/national/endangered-species-conservation/reducing-ship-strikes-north-atlantic-right-whales#:~:text=All%20vessels%2065%20feet%20(19.8,endangered%20North%20Atlantic%20right%20whales. To reflect the risk posed by vessels of any length, the Commonwealth of Massachusetts established a mandatory vessel speed restriction for all vessels (including under 20 m) in the Cape Cod Bay SMA.

[71] Kelley, D. E., Vlasic, J. P. and Brilliant, S. W., "Assessing the lethality if ship strikes on whales using simple biophysical models," Marine Mammal Science, vol. 37, pp. 251-267 (2020).

[72] Reeves, R.R., Read, A.J., Lowry, L., Katona, S.K., and Boness, D.J., "Report of the North Atlantic Right Whale Program Review." 13–17 March 2006, Woods Hole, Massachusetts (2007) (prepared for the Marine Mammal Commission); Parks, S.E., Warren, J.D., Stamieszkin, K., Mayo, C.A., and Wiley, D., "Dangerous dining: surface foraging of North Atlantic right whales increases risk of vessel collisions." Biology Letters, vol. 8, p. 57-60 (2011).

[73] Pace III, R. M., Williams, R., Kraus, S. D., Knowlton, A. R. and Pettis, H. M.," Cryptic mortality of North Atlantic right whales," *Conservation Science and Practice*, e346 (2021).

[74] After recent deaths caused by vessels smaller than 65 feet there is increasing recognition that smaller vessels can also cause lethal injury, even when traveling at relatively low speeds (i.e., below 10 knots). The NMFS Large Whale Ship Strike Database reveals that blood was seen in the water—indicative of serious injury—in at least half of the cases where a vessel known to be less than 65 feet in length struck a whale. This is likely an underestimate of the magnitude of the threat, as small vessel collisions with whales are underreported. In addition, passengers have been knocked off their feet or thrown from the boat upon impact with a whale,# demonstrating this is also a significant human safety issue.

Kelley, D.E., Vlasic, J.P. and Brillant, S.W., "Assessing the lethality of ship strikes on whales using simple biophysical models," *Marine Mammal Science*, *37*(1), pp.251-267 (2021).

Jensen, A.S. and Silber, G. K., "Large Whale Ship Strike Database," U.S. Department of Commerce, NOAA Technical Memorandum NMFS-OPR-25 (Jan. 2004) at 12–37.

Hill, A.N., *et al*., "Vessel collision injuries on live humpback whales, *Megaptera novaeangliae*, in the southern Gulf of Maine," *Marine Mammal Science*, vol. 33, pp. 558–573 (2017). A.S. Jensen and G.K. Silber, *Large Whale Ship*

with voluntary speed restrictions is woefully low. A 10-knot vessel speed restriction is currently the only proven method for reducing the risk of lethal vessel strikes of large whales. BOEM has included such a vessel restriction in the Best Management Practices in the Humboldt EA, but did not include it in Oregon.

Offshore wind site assessment activities are likely to increase vessel traffic off the Southern Oregon coast, where vessels will be traveling from major ports like Coos Bay and Port Orford, through state waters to the Brookings and Coos Bay WEAs and anywhere in between to conduct cable corridor surveys. As BOEM describes in the EA, much of these ocean areas are biologically important habitat or migratory corridors for large whales including Gray, Blue, Fin, Humpback, and the Southern Resident Killer Whale at various times of the year.[75] Increased vessel abundance in these areas increases the likelihood of vessel strikes to large whales and necessitates mitigation. Not only do these marine mammals play an invaluable role in the CCLME, but they have tremendous cultural significance to Oregonians and Tribes, and also support ecotourism and recreation on the South coast. Oregon has a responsibility to mitigate impacts to these species, many of which are endangered and depleted in population.

We ask that the DLCD include a condition requiring a vessel speed reduction of 10 knots for surveying activities to reduce risk of vessel strike to large whales and other marine wildlife, and require vessels to slow down if a sea turtle is spotted in its path. California included a similar condition to mitigate vessel strikes, that we believe provides a model for what DLCD should require:

> BOEM will require vessels conducting lease characterization studies, surveys, metocean buoy installation, maintenance, or decommissioning or any other survey activities to travel at speeds no more than 10 knots during all related activities including vessel transit along the California coast. If future consultation with NMFS, USFWS or other state or federal agency results in different vessel speed requirements, BOEM will work with Commission staff to ensure that any new requirements remain consistent and do not diminish the level of resource protection provided by this requirement.[76]

iv. Coordination with DLCD/OCMP

As the lead planning agency of the state, responsible for protecting ocean resources and coordinating management with other state and federal agencies, DLCD's Oregon Coastal Management Program should have an active role in advising survey and Site Assessment Plans

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Strike Database, U.S. Department of Commerce, NOAA Technical Memorandum NMFS-OPR-25 (Jan. 2004), at 12–37.

Bigfish123, Comment to *Collision at Sea*, The Hull Truth (May 1, 2009, 5:44 am), http://www.thehulltruth.com/boating-forum/222026-collision-sea.html.

[75] Oregon Draft Environmental Assessment, at page 30-32

[76] California Coastal Commission, Consistency Determination CD-0004-22, (Morro Bay Wind Energy Area), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0004-22_ConcurrenceLetter.pdf.

to minimize impacts to coastal resources, beyond the present federal consistency review process.

Without explicitly calling for a condition to require lessees to coordinate with the agency, the state will have limited control over assessment activities, and its associated impacts, outside state waters. We recommend DLCD include a condition, similar to California, to require:

> The Lessee must coordinate its survey plan and Site Assessment Plan (SAP) submissions with the Lessor and [DLCD] to ensure that the activities described in the survey plan and SAP submissions minimize impacts to coastal resources and that the submissions provide the data and information necessary for future consistency certifications, as appropriate. As part of this effort, the Lessee will:
>
> a. Engage in continuous and open communication and dialogue with the Lessor, [DLCD.] and other relevant state agency staff during the Lessor's review of survey plans and SAPs.
> b. Provide to [DLCD] access to the Lessee's survey plan submissions, unless BOEM determines, upon the Lessee's request for a determination, that any of the submissions are exempt from disclosure under FOIA (5 U.S.C. 552) and the regulations contained in 43 CFR part 2 (30 CFR 585.114). [77]

v. Consultation with ODFW

One of the primary mechanisms by which marine life is protected under Oregon's enforceable policies is through mitigation requirements and recommendations from the Oregon Department of Fish and Wildlife (ODFW) under OAR 635-145. These mitigation measures ensure that the broad goals expressed in ORS 496.012 for protecting wildlife and associated recreational and aesthetic benefits are enforceable.

For this action to be consistent with Oregon's enforceable policies, ODFW's authority over future phases must be maintained. To do this, we recommend DLCD include the following condition language:

> Lessees must consult with the Oregon Department of Fish and Wildlife (ODFW) in order to receive approval of their SAPs. Lessees must provide their proposed plans to ODFW along with all other information necessary for ODFW to determine the impact the proposed activities will have on affected fish and wildlife. Any mitigation measures proposed by ODFW pursuant to OAR 635-415 will be mandatory and must be implemented by the lessee in their SAP prior to approval.

[77] BOEM, Commercial Lease of Submerged Lands for Renewable Energy Development on the Outer Continental Shelf (Morro Bay WEAs), https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/PACW-1%20California%20Lease%20OCS-P%200564.pdf.

vi. Wildlife Observers

Protected Species Observers (PSOs) play a vital role in environmental conservation, particularly in activities that may impact marine wildlife.[78] Their primary function is to monitor and document the presence of protected species, ensuring that human activities comply with environmental regulations and minimize harm to these species. PSOs help ensure that activities, especially those related to construction, energy development, and scientific research, comply with the Endangered Species Act and Marine Mammal Protection Act to avoid "take" of protected species. In turn, they help organizations avoid legal repercussions and contribute to conservation efforts. PSOs monitor areas where human activities, such as offshore wind surveying and development or seismic surveys, overlap with the habitats of protected species, mitigating the impact of these activities by implementing real-time measures to protect wildlife. For instance, PSOs can halt operations if they spot a protected species nearby, reducing the risk of injury or disturbance. Best practices require a PSO to be aboard vessels conducting geophysical surveys to employ real-time mitigation measures for sound disturbance and vessel collision, in addition to reporting on wildlife sightings.

We recommend DLCD require lessees to employ a PSO onboard every survey vessel as a condition for concurrence. The role of the PSO should be to monitor and report on sightings of threatened and endangered species,[79] marine mammals, sea turtles, seabirds, and other species listed under Oregon's Conservation Strategy.

California included a condition to require wildlife observers that we believe provides a guideline for what DLCD should require. However, California only included a requirement of one wildlife observer per vessel, which we believe is insufficient to ensure adequate coverage. Four observers provides the base of a two-on, two-off rotation, with each observer responsible for no more than a 180° field of view. More observers might be necessary where there are not adequate viewpoints on the vessel for two observers to cover the full field of view.

As California leaseholders begin survey work for site assessment and site characterization on the 2022 leases, it has become evident that clearer requirements for the presence of PSOs during all survey and vessel activities are necessary. Many California leaseholders are employing autonomous underwater vehicles to conduct geophysical surveys in deep waters. Despite the operation of these surveys at significant depths, PSOs should be mandated to monitor the exclusion zone, as well as the pre-clearance and shut-down zones, irrespective of the survey equipment or method used. PSOs should not only be responsible for detecting protected species entering the survey area but also for observing behaviors that may indicate distress or a negative response, which would necessitate halting survey activities.

[78] NOAA, *Protected Species Observers,* https://www.fisheries.noaa.gov/national/endangered-species-conservation/protected-species-observers.
[79] ODFW, *Threatened, Endangered, and Candidate Fish and Wildlife Species,* https://www.dfw.state.or.us/wildlife/diversity/species/threatened_endangered_candidate_list.asp

Accordingly, **we recommend DLCD consider requiring strong mitigation measures recommended from other regions[80], and adopt California's language with the changes included below**:

> The Lessee shall implement all Marine Wildlife and Protection measures listed below [for all vessel and survey activities conducted pursuant to the authorizations of the lease], as consistent with vessel and worker safety:
>
> 1. Prior to the start of offshore activities, the lessee shall provide awareness training to all Project-related personnel and vessel crew, including viewing of an applicable wildlife and fisheries training video, on the most common types of marine wildlife likely to be encountered in the Project area and the types of activities that have the most potential for affecting the animals.
> 2. A minimum of [four] qualified Protected Species Observer[s] shall be located on each vessel to conduct observations. The number of observers per vessel will be sufficient to ensure complete viewing coverage of the surrounding marine environment.
> 3. The observers shall have the appropriate safety and monitoring equipment adequate to conduct their activities (including night-vision equipment for nighttime survey operations).
> 4. The observers shall have the authority to stop any activity that could result in harm to a protected species, marine mammal, sea turtle, or seabirds, except under extraordinary circumstances when complying with this requirement would put the safety of the vessel or crew at risk. In the event that an animal comes in contact with a vessel or survey equipment or becomes entangled in any cable or lines, the observer shall immediately notify NMFS so appropriate response measures can be implemented. Similarly, if any harassment or harm to a marine mammal occurs, the observer shall immediately notify NMFS and any other required regulatory agency.
> 5. A final report summarizing the results of monitoring activities will be submitted to BOEM and a copy also sent to the [Oregon Department of Land Conservation and Development, Oregon Department of Fish and Wildlife,] and other appropriate agencies no more than 90 days following completion of survey activities. The report shall include: (a) an evaluation of the effectiveness of monitoring protocols and (b) reporting of: (i) protected species, marine mammal, sea turtle, and other wildlife sightings (species and numbers); (ii) any wildlife behavioral changes; (iii) any interactions or conflict with marine wildlife, including reporting of any project delays or cessation of operations due to the presence in the project area of marine wildlife species subject to protection.

[80] Strong Mitigation Measures Are Essential to Protect Marine Mammals and Sea Turtles During All Phases of Offshore Wind Energy Development on the Pacific Coast, https://downloads.regulations.gov/BOEM-2024-0020-0035/attachment_1.pdf.

vii. Best Management Practices

In the appendix to the EA, BOEM recommends a series of Best Management Practices (BMPs), which are "schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce impacts to resources."[81] BOEM does not require these practices, but merely "recommends lessees incorporate Best Management Practices into their plans." [82] Additionally, BOEM does not demonstrate or explain the effectiveness of mitigation measures.

Because Oregon's enforceable policies inherently require that all necessary actions be taken to "prevent or reduce impacts to resources," lessees must be required to implement these BMPs into their site assessment plans, and BOEM must require and demonstrate the effectiveness of strong mitigation measures, aligned with those recommended by natural resource specialists across the nation.[83] **We recommend DLCD incorporate the following condition language:**

> BOEM must use the best available science in compiling and demonstrating the effectiveness of Best Management Practices provided to lesses and the Lessee must incorporate all of the Best Management Practices outlined by BOEM in Appendix D of the Environmental Assessment, as well as the Best Management Practices recommended by natural resource experts across the nation,[84] and comply with those Best Management Practices throughout the lifecycle of the lease.

viii. Coordination Between Lessees

Because the proposed leases will likely be awarded to multiple lessees, who could be conducting overlapping site assessment activities, cumulative environmental impacts can be easily mitigated by ensuring the lessees coordinate their activities so they are not needlessly duplicative or leave an excessive footprint on the marine environment.

We suggest DLCD incorporate a condition suggesting lessees coordinate surveys to the greatest extent practicable:

> BOEM will require lessees collaborate on their survey plans to the maximum extent feasible to increase efficiency and minimize impacts of geophysical and other surveys

[81] Oregon Draft Environmental Assessment, Appendix D.
[82] Oregon Draft Environmental Assessment, at 74.
[83] Strong Mitigation Measures Are Essential to Protect Marine Mammals and Sea Turtles During All Phases of Offshore Wind Energy Development on the Pacific Coast, https://downloads.regulations.gov/BOEM-2024-0020-0035/attachment_1.pdf.
[84] Strong Mitigation Measures Are Essential to Protect Marine Mammals and Sea Turtles During All Phases of Offshore Wind Energy Development on the Pacific Coast, https://downloads.regulations.gov/BOEM-2024-0020-0035/attachment_1.pdf.

conducted during the site assessment phase.[85] As part of their Site Assessment Plans, Lessees must include a coordination plan that details how the proposed activities will minimize impacts between lessees. The Oregon Department of Land Conservation and Development and the Oregon Department of Fish and Wildlife must approve the coordination plan prior to BOEM's approval of the Site Assessment Plans..

C. Condition(s) to Require Adaptive Management and Monitoring

Statewide Land Use Planning Goal 19 and the TSP Part Five both independently require the lessees develop plans for monitoring and adaptive management. The TSP Part Five explicitly requires that project developers create operation plans that include a contingency plan, inspection plan, monitoring plan, and adaptive management plan. The required monitoring must "be sufficient to accurately document and quantify the short-term and long-term effects of the actions on the affected resources and uses." The corresponding adaptive management plan must "include performance standards that are based on results of the resource inventory and effects evaluation and incorporated in the study design of the monitoring plan." When monitoring shows that the designated performance standards are not being met, the plan must include "adaptation measures designed to bring the operation into compliance with the performance standard."

Goal 19 also requires future lessees to develop monitoring and adaptive management plans. The second implementation requirement of Goal 19 requires that "[m]anagement measures for ocean resources and uses shall be appropriate to the circumstances and provide flexibility for future actions," including "adaptive management."[86] The Goal further specifies that "[s]tate and federal agencies, when approving or taking an action that could, under unforeseen circumstances, result in significant risks to ocean resources and uses, shall, in coordination with any permittee, establish appropriate contingency plans and emergency procedures to be followed in the event that the approved activity results in conditions that threaten to damage the marine or estuarine environment, resources, or uses." Because of the many unknowns associated with the effects of the proposed leases, and the potential for significant risks to ocean resources given the size of the leases, this provision of Goal 19 needs to be applied.

The required monitoring associated with these provisions and all other data generated by the site assessment process must be made publically available. The TSP Part Five requires that monitoring plans "include a description of the process for periodic and ongoing public involvement and review of the monitoring work." Likewise, the TSP Part Two requires that all research conducted on the effects of a project "shall be in the public domain as allowed by ORS

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[85] California Coastal Commission, Consistency Determination CD-0004-22, (Morro Bay Wind Energy Area), https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0004-22_ConcurrenceLetter.pdf.

[86] Oregon Statewide Land Use Planning Goal 19, Ocean Resources, https://www.oregon.gov/lcd/OP/Documents/goal19.pdf.

192.410 et seq." These state requirements match the federal requirement that BOEM make all data obtained by it pursuant to its actions developing renewable energy available to the public.[87]

i. Monitoring and Adaptive Management Plans

Adaptive management is an iterative planning process that promotes flexible decision-making in the face of uncertainties as outcomes from management actions and other events become better understood. It is essential to employ in the case of offshore wind development because there are substantial uncertainties regarding impacts to species and habitats, wind-driven upwelling, and entire marine food webs. Additionally, floating turbine technology is almost entirely untested in the U.S. Adaptive management ought to be employed at the full project scale for offshore wind development, to ensure a piloted, precautionary approach, consistent with TSP Part Five.

However, adaptive management should be applied at the site assessment scale to ensure survey approaches can be adjusted if results suggest it is necessary to avoid serious harm to irreplaceable marine resources. The key to adaptive management plan is to monitor the success of an action, and adjust plans when more information becomes available. In the context of the proposed leasing action by BOEM, adaptive management is necessary to apply as a framework for survey and SAPs. The entire motivation behind the site assessment is to better understand the geologic and biotic composition of the WEAs and seafloor, so if survey results indicate that areas of the WEA are incompatible with project development or survey techniques are resulting in excessive harm to marine resources, survey plans should be adjusted accordingly.

Additionally, the adaptive management strategy implemented for PacWave South proved to be a successful approach for federal and state collaboration to address impacts as they were identified through monitoring and evaluation.[88] A similar strategy should be taken for the surveying and development of Oregon WEAs.

We recommend DLCD include the following language as a condition to allow for adaptive management to be employed in site assessment planning and implementation:

> BOEM will require all lessees to create an "operation plan," as explicitly described in the TSP Part 5, Section D.3, for conducting site assessment and surveys. The operation plan must include a contingency plan, inspection plan, monitoring plan, and adaptive management plan that meets the requirements of that section.

[87] 30 CFR § 585.114.
[88] M.C. Freeman et al., *Case study on the novel permitting and authorization of PacWave South, a U.S. grid-connected wave energy test facility*, 168 Energy Policy 1, 6 (2022) https://doi.org/10.1016/j.enpol.2022.113141.

ii. Publicly Available Data

As surveys are conducted to help lessees understand the environmental conditions of their lease site to prepare a Construction and Operation Plan and for BOEM to evaluate that plan through an Environmental Impact Statement, it is important that survey data and reports are made publicly available for a number of reasons. First, it will allow for greater transparency between the lessee and the public, as well as other interested parties, managers, and decision-makers. Second, it will allow for information to be appropriately vetted by the public and scientific community so that it is clear how analyses were conducted and what data limitations may exist when determining the environmental impacts expected. This will further help scientists fill in scientific gaps or use the data to answer other pertinent scientific questions to enhance our collective understanding of the ocean and offshore wind impacts. Third, transparency and public access of information lead to more equitable and informed decision-making.

We ask that the DLCD use this opportunity to set a condition that lessees and BOEM must make survey data and reports available to state agencies and the public as soon as reasonably possible. We recommend DLCD include the following language as a condition:

> All documents and data resulting from research, surveys, monitoring, and other data collection efforts conducted by the lessee will be made publicly available to the maximum extent feasible upon submission to BOEM.

D. Conditions to Develop Information for Future Consistency Review

While DLCD has the opportunity to perform a consistency review now for BOEM's leasing of WEAs,[89] it will have an additional opportunity to perform a future consistency review for any activity by the lessee requiring a Federal license or permit.[90] To ensure those future consistency reviews contain information essential for DLCD's review, it is important that the current consistency review includes conditions to explicitly develop information and baselines for those future reviews.

At the construction permitting phase, TSP Part Five, will require inventory information is used by lessees to determine whether all reasonably foreseeable adverse effects of the proposed actions will be consistent with the TSP; Oregon's ocean law; Statewide Planning Goal 19, Ocean Resources; and the policies of the Oregon Ocean Resources Management Plan.[91] The factors outlined for consideration in Part Five Subsection B.4 will require the lessees to

[89] 16 USC §1456(c)(1)(A).
[90] 16 USC §1456(c)(3)(A). California v. Norton confirms that requiring and performing a consistency review now for BOEM's leasing activities does not deprive DLCD of future opportunities to reassess the lessees' wind energy projects. 311 F3d 1162, 1174 (2002).
[91] TSP Part 2, Subsection 2d.

collect information to be included in their applications for wind energy facilities that is sufficient to understand the short-term and long-term impacts of their proposed actions.

i. Resource Baseline Surveys

Baseline surveys are necessary for lessees to characterize the environmental and biological conditions of their lease site and determine what species utilize the lease area during different times of the year. This is clearly one of the goals of site characterization and assessment activities proposed by BOEM, used to inform the development of Environmental Impact Statements. However, BOEM's EA merely speculates on the types of surveys that may be conducted. There are a number of baseline surveys that should be required for lessees to conduct in the WEA to support robust environmental review, fill knowledge gaps, and better determine the potential environmental impacts likely to occur with construction and development. These include surveys of benthic habitat, fish and wildlife, environmental conditions, and cultural and archeological resources present on leases and cable corridor areas. See Monitoring of Marine Life During Offshore Wind Energy Development—Guidelines and Recommendations for more thorough guidance.

Not only are these surveys necessary to understand the biological conditions and species utilization of the WEAs, but the information could be used to characterize the biodiversity and productivity of the areas, so that ecosystem-scale impacts to food webs and ocean upwelling can be more accurately predicted. Additionally, the lessee should be required to coordinate with BOEM, as well as state agencies like DLCD and ODFW, to develop protocols for baseline surveys and determine necessary equipment to collect robust and relevant data. Coordination should extend to reporting on survey progress and sharing environmental data to ensure high quality surveys are conducted by lessees.

In addition to environmental surveys, baseline surveys to understand the "cultural, economic, and social uses" that will be impacted by development in the wind energy areas are necessary. For example, updated spatial and economic recreational ocean use studies and inventories should be performed to avoid, minimize and mitigate potential impacts to these important and protected uses. Such studies and analyses should go beyond the limitations of the Territorial Sea and outer continental shelf to analyze spatial and economic uses across key estuaries, beaches, and State Parks; such as the Coos Bay estuary, Oregon Dunes National Recreation Area, Cape Blanco State Park, Myers Creek Beach, etc[92]. Existing studies referenced in BOEM's Environmental Assessment are limited spatially and well over 10 years old.

DLCD should incorporate a condition requiring lessees to conduct thorough resource baseline surveys and coordinate survey protocols with BOEM, DLCD, and ODFW to better inform future environmental reviews at the construction and operation phase. All of this information is necessary to meet the future resources inventory and effects

[92] Surfrider Foundation comments on Draft Wind Energy Areas outline recreational sites needed for consideration in offshore wind siting, https://20811975.fs1.hubspotusercontent-na1.net/hubfs/20811975/OregonSF_DraftWEA_Comments.pdf

analysis of the “physical and chemical conditions,” “geologic structure,” “biological features,” “cultural economic and social uses,” and other resources that TSP Part Five will require.[93] We recommend the following survey requirements must be required, at a minimum, and we urge the agency to refer to more comprehensive monitoring protocols compiled by natural resource specialists (see footnote)[94]:

Lessees must conduct:

- Surveys of benthic habitat (type, density, distribution, composition of species present)
    - High resolution seafloor mapping must be done to identify sensitive seafloor habitats in the lease area, and this information must be made available to BOEM, NOAA, Oregon state agencies, and the public.
        - Detailed surveys must include those of potentially-sensitive benthic habitat, including known or potential deep-sea coral and sponge habitat, banks, ridges, canyons, seamounts, hydrothermal vents, cold seeps, HAPC, and sand resource areas must occur as part of site assessment and characterization activities.[95] If detailed surveys are not conducted prior to leasing, surveys should occur as part of site assessment and characterization activities at the very latest.
        - Prior to deployment of anchored meteorological buoys, the lessee shall obtain a box core sample in the expected location of each buoy’s anchor to confirm benthic sediment composition. The lessee shall avoid biogenic structural habitat (as confirmed by the core sample) when anchoring meteorological buoys.[96]
- Fish, invertebrate, marine mammal, bat, turtle, and avian surveys (abundance, occurrence, diversity, habitat utilization)
- Environmental conditions throughout water column (water temperature, dissolved oxygen, salinity, Chlorophyll, current velocities)
- Surveys must also be conducted at temporal scales that are relevant to seasonally migrating species and interannual variability of ocean conditions.
- Long-term monitoring of birds and marine mammals should be conducted by leasees using audio recording units (ARUs), remote cameras, and other sensory devices to be deployed on buoys, vessels and other infrastructure associated with site characterization and assessment activities.

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[93] TSP Part Five, Section A.4.

[94] Monitoring of Marine Life During Offshore Wind Energy Development-Guidelines and Recommendations.https://www.nrdc.org/sites/default/files/ow_marine-life_monitoring_guidelines.pdf

[95] We continue to recommend that mapping be required before leasing to best inform siting decisions and avoid or minimize adverse impacts to benthic habitat. As that is not possible at this stage, we recommend that BOEM require detailed mapping during site assessment and characterization.

[96] Biogenic habitat is described in Buhl-Mortensen, 2010 et al. Biological structures as a source of habitat heterogeneity and biodiversity on the deep ocean margins. https://onlinelibrary.wiley.com/doi/full/10.1111/j.1439-0485.2010.00359.x.

ii. Cable Route Planning

In addition to conducting baseline surveys, lessees must be prepared to minimize potential impacts from cable routes and facilities (including floating substations), which Statewide Land Use Planning Goal 19 will require for future construction. Ensuring this happens will require the lessees prepare sufficient information about how the number of cable routes and facilities can be minimized to lessen their impacts.

Accordingly, DLCD should require that the lessees collaborate in developing plans to minimize cable routes and facilities. We recommend the following condition language:

> In surveying potential cable corridors, BOEM should encourage all lessees in the Oregon WEAs to collaborate in planning cable routes and facilities to limit the total amount of this infrastructure. This collaboration should aim to maximize the use of shared cable corridors where technically and economically practical and feasible.

E. Condition to Develop Community Benefit Agreements (CBAs)

Oregon's overall ocean-management goal is to conserve the long-term values, benefits, and natural resources within its jurisdiction, and it achieves this, in part, by supporting development of ocean resources in a way that is economically beneficial to coastal communities and the State.[97] Development of offshore wind energy facilities, which impact Oregon's territorial seas, shores, and upland areas, must be done in a way that benefits the communities impacted by the facilities. Part Five of the TSP requires that lessees communicate with traditional ocean users and stakeholders within those communities to address their issues of concern.[98] Part Five encourages applicants to work with those users and stakeholders to memorialize agreements, such as community benefit agreements.[99]

CBAs can be an effective tool for ensuring that the benefits reaped by developers do not come at the uncompensated expense of the community in which they operate. A consistent issue with industrial development is the failure to quantify the economic impacts of the costs that developers externalize onto communities, leaving those communities with the burden of those costs. DLCD should prioritize impact avoidance, but to the extent that impacts cannot be avoided, they should be quantified in economic and actual terms, and any entity that seeks to reap the benefits of wind and ocean resources and in doing so affects a community, should have to compensate for those impacts completely.

CBAs can help facilitate public participation in regulatory decision-making and approval processes associated with energy projects by relying on collective action, centralizing flow of information, and increasing access to important information. In doing so, CBAs make space for developers and communities to proactively foster accord. However, CBAs can also fall short of

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[97] TSP Part 1.
[98] TSP Part 5.
[99] *Ibid*.

their promise to provide important community benefits. If designed poorly, CBAs can be weak and nonbinding. Therefore, adhering to a set of best practices or guidelines can ensure that a CBA effectively addresses community needs and concerns.

Done properly, CBAs can create a negotiation process that includes all stakeholders including historically underrepresented community members. They hold a developer accountable by clearly identifying the developer's commitments and helping the public, community groups, state and local government officials, and news media monitor a project's outcome. At a minimum, DLCD should encourage and incorporate/create opportunities for negotiation of CBAs as a condition for approval.

As offshore wind development is proposed along the South Coast, it is important that long-term investments are made so that community priorities can be met. Through CBAs, a fair and transparent process must be established by BOEM so that South Coast communities can enter discussions with developers to ensure that corporations aren't the only entities benefitting from the development process. Due to BOEM's lack of public engagement and transparency, there is growing mistrust from South Coast community members on the next steps of development,[100] and CBAs are an important tool that local community members can employ to foster more productive discussion. BOEM's Proposed Sale Notice (PSN) lists vague criteria for which parties can enter CBA agreements and there is no requirement to disclose publicly who those parties are.

We recommend that DLCD require BOEM to clarify who leaseholders can enter into CBA agreements with, and require transparency in the process to ensure that benefits are directed at South Coast communities and/or organizations invested in South Coast communities. California included a condition to require community benefit agreements that we believe provides a model for what DLCD should require:

> BOEM will require lessees to make reasonable efforts to conduct outreach with local affected communities—and in particular to demonstrate long-term engagement with environmental justice communities, including but not limited to low-income communities and communities of color—on all elements of the lessees' project development process, including, but not limited to, a workforce plan, survey plan and SAPs, and a construction and operations plan (COP). This engagement should be coordinated to the maximum extent practicable with other Lessees in the region to reduce the burden on communities. The Lessee is strongly encouraged to compensate members of environmental justice communities for their time participating in engagement activities and events. Development of any Engagement Plan should be conducted in coordination with communities and should include strategies to reach individuals with Limited English Proficiency who may be affected by future offshore wind development.

[100] OPB, *Lacking Information, Oregon Residents Guess at Future of Offshore Wind*, https://www.opb.org/article/2024/01/03/offshore-wind-energy-oregon-coos-bay-bandon/.

As part of the Lessee's engagement with environmental justice communities, the lessee is strongly encouraged to work with the community to develop specific frameworks for community leadership and capacity building. This may include the establishment of lessee-funded independent community-centered and governed working groups that center environmental justice communities to ensure that community decision-making at all stages of the project beyond a consultative position. Lessees and environmental justice communities may choose to develop a formal agreement to monitor community impacts and implement community benefits, which may be amended over time to reflect subsequent analysis of impacts and opportunities for environmental justice.

F. Condition to Require Consultation with Tribes

DLCD's Tribal relations policy ensures "that local and tribal governments have the ability, information and access they need to actively participate in the statewide planning program.[101] The policy further states that it is the policy of DLCD to:

- Facilitate better relations between the Tribes and state and local government
- Continue "Government-to-Government " relations on land use matter at the regional level between state agency contacts in the field, local government planning department staff, and Tribal administrators within the region.
- Work with Tribal governments and stakeholders to find ways to continue government-to-government relations with fewer resources.
- Proactively contact local governments, and [...] Tribes to make them aware of pending decisions, policy changes, rule modifications, or other actions of the department that may affect the interest or operations of a local government or Tribe.[102]

Tribal Sovereignty is a fundamental component of a just transition for offshore wind energy development. When consulting on the proposed WEAs and proposed leasing process, Tribes should not be treated like stakeholders, but as Sovereign Nations.

The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians (CTCLUSI) have been consistently vocal about their concerns regarding the impacts of fishing and viewsheds not being addressed. We are deeply concerned with the lack of consultation that BOEM has demonstrated with Tribal Governments in the region. From our understanding, the Tribal Council of The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians approved a resolution last fall to oppose BOEM's WEA siting process. With the BOEM announcements earlier this year, CTCLUSI expressed frustration about the lack of government-to-government communication and follow-through on implementing comments

[101] Policy and Procedures Manual, DLCD, May 14, 2007, https://www.oregon.gov/lcd/About/Documents/07-02_Govt_to_Govt_Tribes_Policy.pdf
[102] This is not an exhaustive list of policies. We pulled the most relevant ones. Policy and Procedures Manual, DLCD, Dec. 28, 2006, https://www.oregon.gov/lcd/About/Documents/06-01_Local_tribal_Govt_Communication_Policy.pdf

expressed by the Tribe.[103] Our organizations respect the comments from CTCLUSI, as the Hanis Coos and Miluk Coos peoples have been the original stewards of the Oregon Coast's waterways and surrounding lands since time immemorial.

We recommend that DLCD prioritize robust Tribal consultation and engagement in the current federal consistency review, Roadmap process, and all future federal consistency reviews related to offshore wind, to meet DLCD's Tribal relations policy requirements. We also encourage DLCD to engage Tribes that are not federally recognized and directly impacted by leasing or call the proposed leasing areas their ancestral homelands. For example, Tribes such as the Tolowa-Dee-Ni' Nation are located in Northern California but have several Tribal members based in Brookings.

Given the inadequate Tribal consultation conducted by BOEM to date, we encourage DLCD to uplift Oregon's coastal Tribes' concerns by requiring BOEM to conduct deeper engagement and consultation with Tribal Nations that call the proposed waters and surrounding lands their ancestral homelands, as a condition. California included a condition to require Tribal consultation that we believe provides a model for what DLCD should require:

> BOEM will require lessees to make reasonable efforts to demonstrate engagement with federally recognized and non-federally recognized California Native American Tribes that could be affected by future development associated with a lease on all elements of the lessees' project development process, including, but not limited to, a workforce plan, survey plan and SAPs, and a COP. The Lessee is strongly encouraged to develop an engagement framework with Tribes and retain a qualified Tribal liaison with knowledge of local Tribal law, local indigenous cultures, and tribal ecological science and other traditional knowledge. More specifically, as part of any survey plan or SAP, lessees should work with Tribes to develop a protocol for communication directly with Tribes in the event of an unanticipated discovery of a potential tribal resource as well as a post-discovery process for evaluation of a discovery. Lessees are encouraged to engage with Tribes on other topics of interest to the Tribes that relate to or address impacts that wind-related development will have on the Tribes, which may include the potential to strengthen energy infrastructure on tribal lands and development of tribal economic enterprise related to offshore wind.
>
> Engagement with Tribes should be coordinated to the maximum extent practicable with other Lessees in the region to reduce the burden on Tribes. The Lessee is strongly encouraged to compensate members of Native American Tribes for their time participating in engagement activities and events. Development of any Engagement Plan should be conducted in coordination with Tribes.

[103] CTCLUSI Press Release: https://ctclusi.org/tribe-disappointed-with-wind-energy-decision-citing-failure-of-boem-to-honor-its-obligations-to-tribe-and-impacts-to-fisheries-cultural-resources-and-heritage/.

In addition, we recommend that DLCD include a condition that requires BOEM to provide a Tribal-specific CBA as a bid credit in the PSN. BOEM's regulations and the Outer Continental Shelf Lands Act (OCSLA) permit BOEM to pursue an additional bidding credit, including a Tribal-specific CBA in accordance with subsection 8(p)(4) of the OCSLA.[104] A Tribal-specific CBA with Oregon's federally recognized Tribes would reduce administrative and litigation costs to BOEM and the Lessee, create certainty, and more effectively eliminate and mitigate impacts to Tribal cultural and environmental resources as well as support meeting the Secretary's requirements under section 8(p)(4) of the OCSLA.[105] The Tribal-specific CBA should be executed prior to the commencement of activities by the Lessee.[106]

In their PSN comments for the California WEAs, the Yurok Tribe provided suggestions on a Tribal-specific CBA. In general, the Yurok Tribe recommended that "only federally recognized Tribes and their wholly-owned Tribal corporations should be eligible to enter into a CBA, the Tribal-specific CBA should contain some monetary and compensatory provisions, and that the nature of the information that may be contained or referenced in the CBA remain confidential without free, prior, and informed consent of the impacted Tribe."[107] More specifically, the Yurok Tribe proposed that the additional 20 percent bidding credit for CBAs be reserved for CBAs that specifically engaged Tribal governments and communities, including a mandatory CBA with the Yurok Tribe.[108]

G. Condition to Increase Workforce development & General CBA Bid Credit for housing

Coastal communities are already facing a housing supply shortage and unaffordable housing costs. In order for any large development projects to move forward, the needs for housing must be met to support coastal communities. BOEM's EA failed to identify the housing needs that may occur during the site assessment phase and predict housing needs in future phases of offshore wind proposals. During County Health Assessments in Coos County, housing was identified as a key area for improving regional health.[109]

The Bid Credits in the PSN need to identify long-term investments for South Coast communities. During this critical moment, it is important that housing needs are addressed early on so that proper assessments and sustainable development can occur to support housing. This is necessary not only for workforce and supply chain development, but for buffering impacted communities from further burden related to housing constraints.

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[104] Yurok Tribe Comments on Proposed Sale Notice, Aug 1, 2022, at 4, https://www.regulations.gov/comment/BOEM-2022-0017-0037
[105] *Id.*
[106] *Id.* at 5.
[107] *Id.* at 4-6.
[108] *Id.* at 11.
[109] Advanced Health Coos County Community Health Improvement Plan Progress, https://www.oregon.gov/oha/HPA/dsi-tc/CCOCHIP/AH-2023%20Coos+Curry%20CHP%20Progress%20Reports_Final.pdf

We see an opportunity for DLCD to require a conditional change to the PSN to increase bid credits, with the aim to assess and address housing needs on the South Coast. Housing is a key priority for Governor Kotek's administration[110] and the DLCD as a whole[111], but solving housing affordability issues across the state is an extreme financial and capacity burden for the agency. Negotiating bid credits with BOEM to allow prospective developers to invest in solving an urgent housing need on our coast is one of the best ways the state could ensure equitable outcomes for impacted communities in offshore wind development, while also satisfying an agency priority. We urge the DLCD to help create long-term investments for coastal communities in the bid credit negotiation process to allocate funds for housing development.

We encourage DLCD to require a housing condition to BOEM to support coastal communities, which explicitly:

- Increases the Workforce and Supply Chain Development bid credits from 15% to 20%
- Increases the General Community Benefits Agreements bid credits from 5% to 10%
- Allocates these bid credit adjustments to address housing needs on the Oregon coast

V. DLCD Needs to Take Additional Actions to Ensure Oregon is Prepared for Future Federal Consistency Review at the Construction and Operation Phase

We are pleased that the State of Oregon is taking federal consistency review and state involvement in offshore wind development seriously by investing in DLCD to increase staff capacity and develop a Roadmap. The below comments outline some important considerations to help the agency better prepare and update enforceable policies for future federal consistency reviews during the construction and operation phase, when environmental impacts are expected to expand into Oregon's rocky habitats, beaches and dunes, shorelands, and estuaries.

A. Updates to the Territorial Sea Plan (and include all as enforceable policy)

Oregon's TSP includes strong provisions for assessing impacts a development project is expected to have on ocean resources and for protecting those resources. However, many existing pieces of the TSP need to be updated or officially included as enforceable policies of the OCMP to ensure there are adequate checks in place prior to the construction and operation phase and evaluate the uncertainties pertaining to FOSW development.

i. TSP Part Three

TSP Part Three is targeted at protecting Oregon's critical rocky habitats. Part Three has two main functions: 1) policies that are targeted at rocky habitats, generally, setting standards for actions that will affect them,[112] and 2) a system for designating specific areas of important

[110] Office of the Governor State of Oregon, Executive Order 23-04: *Establishing a Housing Production Goal and Housing Production Advisory Council:* https://www.oregon.gov/gov/eo/eo-23-04.pdf
[111] Oregon Housing Needs Analysis Legislative Recommendations Report, https://www.oregon.gov/lcd/Housing/Documents/20221231_OHNA_Legislative_Recommendations_Report.pdf.
[112] TSP Part Three, Section A.6.

rocky habitat for extra protections based on their uses. Only the second of these functions is included as an enforceable policy in the OCMP. This leaves undesignated rocky habitat areas without specific protections targeted at their important and sensitive status. Accordingly, prior to the construction permitting phase, it is important that DLCD ensure general standards for impacts to rocky habitats, located in Section A.6 of Part Three, are adopted as enforceable policies.

ii. TSP Part Four

The State already updated the TSP Part Four through legislation (HB 2603) in response to cable landline conflicts in 2020. The update was intended to address foreseeable needs and better capture the risks posed by infrastructure like the transmission cables that will be necessary for future operations in the proposed leases.[113] However, despite this proactive planning, the update is yet to be adopted as an enforceable policy, and leaves Oregon's resources vulnerable to this development in the meantime. Prior to construction permitting, DLCD must ensure the entirety of the updated TSP Part Four is adopted as an enforceable policy in the OCMP.

iii. TSP Part Five

TSP Part Five contains strong standards and requirements to ensure responsible development of renewable energy.[114] However, Part Five was updated prior to the envisioning of the kind of large scale development of FOSW that this action prefaces, which leaves gaps in the Plan regarding this new kind of development. For example, the FOSW process has already shown that this kind of development poses significant risks to culturally significant viewsheds to Coastal Tribes.[115] Therefore, in consultation with the Tribes, the TSP Part Five will need to be updated to ensure Tribes' concerns are addressed and incorporated into future decision making.

A comprehensive review of the TSP Part Five is necessary to identify gaps in the Plan. Additionally, prior to the construction phase, the TSP Part Five must be updated to support adoption of enforceable policies targeted directly at FOSW and the unique and understudied risks it poses to ocean resources.

B. Updating Relevant Comprehensive Plans and Estuary Management Plans

Developing offshore wind on the Oregon coast will have far reaching implications for South coast communities, natural resources, and landscapes. Transmission line development, grid upgrades, expansion of port infrastructure, development of turbine manufacturing sites, and

[113] TSP Part Four.
[114] TSP Part Five.
[115] CTCLUSI Press Release: https://ctclusi.org/tribe-disappointed-with-wind-energy-decision-citing-failure-of-boem-to-honor-its-obligations-to-tribe-and-impacts-to-fisheries-cultural-resources-and-heritage/.

an influx of new workers requiring housing are all possible outcomes that will require proactive land use planning from DLCD and local governments.

Should the state choose to support offshore wind development, planning for these outcomes must occur early. Most notably, estuary management plans and city and county comprehensive plans need to be updated in areas where this development is most likely to occur on the South Coast (i.e. Curry, Coos, Douglas, and Lane counties). Further, DLCD should prioritize supporting this process over the next 5 years.

Importantly, the agency should aim to ensure these plan updates center sustainable development and protection of natural resources in siting infrastructure and developing enforceable policies. This is paramount to ensuring communities are not left more vulnerable to the impacts of the climate crisis in the aftermath of a booming new industry.

i. Updating the Coos Bay Estuary Management Plan

The Coos Bay Estuary Management Plan (CBEMP), which has not been updated since its adoption in 1983, serves as one example of how land use plans that protect important coastal resources must be revised to account for the impacts of offshore wind development and the need for proactive planning. The plan as written does not consider new uses of the estuary from proposed offshore wind development; such as increased vessel traffic, industrial development for turbine manufacturing on the shoreline, cable corridors, etc. Nor does the plan take into account emerging climate threats and loss of estuarine resources over the past 40 years, or apply recent resource inventories as a basis for management unit designations.

Yet, as described in BOEM's EA, "the Port of Coos Bay 'represents the best option (across metrics) for supporting floating wind activities in Oregon.'" Therefore, prospective developers are most likely to pursue offshore wind-related development projects in Coos Bay. Before this occurs, it is imperative that the CBEMP and the enforceable policies within the plan be updated to ensure estuarine resources are appropriately protected. As such, we encourage DLCD to prioritize updating the CBEMP, because the Port is the most well-suited to support offshore wind development and is likely the subject of the large scale of development proposed.

During previous large project proposals such as the Jordan Cove LNG pipeline and export terminal, the CBEMP failed to properly evaluate the new estuarine uses and community needs, which led to misinterpretations of how permits should be evaluated. The Jordan Cove challenge brought to light the deficiencies of the CBEMP and demonstrated the importance of updating the plan. Without an update that accounts for large scale development such as floating offshore wind, evaluating how to proceed with such projects under the existing framework may over-burden local government staff, local decision-makers, and community members, while also leaving estuarine resources vulnerable.

C. Look to Other Agency Authorities and Enforceable Policies

As DLCD continues to coordinate with other state agencies and local governments in the development of the Roadmap, we encourage the agency to discuss and coordinate the update and inclusion of other pertinent state policies as official enforceable policies under the OCMP, to better prepare for future federal consistency review and prioritize the protection of marine resources. Some examples of important state policies to consider include DSL removal/fill guidelines; DEQ Section 401 dredge and fill certification; ODFW's fish, wildlife, and habitat mitigation policies; and OPRD's ocean shore permitting policies.

The need to coordinate with other state agencies is especially important where agencies are already engaging in rulemaking efforts related to these policies. For example, OPRD is likely to begin a process to update its rules for ocean shore permitting this summer. This rulemaking will have implications for future offshore wind development as any infrastructure sited on, through, or under the ocean shore will require a permit from OPRD. It is thus important that DLCD weigh in on that rulemaking with an eye to the impacts of future wind development.

D. Conduct an Analysis of Needed Enforceable Policy Changes

We advise the OCMP to conduct a review of all enforceable policies and other relevant policies affecting coastal resources to prioritize and determine necessary updates and adoptions, and to reinforce state authority and protect Oregon's coastal environment in future federal consistency reviews. In addition, this review should include consulting with state agencies with authority over ocean uses and resources to identify and address gaps in policies, and to make those policies enforceable.

In section IV, we outlined a number of conditions we recommend DLCD incorporate if the agency chooses to concur with BOEM's proposed activities, based on existing enforceable policies. These conditions we suggested are the floor, and not the ceiling. Given that there are few enforceable policies that will require more stringent mitigation for habitat, fish, and wildlife, we urge the agency to address the remaining holes in the OCMPs enforceable policy framework. Addressing these policy gaps will ensure, at a minimum, that during the construction and operation phase, all of the above conditions can be enforced with strong mitigation measures to protect Oregon's resources.

VI. Conclusion

Our comments underscore the need for a more comprehensive environmental review that is consistent with Oregon's enforceable policies. It is paramount that leasing and development proceeds in a manner that safeguards Oregon's rich ocean, coastal and cultural resources; upholds biodiversity; respects obligations to Tribal nations; engages South Coast communities; and fulfills legal mandates and responsibilities under the CZMA, TSP, state statutes, and Statewide Land Use Planning Goals. We urge DLCD to object to BOEM's consistency determination, particularly as it pertains to the CZMA's "reasonably foreseeable indirect and direct effects" and the TSP parts Two and Five "probable future projects" requirements and comprehensively evaluates impacts to the CCLME. Alternatively, we

advise/request that DLCD concur with conditions and adopt our recommendations that ensure protection of ocean resources and robust community and Tribal engagement.

Sincerely,

Annie Merrill
Ocean and Estuaries Manager
Oregon Shores Conservation Coalition

Ben Enticknap
Pacific Campaign Director & Senior Scientist
Oceana

Joe Liebezeit
Assistant Director of Statewide Conservation
Bird Alliance of Oregon

Ann Vileisis
President
Kalmiopsis Audubon Society

Debbie Schlenoff
Conservation Chair
Lane County Audubon

David Harrison
Conservation Chair
Salem Audubon Society

Karan Fairchild
Co-President
Audubon Society of Corvallis

Ashley Audycki
South Coast Regional Coordinator
Rogue Climate

Charlie Plybon
Oregon Policy Manager
Surfrider Foundation

Duke Tufty
President
East Cascades Audubon Society

From:	Phyllis T
To:	PERMITS coast * DLCD
Subject:	COMMENT on BOEM's (EA) for offshore wind leasing and site characterization activities
Date:	Saturday, June 15, 2024 10:20:18 AM

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15 June 2024
From: Phyllis Thompson, Oregon resident

WITHOUT HEALTHY ECOSYSTEMS, NO HUMANS.
WITHOUT HUMANS, NO NEED FOR ELECTRICITY.

I am sorry that BOEM seems to be rushing into plans to allow wind turbines in turbulent Eastern Pacific waters.

I have lived and worked on small boats along North America's coast and know how invasive such structures can be for marine animals (including humans). Also, NOAA's bathymetric map of the Oregon coast (noaa_bathy) shows how inappropriate much of the sea floor is for such turbines, compared to shallower and more protected areas like California's Channel Islands and the Denmark/Sweden Kattegat Strait.

I have read a summary of the Bird Alliance of Oregon's suggestions for STRICT AND CAREFUL MONITORING OF EXPLORATORY STAGES before any turbine permits are granted, and I agree with all their points.

In particular, I hope BOEM will REQUIRE QUALIFIED, INDEPENDENT OBSERVERS involved in all data collection for pre-development surveys. Such surveys in themselves can be destructive of marine ecosystems and disruptive for people and animals who rely on the ocean.

In addition, I support Bird Alliance of Oregon's following suggestions which are in accordance with Oregon Statewide Goal 19 and the Territorial Sea Plan by:

- BOEM should be required to prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval.
- Developers must follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan, including:
- Any vessels recording critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions and disturbance of animals and ocean features.
- Use low-energy acoustic testing methods on surveys to reduce noise impacts.
- Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats.
- Coordinate and plan for a single onshorine cable from each Wind Energy Area to minimize impacts from cables.
- Conduct robust baseline surveys for wildlife so that—should construction someday proceed— we will be able to monitor and understand changes.
- Engage in meaningful consultation with Tribes, Oregon natural resource agencies and commissions, and local communities.
- Consider adding conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies.

As we know from Lake Powell's effect on the Grand Canyon and the loss of human homes and salmon resources that accompanied building Columbia River dams, generating electric power can be as environmentally destructive as developing oil and coal. All agencies involved in deciding whether we should allow wind turbines must undertake to VALUE WHAT WE CURRENTLY HAVE IN THE OCEAN OFFSHORE OREGON compared to whatever value is placed on electricity.
WITHOUT HEALTHY ECOSYSTEMS, NO HUMANS. Without humans, why do we need electricity?

From: Max Wilbert
To: PERMITS coast * DLCD
Subject: Comment on offshore wind and BOEM permitting process
Date: Thursday, June 13, 2024 5:05:28 PM

You don't often get email from max@maxwilbert.org. Learn why this is important

120 Questions and Concerns Regarding Offshore Wind Energy

This comment to the state of Oregon is made on behalf of myself, Max Wilbert, as well as the organization Protect the Coast PNW.

This comment is duplicated from a BOEM public comment, so may contain references to BOEM. Please substitute the State of Oregon. I plan to address some specific and concrete suggestions for analysis that the state and BOEM must complete in order to sufficiently analyze the environmental impacts of proposed offshore wind energy facilities on the Oregon coast.

In regards to scoping comments, it is fundamental that *we do not understand the true impacts of offshore wind energy*. This technology is relatively new and has only been installed in a few places around the world. Many of those places are far away and many projects are located in government jurisdictions which are not friendly to the United States, and/or in areas where the ecology is fundamentally different to our region. The ecology of the Pacific Rim along the Oregon Coast is unique. In addition, oceanic environments and especially deep ocean areas provide unique challenges for monitoring and data collection.

The ocean is an incredibly complex and interconnected ecosystem. The fact that most ocean organisms begin their life in the plankton means that oceanic circulation, currents, and upwelling are critical to the function of ecology across wide. The relationships between these factors are poorly understood.

Therefore, for any analysis conducted by BOEM to effectively assess the impacts of offshore wind energy, that analysis should include the following.

A. BOEM's Conflict of Interest

First I must call into question a conflict of interest inherent in this process. According to the BOEM website, your mission is:

> *To manage development of U.S. Outer Continental Shelf (OCS) energy, mineral, and geological resources in an environmentally and economically responsible way.*

Developing offshore wind energy projects requires a permit. BOEM is the organization that grants these permits. Therefore, BOEM is the organization that makes it legal to develop offshore wind energy projects. BOEM is expected to balance competing goals, namely environmental sustainability and energy development.

1. How can members of the public expect BOEM to effectively protect the environment if the development of U.S. outer continental shelf energy resources is fundamentally at odds with that goal? In other words, we know that a typical National Environmental Policy Act process involves the creation of a “no-action alternative.” Federal agencies rarely end up selecting this option, largely because their mission statements and directives from political leadership push them towards developing energy projects, mines, etc.
2. What would it take for offshore wind energy projects on the Oregon coast to not be approved by your agency?
3. Given your mission statement, how can you ensure that there is not a conflict of interest in this process?
4. How can BOEM's permitting process become more fundamentally democratic? In other words, how can the communities and ecosystems most impacted by decision making have a direct say in the process, rather than decisions being made by professional bureaucrats with the public only able to “comment” rather than vote or otherwise participate in decision-making?
5. Will BOEM conduct a Programmatic EIS looking at the cumulative impacts of the entire scope of West Coast offshore wind-related activities, including port expansions, offshore wind turbines, substations, terrestrial and aquatic transmission lines, increased vessel traffic, etc?
6. Every past offshore wind turbine array that BOEM has permitted has resulted in a finding of “no significant impact” and thus no EIS studies have been completed. Yet according to a 2022 paper in the journal *Ocean Sustainability*, “offshore wind may lead to significant environmental impacts.” This makes it clear that BOEM is a rubber stamp agency that is not based in best available science. How do you reconcile this?
7. Given that the Oregon, Washington, and California offshore wind projects would be both far larger in terms of generation capacity and turbine size, and represent a new technology (floating offshore wind which has never before been attempted in the US, and exists nowhere in the world at these depths) how can the agency justify a finding of “no significant impact”?

B. Upwelling

According to the textbook *Physical Oceanography* by Robert H. Stewart, “Spatial variability of transports in the open ocean leads to upwelling and downwelling which leads to redistribution of mass in the ocean, which leads to wind-driven geostrophic currents via Ekman pumping… To see how winds lead to upwelling, consider north winds blowing parallel to the California Coast. The winds produce a mass transport

away from the shore everywhere along the shore. The water pushed offshore can be replaced only by water from below the Ekman layer. This is upwelling… Upwelled water is colder than water normally found on the surface, and it is richer in nutrients. The nutrients fertilize phytoplankton in the mixed layer, which are eaten by zooplankton, which are eaten by small fish, which are eaten by larger fish and so on to infinity. As a result, upwelling regions are productive waters supporting the world's major fisheries."

A 2023 paper by Raghukumar et. al. in the journal *Communications Earth & Environment* states that:

"the development of large-scale offshore wind farms can reduce the wind stress at the sea surface, which could affect wind-driven upwelling, nutrient delivery, and ecosystem dynamics. Here we examine changes to upwelling using atmospheric and ocean circulation numerical models together with a hypothetical upper bound buildout scenario of 877 turbines spread across three areas of interest. Wind speed changes are found to reduce upwelling on the inshore side of windfarms and increase upwelling on the offshore side. These changes, when expressed in terms of widely used metrics for upwelling volume transport and nutrient delivery, show that while the net upwelling in a wide coastal band changes relatively little, the spatial structure of upwelling within this coastal region can be shifted outside the bounds of natural variability."

This brings up serious concerns as upwelling is the foundation of the entire oceanic food web on the Pacific coast.

8. What are the impacts of wind turbines on upwelling and marine currents which circulate nutrients in the region?
9. How does this impact change as the ocean warms?
10. How does this impact scale and what synergistic effects will occur as OSW expands?
11. What are the synergistic effects between localized warming effects known to be associated with wind turbines and global warming causing increasing sea surface temperatures? What are the impacts of the cumulative effects of this warming on the areas proposed for wind energy projects?
12. How will changes in upwelling affect fish? What about whales and other marine mammals? What about plankton? What about shellfish and crustaceans? What about birds? What about other species?
13. How will changes in sea surface temperatures affect the same?
14. Upwelling is known to have a significant influence on the distribution of salinity through the ocean. How will changes in regional upwelling due to offshore wind projects affect the salinity of water in various areas, and how will this effect the ecosystem?
15. If you will not answer any of these questions in your analysis, why not?
16. Raghukumar et. al. 2023 modeled wind turbine impacts using 10 MW, 128m hub height turbines and found "changes reported [in wind] were on spatial scales large enough to influence upwelling off the U.S. west coast." Given that the wind turbines which could be installed off the Oregon coast could be

substantially larger than those modeled in this study, how can we know the extent of the impact on upwelling?

17. Given that Raghukumar et. al. 2023 is the first significant research done on the topic of offshore wind effects to upwelling, how can we trust that the data is reliable and the conclusions are trustworthy?
18. Raghukumar et. al. 2023 report that “Wind-stress curl has been suggested to have an important role in eastern boundary ecosystems, and the modifications to the wind-stress curl by the presence of an offshore wind farm will need further consideration in terms of impacts on primary and secondary production, and consequently on higher trophic levels.” How will these proposed projects affect wind stress curl and what will be the ramifications on the entire ecosystem?
19. Given that Raghukumar et. al. 2023 conclude that “The consequences of these changes in physical upwelling structure on the ecosystem are currently unknown”, How can BOEM persist and move forward in permitting these projects with unknown and potentially catastrophic ecosystem effects?
20. Will you follow the precautionary principle and refuse to permit projects which may have large-scale unintended consequences? Or will you permit a project and then simply monitor to figure out what the impacts are as they are happening? If the latter, how will you mitigate for unexpected impacts?

C. Fish and Other Oceanic Life

21. How will fish populations respond to the installation of hundreds of floating turbines anchored by cables and chains?
22. What will the impact of these projects be on forage fish and the distribution of fish populations, both vertically in the water column and horizontally across the area of the ocean?
23. Studies on wind energy projects in the North Sea found that wind turbines reduced wind speed by roughly 10% and affected air temperatures, relative humidity, and solar radiation. How will these impacts affect the ecosystem in this area off the Oregon coast?
24. What about impacts on sharks, tuna, and other large fish?
25. How will the releases of superheated water from project substations affect fish, plankton, marine mammals, and other forms of oceanic life?
26. How will the release of microplastics, peeling paint, and other potentially toxic substances entering the food chain affect wildlife throughout the area?
27. How much oil for lubrication will each turbine hold and how often must this oil be replaced?
28. What is the likelihood of oil spills and leaks from wind turbines given other wind turbine projects around the world?
29. Given oil spills and leaks are likely a certainty, how will this affect marine life throughout the area?
30. How will increased ship traffic affect the likelihood of oil spills from vessels?
31. How will you measure and mitigate for pollution from wind turbines, including microplastics, aluminum, zinc, and indium from corrosion from wind turbines?

32. How will you measure and mitigate for “forever chemicals” such as PFOAs and bisphenols (BPA) that will enter the environment from the turbines and infrastructure and be resuspended by anchor drops, chain dragging, and cable installations?
33. How will you prevent, mitigate for, and clean up inevitable oil spills from turbine hubs, diesel spills from substations and ships doing installation and maintenance?
34. How will local water quality be impacted by corrosion, spills, and wear and tear?
35. How will increased ship traffic affect marine mammals, especially whales and their likelihood of ship strikes?
36. How will these projects impact pleuston organisms such as velella velella, salps, planksters, sea slugs, jellyfish, Janthina pallida, copepods, and barnacles?
37. What are the anticipated impacts to habitat and wildlife from Electromagnetic Fields (EMFs) from wind energy areas and the subsea power cables?
38. How will you measure impacts to species particularly sensitive to EMFs including salmon, sea turtles, sharks, and others, whose navigation and prey finding may be disrupted?
39. How will this impact be mitigated?
40. With the dramatic decline of Pacific Northwest salmon species, is it appropriate to introduce ocean infrastructure that may further harm this critical keystone species?

D. Anchoring, Chains, and Undersea Impacts

41. How much chain and anchor cabling will be required for this project? Our understanding is roughly 175 miles for the turbines alone. Is this correct?
42. It is our understanding that each turbine will require at least three very large anchor chains consisting of links perhaps as large around as a human body. It is also our understanding that these anchor chains will drag across the ocean floor as waves and storms move the floating turbines back and forth on the ocean surface. How will this process affect marine life?
43. What will be the impact of establishing anchor point locations on the ocean floor?
44. It is our understanding that establishing anchor point locations requires dumping many tons of stones into the deep sea. Is this correct? If so, where will these stones be sourced and what will the cumulative impacts of that extraction and transportation be?
45. How will many square miles of a maze of chains and cables from the turbines and substations to the ocean floor impact the behavior of marine life?
46. What is the likelihood of whales striking cables or undersea chains and suffering impacts or mortality?
47. How will these projects cumulatively affect sediment on the ocean floor? For example, how much sediment will be disturbed and where will that sediment go? What will the impacts of sediment redistribution be on benthic organisms,

as well as on fish, plankton, and other swimming organisms?

48. What will be the accumulated habitat loss created by chains and cables dragging on the ocean floor, potentially scouring the ocean floor as the turbine moves, and the suspended sediment this creates in the environment?
49. How will the redistribution of underwater habitat through the introduction of new hard surfaces such as the metal chains and anchors affect the distribution and population abundance of sea life?

E. Impacts to Birds

50. Wind turbine blades are known to kill large numbers of birds, especially larger birds. Given the project's location, any birds which are struck or killed will fall into the water and sink. How will the project measure impacts on bird populations?
51. If only estimates will be possible, why is this considered sufficient?
52. Will there be independent third-party monitoring not financed or associated with the wind turbine companies?
53. How will this project affect large and slow reproducing species such as pelicans and eagles?
54. Over what period of time has monitoring been conducted to determine where bird migrations fall in relation to these project areas? Why is this time considered sufficient?
55. What mitigation will be done for killing birds?

F. Cumulative Effects in Context

The biology of our planet is currently experiencing the sixth mass extinction of life on Earth. This is primarily driven by industrial human activity, including energy generation, transmission, mining, and offshore activities.

56. Please analyze how the development of these offshore wind energy projects will facilitate continued growth in energy demand and consumption, as well as material consumption, and how this will impact the climate and the ongoing ecological collapse. In other words, these analyses must incorporate a discussion of what the energy from these projects will be used to power, and, given that these are public waters, whether providing additional power to these users is in the public benefit. For example, energy projects are often discussed in terms of the number of households they would provide energy for, but the largest consumers of electricity remain industrial users, and increasingly data centers and AI are projected as driving massive demand increases.
57. How will the ecological effects of offshore wind energy projects, substations, transmission lines, subsea cables, maintenance trips, and the mining related to the above affect regional ecology and wildlife species in the context of the ongoing mass extermination of life on Earth? In other words, how will these projects contribute another “nail in the coffin” to species which are already

facing catastrophic declines, including common species such as the California Gull?

58. According to the International Energy Agency, “Mineral demand from low-carbon power generation grows rapidly [in their projections], doubling in the STEPS [model] and nearly tripling in the SDS [model] over the period to 2040. Wind power plays a leading role in driving demand growth due to a combination of large-scale capacity additions and higher mineral intensity (especially with growing contributions from mineral-intensive offshore wind)”… additionally, they note that “Demand for rare earth elements (REEs) – primarily for EV motors and wind turbines – grows threefold in the STEPS and more than sevenfold in the SDS by 2040.” The report continues, “As countries step up their climate ambitions, clean energy technologies are set to become the fastest-growing segment of demand for most minerals. Their share of total demand edges up to over 40% for copper and REEs, 60-70% for nickel and cobalt and almost 90% for lithium by 2040 in the SDS” and notes that “Wind turbines require concrete, steel, iron, fibreglass, polymers, aluminium, copper, zinc and REEs. Mineral intensities not only depend on the turbine size, but also on the turbine type. For example, turbines based on permanent-magnet synchronous generators – which dominate the offshore market due to their lighter and more efficient attributes as well as lower maintenance costs – require REEs. In the SDS, demand for REEs in wind – neodymium and praseodymium in particular – is set to more than triple by 2040, driven by the doubling of annual capacity additions and a shift towards turbines with permanent magnets. Copper demand reaches 600 kt per year in 2040, propelled by offshore wind requiring greater cabling. Offshore wind accounts for nearly 40% of copper demand from wind despite accounting for only 20% of total wind capacity additions.” Therefore, cumulative analysis for these projects should include the supply-chain impacts associated with greater demand for copper and rare-earth elements (REEs). Will BOEM take responsibility for permitting projects which increase global demand for these materials?
59. According to Rees and Seibert’s 2022 paper *Through the Eye of a Needle: An Eco-Heterodox Perspective on the Renewable Energy Transition*, “Rare earth metal processing for wind turbines already generates as much radioactive waste as the nuclear industry”. How much radioactive waste will be associated with the mining to construct these wind turbine projects?
60. If you will not answer any of these questions in your analysis, why not?

G. Global Warming

61. Currently, fossil fuels are being burned at a greater rate than ever before in history. This is occurring despite continued record-breaking growth in renewable energy generation, and is well documented in scientific literature. This project is being promoted primarily to address the climate crisis; without subsidies from the federal government, these projects would be financially infeasible. But due to demand growth, it appears that renewable energy is not sufficient to address the global warming crisis. How will the federal government

guarantee that this project will result in fossil fuel emissions being reduced?

62. If you cannot guarantee this, why not?
63. This project will involve the creation of significant greenhouse gas emissions. For example, these sources include mining and smelting steel and copper, fabricating metal pieces, cutting balsa wood for the production of the turbines, producing the lubrication oils used in turbine nacelles, burning diesel fuel and other forms of fossil fuels in the ships which will carry the materials and install the wind turbines offshore, as well as trucks and various forms of terrestrial transportation to bring the materials to their destination and so on. What will the cumulative greenhouse gas emissions of this project be, including ongoing maintenance and decommissioning?
64. How will you measure and account for the significant greenhouse gas emissions from the infrastructure associated with the wind turbines, including turbine bases, anchors, chains, offshore substations, electrical cables, onshore substations, new grid lines, port expansions, specialized ships and equipment for transporting, installing, and maintaining the turbines, substations, bases, and cables, and the equipment, installation, and maintenance of all onshore infrastructure?
65. Of particular concern whenever new electrical substations are built is the potential for sulfur hexafluoride (SF6) leaks. SF6, used as an insulator in electrical equipment, is a greenhouse gas with 23,500 times the warming potential of CO2 and remains in the atmosphere for 3,200 years. All substations leak SF6. How will you account for such leaks in your estimates for the global warming impacts of these projects?
66. Are the greenhouse gas emissions involved in this project consistent with a 1.5 degree Celsius global warming limit?

H. Impacts to Native American Sites and Cultural Resources

67. Native American tribes and the National Congress of American Indians have expressed serious concerns about the development of offshore wind energy projects along the Pacific Coast. We share these concerns. What are the impacts of these proposed projects to traditional cultural sites on the land areas that may be impacted?
68. What are the offshore impacts to submerged cultural sites?
69. What are the impacts to sacred and traditional-use areas in terms of noise or visual impact?
70. What are the impacts to culturally important species, including salmon and whales, as well as all the creatures lower in the food chain which support their continued existence and flourishing?
71. What will be the impact to culturally important bald eagles?
72. How will these impacts be mitigated?
73. If these impacts cannot be mitigated, will the projects be rejected?
74. Will tribes have consent over projects impacting their traditional territories?

I. Noise and Light Pollution

75. Many marine species are heavily impacted by noise, including whales such as humpbacks, orcas, North Pacific right whales, and others who migrate, live, and breed on the West Coast. Noise from seismic ocean floor testing during project exploration phases, increased ship noise for installation and maintenance, pile driving, anchor dragging, chain dragging, wind turbine vibrations, and more will all dramatically increase the anthropogenic noise levels for these projects. How will this noise be measured?
76. Will there be independent third-party monitoring? If not, why not?
77. How will the increased noise level impact marine life, particularly endangered species such as North Pacific right whales?
78. How will the impact of this noise be mitigated?
79. Many oceanic species rely on light from the night sky for orientation in the water column. Birds are also sensitive to light pollution. What lighting will be installed at these offshore projects?
80. How will this light pollution affect wildlife, including birds, bats, and marine species down to the size of plankton?
81. Will this light pollution attract additional bats out to sea? This is a concern given that bats are especially vulnerable to wind turbine blades.
82. Birds are sensitive to light pollution
83. Bats may be attracted out to sea and bats are heavily impacted by turbine blades

J. Mining and Extraction Impacts Globally

84. The construction of offshore wind turbines requires materials such as concrete, steel, nickel, iron, fiberglass, various polymers, aluminum, copper, zinc, manganese, chromium, rare earth metals, and balsa wood. What is the cumulative environmental impact of the mining and extraction process for these materials in terms of greenhouse gas emissions, pollution, water quality reduction, and habitat destruction?
85. Logging for balsa wood to be used in wind turbine blades has been shown to be increasing deforestation in the Ecuadorian Amazon with significant impact on indigenous communities and ecosystems. Where will the materials used in the turbine blades for these projects come from? What will the impacts be of the extraction, processing, and transportation of these materials?
86. Will there be economic and material links between Oregon's offshore wind energy projects and mining and extraction in locations known for human rights abuses and serious violations of environmental protection?
87. Will there be slave labor implicated in the supply chains for these wind turbines?
88. Will there be species extinctions and extirpations related to the material and energy supply chains for these wind turbine projects?
89. Is abuse of indigenous people implicated in the supply chains for these projects? For example, one of the world's largest nickel-producing countries is Indonesia, and the nickel mine on Halmahara Island is known to be

encroaching on the territory of the uncontacted tribe called the Hongana Manyawa. This is not an isolated incident in mining supply chains globally.

K. Terrestrial Impacts

90. What will be the cumulative environmental, cultural, and social impacts of onshore transmission project expansions?
91. What will be the cumulative environmental, cultural, and social impacts of onshore port expansions related to these projects?
92. What will be the cumulative environmental, cultural, and social impact of onshore man camps or other expansions of worker housing in areas related to these projects? This is particularly relevant as it is known that large industrial projects tend to increase the rates of drug use, petty crimes, and violence, including sexual violence in communities. This has especially affected indigenous communities, as has been popularized through the understanding of the issue MMIW. How will these impacts be mitigated?
93. Given increasing temperatures and droughts, how will the additional transmission lines associated with these projects increase or otherwise affect the risk of wildfires from transmission lines?
94. If these increased wildfire risks around transmission lines are mitigated due to the cutting and permanent removal of trees around these transmission corridors, what are the habitat and greenhouse gas impacts of this?
95. Will lands be seized by eminent domain for this project or for associated transmission, substations, etc.?
96. The Oregon Coast is a place of unique beauty. In 1967, the legislature protected Oregon's beaches permanently under the Beach Bill. The unique natural beauty of this coastline is world-renowned and millions of people visit each year. It is well known that spending time in nature has positive health benefits. How will the development of these offshore wind energy projects affect the aesthetics of the Oregon coast?
97. What will be the cumulative impact on coastal tourism and visitation?
98. What will the economic ramifications be for communities located directly in the viewshed of these projects?
99. How will local communities be affected by the increased traffic, pollution, trucking, and influx of workers related to these projects?
100. How will local air quality be affected?
101. How will local water quality and quantity be affected?
102. If you will not consider transmission project and other terrestrial impacts as part of this process, why not? Developing offshore wind energy projects necessarily involves these onshore impacts and they are significant. It is impossible to separate the two. Why attempt to do so other than to bypass community understanding of the extent of cumulative impacts?

L. Monitoring, Maintenance, and Decommissioning

103. What monitoring measures will be used to ensure project compliance with environmental laws and regulations?
104. What is the worst case scenario possible if one or multiple turbines and or substations break free from their mooring anchors during a storm?
105. Given the project's remoteness and the difficulty of access to the offshore surface area, let alone the subsurface, how will the government provide assurance to the public that the data we are receiving is legitimate?
106. Will there be independent third-party monitoring not conducted by BOEM or other agencies that could be politically penalized for reporting negative results?
107. What is the projected lifespan of these projects?
108. During that time, how many turbines are expected to fail?
109. What dangers and risks to oceanic life and ecosystems will these failures pose?
110. What is the projected cost of decommissioning and completely removing all turbine components as well as anchors and chains from the project sites?
111. We believe that such decommissioning costs are usually set at 50% of installation costs somewhat arbitrarily. Why are these costs set at 50%?
112. Will the company be required to post this full amount as a bond?
113. What sort of habitat restoration requirements will be placed on the offshore wind energy corporations at end of project life?
114. Will BOEM make assumptions regarding the carbon footprint associated with future maintenance trips and decommissioning, or will it use carbon intensity for current technologies? Why or why not?
115. How will turbine hub fires and substation fires be put out?
116. What are the impacts expected from turbine hub and substation fires?
117. How will turbines that “flop” (fall at the base) be retrieved and/or fixed?
118. What are the impacts to the environment from “flopped” turbines, and associated pollution?
119. What will happen to turbines that fail, and to those which are retired at the end of their operational usefulness?
120. What will happen to turbine blades that fail, and to those which are retired at the end of their operational usefulness?

Max Wilbert

Subscribe to the *Biocentric* newsletter for updates on community organizing, *Bright Green Lies*, Protect Thacker Pass, and more.

From: dinsmod@charter.net
To: PERMITS coast * DLCD
Subject: Comment on Off-shore Windmill Permits
Date: Wednesday, June 12, 2024 3:55:23 PM
Attachments: WINDMILL LETTER.docx

You don't often get email from dinsmod@charter.net. Learn why this is important

I have attached a 2 page document expressing my thoughts on the Offshore Wind Project.

If you have any questions you may contact me at:

Dennis Dinsmore
503-689-5911
dinsmod@charter.net

AS I SEE IT:

My name is Dennis Dinsmore, a 75-year-old sports fisherman. My family migrated to Oregon in 1853. I have lived on the Oregon coast between Florence and Brookings most of my life. I lived through the infamous Columbus Day store and the effects of the Alaska generated tsunami of the 1960's. I saw the devastation caused to the fishing fleet in the Charleston area, a location over a mile inland from the ocean. My family drove through Crescent City, CA within a week of the Alaska tsunami and observed 40-50 fishing boats sitting along Hwy 101 several blocks inland from the ocean.

I am aware of the frequent earthquakes of the southern Oregon coast along the Cascadia Subduction zone, often a series of 3.0 to 4.0 quakes. Historically there is a major 9.0 earthquake along the Cascadia Subduction zone every 300 years. The last documented quake was about 1700 based on Native American history and geologic studies. So, we are now at 300 plus years. The most recent study in 2021 of the Cascadia Subduction zones should be considered in looking at the location of the Coos Bay and Brookings Call Areas as to how close the are situated in relation to the fault lines.

Having been involved in the building of a communication repeater site on Cape Blanco between Gold Beach and Port Orford, high winds were a factor. 160-180 mph wind gusts necessitated the repeater site be engineered for 200 mph sustained winds. **A condition of the windmills in the call zones is they should be engineered to withstand these velocities of winds.**

The bars on the Oregon Coast are frequently closed to 50–60-foot vessels. At times they are totally closed to all vessels by the Chief of the Port. How can windmills be serviced and repaired if service vessels cannot leave ports?

It has been documented that windmill farms interfere with marine electronics and sonar systems used by fishermen and commercial sea traffic. Indications are the vibrations and currents given off by windmills confuses marine animals such as whales, dolphins, and other marine life who use magnetism and sonar to migrate. They also use echolocation or biosonar systems to locate predators and prey. When fishing we often see pods of 8-10 whales moving in the 3–500-foot depth of water and have dolphins around my boat. These are close to the depths where the windmills are proposed to be sited. The whales dying on the east coast frequently happen near ocean windmill sites.

Entanglement of whales in crab pot lines and fishing nets is well documented and there is a public outcry when this happens. The proposed windmill will be tethered by cable lines as the

water depth in the call areas are too deep, most east coast windmills are directly connected to the bottom.

If these windmills are put in place and electricity is brought to land, who is going to pay for the infrastructure such as transformer stations and transmission lines to the power grid? Brookings and Coos Bay are at the endpoint of electric grid. Is the current power grid system in Brookings and Coos Bay capable of transmitting the alleged generation of power for 1.1 million homes (I am not sure how that number was achieved in your documents)? Have the power companies comprising the electric grid on the south coast been involved finding out their estimate for costs to upgrade their systems? Have the State Forests, Federal Forest Service and Bureau of Land Management been included if power lines need to cross their lands? The I-5 corridor where major transmission lines exist are 50-75 miles away and there is very rough terrain with thousands of feet of elevation changes. Have you anticipated the potential hundreds of millions of dollars to upgrade the systems, and the affect it may have on DLCD reviewing permits for any changes on the land in the State? **These costs should not be paid by Oregon residents for the benefit of private enterprise. A mandatory condition should be that any successful bidder must fully fund any changes Oregon utilities have to and ensure there is no cost to Oregon residents.**

Finally, windmills have a 20-year lifespan. At the end of 20 years, what happens? If a national, multi-national, or foreign investors win the bids, and develop the sites, what happens if they go or declare bankruptcy? Or if this turns out to be an investor Enron type fraud situation? Consider how may times investors have been misled and deceived, including government agencies. Who will assume the liability for shutdown and cleanup? **A condition of the permits should be a large multi-hundred-million-dollar escrow account, or perhaps a billion-dollar insurance policy with a group like Lloyds of London. Someone who will ensure that the citizens of Oregon do not bear the costs of cleanup, or suffer the problems of any environmental effects.**

Dennis Dinsmore

dinsmod@charter.net

From: Ann Skelton
To: PERMITS coast * DLCD
Cc: Ann Skelton
Subject: Comment regarding OSW and Federal Consistency/Environmental Assessment
Date: Friday, June 14, 2024 4:07:32 PM

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I am a 74-year native of Oregon and am concerned about the industrialization of our Pacific Ocean and coastline. In regards to the Oregon Roadmap and other documents:

Mitigation:

Before mitigation can occur, a full programmatic environmental impact statement needs to be undertaken. BOEM completes one of these about every 5 years for the gas and oil sector but rather than concentrating on this critical assessment of the impacts of floating off shore wind (OSW), has spent time on developing mitigation. How can one mitigate inadequately-studied impacts?

The mitigation hierarchy is well known and is imbedded in environmental review. Avoid, minimize, rectify, reduce or eliminate over time are keywords. However, these words take on an entire new meaning when considering the behemoth scale of offshore wind projects. **Is this language adequate?** Structures and systems of this magnitude are an unknown and the sheer size will require them to be broken down into manageable parts, and then broken down again, each with its own set of mitigation issues. The cumulative impacts of all these sections added together and the possibility that they will conflict is great. Mitigation actions may get overlooked.

For example, several representatives of Sea Grant from the U of W traveled to New York last year for a 3-day OSW conference after attending a series of trainings. It was reported that part of an OSW agreement was that both contracted and voluntary research on fish would continue for five years after the operating start, but that this was being reduced to one year to save money. Who is responsible for assuring mitigation is followed? Should there be penalties for non-compliance?

Minimization:
A more apt word would be **minimal**. One could have 50 impacts and could take away 5; that would be minimization but still too much impact. Minimal impact means less from the beginning.

Transmission Lines:
On the east coast there are several OSW projects that are fairly close to one another but developed by different companies. Although OSW companies may claim proprietary privilege, one way to reduce environmental impacts would be to share transmission lines and off and on-shore infrastructure.

Geohazards:
To develop OSW in or near the Cascadia Subduction Zone seems high risk; during a programmatic environmental impact review the bathymetry and fault lines in and adjacent to the WEAs should be carefully studied and charted as well as any area expected to have ocean floor connections. There are studies showing how wind towers or their tethering lines can

cause tipping or collapse in an earthquake, causing a disruption of the towers and transmission in the array. And BOEM appears to have not considered loss of life and assets nor the impact to the infrastructure along the coast should a Cascadia event occur. FEMA has estimated these losses from such an event to be on par with the 2011 earthquake in Japan where 16,000 lives were lost (population of Coos Bay).

Thank you for considering these comments.

Ann Skelton
Portland and Seaview, WA

From: Steve Miller
To: PERMITS coast * DLCD
Subject: Comments on federal consistency review of BOEM offshore wind generation leasing
Date: Saturday, June 15, 2024 9:42:31 PM
Attachments: DLCD comment, June 15 FOSW.docx

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Dear Commissioners and DLCD staff,

Please find attached (below) my comments related to the federal consistency review of BOEM's offshore wind generation site leasing program.

Thank you,

Steve Miller
Coos Bay, Oregon

June 15, 2024

Dear Commission Chair Hallova and DLCD Commissioners,

The floating offshore wind farms being designed and planned for waters off the southern Oregon coast are truly gargantuan industrial projects, using almost unbelievable quantities of steel, copper wiring, tethering and transmission cable, resins, and synthetic fibers. The engineering requirements engage some of the best engineers who are understandably thrilled to be setting the path onto a new frontier. But these energy producing giant projects will straddle and be anchored in an environment with already great existing uses and value for human civilization.

There are large problems with this overlay and many of those problems have become more clear in the planning for floating offshore wind farms off the coast and research being done to gauge the impacts. Oregon's Dept. of Land Conservation and Development's authority extends across 3-miles of a Coastal Zone from the shoreline into the ocean---but proposed wind energy development presents problems that may manifest shoreward in the Coastal Zone, in Oregon estuaries and even watersheds---areas of DLCD authority and responsibility.

As I understand it, the Oregon DLCD will review documents and permits submitted to it for proposed activities in federal waters beyond Oregon's 3-mile Coastal Zone and issue a federal consistency decision of whether an action can proceed, proceed with conditions, or an objection stating issuance of a federal permit may not proceed. One example of a concern that does not observe the effort to define authority and responsibility is the fact that the transmission cables bringing power shoreward from a wind farm will cross the Coastal Zone, bringing any associated impacts with it. Those could involve excavation to bury cables, scour produced by effects of waves or current on cables, and the effect of electromagnetic fields (EMF) on crabs and fish. Also, in their life cycles, those organisms do not remain static, either in the Coastal Zone, or offshore, but move around,

Studies have shown the ability to select migratory direction by anadromous fish, such as salmon and steelhead is affected by EMF emitted by transmission cables. Fish can be both attracted to or repelled by those fields, which can appear to cause them to avoid prime feeding areas where fields are generated. Commercially important crab species have been shown to be attracted to EMF, remaining sheltered close to sources of the fields and potentially less accessible to commercial catch efforts. Research on EMF affects is relatively new and more needs to be done for a more complete view of its impact on life forms in the vicinity of wind farms. With completion of a careful review of sufficient research results, a determination of the consistency of a wind farm's operation with Oregon Statewide Planning Goal 19 could be made.

Another very new field of research is the effort to determine the effect of wind farms on the upwelling of deep, cold, nutrient-rich ocean waters toward the surface which enhance growth of small schooling fish which are the main food source of several commercially important species of fish. The Pacific coast upwelling phenomenon is strongest during the higher northwest winds of El Nino weather cycles and is associated with larger runs of salmon of especially desirable size and condition returning to Oregon

watersheds. It's known that wind turbines convert wind energy to mechanical energy, which is converted to electrical energy. This extraction of energy from the wind slows the speed of the wind. How the cumulative affects of wind farms will impact ocean upwelling and fishery productivity is a pressing research question and after careful review of sufficient research results is complete, the consistency of a wind farm operation with Oregon's Goal 19 could be determined. Research in this field is evolving and will likely take some years and the collection and survey of much field data.

Another issue of importance in relation to Land Use Goal 19 is the noise that floating offshore wind turbines produce. Noise produced by the turbines themselves and their moorings will generate noise year-round and the level of noise produced is corelated with wind speed. Studies have found that noise from wind farm operation will disrupt the awareness of various predators, causing stress and their movement away from prime feeding areas.

Bird strikes by the blades of wind turbines has been a source of significant bird mortality since land-based wind installations were put in place. Wind farm placement offshore is expected to continue that record, with the migration of flocks of pelagic bird species such as gulls, terns, loons, and albatrosses being highly susceptible. The interesting and endangered marbled murrelet, a true pelagic species which uses not only offshore habitat, but nearshore, estuarine and forest habitats, will also be subject to risk of wind turbine mortality.

Whale strikes by ships moving in shipping lanes offshore are a known problem. Whale avoidance of areas producing high levels of noise has been associated with changing whale migratory routes. Even background noise, has been shown to make it difficult for whales to navigate, communicate, or hear sounds produced by predator or prey. This will be amplified by the more than 20 different kinds of vessels used to assess wind sites, and install and maintain wind farm infrastructure. These influences on migrating and resident whales could also have an economic impact on charter whale watching trips out of the Port of Coos Bay where I live, which is one more example of the many flow-over effects of major offshore developments in adjoining regions.

One of my most compelling and great concerns appeared during attendance at a BOEM event Sept. 27, 2023 in Coos Bay attended by an overflow audience of area residents. Many commercial fishermen and family members attended this meeting, fully expecting to give testimony for the record on the damaging impact of the identified call areas in some of their traditionally most productive fishing grounds. Eventually it became clear that testimony would not be accepted in an open forum, but the crowd was encouraged to visit various stations in the room where BOEM employees would present their arguments for the accurate, careful selection of call area. The fishers, family members and others in the audience were shocked and as the regional BOEM Director prepared to close the meeting, pleas and demands for a hearing opportunity in the meeting that day were loudly called out by people who obviously felt their livelihoods were suffering and that federal officials were not going to listen. When the intense atmosphere eased somewhat, the Director said there would be an actual public hearing for the record in Brookings, a much smaller fishing community approx. 110 miles south of Coos Bay the next day and audience members would be welcome to attend. This raised tension in the room again. While I understood the BOEM employees at the meeting felt uncomfortable, the effect felt by most in attendance was having witnessed one of the

most offensive snubs of public involvement they had ever seen by an agency of our government. To date, the BOEM web page announcing those coastal meetings does not describe the Brookings meeting as a hearing.

There is also a sense among local tribes, particularly the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, that BOEM has not sufficiently taken their concerns into account. Specifically, BOEM is not recognizing the offshore, as well as nearshore impacts wind energy development will have as parts of a whole habitat producing their traditional anadromous salmon and steelhead food sources---together with habitat in the Coastal Zone, the Coos Bay estuary, and streams that are tributary to it.

These are some of the shortcomings of a BOEM process that has seemed quite inconsistent with the Oregon Statewide Planning Goal #1 which, I feel, placed first in the list of 19 goals, stresses its importance in an Oregon land use planning process.

To conclude, I urge the DLCD and DLCD Commission to carefully review the science available addressing my concerns and proceed with great caution where the science is not conclusive. Also, on questions where there is not sufficient science, I strongly urge the Commission to require that it be in-place before proceeding to a decision on consistency.

My personal concerns referred to here include a small fraction of all those that have emerged around floating offshore wind development, but do reflect my experience working with, studying, and using some of the resources where wind farms have been proposed to locate. With an educational background in fisheries science at OSU I have worked in the commercial rearing and marketing of trout and salmon in Curry County and the two salmon ranches (now closed) that operated in Coos Bay in the 1970's and1980's. In that time my awareness of the complex relationships among the forms of life in the environment and the place of humanity as part of it has grown with my respect and wonder at it all. Yes, there is a need for additional, better sourced energy for human endeavor, but there should be no place for taking rushed, ill-considered steps that we or our descendants will regret.

Sincerely,

Steven Miller
1556 N. 20th St.
Coos Bay, OR 97420
541-269-7727

From: Kim Davis
To: PERMITS coast * DLCD
Subject: Comments re BOEM's Draft Environmental Assessment (EA) for site assessment and characterization activities
Date: Monday, June 10, 2024 1:50:24 PM

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Dear Director Klein,

I am writing to urge BOEM to amend its Oregon Wind Energy EA to require greater precautions to reduce impacts of site characterization activities on Oregon's wildlife. I urge BOEM to conduct a Programmatic Environmental Impact Statement (PEIS), including a west coast wide cumulative impacts analysis to broadly review impacts for all species that transit multiple planned wind energy development zones. BOEM's decision to separate the analysis of site characterization activities from actual development and construction of wind energy arrays make the analysis disjointed and unreliable. This is counter to the intent of the National Environmental Policy Act (NEPA), which requires a thoughtful analysis of environmental impacts and alternatives to effectively reduce impacts.

For site characterization activities, the greatest risks to wildlife include vessel collisions, impacts from acoustic assessment, seafloor disturbance, and impacts from lights.

To mitigate for these impacts, I encourage BOEM to require lessees to follow all Best Management Practices and to specifically:

Prohibit site characterization activities during times of highest risk for marine mammals, sea turtles, and seabirds. These include periods of high migration, of molt for alcid seabirds, and when mother-calf pairs are present;

Require generous clearance zone and exclusion zone distances prior to activities that could injure or harass large whales;

Require shutdown of activities if large whales are detected;

Require mandatory 10-knot vessel speed restrictions on all vessels to reduce risk of collisions;

Require underwater noise reduction to the fullest extent feasible;

Require that for surveys in waters deeper than 100 m, survey equipment should be deployed using an autonomous underwater vehicle (AUV) operated 40 m above the seafloor;

Require mandatory reporting of all large whale and sea turtle detections as

well as detections of seabird species of concern, including short and black tailed albatross, tufted puffins, and storm petrels;

Require robust baseline monitoring protocols to characterize distribution, foraging activities, and presence, habitat, and migration patterns of large whale species, killer whales, migratory birds, and sea turtles;

Ensure that lighting on vessels and buoys is minimized and shielded downward to reduce risks of light-driven attraction of birds, fish, turtles and insects

Require that buoy anchoring systems be sited to avoid sensitive seafloor habitat areas, such as coral forests.

On behalf of our grandchildren, thank you for considering these comments.

Kim Davis

From: Hans Radtke
To: BURRIGHT Jeff D * DLCD
Subject: Comments re Offshore Wind Energy Oregon Coast
Date: Saturday, June 8, 2024 10:16:23 AM
Attachments: HDR comments BOEM draft EA for lease issuance BOEM-2023-0065 May 28 2024.docx

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You don't often get email from hansradtke@peak.org. Learn why this is important

Jeff,
Please add the attached comments to the public hearing that was held in Florence, Oregon, on June 6, 2024.
Thank you,
Hans Radtke
541 961-0513 cell and text
hansradtke@peak.org

Hans D. Radtke, Ph.D.

Natural Resource Economist
P.O. Box 244
Yachats, Oregon 97498
Voice and Fax: (541) 547-3087
Email: hansradtke@peak.org

May 28, 2024

and berths
recreational fishing boats on the south side of Yaquina Bay. There are other ports with ocean access intertwined within the mentioned ports that have facilities serving active fishing fleets. None of the Oregon and California mentioned ports are characterized by the fishing fleets fisheries participation that will potentially be impacted by WEAs development. Statewide is described (EA Tables 3-14 and 3-15 -18 and 3-19 for recreational fishing). Again, the economic modeling for the (including commercial and recreational) community economic contributions and dependance should be concisely presented in the EA. The importance of the

I understand the BOEM process will lead to development of an EIS if the WEA's if the lessors propose development. the socioeconomic impact measurement is -vessel revenue and recreational trips). In order to understand impact perspectives, the assessment should be quantitatively modeled for regional economic impact eafood processors, distributors, etc.) That measurement would allow comparisons to other impacted industries and the economy as a whole. The modeling should occur for all alternatives that might be under consideration. There are tested methods to do the modeling and several already exist for Oregon commercial and recreational fisheries. I implore BOEM to correct for the paucity of the impact measurements in outreach process for the Oregon WEAs.

Stakeholders deserve a higher level of analysis in order to understand the economic impacts. Impacts are not only at the first level, but include all those associated effects some of which can be positive and others negative. Common measurements such as community income and employment generated or subtracted would allow better understanding of changes to occur from the development. BOEM should pause the Oregon development process and provide the correct level of economic modeling being used in outreach processes.

impacts (short term investment and long-term operations) that each deserve modeling with results expressed in community level primary and secondary impacts (multiplier effects included). State/local government as well as industry needs to be able to anticipate any pending changes. People need know facts in order to make decisions to support or oppose the development. Qualitative and hand waving discussions need to be accompanied with expert estimates of the level and extent of the impacts at the community level.

Thank you for the opportunity to comment on this stage of the BOEM outreach process.

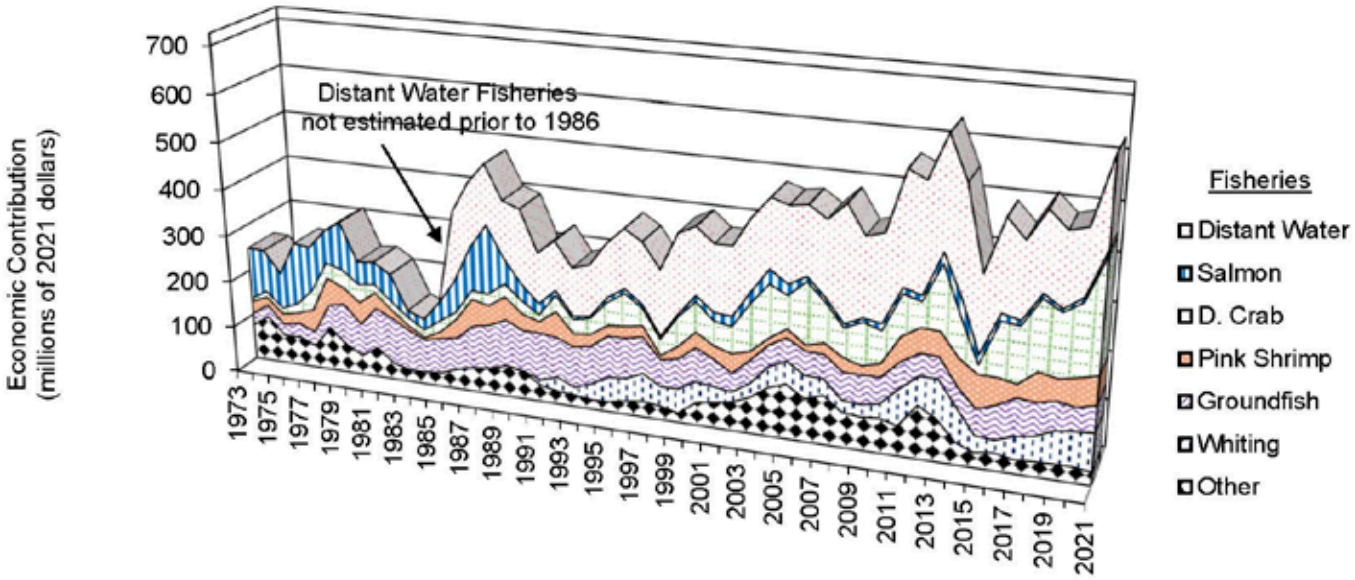


Hans Radtke, Ph.D.
Yachats, Oregon
cc.
Oregon Coastal Caucus through Oregon Legislature Representative David Gomberg, Chair
Rep.DavidGomberg@oregonlegislature.gov

Marine Resource Program Manager, Oregon Department of Fish and Wildlife
Justin.C.AINSWORTH@odfw.oregon.gov

Oregon Governor Tina Kotek, Natural Resource Advisor
Geoffrey Huntington, geoff.huntington@oregon.gov

Figure 1
Oregon Economic Contributions from Onshore Landings in 1973 to 2021
and Distant Water Fisheries in 1986 to 2021



Economic Contributions by Major Fishery in 2021

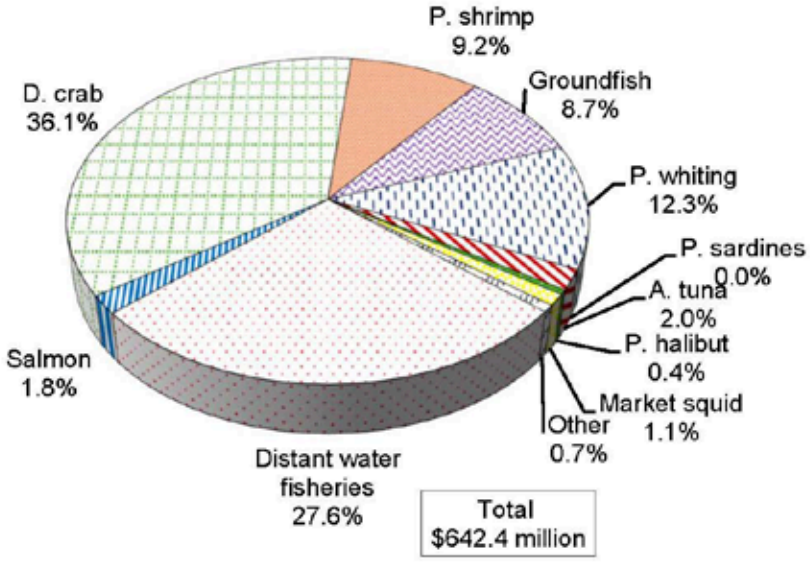


Table 1
Representation of the Commercial and Recreational Fishing Industry by Port Groups in Statewide and Coastwide Economies in 2021

	Statewide		Coastwide		Astoria		Tillamook		Newport		Coos Bay		Brookings	
	Amount	Share	Amount	Share	Amount	Share	Amount	Share	Amount	Share	Amount	Share	Amount	Share
All income	261,546.5	0.3%	11,167.4	5.2%	2,184.6	8.6%	1,433.0	3.5%	2,669.4	7.9%	3,624.3	2.8%	1,256.2	2.2%
Earned income	151,309.0	0.5%	5,066.8	11.5%	1,138.7	16.6%	655.1	7.8%	1,218.5	17.4%	1,600.4	6.4%	454.0	6.0%
Fishing income	792.3		581.3		188.8		50.8		212.2		102.4		27.1	
Commercial	642.4	0.4%	475.4	9.4%	170.3	15.0%	21.4	3.3%	181.8	14.9%	80.9	5.1%	21.1	4.6%
Onshore	464.9		382.4		144.2		18.2		123.0		76.6		20.4	
Distant water	177.4		93.1		26.1		3.2		58.8		4.3		0.6	
Jobs	9,196		8,582		2,982		404		3,347		1,401		449	
Recreational	149.9	0.1%	105.8	2.1%	18.5	1.6%	29.4	4.5%	30.4	2.5%	21.5	1.3%	6.0	1.3%
Ocean recreational fishing	24.7		16.9		1.0		2.2		9.2		2.8		1.7	
Inriver nonresident fish fishing	125.2		88.9		17.5		27.2		21.2		18.7		4.3	
Jobs	2,147		1,939		323		555		560		372		129	

Notes:
1. Income is in millions. Earned income is the sum of wages and salaries, and proprietors' income. All income includes earnings, transfer payments (such as Social Security payments, etc.), and investment income (such as private pensions, etc.).
2. Earned income and all income estimates are adjusted for place of residence. Fishing income is for place of work. Fishing income comparison may overstate the calculated share since some of the income may accrue to places outside of the comparison location. Earned and all income is from households within Clatsop County for Astoria port group; Tillamook County for Tillamook port group; Lincoln County for Newport port group; Coos County for Coos Bay port group; and Curry County for Brookings port group. Fishing income is from commercial deliveries to and recreational trips at: Clatsop County for Astoria port group; Tillamook County for Tillamook port group; Lane (recreational only) and Lincoln County for Newport port group; Lane (commercial only), Douglas, and Coos County for Coos Bay port group; and Curry County for Brookings port group. Coastwide jobs are based on the average of the earnings per job for each of the five port groups.
3. Onshore fishing income is based on landings during calendar year. Sometimes annual reporting for the ocean Dungeness crab fishery is for season totals. The ocean season is December 1 through August 14 and the bay season is after Labor Day exclusive of weekends, holidays, or if the adjacent ocean is closed.
4. The recreational inriver category includes ocean and bay crabbing and clamming.

Source: TRG (May 2024).

Table 2
First Purchasers by Purchase Value and Species Categories for Newport Port Group in 2021

Port Group/ Purchase Value	Count	Species Group Purchases at Port Group (thousands of dollars)									
		Salmon	D. Crab	Pink Shrimp	Alb. Tuna	Ground-fish	Sable-fish	Pacific Whiting	Market Squid	Other	Total
Newport											
Less than $1 K	8	1.6	0.0	0.0	0.6	0.0	0.0	0.0	0.0	0.6	2.8
$1 K to $10 K	21	16.8	15.3	0.0	40.4	19.1	0.1	0.0	0.0	0.8	92.6
$10 K to $100 K	18	121.8	202.0	0.0	77.3	65.2	47.3	0.0	0.0	60.3	573.9
$100 K to $5 M	17	1,169.6	3,953.7	866.7	893.0	240.3	144.9	0.0	1,813.0	1,003.9	10,085.0
$5 M plus	6	75.6	38,767.1	7,895.4	2,154.4	4,245.6	3,126.8	6,596.6	714.1	278.7	63,854.2
Total	70	1,385.3	42,938.1	8,762.0	3,165.8	4,570.3	3,319.1	6,596.6	2,527.2	1,344.2	74,608.6

Notes: 1. Species group purchases are values in thousands of dollars.
2. Purchase values are amounts purchased at the indicated port group. Purchasers may also purchase from other port groups.
3. "Groundfish" excludes sablefish and Pacific whiting, which are shown separately.
4. Excludes aquaculture production.

Source: TRG (May 2024).

From: Deb Foster
To: PERMITS coast * DLCD
Subject: Compliance with Oregon State Laws for offshore wind projects
Date: Tuesday, June 11, 2024 1:15:44 PM

You don't often get email from dfosterpta@yahoo.com. Learn why this is important

Dear Mr. Burright and Mr. Lanier,

This letter is using, verbatim, the sample letter provided by the Bird alliance of Oregon, but rest assured that I agree with every single point. While I am an adamant supporter of ending our use of fossil fuels, it MUST be done without causing harm to wildlife.

I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right.

I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast.

Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects.

Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring:

- *a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions.*
- *Use low-energy acoustic testing methods on surveys to reduce noise impacts*
- *Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats.*
- *Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables.*
- *Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species.*
- *Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities.*

Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies.

Thank you for considering my comment.

Debra Foster
2928 SE Vineyard Rd
Milwaukie, OR 97267
dfosterpta@yahoo.com

From: Kathy Eisenhart
To: PERMITS coast * DLCD
Cc: Reg Boice; Sen Smith; Curry County Commissioner Jay Trost
Subject: Concerned about BOEM plans
Date: Saturday, June 8, 2024 4:01:10 PM
Attachments: oprd-logo-share.png
image0.png

You don't often get email from keisenhart@yahoo.com. Learn why this is important

To whom it may concern:
I am a resident of the southern Oregon coast and I am concerned about the BOEM plans to lease waters off the coast to develop offshore wind energy.
The southern Oregon coast is a treasure. One of our state planning goals is to conserve and protect the scenic value of this area. In particular, the Samuel H Boardman State Scenic Corridor, which runs between Gold Beach and Brookings, is in danger of having its scenic beauty destroyed by large windmills off the coast.
Please take action to preserve and protect this scenic corridor.



Samuel H. Boardman State Scenic Corridor - Oregon State Parks
stateparks.oregon.gov

8:13 AM Wed Jun 5 55%
AA oregon.gov
Department of Land Conservation and Development... www.oregon.gov/lcd/OP/Documents/goal18.pdf

Oregon's Statewide Planning Goals & Guidelines

GOAL 18: BEACHES AND DUNES

OAR 660-015-0010(3)

To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and

To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

Coastal comprehensive plans and implementing actions shall provide for diverse and appropriate use of beach and dune areas consistent with their ecological, recreational, aesthetic, water resource, and economic values, and consistent with the natural limitations of beaches, dunes, and dune vegetation for development.

INVENTORY REQUIREMENTS

Inventories shall be conducted to provide information necessary for identifying and designating beach and dune uses and policies. Inventories shall describe the stability, movement, groundwater resource, hazards and values of the beach and dune areas in sufficient detail to establish a sound basis for planning and management. For beach and dune areas adjacent to coastal waters, inventories shall also address the inventory requirements of the Coastal Shorelands Goal.

COMPREHENSIVE PLAN REQUIREMENTS

Based upon the inventory, comprehensive plans for coastal areas shall:

1. Identify beach and dune areas; and
2. Establish policies and uses for these areas consistent with the provisions of this goal.

IDENTIFICATION OF BEACHES AND DUNES

Coastal areas subject to this goal shall include beaches, active dune forms, recently stabilized dune forms, older stabilized dune forms and interdune forms.

USES

Uses shall be based on the capabilities and limitations of beach and dune areas to sustain different levels of use or development, and the need to protect areas of critical environmental concern, areas having scenic, scientific, or biological importance, and significant wildlife habitat as identified through application of Goals 5 and 17.

IMPLEMENTATION REQUIREMENTS

1. Local governments and state and federal agencies shall base decisions on plans, ordinances and land use actions in beach and dune areas, other than older stabilized dunes, on specific findings that shall include at least:

(a) The type of use proposed and the adverse effects it might have on the site and adjacent areas;

(b) Temporary and permanent stabilization programs and the planned

Thank you,
Kathy Eisenhart
Gold Beach, Oregon

From: Susan Kuykendall
To: PERMITS coast * DLCD
Subject: Construction and Operations Plan for BOEM project
Date: Sunday, June 9, 2024 10:05:52 AM
Attachments: image.png
BOEM delays lease.png

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Please find below my statement to BOEM concerning the proposed offshore Wind Project
I understand that DLCD is proposing the authorization of companies to study the Wind Energy Areas.
It seems prudent to stop the process now considering the potential harm to our environment.
If this project continues it will generate the legal suits as mentioned below.
I gave my statement at the recent Coos Bay County TownHall sponsored by DLCD and will reiterate 'this is not the answer'.
Thank you for attempting to listen to the citizens of the Oregon coast.

My name is Susan Kuykendall, a resident of Coos County, Oregon and I am submitting my statement against the proposed Offshore Wind project being put forth by BOEM. Considering the risk to protected species along the Pacific Coast from these turbines and offshore platforms, this must be postponed until the technology is sufficient to guarantee the protection of marine life. The Short-tailed and Blackfooted Albatross to name a couple of endangered species. I have uploaded articles of these species as well as a reminder of the lawsuits that have gone against BOEM in recent challenges ie: "sought an injunction to prohibit BOEM from implementing new rules to protect the critically-endangered Rice's whale" in the Gulf of Mexico. If BOEM proceeds with this project to lease Oregon Draft Wind Energy Areas we will have no recourse but to pursue a similar legal suit against BOEM.

After Losing Lawsuit Over Whale-Protection Rules, BOEM Delays Lease Sale



A rare image of a Rice's whale in the Gulf of Mexico (NOAA)

PUBLISHED SEP 26, 2023 2:58 PM BY **THE MARITIME EXECUTIVE**

Susan Kuykendall
suse.mail@icloud.com

From: Anthony Pagano
To: PERMITS coast * DLCD
Subject: DLCD Comments
Date: Thursday, June 13, 2024 7:36:28 AM
Attachments: image002.png
Letter to DLCD.docx

> You don't often get email from apagano@goldbeachoregon.gov. Learn why this is important

Please find our letter for the Wind Energy comment period.

Thank you,

Anthony Pagano
City Administrator
29592 Ellensburg Ave.
Gold Beach, OR 97444
Phone: (541) 247-7029
Fax: (541) 247-2212
Mon-Thur 7-5:30



City of Gold Beach

29592 Ellensburg Avenue

ARTICLE I, The Pacific Ocean Resources Compact of the States of Alaska, California, Hawaii, Oregon and Washington and the Province of British Columbia have a common interest in the protection of marine and coastal resources: (b) The migratory nature of many important living marine resources that depend upon the marine habitat of various parties for different parts of their lifecycle, (c) The economic reliance of each party upon renewable resources of the ocean, (e) A regional interest in providing a stable environment for those communities de/pendent upon ocean resources and ocean trade for a livelihood. The Compact reiterates the impact any one of the participating states' activities/ has on one another, and therefore the ramifications therein would be difficult to quantify.

Regarding the assessment of Habitat in the Brookings WEA, ORS 496.012/ reiterates the focus of providing the optimum recreational and aesthetic benefits for present and future generations of the citizens of this state. In furtherance of this policy, the State Fish and Wildlife Commission shall represent the public interest of the State of Oregon and implement the following coequal goals of wildlife management: (1) To maintain all species of wildlife at optimum levels,9 (2) To develop and manage the lands and waters of this state in a manner that will enhance the production and public enjoyment of wildlife, (7) To make decisions that affect wildlife resources of the state for the benefit of the wildlife resources and to make decisions that allow for the best social, economic and recreational utilization of wildlife resources by all user groups. The emphasis of estuary and migration sensitivities in the scope of wildlife is a subject that continues to be studied and assessed by local, state, and federal agencies, as well as NGO's, collaboratives, stewardships, and Oregon State University. To surmise that an assessment beyond what continues to be built upon by those professionals and scientists vested, would produce a superficial and somewhat automated generalization, failing to acknowledge the sensitive cohesiveness that maintains oceanographic sustainability on the Southern Oregon Coast.

On behalf of the citizens of Gold Beach, Gold Beach City Council urges OCMP to consider the conflicts and risk associated with the geotechnical, geophysical, and habitat assessment proposed in the Brookings WEA.

Sincerely,



Anthony Pagano
City Administrator of Gold Beach
For the Gold Beach City Council
Voted Unanimously

From:	Jennifer Eisele
To:	PERMITS coast * DLCD
Subject:	DLCD Offshore Wind Energy Federal Consistency Review Comment
Date:	Saturday, June 15, 2024 10:03:16 PM
Attachments:	Beyond Toxics Comment DLCD Federal Consistency Review on Offshore Wind Energy Leasing (Autosaved).docx

You don't often get email from jeisele@beyondtoxics.org. Learn why this is important

Please accept the attached comments on behalf of Beyond Toxics.

Best regards

Jennifer Eisele
Ecosystems and Communities Project Manager
Beyond Toxics
120 Shelton McMurphy Blvd, Ste 280
Eugene, OR 97401
Phone: 541-543-2446
Website: www.beyondtoxics.org

Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has.
~ Margaret Mead

June 15, 2024

RE: DLCD Federal Consistency Review on Offshore Wind Energy Leasing

Please accept this comment from Beyond Toxics and its members to be included in the record for the Department of Land Conservation and Development Federal Consistency Review on Offshore Wind Energy Leasing. Beyond Toxics has been an active public interest participant in legal processes and policy decisions related to air toxics and climate issues in Oregon for over twenty years. We work to guarantee environmental protection and health for all communities as well as individual residents, regardless of their income, status, or background.

We urge the DLCD to Ensure Consistency with Land Use Goal 1: Improve the community engagement process with impacted parties. DLCD should direct BOEM to learn from what has worked through the state-level engagement process to increase accessibility, education, and meaningful consultation with impacted communities throughout the upcoming process. Before any leasing process begins, enforceable community agreements, including Community Benefits Agreements, need to be defined by South Coast communities so that they can be compensated and positively affected if offshore wind moves forward.

Respect Tribal Sovereignty and Commit to Meaningful Engagement: The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians (CTCLUSI) issued a press release sharing their concerns about the current WEAs and meaningful Tribal engagement: "BOEM's press release states that it has 'engaged' with the Tribe, but that engagement has amounted to listening to the Tribe's concerns and ignoring them and providing promises that they may be dealt with at some later stage of the process," said Chair Kneaper. "BOEM has failed to recognize that wind development has impacted the Tribe and has failed to assure that wind energy development will do good and not harm the Tribe, its members, and the greater coastal community. The Tribe will not stand by while a project is developed that causes it more harm than good – this is simply green colonialism."

We urge the DLCD to protect the Oregon Coast from climate impacts, without replicating the harms of the fossil fuel industry: The Oregon coast is already facing the adverse impacts of climate change, including wildfires, increased temperatures, flooding, ocean acidification and more. Oregon has a goal to achieve 100% clean energy by 2040 and offshore wind energy could help meet that goal. Transitioning Oregon away from fossil fuels is essential. As Oregon transitions away from fossil fuels, it is essential that renewable energy development does not replicate the harms of the fossil fuel industry.

Further, we recommend the state develop and implement a process to require wind energy companies connecting to infrastructure in Oregon to hold sizable risk bonds that are verified each and every year to ensure that any impacts to state resources relating to accidents, emergencies or negligence is paid for by the companies making the profits!

Respectfully submitted,

Jennifer Eisele
Communities and Ecosystems Program Manager

From: Cristy Murray
To: PERMITS coast * DLCD
Subject: Ensure offshore wind is done in compliance with Oregon law
Date: Tuesday, June 11, 2024 1:28:22 PM

You don't often get email from doglady8@gmail.com. Learn why this is important

I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right.

I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast.

Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects.

Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring:

- a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions.
- Use low-energy acoustic testing methods on surveys to reduce noise impacts
- Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats.
- Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables.
- Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species.
- Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities.
- Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies.

Thank you for considering my comment.

Sincerely,
Cristy Murray
Oregon City, OR

From: Donna Acord
To: PERMITS coast * DLCD
Subject: Ensure Offshore Wind is Done in Compliance with Oregon Law
Date: Tuesday, June 11, 2024 11:55:46 AM

You don't often get email from donna.acord@gmail.com. Learn why this is important

Dear Mr. Burright and Mr. Lanier,

I am a volunteer Oregon Naturalist and conduct surveys of Snowy Plovers. I also am part of the twice annual Gray Whale Migration Program under the Oregon Parks and Recreation Dept. As a volunteer I have become aware of the increasing incidence of impact of industrial operations on our coastal wildlife. While I am certainly in favor of a shift away from fossil fuels, I believe we need to proceed with caution and carefully put safeguards into place. It will not be helpful to trade out one set of destructive practices and replace them with another set, albeit different. All are putting at risk the fine balance we have been disrupting in our ecosystems.

I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right.

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- *a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions.*
- *Use low-energy acoustic testing methods on surveys to reduce noise impacts*
- *Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats.*
- *Coordinate and plan for a single onshoring cable from each Wind Energy*

Areas to minimize impacts from cables.

- *Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species.*
- *Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities.*
- *Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies.*

Thank you for considering my comment.

Sincerely,
Donna Acord
OSU Oregon Volunteer Naturalist and Surveyor of Oregon Coastal Birds
Bird Alliance of Oregon

From: Sandy Joos
To: PERMITS coast * DLCD
Subject: Ensure Offshore Wind is Done in Compliance with Oregon Law
Date: Tuesday, June 11, 2024 4:49:43 PM

You don't often get email from joosgalefamily@comcast.net. Learn why this is important

Dear Mr. Burright and Mr. Lanier,

I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right.

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- Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats.
- Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables.
- Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species.
- Engage in meaningful consultation with Tribes; Oregon natural resource agencies

and commissions; and local communities.
- Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies.

Thank you for considering my comment.

Sandra Joos
4259 SW Patrick Pl
Portland, OR 97239

From:	Michael E. Sydow
To:	PERMITS coast * DLCD
Cc:	Rep Gomberg
Subject:	Federal Consistency Review Announcement for Offshore Wind Leasing Review
Date:	Thursday, May 2, 2024 4:14:13 PM

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I believe that the leasing for wind generation sites should be put on hold until the federal government can work more closely with the local communities and Oregon government.

I personally strongly support wind energy generation - if it makes sense. Since we have the area off the cost of Newport to test wind energy - might it make more sense to generate some actual data from test sites prior to the leasing of wind generation sites.

Last I checked - it was not possible to properly simulate the energy output from a wind (or wave) generation - and therefore it was imperative to actually build and test the capability prior to deployment. If that is still the case - then it seems like we are putting the cart in front of the horse by leasing energy sites prior to any actual testing done on the Oregon coast.

So - I would propose that the first action would be to work with companies who believe they want to purchase said leases to do actually testing in the designated test area - and then when actual data is available - and there is consensus as to where specifically the lease locations should be - then move forward with the leasing.

Best regards,
Michael

From: jeanettemarrie.93@gmail.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Comment on OSW Leasing
Date: Friday, June 14, 2024 4:16:03 PM
Attachments: Doc5.docx

You don't often get email from jeanettemarrie.93@gmail.com. Learn why this is important

Dear Mr. Burright
June 13, 2024

I would like to take this opportunity to introduce myself. I am Karie Silva co-owner of the fishing vessel Jeanette Marrie out of Charleston. My family has a collective fishing history of more than a century in the WEAs located off the Oregon coast. During the DLCD meeting on June 4th in Coos Bay, I expressed that the advancement of floating offshore wind turbines has a direct impact on myself, my family, and the whole Oregon fishing fleet. For nearly three years, I have actively participated in engaging with BOEM, consistently providing public comments to express my opposition to Floating Offshore Wind Turbines (FOWT).

I am requesting that DLCD object to the Federal Consistency review proposed by BOEM. Their request for a lease auction to develop floating wind turbines on the Outer Continental Shelf will bring harm to the ocean ecosystem, the marine life and to the fishing industry. My request is being made in order to safeguard the Pacific Ocean and its environments, as outlined in Goal 19 and the OCSLA. Also, the insufficient scientific research that has not been conducted to protect the ocean ecosystem, the safety of fishermen and the USCG, the fishing industry, and coastal communities. Here are several sections that I've copied and pasted of the OCSLA, a paragraph from Goal 19, and a website regarding radar interference that I would like to draw your attention to. I have a plethora of additional concerns regarding the significance of objecting to this review; however, they would necessitate a significant amount of time to address, therefore, I have resolved to limit it to those that pertain to Oregon's laws.

OCSLA, Section 4 (2) -(4-B) (5)

Sec. 4 OUTER CONTINENTAL SHELF LANDS ACT 152

(2) this Act shall be construed in such a manner that the character of the waters above the outer Continental Shelf as high seas and the right to navigation and fishing therein shall not be affected;

(4) since exploration, development, and production of the minerals of the outer Continental Shelf will have significant impacts on coastal and non-coastal areas of the coastal States, and on other affected States, and, in recognition of the national interest in the effective management of the marine, coastal, and human environments—

(B) such States, and through such States, affected local governments, are entitled to an opportunity to participate, to the extent consistent with the national interest, in the policy and planning decisions made by

the Federal Government relating to exploration for, and development and production of, minerals of the outer Continental Shelf.

(5) the rights and responsibilities of all States and, where appropriate, local governments, to preserve and protect their marine, human, and coastal environments through such means as regulation of land, air, and water uses, of safety, and of related development and activity should be considered and recognized;

Section 5 (Page 155) Part 2 – (A) – (i) – (ii) – (iii)

(2) with respect to cancellation of any lease or permit—

(A) that such cancellation may occur at any time, if the Secretary determines, after a hearing, that—

(i) continued activity pursuant to such lease or permit would probably cause serious harm or damage to life (including fish and other aquatic life), to property, to any mineral (in areas leased or not leased), to the national security or defense, or to the marine, coastal, or human environment;

(ii) the threat of harm or damage will not disappear or decrease to an acceptable extent within a reasonable period of time; and

(iii) the advantages of cancellation outweigh the advantages of continuing such lease or permit in force;

Section 11 (page 173 & 175)

SEC. 11. GEOLOGICAL AND GEOPHYSICAL EXPLORATIONS. —(a)(1) Any agency of the United States and any person authorized by the Secretary may conduct geological and geophysical explorations in the outer Continental Shelf, which do not interfere with or endanger actual operations under any lease maintained or granted pursuant to this Act, and which are not unduly harmful to aquatic life in such area.

(g) Any permit for geological explorations authorized by this section shall be issued only if the Secretary determines, in accordance with regulations issued by the Secretary that—

(1) the applicant for such permit is qualified;

(2) the exploration will not interfere with or endanger operations under any lease issued or maintained pursuant to this Act; and

(3) such exploration will not be unduly harmful to aquatic life in the area, result in pollution, create hazardous or unsafe conditions, unreasonably interfere with other uses of the area, or disturb any site, structure, or object of historical or archeological significance.

GOAL 19: OCEAN RESOURCES

OAR 660-015-0010(4)

To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

To carry out this goal, all actions by local, state, and federal agencies that are likely to affect the ocean resources and uses of Oregon's territorial sea shall be developed and conducted to conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social values and benefits and to give higher priority to the protection of renewable marine resources—i.e., living marine organisms—than to the development of non-renewable ocean resources.

https://maritime-executive.com/article/report-u-s-offshore-wind-farms-could-interfere-with-marine-radar

"Wind turbines in the marine environment affect marine vessel radar in a situation-dependent manner, with the most common impact being a substantial increase in strong, reflected energy clustering the operator's display, leading to complications in navigation decision making," notes the report.

I am grateful to DLCD for having the opportunity to express my concerns, as well as those of the fisheries industry, regarding BOEM and FOWT. We believe that our voices have been entirely disregarded during BOEM's defective process of conducting business in a reverse order with respect to the Oregon Way. With respect, please give us a voice, listen to us, and object to the suggested consistency plan filed by BOEM.

Karie Silva
F/V Jenette Marrie
Coos Bay, Oregon

From:	Matthew Vorderstrasse
To:	PERMITS coast * DLCD
Subject:	Federal Consistency Review for Leasing the Wind Energy Areas Offshore Oregon
Date:	Saturday, June 15, 2024 9:20:58 PM
Attachments:	image001.png BOEM Bid Credit Letter_0611324_Vorderstrsse_final.pdf

You don't often get email from mvorderstrasse@ccnbchas.org. Learn why this is important

Greetings,

Please find the attached letter from North Bend City/Coos-Curry Housing Authorities regarding the: Federal Consistency Review for Leasing the Wind Energy Areas Offshore Oregon.

Please feel free to reach out if have any follow up or questions.

Respectfully,

Matt Vorderstrasse, M.A., PHM
Executive Director
(He/Him/His)
North Bend City/Coos-Curry Housing Authorities
1700 Monroe Street
North Bend, OR 97459
(541) 756-4111 (Main Office)
(541) 756-1987 (FAX)
https://ccnbchas.org/

"The work of building community takes a lifetime. But the worth of the community is taken into eternity. It's some of the hardest work we will ever do. It's also some of the most worthwhile." John Vawter

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NORTH BEND CITY / COOS-CURRY HOUSING AUTHORITIES
1700 MONROE STREET NORTH BEND OR 97459
TELEPHONE: 541-756-4111 TOLL FREE: 1-877-897-9349
FAX: 541-756-4990 Oregon Video Relay Service: 1-866-327-8877
Managing Agent – Woodland Apartments Preservation Inc / Powers Housing Development Inc

6/13/2024

Bureau of Ocean Energy Management (BOEM)
1849 C Street,
NW Washington, D.C. 20240

Jeff Burright
Department of Land Conservation & Development
State-Federal Relations Coordinator
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Via email: coast.permits@dlcd.oregon.gov

RE: Federal Consistency Review for Leasing the Wind Energy Areas Offshore Oregon

BOEM;

The North Bend City/Coos-Curry Housing Authorities are happy to provide a letter of concern regarding BOEM's Proposed Sale Notice (PSN) that lists Bid Credits for the proposed Offshore Wind Energy Leasing. We serve the Southern Oregon Coast from the Central Oregon Coast to the California border that intersects with the proposed leasing areas, "Coos Bay" (Winchester Bay to Florence) and "Brookings" (Brookings to Gold Beach).

Coos and Curry Counties are in the midst of an affordable or even available housing crisis. On any given day, we have less than 1% availability of rentals on the market, and our communities' most vulnerable are falling through the cracks and into homelessness. The most recent Coos Bay Housing Needs Analysis & North Bend Housing Production Strategy for the small cities show that we need almost 1000 new units for these cities alone in the next 20 years. [1]

We support new industries coming into the region. However, we have to be honest about our needs for infrastructure and housing demands to meet the needs of the current population. Before saying yes to further offshore wind development, housing must be addressed to examine how projected population growth will come to occur with new jobs and industries being approved and developed.

Our request to address this housing concern is simple:

- Following the precedent that was set in California in requesting a bid increase, we implore BOEM to implement the bid credits as follows:
    - Increase the Workforce and Supply Chain Bid Credit from 15% to 20%, to address workforce housing growth.

1 2020 City of Coos Bay Housing Needs Analysis & 2023 City of North Bend Housing Production Strategy

- Increase the General Community Benefits Agreement Bid Credit to from 5% to 10% to address current and future community housing support.

These bid credit increases will give the South Coast more resources for investing in infrastructure to support new housing development for the workforce housing that this industry will require.

- Develop terms and conditions for developers to follow in the next steps of the offshore wind development process, specifically for housing production and development.
- Clarify the process for developing Community Benefits Agreements to make it more accessible to impacted communities, and for BOEM to clarify who developers can enter Community Benefit Agreements with. Ensuring that the parties are based or work with coastal communities directly and allowing for those parties to be known publicly.

We believe the actions listed above will help address the issues that we have presented and will give local groups a better opportunity on how to engage in this process.

Please do not hesitate to reach out if you have any questions.

Sincerely,



Matthew Vorderstrasse, MA
Executive Director

Appendix:
Coos County Housing Analysis and Action Plan

Curry County Housing Action Plan

From: Stephanie Hadley
To: PERMITS coast * DLCD
Subject: Federal Consistency Review for Leasing the Wind Energy Areas Offshore Oregon
Date: Saturday, June 15, 2024 9:29:42 PM
Attachments: Letter to BOEM_Hadley_61324.pdf
Signed Letter to BOEM_Hadley_61324.pdf

You don't often get email from shadley@socrh.org. Learn why this is important

Signed copy attached.

On Sat, Jun 15, 2024 at 9:19 PM Stephanie Hadley <shadley@socrh.org> wrote:

> Please find the attached letter from North Bend City/Coos-Curry Housing Authorities regarding the Federal Consistency Review for Leasing the Wind Energy Areas Offshore Oregon.
>
> Please feel free to reach out if you have any follow up or questions.
>
> Best,
>
> Stephanie Hadley
>
> Southern Oregon Coast Regional Housing Coordinator
>
> 541-290-8970 direct

6/13/2024

Bureau of Ocean Energy Management (BOEM)
1849 C Street,
NW Washington, D.C. 20240

Jeff Burright
Department of Land Conservation & Development
State-Federal Relations Coordinator
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Via email: coast.permits@dlcd.oregon.gov

Southern Oregon Coast Regional Housing

RE: Federal Consistency Review for Leasing the Wind Energy Areas Offshore Oregon

Dear Bureau of Ocean Energy Management,

The North Bend City/Coos-Curry Housing Authorities are happy to provide a letter of concern regarding BOEM's Proposed Sale Notice (PSN) that lists Bid Credits for the proposed Offshore Wind Energy Leasing. We serve the Southern Oregon Coast from the Central Oregon Coast to the California border that intersects with the proposed leasing areas, “Coos Bay” (Winchester Bay to Florence) and “Brookings” (Brookings to Gold Beach).

Coos and Curry Counties are in the midst of an affordable or even available housing crisis. On any given day, we have less than 1% availability of rentals on the market, and our communities' most vulnerable are falling through the cracks and into homelessness. The most recent Coos Bay Housing Needs Analysis & North Bend Housing Production Strategy for the small cities show that we need almost 1000 new units for these cities alone in the next 20 years. [1]

We support new industries coming into the region. However, we have to be honest about our needs for infrastructure and housing demands to meet the needs of the current population. Before saying yes to further offshore wind development, housing must be addressed to examine how projected population growth will come to occur with new jobs and industries being approved and developed.

Our request to address this housing concern is simple:

- Following the precedent that was set in California in requesting a bid increase, we implore BOEM to implement the bid credits as follows:
    - Increase the Workforce and Supply Chain Bid Credit from 15% to 20%, to address workforce housing growth.
    - Increase the General Community Benefits Agreement Bid Credit to from 5% to 10% to address current and future community housing support.

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[1] 2020 City of Coos Bay Housing Needs Analysis & 2023 City of North Bend Housing Production Strategy

These bid credit increases will give the South Coast more resources for investing in infrastructure to support new housing development for the workforce housing that this industry will require.

- Develop terms and conditions for developers to follow in the next steps of the offshore wind development process, specifically for housing production and development.
- Clarify the process for developing Community Benefits Agreements to make it more accessible to impacted communities, and for BOEM to clarify who developers can enter Community Benefit Agreements with. Ensuring that the parties are based or work with coastal communities directly and allowing for those parties to be known publicly.

We believe the actions listed above will help address the issues that we have presented and will give local groups a better opportunity on how to engage in this process.

Please do not hesitate to reach out if you have any questions.

Sincerely,

Stephanie Hadley
Southern Oregon Coast Regional Housing Coordinator

Appendix:
Coos County Housing Analysis and Action Plan

Curry County Housing Action Plan

[1] 2020 City of Coos Bay Housing Needs Analysis & 2023 City of North Bend Housing Production Strategy

From: Kimber Nelson
To: PERMITS coast * DLCD
Subject: Federal Consistency Review for Offshore Wind Energy leasing
Date: Tuesday, June 11, 2024 11:56:53 AM

You don't often get email from kimber_nelson@hotmail.com. Learn why this is important

Dear Mr. Burright and Mr. Lanier,

I'm writing with concern about the wind energy leasing off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's wonderful marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right.

I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast.

Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects.

Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring:

- a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions.
- Use low-energy acoustic testing methods on surveys to reduce noise impacts
- Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats.
- Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables.
- Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species.
- Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities.

- Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies.

Thank you for considering my comment.

Kimber Nelson
7827 SE 66th Avenue
Portland, OR 97206
503-260-3586

From: Adele Dawson
To: PERMITS coast * DLCD
Subject: Federal Consistency Review of BOEM Offshore Wind Leasing
Date: Thursday, June 13, 2024 12:52:20 PM

You don't often get email from adeledawson@gmx.net. Learn why this is important

Dear Mr. Burright and Mr. Lanier,

I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right.

I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. These conditions need to be spelled out clearly and adhered to.

Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects.

Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring:

- *a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions.*
- *Use low-energy acoustic testing methods on surveys to reduce noise impacts*
- *Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats.*
- *Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables.*
- *Conduct robust baseline surveys for wildlife so that—should construction*

someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species.

- *Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities.*
- *Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies.*

Thank you for considering my comment.
Sincerely,
Adele Dawson
347 Hemlock Street
Florence, OR 97439

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 9:13:24 AM
Attachments: formsubmission.csv

First Name	Melissa
Last Name	Brewer
Email Address	Melbrewer@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats,

	and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment.

Submission ID: 042b895c-8c95-4c99-95da-a9f63afaa8c4

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 10:56:50 PM
Attachments: formsubmission.csv

First Name	Amelia
Last Name	Oconnor
Email Address	AMOC46@GMAIL.COM
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear OCMP, Andy and Jeff, Thank you for your recent efforts to outreach to coastal communities about the BOEM wind energy development process. I am currently a representative on OPAC but I am writing this comment as a coastal resident, mother, and ocean enthusiast. Many people in my community and especially on the south coast that I know are confused and scared by this process and have given up to believing it has a predetermined outcome. Statewide planning goals 1 and 19, and specifically territorial sea plan chapter two, have set Oregonians up to task BOEM with engaging effectively with these communities and providing us with comprehensive impacts analysis including those of a required cabling project to connect to the grid as a probable future project. Any offshore, nearshore or onshore anthropogenic impacts would require spacial and economic baseline data collection to quantify impacts to coastal uses such as recreation and tourism, which are major economic contributors to coastal economies, in addition to tribal or commercial fisheries data needs. Environmental analysis should be comprehensive across all potential affected oceanic and coastal areas, require oversight by observers and independent specialists, and avoid any unnecessary impacts to wildlife during data collection. Modeling to quantify impacts across the project lifespan would be key to communicate effectively and build trust with coastal communities. My 4 year old daughter and 5 month old son are 6th generation Oregon coast residents, if theirs is the first generation to not know Oregon's ocean without large wind energy developments, I hope that we can say the decision was made with comprehensive processes that used the best science available and was made with the state of Oregon and its coastal communities best interests. To do so please

	require comprehensive impact analysis and modeling, including impact mitigation for offshore, nearshore and onshore environments and users, for turbines and cabling projects. Also regular and extensive two-way engagement with tribes and coastal communities as conditions to any federal concurrence. Please also investigate alternative clean energy options, Thank you for your time and efforts, -Amelia

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Submission ID: 8fc93fd1-2eea-4e28-850e-2116172ea104

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 8:00:38 AM
Attachments: formsubmission.csv

First Name	John
Last Name	Altshuler
Email Address	tomailakai@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	John D Altshuler
Comment	By considering global warming problem and attempting to remediate this problem through wind power in the ocean I only ask that you do this responsibly with the lives of oceanic residents in mind as a first priority.. yes a first priority.

Submission ID: 7e56cb38-93a3-4334-9e0d-a4f1f832c000

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 11:21:50 PM
Attachments: formsubmission.csv

First Name	Isaac
Last Name	Hodges
Email Address	ihodges@brookings.or.us
Do you represent an Organization?	No
If yes, please provide your organization and title.	I am Mayor of Brookings, but this is my personal input
	I am Mayor of Brookings, but this is my personal input- To the DLCD, Please immediately stop the Ocean Windmill lease. To be clear, BOEM and DLCD representatives continue to repeat that my submission should ONLY focus on the “leasing” of defined areas within the Pacific Ocean, and not about the construction or function of the windmills. But you must know as our state and federal reps, by leasing out our Ocean off the shore of Brookings, for the expressed purpose of floating Windmills, you are responsible for what happens during the research, development, implementation, and function of any project that occurs on our “leased ocean”. I understand that numerous groups and individuals already spread light on the negative impacts to the ocean floor, fish, and sea life. Many experts have spoken about the most likely environmental hazards that coincide with the studies, preparation, construction, and servicing of these monumental structures. To me, that should be enough to stop this leasing discussion. In addition, the following input is focused on the blatant hypocritical and ignorant approach of this project. #1. BOEM publicly states they are moving to further streamline the steps to expedite developments by lessening regulations. What are the regulations they want to lessen in order to please the corporations? One can find links to “windmill development” where corporations are openly complaining about the red tape of NEPA (National environmental Policy act), they complain about the ESA (endangered species act), and they complain about the clean water act and clean air act. And because of this, the federal government (BOEM) is pushing to further reduce these current regulations more than they already have. This is profoundly hypocritical as our own government does not do that for American industry. Instead, government agencies are known to add red tape to complicate American interest and ingenuity. This move to cut the “red tape” is concerning. Moving on past the hypocrisy, what about reviewing the current state of East Coast windmill projects? #2 Windmills leases have proven to leach tax payers dry. On the East Coast, Oceanwind-1 has ceased development (specifically in New Jersey). An article in Politico 4/19/24 states “Major offshore wind projects have been

Comment	canceled in the latest blow to this windmill industry". Some of the reasons listed are the manufacturers are backing out due to high costs, and now, after this lease has been sold, they "have a concern of corporations socking utility customers with higher bills". The same article references several other New York offshore windfarms with plans that were scrapped in 2023. Now these corrupt corporations are – soliciting for more tax money and looking to give their own developers flexibility to shift funds. The "leases" themselves are not making the corporations money yet, but they are further burdening the tax payers to the point they will make money, which seems to be part of the larger plan. Unfortunately, it appears the tax payers will continue to pay more to these corporations because federal officials refuse to allow these projects to fail. The windmills are their focus, and it appears multinational corporations are able to suck funds from our own people at the threat of shutting down ocean windmill projects. Furthermore, let's say the windmills eventually become active, what's to stop the corporation from raising their electric costs to astronomical rates, as they have done in Great Brittan and other nations? The fact is, ocean windmill projects were not asked for by citizens, but American's are now being told to support these leases. There is something shady about this whole venture. It seems to be done for the monetary benefit of a few, but at the expense of tax payers. In addition, Maryland, Virginia, Massachusetts, Rhode Island, and Connecticut had 17 gigawatts of offshore wind projects under contract. At this time, close to two-thirds of those contracts are canceled or at "high risk" of cancelation. What are their reasons for cancellation? They blame inflation, supply chain, and even the war in Ukraine. Why does this matter to a lease in Oregon? As is their mode of operation, the "windmill" companies are now coming after state legislators to boost the company's bottom lines. This is done through more federal tax incentives. Sadly, the extra money requested comes from US tax payers on top of the earmarks that are already in the Inflation Reduction Act (it is packed with federal tax credits, and other incentives). Let's not forget these are multinational corporations. And sadly, it is obvious that these corporations get better treatment than the American tax payer? Do we want this in Oregon? #3 Windmills are not proven to be practical or efficient. Within the US Dept of Energy, on May 16th, WETO (Wind Energy Technologies Office) states "because wind turbines are getting bigger, and new turbine models are introduced at a fast pace, newer offshore projects are built using turbine technologies that are not fully matured". In this article, not matured means they have premature component failure and are continuous safety risks. This has led to continuous issues including unplanned maintenance, lack of standardization, and few recommended and standardized practices in place. Our own governmental agency proposes more experimentation, demonstration, standards, recommended best practices, design optimization to include reliability, and research to address component conditions and maintenance execution. Currently, Windmills are not efficient. Operation and maintenance cost, not including the build and set-up has proven to be a large portion of the energy generation cost. There is constant maintenance and repair on the electrical controls, gearbox, yaw systems, generators, hydraulics, and blades. As if there isn't enough concern already, the proposed windmills are numerous floating behemoths. This project would be the first floating windmill farm. So, not only are we considering a lease that may allow for environmental destruction and guarantees inefficient electrical production, but we are doubling down with an experiment to use floating towers full of machinery and oil in the beautiful Pacific along the most pristine shoreline in the world. It seems like a whole lot of risk for the possibility of little to no benefit. In conclusion, we

	shouldn’t be wasting our time on writing submissions to stop this. We should be asking how this consideration ever made it this far to begin with. References – https://www.imca-int.com/published-articles/imcas-new-code-of-practice-could-save-millions-for-the-offshore-wind-industry-by-preventing-subsea-cable-failure/Seacable Santelo, T.N., de Oliveira, C.M.R., Maciel, C.D. et al. Wind Turbine Failures Review and Trends. J Control Autom Electr Syst 33, 505–521 (2022). https://doi.org/10.1007/s40313-021-00789-8Wind turbines fail around twice every year with an average downtime of 150 h per failure. https://www.texaspolicy.com/offshore-wind-farms-are-yet-another-renewable-energy-failure/ https://www.texaspolicy.com/buckle-up-for-summer-blackouts-wind-is-already-failing-texas-in-spring/ https://www.wind-watch.org/news/2021/03/06/failure-of-worlds-1st-offshore-floating-wind-farm-in-fukushima-disappoints-3-11-survivors/ https://www.popularmechanics.com/technology/infrastructure/a42622565/wind-turbines-falling-over/ https://www.4coffshore.com/news/cps-failures-on-ørsted92s-offshore-wind-farms-nid24112.html https://reneweconomy.com.au/wind-turbine-failure-rates-are-rising-has-the-industry-gone-too-big-too-fast/ https://hbr.org/2024/02/the-long-term-costs-of-wind-turbines https://www.theguardian.com/business/nils-pratley-on-finance/2023/nov/16/uk-offshore-wind-subsidies-price-gas?ref=biztoc.com

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Submission ID: 543f6ab9-80f3-43ae-acbb-a526a46398d8

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 11:07:03 PM
Attachments: formsubmission.csv

First Name	Nadia
Last Name	Sindi
Email Address	nadiasindi@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	ADC/AAIUSA/CAIR/Human Rights Activist
Comment	https://www.judicial-discipline-reform.org/?p=105994 https://www.facebook.com/groups/justice4nadiasindi/members/ My life with The Liberal Klans in Oregon! https://chng.it/28GrMXgtnf https://nadiasindi.blogspot.com/ FBI OREGON IS COMPLICIT WITH OREGON CRIMINAL OFFICIALS WHO STOLE MY FULLY PAID CONDO! https://www.aaiusa.org/library/end-the-scourge-of-profiling-arabs-and-muslims?emci=31681df3-a4e2-ed11-8e8b-00224832eb73&emdi=7315804d-a8e2-ed11-8e8b-00224832eb73&ceid=376192 Just like our Oregon Criminal Officials such Gov. Brown, Rep. Nathanson, Sen. Floyd Prozanski etc.. with the help of Wells Fargo. who are covering up for the most criminal Officials: Late Frohnmayer, late Rep. Bob Ackerman who stole my Fully paid Condo! My social Security # is BLOCKED at the Employment office, for more than FOUR years NOW. I can't sign in to look for a job! This had happened after my name was cleared from the fabricated criminal record that was done by the criminal late Dave Frohnmayer! http://www.salem-news.com/articles/january112014/corruption-petition-ns.php?fbclid=IwAR0n668Efngx8J3l95dUI5tufiMm D73OQWgy2oCp2eovOjeokwQRFW2AbWA Gov. Kate Brown Appointed 100 Judges. She made sure before she leaves, she appointed TWO more Judges to cover her back! Arrest Gov. Brown, Rep. Nathanson & the Rest of Oregon Criminal Officials who are complicit with the Most Criminal Officials late Frohnmayer, late Rep. Ackerman! OR. late A.G. Frohnmayer had deleted all records in L.C. It shows I'd changed my name to Nadia Sindi. Left old name Faika Sindi.Changed letters to Saika Findi! Frohnmayer has trapped me in a criminal record since 1987!

	https://www.facebook.com/AXJ.OR/videos/2043016569268673 https://nadiasindi.blogspot.com

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Submission ID: 94aaa19f-a664-4543-8a11-c1a08ea3d0b6

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 8:58:32 PM
Attachments: formsubmission.csv

First Name	Joan
Last Name	E Beldin
Email Address	joanibldn@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am writing to ask that all offshore wind development be done in accordance with Oregon state laws — specifically, our laws that protect wildlife and habitat. I worry about development happening too fast without a plan to minimize impacts as best as we can. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Such conditions include: -- requiring an onboard wildlife observer to assure that travel speeds do not exceed 10 knots to minimize collisions -- conducting a thorough baseline wildlife survey to understand and monitor any changes that occur to wildlife populations, -- avoiding bottom contact with sensitive habitats such as deep sea corals, sponge habitats, seamounts and hard substrates -- coordinating and planning for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. -- reducing noise impacts by using low-energy acoustic testing methods on surveys. I care deeply about Oregon's marine and coastal ecosystems and its wildlife. It's critical that alternative energy development such as wind power be done with the utmost care to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan. Please ensure BOEM requires developers to follow best management practices. Thank you for your consideration.

Submission ID: 1a811015-f052-415a-bc57-6e900b6debfc

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 8:54:57 PM
Attachments: formsubmission.csv

First Name	Jane
Last Name	Rosevelt
Email Address	jane.rosevelt@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Lighthawk in support of OSCC and surf rider
Comment	I am providing aerial support for photographers on June 20. Please make sure all of the photos or videos are shared with the appropriate authorities.

Submission ID: 9abf416a-496f-4877-810d-fa1a2f080bd9

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 8:43:27 PM
Attachments: formsubmission.csv

First Name	Annie
Last Name	McCuen
Email Address	mccuen7691@comcast.net
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Yes? Please support offshore wind energy. Thank you.

Submission ID: 5f110b4d-06fa-4e0a-9c95-c2b3fb5fd560

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 7:48:24 PM
Attachments: formsubmission.csv

First Name	katherine
Last Name	muzik
Email Address	kmuzik@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Mamuk Buks, Publisher and Marine Biologist, PhD
Comment	I oppose the proposed Coos Bay WEA Offshore Wind Project. This proposed project is geographically unfeasible (too far offshore and too deep for cost-effective return of electrical power not to mention irretrievable loss of polluting platforms and towers in storm winds and waves, leading to destruction of marine habitats at sea and on shore), geologically unfeasible (earthquakes offshore and vanishing dunes inshore), and worst, biologically devastating, during preparation, implementation and failure phases. Cape Arago and Coos Bay are among the last pretty places on our Planet. Let's keep them beautiful and productive, for fishermen, tourists, indigenous tribes and especially, for precious marine life. Let's bequeath long-lasting LIFE to the next generation of inhabitants and visitors here in Oregon.

Submission ID: 4d50e4fa-7744-462f-9e10-574c26f529b2

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 7:32:09 PM
Attachments: formsubmission.csv

First Name	katherine
Last Name	muzik
Email Address	kmuzik@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Mamuk Buks, Publisher, and Marine Biologist, Ph.D.
Comment	I urge you to halt the proposed Deep Water Port project here in Coos Bay. I invite you to remember David Attenborough's sage words: "The Natural World...is the most precious thing we have and we need to defend it. It provides our food, water and air." I am a Marine Biologist who has witnessed, during my 50+ years of field research worldwide, irreversible devastation of our marine environment and its marine life by careless, greedy humans. This proposed project is NOT feasible, not geologically, not geographically, not economically, and especially biologically. Coos Bay and Cape Arago comprise one of the last few habitable parts of this Planet. This Deep Port Project, with its industrial machines, will compromise and destroy this area, including the offshore sea, the shores, the Bays, estuaries, rivers, watersheds, from here all the way to Eugene! Further, we do NOT need more material items shipped via 1.5 million containers to our tiny shore. Our landfills are overflowing already! Worse, a Deepwater Port here will surely invite smuggling of weapons and drugs, and associated violence. Worst, it will ultimately result in militarization, bringing nuclear materiel and nuclear powered ships and subs, not only endangering our precious wildlife, but ensuring we become a military target, as Pacific Wars increase. Let's focus instead on improving local food production, local crafts, local businesses, local clean water and clean soil and air, and promoting the sanctity of life.

Submission ID: bf8d4c1f-aabc-4b34-b0af-b564872ebe7b

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 3:19:54 PM
Attachments: formsubmission.csv

First Name	Dave
Last Name	Potter
Email Address	kpottermom@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	My wife and I approve of off shore wind electric generation farms. Unless impossible they should be out of sight from land. We need the clean electricity. We MUST act NOW to get off fossil fuels [coal and petroleum.] There always will be negative factors to any action but we feel the positives far out weight the negatives for off shore wind operations. Get it done. ....We also endorse more research in tidal & wave electric generation. Like pistons that move up and down in hollow pipes [metal or cement] Just like a car pistorn the up and down could be turned into a shaft into a generator.

Submission ID: 7515d9ff-6b16-441a-839a-789b00620e30

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 7:22:52 PM
Attachments: formsubmission.csv

First Name	Stephen A
Last Name	Johnson
Email Address	seasaj777@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Please investigate all aspects of the proposed floating wind turbines project off the Oregon coast. If studies conclude that ecological impacts are minimal then I support the project.

Submission ID: d9bb8196-89ac-420e-838e-e3cac8f733f4

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 5:54:55 PM
Attachments: formsubmission.csv

First Name	Gina
Last Name	Mayonado
Email Address	gmayonado01@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I am very concerned about the rapid pace of wind energy leasing along our coast. Preserving the health of our coastal and marine ecosystems, as well as safeguarding wildlife, is vitally important. I fear that development is progressing too hastily without adequate plans to mitigate potential impacts. While the current focus may be on pre-development activities, it is foreseeable that energy companies may proceed with construction in the future. Therefore, I urge DLCD to thoroughly evaluate the possibility of industrial energy development and take proactive measures to minimize adverse effects on Oregon's exceptional marine ecosystems, wildlife, and fisheries. While I recognize the imperative to transition away from fossil fuels to combat the climate crisis, it is imperative that this transition is executed responsibly. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon’s Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: -a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. -Use low-energy acoustic testing methods on surveys to reduce noise impacts -Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge

	habitats, and other sensitive habitats. -Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. -Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. -Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. -Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you, Gina Mayonado

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Submission ID: 9b6657f4-9b9a-43b7-b4d6-1f29634e3a9e

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 9:45:15 PM
Attachments: formsubmission.csv

First Name	Steven
Last Name	Miller
Email Address	slmiller4547@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	Please Select
	June 15, 2024 Dear Commission Chair Hallova and DLCD Commissioners, The floating offshore wind farms being designed and planned for waters off the southern Oregon coast are truly gargantuan industrial projects, using almost unbelievable quantities of steel, copper wiring, tethering and transmission cable, resins, and synthetic fibers. The engineering requirements engage some of the best engineers who are understandably thrilled to be setting the path onto a new frontier. But these energy producing giant projects will straddle and be anchored in an environment with already great existing uses and value for human civilization. There are large problems with this overlay and many of those problems have become more clear in the planning for floating offshore wind farms off the coast and research being done to gauge the impacts. Oregon's Dept. of Land Conservation and Development's authority extends across 3-miles of a Coastal Zone from the shoreline into the ocean---but proposed wind energy development presents problems that may manifest shoreward in the Coastal Zone, in Oregon estuaries and even watersheds---areas of DLCD authority and responsibility. As I understand it, the Oregon DLCD will review documents and permits submitted to it for proposed activities in federal waters beyond Oregon's 3-mile Coastal Zone and issue a federal consistency decision of whether an action can proceed, proceed with conditions, or an objection stating issuance of a federal permit may not proceed. One example of a concern that does not observe the effort to define authority and responsibility is the fact that the transmission cables bringing power shoreward from a wind farm will cross the Coastal Zone, bringing any associated impacts with it. Those could involve excavation to bury cables, scour produced by effects of waves or current on cables,

Comment	and the effect of electromagnetic fields (EMF) on crabs and fish. Also, in their life cycles, those organisms do not remain static, either in the Coastal Zone, or offshore, but move around, Studies have shown the ability to select migratory direction by anadromous fish, such as salmon and steelhead is affected by EMF emitted by transmission cables. Fish can be both attracted to or repelled by those fields, which can appear to cause them to avoid prime feeding areas where fields are generated. Commercially important crab species have been shown to be attracted to EMF, remaining sheltered close to sources of the fields and potentially less accessible to commercial catch efforts. Research on EMF affects is relatively new and more needs to be done for a more complete view of its impact on life forms in the vicinity of wind farms. With completion of a careful review of sufficient research results, a determination of the consistency of a wind farm's operation with Oregon Statewide Planning Goal 19 could be made. Another very new field of research is the effort to determine the effect of wind farms on the upwelling of deep, cold, nutrient-rich ocean waters toward the surface which enhance growth of small schooling fish which are the main food source of several commercially important species of fish. The Pacific coast upwelling phenomenon is strongest during the higher northwest winds of El Nino weather cycles and is associated with larger runs of salmon of especially desirable size and condition returning to Oregon watersheds. It's known that wind turbines convert wind energy to mechanical energy, which is converted to electrical energy. This extraction of energy from the wind slows the speed of the wind. How the cumulative affects of wind farms will impact ocean upwelling and fishery productivity is a pressing research question and after careful review of sufficient research results is complete, the consistency of a wind farm operation with Oregon's Goal 19 could be determined. Research in this field is evolving and will likely take some years and the collection and survey of much field data. Another issue of importance in relation to Land Use Goal 19 is the noise that floating offshore wind turbines produce. Noise produced by the turbines themselves and their moorings will generate noise year-round and the level of noise produced is corelated with wind speed. Studies have found that noise from wind farm operation will disrupt the awareness of various predators, causing stress and their movement away from prime feeding areas. Bird strikes by the blades of wind turbines has been a source of significant bird mortality since land-based wind installations were put in place. Wind farm placement offshore is expected to continue that record, with the migration of flocks of pelagic bird species such as gulls, terns, loons, and albatrosses being highly susceptible. The interesting and endangered marbled murrelet, a true pelagic species which uses not only offshore habitat, but nearshore, estuarine and forest habitats, will also be subject to risk of wind turbine mortality. Whale strikes by ships moving in shipping lanes offshore are a known problem. Whale avoidance of areas producing high levels of noise has been associated with changing whale migratory routes. Even background noise, has been shown to make it difficult for whales to navigate, communicate, or hear sounds produced by predator or prey. This will be amplified by the more than 20 different kinds of vessels

used to assess wind sites, and install and maintain wind farm infrastructure. These influences on migrating and resident whales could also have an economic impact on charter whale watching trips out of the Port of Coos Bay where I live, which is one more example of the many flow-over effects of major offshore developments in adjoining regions. One of my most compelling and great concerns appeared during attendance at a BOEM event Sept. 27, 2023 in Coos Bay attended by an overflow audience of area residents. Many commercial fishermen and family members attended this meeting, fully expecting to give testimony for the record on the damaging impact of the identified call areas in some of their traditionally most productive fishing grounds. Eventually it became clear that testimony would not be accepted in an open forum, but the crowd was encouraged to visit various stations in the room where BOEM employees would present their arguments for the accurate, careful selection of call area. The fishers, family members and others in the audience were shocked and as the regional BOEM Director prepared to close the meeting, pleas and demands for a hearing opportunity in the meeting that day were loudly called out by people who obviously felt their livelihoods were suffering and that federal officials were not going to listen. When the intense atmosphere eased somewhat, the Director said there would be an actual public hearing for the record in Brookings, a much smaller fishing community approx. 110 miles south of Coos Bay the next day and audience members would be welcome to attend. This raised tension in the room again. While I understood the BOEM employees at the meeting felt uncomfortable, the effect felt by most in attendance was having witnessed one of the most offensive snubs of public involvement they had ever seen by an agency of our government. To date, the BOEM web page announcing those coastal meetings does not describe the Brookings meeting as a hearing. There is also a sense among local tribes, particularly the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, that BOEM has not sufficiently taken their concerns into account. Specifically, BOEM is not recognizing the offshore, as well as nearshore impacts wind energy development will have as parts of a whole habitat producing their traditional anadromous salmon and steelhead food sources---together with habitat in the Coastal Zone, the Coos Bay estuary, and streams that are tributary to it. These are some of the shortcomings of a BOEM process that has seemed quite inconsistent with the Oregon Statewide Planning Goal #1 which, I feel, placed first in the list of 19 goals, stresses its importance in an Oregon land use planning process. To conclude, I urge the DLCD and DLCD Commission to carefully review the science available addressing my concerns and proceed with great caution where the science is not conclusive. Also, on questions where there is not sufficient science, I strongly urge the Commission to require that it be in-place before proceeding to a decision on consistency. My personal concerns referred to here include a small fraction of all those that have emerged around floating offshore wind development, but do reflect my experience working with, studying, and using some of the resources where wind farms have been proposed to locate. With an educational background in fisheries science at OSU I have worked in the commercial rearing and

	marketing of trout and salmon in Curry County and the two salmon ranches (now closed) that operated in Coos Bay in the 1970’s and1980’s. In that time my awareness of the complex relationships among the forms of life in the environment and the place of humanity as part of it has grown with my respect and wonder at it all. Yes, there is a need for additional, better sourced energy for human endeavor, but there should be no place for taking rushed, ill-considered steps that we or our descendants will regret. Sincerely, Steven Miller 1556 N. 20th St. Coos Bay, OR 97420 541-269-7727

Submission ID: 90c9a457-7b28-44f8-b05e-deb5b2d4f0dc

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 4:11:25 PM
Attachments: formsubmission.csv

First Name	Rob
Last Name	Taylor
Email Address	obetewic@msn.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	The DLCD should demand BOEM to forgo and stop this wind energy project by finding an exit ramp for the coast of Oregon. The Oregon Department of Land Conservation and Development should use every statute, policy, and code to make sure the corporations that plan on leasing these call areas from BOEM are living up to the standards set by the people in the state of Oregon. The DLCD has a responsibility to make sure BOEM and the leasing corporations have cooperated with ALL the “enforceable policies” required by the state, county, and cities of Oregon. DLCD must impose ALL those “enforceable policies” for the benefit of the citizens. The DLCD should demand an Environmental Impact Statement from the feds before proceeding further with this project. Here is a list of the “enforceable policies:” State Statute & Administrative Rule enforceable policies are selected from state statute chapters and administrative rules that help govern resources in the Coastal Zone. Statewide Planning Goal enforceable policies are selected directly from Goal language and the Territorial Sea Plan. North Coast: County and City enforceable policies are selected from local comprehensive plans and land use regulations. South Coast: County and City enforceable policies are selected from local comprehensive plans and land use regulations.

Submission ID: 5a77dd36-e461-4448-ba4e-5d87a09e78be

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 2:31:06 PM
Attachments: formsubmission.csv

First Name	Sara
Last Name	Simon-Behrnes
Email Address	sjsimon9@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my concern about the rapid pace of wind energy leasing off our coast. The health of our coastal and marine ecosystems is very important to me, and I'm worried about development happening too quickly without adequate plans to minimize impacts. While this current review focuses on pre-development activities, it's foreseeable that energy companies will eventually construct energy developments. Therefore, I urge DLCD to carefully consider the potential industrial energy development and strive to minimize impacts on Oregon's marine ecosystems, wildlife, and fisheries. We need to transition away from fossil fuels to address the climate crisis, but it must be done correctly. I ask DLCD to set firm conditions before approving BOEM's proposed leasing and associated activities off Oregon's coast. Please require BOEM to prepare a west-coast-wide environmental impact statement that includes a comprehensive cumulative impacts analysis. The Territorial Sea Plan Part 2 mandates an effects evaluation that should include analysis of cumulative effects of the proposed action combined with probable future projects. Ensure BOEM requires developers to follow best management practices to avoid harm to wildlife by: Having a qualified wildlife observer onboard vessels to record critical data. Traveling at speeds not exceeding 10 knots to minimize collision risks. Using low-energy acoustic testing methods on surveys to reduce noise impacts. Avoiding bottom contact with hard substrates, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive areas. Coordinating and planning for a single onshoring cable from each Wind Energy Area to minimize cable impacts. Conducting robust baseline wildlife surveys to monitor and understand changes, with attention to endangered species

	and Oregon Conservation Strategy Species. Engaging in meaningful consultation with Tribes, Oregon natural resource agencies and commissions, and local communities. Adding conservation bid credits to the Proposed Sale Auction to help fund an independent science entity that can review wildlife science generated by development companies. Thank you for considering my comments. Best regards,

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Submission ID: e1b4bbb4-f85a-4d7e-aab6-4a04b73914c5

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 10:46:43 AM
Attachments: formsubmission.csv

First Name	Carol
Last Name	Wagner
Email Address	carol@craftedbycarol.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Wind is free and it doesn't pollute!

Submission ID: 183f627c-6114-47f1-ac10-419989cf94ca

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 10:34:04 AM
Attachments: formsubmission.csv

First Name	David
Last Name	Bjorkman
Email Address	bjorkman021456@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Wind generated electricity is simply a much needed entity in order to better deal with global climate change.

Submission ID: c83e5d6a-895d-4be1-a3bb-6286d2086864

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 10:31:49 AM
Attachments: formsubmission.csv

First Name	jan
Last Name	nelson
Email Address	nellie.jan@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Planet Money (npr program, 5-24-2023). "GREEN ENERGY GRIDLOCK" https://www.npr.org/transcripts/1176462647 clip from the NPR PLANET MONEY PROGRAM (after building the wind turbines) "FOUNTAIN: The problem is it's been taking years to run these studies and tell people whether their wind or solar farm is allowed to connect to the grid. And it's not just SPP. There are other interconnection queues for other parts of the country. They're all overwhelmed." developers are lobbying us in Oregon to "cooperate" with plans for offshore wind generators. I find plenty of reasons to oppose wind generators especially those sited off shore. "Wind turbines, which contributed more than 9% of U.S. electricity in 2021, last roughly 20 to 25 years before they must be replaced, according to the Energy Information Administration." https://windexchange.energy.gov/end-of-service-guide then we have the conditions of the ocean site interfering with sea life - from the ocean floor- up through the water column - to avian species overhead. all impacted negatively with construction equipment, construction noise and fossil fuel exhaust and garbage for weeks and months depending on weather. then electricity carrying cables must be laid, maintained and sited on land with related construction through sensitive shoreline ecosystems. https://www.scientificamerican.com/article/how-to-build-an-offshore-wind-farm/ even in their short lifespan, regular maintenance and replacement parts and finally decommissioning and removal will require equipment and workers to visit the site and continue the disturbance. consider the materials that had to be mined, transported, refined and manufactured into steel parts and turbines, transported and assembled all using fossil fuels and existing electricity and finally removed somewhere. is this really clean energy??? jan nelson

Submission ID: 60e0cf25-4834-48e4-ab2f-dd2566c963c1

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 10:31:08 AM
Attachments: formsubmission.csv

First Name	Ann
Last Name	Watters RPE
Email Address	twofivestars@comcast.net
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Polarity Center of Salem/ Owner and CEO
Comment	Be responsible!

Submission ID: 483d3eeb-d58f-4fc2-8751-238186038cc3

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 10:27:29 AM
Attachments: formsubmission.csv

First Name	Steven
Last Name	Bruckner
Email Address	sbruckner615@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Offshore Wind is emissions free, is plentiful, operates around-the-clock and will benefit the people who live in the coastal communities that construct and service the wind generators. They turbines will be far enough off-shore that they won't be visually offensive. Oregon has burnt coal for most of its power generation needs for many decades. ENOUGH!!! The wind is free unlike other fuels.

Submission ID: 4efca7ea-b9d5-49bb-93fe-8871bbca3b7f

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 3:12:07 PM
Attachments: formsubmission.csv

First Name	Andrew
Last Name	Simrin
Email Address	marioman3@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am a lifelong Oregonian and have grown up going fishing off the coast of Oregon, near these proposed areas for development. We need to keep up with community engagement consistent with state planning goals. We need to protect marine animals like ESA protected resident orcas and migratory birds with mitigations such as speed reductions for vessels. We should also ensure robust environmental assessments. Tribes are sovereign nations and must be treated as such in evaluating and determining the potential areas for offshore wind development. Thank you.

Submission ID: 2c65a18b-1145-4cff-a33f-b2b0652a5fac

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 9:30:24 AM
Attachments: formsubmission.csv

First Name	Pamela
Last Name	Clark
Email Address	pgcclark@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my concern about the wind energy leasing occurring off our coast. The health of our coastal and marine ecosystems and wildlife is important to me and there should be a plan to minimize impacts as best as we can. It's critical that all offshore wind development be done in accordance with Oregon state laws — specifically, our laws that protect wildlife and habitat. Although the current review is focused on pre-development activities, a foreseeable consequence is energy companies will eventually construct energy developments. I want DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done with attention to environmental impacts. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast, such as the following: - Require BOEM to prepare a west-coast-wide environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. - Ensure BOEM requires developers to follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: -That a qualified wildlife observer be onboard any vessels to record critical data - That vessels travel at speeds not exceeding 10 knots to minimize the risk of collisions. - Use low-energy acoustic testing methods on surveys to reduce noise impacts - Avoid bottom contact with hard substrate, rock

	outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats. - Coordinate and plan for a single on-shoring cable from each Wind Energy Areas to minimize impacts from cables. - Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. - Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. - Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment.

Submission ID: d5b5411d-bc62-4f69-9d7e-5e9a5e8025d5

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 8:02:44 AM
Attachments: formsubmission.csv

First Name	Beverly
Last Name	Hawk
Email Address	Bevhawk777@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	This "Type" of "Wind Power Appliance" (in the picture), has been used in various areas and it is "Detrimental" and does "Kill Birds" because the "Blades" used were all "White"- The "Blades" need to have "Black" paint at least on "One Blade" so Birds can "see" and not fly into the Blades. Studies have been done by "PacifiCorp" on "Wind Turbines" about painting at least "one" Blade Black and the affect on Seagulls, all Birds. A 72 Percent Decline in Bird Fatalities by painting 1 Blade-Black.

Submission ID: fe055c19-92f6-451a-8266-c49d010711c0

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 13, 2024 12:18:41 AM
Attachments: formsubmission.csv

First Name	Joel
Last Name	Nista
Email Address	Twoforbreakfast800@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	It is our present and future. We need to use the off shore wind for energy.

Submission ID: c90fe9b5-7e68-4dd8-9ca6-b9a2274a756d

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 9:20:23 PM
Attachments: formsubmission.csv

First Name	Travis
Last Name	London
Email Address	Travis.london88@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Offshore wind development along the Oregon coast would pose significant and irreparable environmental and social impacts to the region. The impacts are many, a few of which I mention and strongly encourage the state to take a greater review and opposition to. Firstly, the proposed lease area activities do not comply with local, state, and federal policies that impact Oregon's Coastal Zone Management Act program criteria, which provides the basis for protecting, restoring, and responsibly developing our diverse coastal communities and resources. Under Oregon statewide goal planning, "Goal 5" begins with an inventory of its resources. Resource sites should be assessed and significant sites should be protected. The areas planned for OSW would devastate sensitive marine ecology, fisheries that coastal communities depend on and areas of cultural significance for regional tribes. Potencial plans would include increased vessel traffic, disturbance of sensitive marine ecology including the affects of upwelling, and contribute to plastic pollution and increase the potential for oil spills and other catastrophes that our region is not prepared for. Given that Statewide Planning Goal 19 addresses matters related to open ocean resources and aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf," it seem obvious that these actions are inconsistent. Lastly, I'll mention the fact that tribes are sovereign nations and must be treated as such in evaluating and determining the potential areas for offshore wind development. The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians have voiced their concerns about the current WEAs and meaningful Tribal engagement. BOEM's engagement has amounted to listening to the Tribe's concerns and ignoring them and providing promises that they

	may be dealt with at some later stage of the process. This is unacceptable and requires immediate remediation.

Submission ID: 4ca39a81-1d38-42d2-9af0-f5d46e1ca02a

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 8:46:34 PM
Attachments: formsubmission.csv

First Name	Edward
Last Name	Wolfe
Email Address	zagsfan@aol.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I write in support of your environmental assessment of offshore wind farm area leasing. After spending a month in Ireland, England, Scotland and then time along the Eastern seaboard of the US, I am appalled at how far behind the United States is in developing wind energy sources. We have FAR more coastline available than small countries like the UK., The Netherlands and others and yet have only produced a handful of wind generating machines, with virtually nothing along the West coast. I am further dismayed when I think of the pitiful uninformed whining arguments against offshore wind projects by fishermen, tribal organizations and residents frightened by the prospect of losing their view of the Pacific ocean. I am ashamed to learn what a sheltered, limited view Americans have of projects of this magnitude. We need to get moving on this - I don't know where coastal residents think their electricity will come from in ten, twenty or so years, but it won't be available from current coal- and oil-burning sources. We need to think ahead! I do have one concern - the Cascadia fault is a looming issue, one that absolutely needs to be taken into account when siting, anchoring and building these big wind plants in the ocean. I do not see this issue addressed specifically in any of the announcements I have seen from BOEM so far, and I do expect that a team will be brought in to study this specific issue. I do know that tectonic movement is one of the main considerations when siting windmills along the Irish and English coastlines, even though their area is not a geologic threat. I would like to be reassured that at least the same level of interest will be shown in the environmental studies planned for these Pacific areas as it has been for Northern Europe. I also urge the planners to take advantage of unusual sources of knowledge and labor in the coming environmental study

	period. For example, there is an excellent pool of technical skill and knowledge available through institutions such as Oregon State University's marine biology studies program. There are, I am certain, several doctorate candidates and post-doctoral students who would love to design and/or execute some of the required monitoring and measuring work required. Autonomous underwater vehicle design has progressed at a rapid rate in the last five years, now to the point where data collection knows practically no depth restriction and returns an unprecedented amount of detailed data. Make use of these institutions! They are just itching to get into the game.

Submission ID: 6de44e68-ff1f-4c75-a673-e86e0c089e61

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 6:35:34 PM
Attachments: formsubmission.csv

First Name	Ann
Last Name	Tiedeman
Email Address	tiedemanpdx@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	BOEM must require developers follow best management practices to avoid harm to wildlife, fish and habitats in accordance with Statewide Goals and the Territorial Sea Plan by requiring: Robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Assign qualified wildlife observers to vessels to record critical wildlife impact data. Limit vessel travel to speeds not exceeding 10 knots to minimize the risk of collisions with wildlife. Use low-energy acoustic testing methods for surveys to reduce noise impacts Avoid bottom contact with hard substrate, rocky reefs, seamounts, deep-sea coral, sponge aggregations, and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities.

Submission ID: a69fa45f-969a-4bb7-a579-4ff84750afd4

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 6:20:24 PM
Attachments: formsubmission.csv

First Name	Kristin
Last Name	Bayans
Email Address	kbayans@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	As a former Marine Program Coordinator for Cape Falcon Marine Reserve and environmental educator, I am urging BOEM to prioritize community involvement by increasing the Community Benefit Agreement Bid Credits and Workforce Development Credits. It is crucial to add a Conservation Bid credit, respect tribal sovereignty, and truly commit to meaningful engagement. Moreover, I strongly advocate for the protection of marine resources and ecosystems through a comprehensive assessment of the combined ecological impacts of all the wind energy areas along the West Coast, taking into account the entire offshore wind project process, from leasing to construction. Mandatory measures should include requirements for mitigating conditions for migratory species, marine wildlife protection, and monitoring, as well as the enforcement of surveys to limit vessel speed to 10 knots, the use of low-energy equipment to minimize disturbance, and the prohibition of any bottom contact in benthic environments. Thank you for your attention to these crucial concerns.

Submission ID: 5a0f77a4-feb3-4c6d-a25f-1aeb476be2ef

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 6:13:31 PM
Attachments: formsubmission.csv

First Name	Bill
Last Name	Nolan
Email Address	nolanw817@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Make sure you uncover All of the downsides to this project before making a decision even if it takes 10 years and then uncover what it would cost to remove the windmills if you decide the whole thing was a mistake a year later. Look at all costs.

Submission ID: e0771b4f-0059-4370-af86-75eb476849f2

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 6:09:30 PM
Attachments: formsubmission.csv

First Name	Kristin
Last Name	Bayans
Email Address	kbayans@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	As someone deeply invested in Oregon's coastal environment and a former Marine Program Coordinator for Cape Falcon Marine Reserve, I am writing to express my urgent concern regarding the pace of the current process. While I am supportive of the shift away from fossil fuels, it is essential that this transition is approached in a thoughtful and respectful manner, taking into account the well-being of the ocean environment, its inhabitants, and the cultural impact. I am urging the BOEM to take the necessary steps to require a comprehensive, west-coast-wide programmatic environmental impact statement with a thorough cumulative impacts analysis as a condition for lease approval. I request that the BOEM mandates developers to strictly adhere to best management practices to safeguard wildlife, in alignment with Statewide Goal 19 and the Territorial Sea Plan, by: - Having a qualified wildlife observer on board any vessels to collect critical data and ensuring that they adhere to speeds not exceeding 10 knots to minimize the risk of collisions. - Employing low-energy acoustic testing methods during surveys to mitigate noise impacts. - Avoiding bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive areas. - Strategically planning for a single onshore cable from each Wind Energy Area to minimize the impact from cables. - Carrying out comprehensive baseline surveys for wildlife so that potential changes can be monitored and understood in the future, with a particular focus on endangered species and Oregon Conservation Strategy Species. - Actively engaging in meaningful consultation with Tribes, Oregon natural resource agencies and commissions, and local communities. - Including conservation bid credits in the Proposed Sale Auction to establish funding for an independent science entity, which

	would provide critical independent review of the wildlife science generated by development companies. Thank you for your consideration of these vital requests.

Submission ID: 05805d9c-29fd-43d0-b86c-7328574f2be1

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 4:17:46 PM
Attachments: formsubmission.csv

First Name	Ken
Last Name	Bonetti
Email Address	kenecon2004@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
	June 10, 2024 Dear DLDC: My name is Ken Bonetti, a North Bend, Oregon homeowner, environmentally concerned citizen and recreational user along Coos Bay and the Oregon Coast. I am writing in regard to the Coastal Federal Consistency Review. I write to state that I fully agree that the priorities listed below are necessary to ensure the accuracy and adequacy of the Consistency Review. 1. Improve the community engagement process: DLCD should direct BOEM to learn from what has worked through the state-level engagement process to increase accessibility, education, and meaningful consultation with impacted communities. Too often large development projects are presented in a way that suggests such projects are all but a done deal. Rather, there first must be an inclusive and adequate public engagement process that is consistent with Land Use Goal #1. 2. Augment the Community Benefit Agreement Bid Credits and Workforce Development Credits per BOEM's Proposed Sale Notice and Statewide Planning Goal #1 to: a. Address housing needs in South Coast communities through Bid Credits. b. Develop terms and conditions for developers to follow in the next steps of the offshore wind development process c. Clarify the process for developing Community Benefits Agreements to make it more accessible to impacted communities, and clarify with whom BOEM can enter Community Benefit Agreements. 3. Add a Conservation Bid Credit per Statewide Planning Goal #1: Very important. Lessees should be required to specify plans for adaptive management strategies based on their monitoring outcomes. Actions must be taken to reduce future impacts on wildlife and the ocean ecosystem. 4. Respect Tribal Sovereignty and Commit to Meaningful Engagement: The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians have already commented on

Comment	this aspect and not favorably. It seems that the federal government hears the tribes, but doesn't seem to listen, much less act on their concerns. 5. Especially Important. Protect Marine Resources and Ecosystems Per Land Use Goal 19: a. Require a comprehensive environmental review and cumulative impacts assessment as a condition for lease approval: Direct BOEM to assess the combined ecological impacts of all of the wind energy areas along the West Coast, which considers the whole offshore wind project process (from leasing to construction). b. Require mitigation conditions for migratory species that may move through the proposed WEAs: This may include (but not limited to) birds, fish and marine mammals. c. Require Marine Wildlife Protection and Monitoring Measures, including vessel speed reduction, stopping assessments when entanglement is probable, and requiring a marine mammal observer on board as a condition for approval. d. Require surveyors to reduce vessel speed to 10 knots to reduce risk and to require mitigation and monitoring of marine mammals during survey activities. 6. Mitigate Geotechnical Impacts & Benthic Habitat Impacts in Reference to Goal 19 and ORS 496.012: Require lessees to mitigate impacts from Geotechnical surveys to sensitive benthic and rocky reef habitats by: a. Requiring lessees to use low-energy equipment to conduct their surveys of nearby deep-sea coral, sponges, etc. b. Encouraging lessees to collaborate on surveys to reduce disturbance frequency and extent c. Requiring no bottom contact with hard substrate, rock outcroppings, sea-mounts, deep sea coral and sponge habitat, and require a buffer around these sensitive benthic habitats 7. Update Enforceable Policies and Comprehensive Plans: DLCD should work with coastal and inland communities, including providing financial assistance, to update local comprehensive plans that address the future need to evaluate proposals for offshore wind development that may include port development and transmission line upgrades. 8. Ensure Energy Resilience for Coastal Communities: If offshore wind is developed on the Oregon Coast, it must increase energy resiliency for coastal communities. Generating energy off the coast through offshore wind has the potential to increase the reliability and resilience of energy in coastal communities. Associated transmission line upgrades should prioritize resourcing coastal communities with more resilient energy infrastructure. 9. Ensure Energy Affordability: South Coast communities have some of the highest energy burden in the state, meaning they spend a higher percentage of their income on utility bills. The state should protect coastal Oregonians from rate increases as the electric grid transitions away from fossil fuels 10. Protect the Oregon Coast from Climate Impacts, Without Replicating the Harms of the Fossil Fuel Industry: The Oregon coast is already facing the adverse impacts of climate change, including wildfires, increased temperatures, flooding, ocean acidification and more. Oregon has a goal to achieve 100% clean energy by 2040 and offshore wind energy could help meet that goal. Transitioning Oregon away from fossil fuels is essential. As Oregon transitions away from fossil fuels, it is essential that renewable energy development does not replicate the harms of the fossil fuel industry. In conclusion, it is clear that there are myriad unanswered questions concerning the many potential impacts of OSW development

	on natural environments, stakeholders and local communities. It is also clear that U.S. Administration is zealously pursuing this complex and massive technology though it has not been adequately evaluated regarding a variety of potential impacts. Many are concerned that the Administration and wind energy developers may not fully address important questions that many of us feel must be given clear and comprehensive answers before the project moves forward. Many of us are extremely concerned that the project will be pushed ahead without sufficient efforts to inform and effectively engage the public, or benefit from the knowledge, experience and values that exist in this state and among coastal communities and stakeholders. Many of us are counting on the DLCD to fill the gap between BOEM and the public in order to help protect the interests of Oregon’s citizens and above all to preserve and protect our vulnerable environment. Thank you in advance.

Submission ID: aa0900a0-1448-47b1-885e-10461d8417b4

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 3:01:04 PM
Attachments: formsubmission.csv

First Name	Phyllis
Last Name	Thompson
Email Address	peatea0@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	WITHOUT HEALTHY ECOSYSTEMS, NO HUMANS. WITHOUT HUMANS, NO NEED FOR ELECTRICITY. I am sorry that BOEM seems to be rushing into plans to allow wind turbines in turbulent Eastern Pacific waters. I have lived and worked on small boats along North America's coast and know how invasive such structures can be for marine animals (including humans). Also, NOAA's bathymetric map of the Oregon coast (noaa_bathy) shows how inappropriate much of the sea floor is for such turbines, compared to shallower and more protected areas like California's Channel Islands and the Denmark/Sweden Kattegat Strait. I have read a summary of the Bird Alliance of Oregon's suggestions for STRICT AND CAREFUL MONITORING OF EXPLORATORY STAGES before any turbine permits are granted, and I agree with all their points. In particular, I hope BOEM will REQUIRE QUALIFIED, INDEPENDENT OBSERVERS involved in all data collection for pre-development surveys. Such surveys in themselves can be destructive of marine ecosystems and disruptive for people and animals who rely on the ocean. In addition, I support Bird Alliance of Oregon's following suggestions: • BOEM should be required to prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. • Developers must follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan, including: • Any vessels recording critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions and disturbance of animals and ocean features. • Use low-energy acoustic testing methods on surveys to reduce noise impacts. • Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea

	coral, sponge habitats, and other sensitive habitats. • Coordinate and plan for a single onshoring cable from each Wind Energy Area to minimize impacts from cables. • Conduct robust baseline surveys for wildlife so that—should construction someday proceed— we will be able to monitor and understand changes. • Engage in meaningful consultation with Tribes, Oregon natural resource agencies and commissions, and local communities. • Consider adding conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. As we know from Lake Powell's effect on the Grand Canyon and the loss of human homes and salmon resources that accompanied building Columbia River dams, generating electric power can be as environmentally destructive as developing oil and coal. BOEM and other agencies involved in deciding whether we should allow wind turbines must undertake to VALUE WHAT WE CURRENTLY HAVE IN THE OCEAN OFFSHORE OREGON compared to whatever value is placed on electricity. WITHOUT HEALTHY ECOSYSTEMS, NO HUMANS. Without humans, why do we need electricity?

Submission ID: 8687153c-d424-4166-bc7f-fe46df40d27d

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 4:16:52 PM
Attachments: formsubmission.csv

First Name	Donna
Last Name	Bonetti
Email Address	donnambirdlady@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am opposed to the current planned offshore floating wind power project near Coos Bay. I do think our country needs to switch to more renewable power generation including more solar, wind and geothermal power, but after looking at what is proposed off the Oregon Coast I have several concerns. The proposed wind power project is massive in scale and floating due to the deep ocean floors in this area. The turbines are so large that our water channels would need to be dredged deeper than they are and a port built to accommodate the ships needed to carry the turbines to the site of the project. This would cause long term environmental damage to the Coos Bay Estuary. Even the cables and transmission structures are huge and untested in our deep ocean environment. We are also in an area prone to earthquakes and it is unclear how a large earthquake would affect the proposed infrastructure and its surrounding environment. It is not known how this project would affect migrating whales, fisheries, bird migrations and other ocean life. If this project goes forward all the environmental impacts must be fully studied. Impacts on the effects to our local commercial and recreational fisheries must also be fully studied I do support land based wind power provided that turbines are sited away from avian migration pathways. I would also like to see solar power expanded onto the rooftops of every school, hospital, public building, all home rooftops that can support them and covered parking structures. I have also noted that our local Native American tribes are in opposition to this project and most of the local residents I know in my community.

Submission ID: 79f19ac7-3963-4dbf-be47-b527991acdb1

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 4:11:54 PM
Attachments: formsubmission.csv

First Name	Lyn
Last Name	Smith
Email Address	dandee48@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Voting no for offshore wind. Do not feel it will be healthy for ocean life and will probably decrease tourism.

Submission ID: 9feabcf2-f0d7-4318-bf08-918ad68c25c4

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 3:36:40 PM
Attachments: formsubmission.csv

First Name	David
Last Name	Millenheft
Email Address	Damhotpepper@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	This should not be approved off the coast, vote no to any offshore wind projects.

Submission ID: e5ff9ddc-e041-4b4c-824e-587c93c69066

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 3:36:13 PM
Attachments: formsubmission.csv

First Name	bruce
Last Name	seymour
Email Address	bruceseymoir65@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Please protect our wildlife!!!

Submission ID: 81229901-192f-4088-b682-7da72865eb84

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 9:14:43 PM
Attachments: formsubmission.csv

First Name	Kirsten
Last Name	Barquist
Email Address	glia639@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Introduction In 1969, I lived in Santa Barbara, California and witnessed the infamous oil spill from one of the derricks in the Santa Barbara Channel. During my entire childhood when I looked at the Pacific Ocean, I also got an eyeful of these ugly drilling rigs. As a result of this experience, I became an environmentalist (like many of my generation) committed to developing non-fossil energy and ending the use of fossil fuels. While in general I support ocean energy generation, I oppose offshore windmills. Oil and water do not mix; neither do water and windmills. Policy-related comments Issue: marine mammal protection Policy reference: Oregon State Planning Goal #19 Comment: It has been said that a deaf whale is a dead whale. To protect marine mammals' hearing and ability to use echo-location to forage, prohibit the use of sound wave generation equipment operating in the hearing range of resident marine mammals. Require all offshore operations to cease during whale migration season. Issue: electric grid and electricity distribution infrastructure Policy reference: Community Benefit Agreement in Statewide Planning Goal #1 Comment: A) Include a plan to upgrade to the local and regional electrical grid to a "smart grid" and burying the power transmission lines. The aerial power lines are difficult to maintain, dangerous, and seriously ugly. Having had the experience of fleeing from two Northern California wildfires caused by aerial electric power lines, I feel this conversion is overdue and in everybody's best interest. B) Ensure that Oregon and its coastal communities get priority access to any electrical power generated by offshore windmills or any other offshore technology. Issue: aesthetic concerns Policy reference: Oregon DLCD Environmental Assessment Comment: Oil drilling derricks are ugly and so are windmills. Having these windmill rigs

	installed off of Oregon’s beautiful shore will harm our vital tourism and recreational economic sectors.

Submission ID: ff770a49-d01e-4950-a375-76aca5f2e78a

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 12:11:45 PM
Attachments: formsubmission.csv

First Name	Vivian
Last Name	Lentz
Email Address	vivlentz@msn.co
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am very much opposed to this project as I do NOT feel that adequate research has been don on the effects of endangered species!

Submission ID: 95d4fd9e-ab0e-4af1-a177-e76219cdbd0d

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 12, 2024 7:51:26 AM
Attachments: formsubmission.csv

First Name	Pat
Last Name	Blue Heron
Email Address	patblueheron@msn.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	
Comment	Please do wind development according to the law. Actually do,ar is better for the birds.

Submission ID: f228a1e3-1924-40a8-a697-465fd11489e4

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 11:40:56 PM
Attachments: formsubmission.csv

First Name	Neena
Last Name	Petersen
Email Address	petersen.neena@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects.

Submission ID: bc2ce9cd-999e-4538-97a2-83193ba0ea57

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 6:42:47 PM
Attachments: formsubmission.csv

First Name	Elizabeth
Last Name	Collins
Email Address	Circle2Square@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats,

	and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment.

Submission ID: f0f38531-f785-4bde-80c6-eb434e324378

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 5:28:41 PM
Attachments: formsubmission.csv

First Name	Carol
Last Name	Moore
Email Address	carol_m_moore@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I have significant concerns about the rapid pace of wind energy leasing off our coast. As a resident of Oregon, our coastal health is critical to me and my family. In fact, one of the reasons I brought my family to Oregon decades ago was because of the unique marine ecology and our pristine coastline. While I strongly support the implementation of sustainable alternatives to fossil fuels and understand the climate crisis to be the existential issue facing our state today, the development of wind energy off our coastline is proceeding at a rapid pace which does not allow adequate consideration of all of the potentially adverse impacts to marine ecosystems. As brought to my attention by the Bird Alliance of Oregon, of which I am a member, I understand that the current consistency review is focused on pre-development activities. However, it is to be expected that this may result in energy companies seeking to develop based on this review. It is essential that DLCD consider the ramifications of industrial energy development and take strong measures to minimize impacts to Oregon's unique and irreplaceable marine habitat, wildlife, and fisheries, as well as the economies that depend on these. I strongly urge DLCD to set firm parameters before giving approval to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Along with other Oregonians and members of the Bird Alliance of Oregon, I am asking that DLCD require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects Specifically: Please ensure BOEM requires developers

	follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: 1. A qualified wildlife observer be onboard any vessels to record critical data and to travel at speeds not exceeding 10 knots to minimize the risk of collisions. 2. Use low-energy acoustic testing methods on surveys to reduce noise impacts 3. Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats. 4. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. 5. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. 6. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. 7. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering these important criteria, and thank you for serving Oregonians.

Submission ID: c7118a7d-4cc9-4171-85f1-fc4506bf2844

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 2:58:28 PM
Attachments: formsubmission.csv

First Name	Adam
Last Name	Logan
Email Address	adamlogan@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	If this plan goes through to build these wind turbines, please ensure that they are not a danger to birds or other wildlife.

Submission ID: 11b2ab23-9812-4493-8ac0-860f5ae03cce

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 4:43:14 PM
Attachments: formsubmission.csv

First Name	Heidi
Last Name	Hart-Zorin
Email Address	heidihartzorin@comcast.net
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats,

	and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment.

Submission ID: 59e8c078-e3bd-4fdd-9a57-d70e1580f785

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 4:22:04 PM
Attachments: formsubmission.csv

First Name	Stu
Last Name	strom
Email Address	portman47@hotmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Stop this off shore wind turbines in oregon!!! We don't need it.. It will kill birds - fish - whales and other things. Keep the pristine look. If we need more energy just put in more solar panels or some other non killing money grabbing thing... Green is not to destroy it is to help!!!!

Submission ID: c1b75c74-ac77-4e7e-9a2a-4933ccf88d31

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 4:12:47 PM
Attachments: formsubmission.csv

First Name	Susie
Last Name	Stevens
Email Address	susieps2@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats,

	and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment. Susie Stevens Florence

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Submission ID: 22d7ab9d-9f39-47fa-b8a4-dbb70db7f3a2

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 11:28:31 AM
Attachments: formsubmission.csv

First Name	Jeanie
Last Name	Taylor
Email Address	gophers@fastmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I am in favor of wind power in Oregon as long as it is built with wildlife protection in mind, from the beginning. I urge you to consider the current report from BOEM and make sure that right now certain wildlife safeguards are required before going forward. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: 1) a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. 2) Use low-energy acoustic testing methods on surveys to reduce noise impacts 3) Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats. 4) Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. 5) Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. 6) Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. 7) Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be

	generated by development companies. Thank you for considering my comment.

Submission ID: ef52ed17-5e64-4996-a770-bfaa524e729f

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 11:06:55 AM
Attachments: formsubmission.csv

First Name	Briana
Last Name	Knez
Email Address	brianametta@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment.

Submission ID: a506722e-39ee-46af-b346-3ee746a68201

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 5:05:57 PM
Attachments: formsubmission.csv

First Name	Natalie
Last Name	Ranker
Email Address	nattim7072@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Rogue Climate, supporter
Comment	The Offshore Wind Energy leasing program for the sstate of Oregon is lacking in so many aspects. Much more study needs to be done in so many areas, such as 1 - The damage caused by anchoring cables that will affect the ocean floor and the species that live there. 2- Damage to so many species of birds, endangered and otherwise, caused by the rotating blades. 3 - The dispersing of harmful and toxic fluids that will enter the ocean waters if towers are damaged. 4 - How the towers and their placement will affect marine mammals and species of fish. 5 - How restrictions around the wind leasing area s will affect the local fishing industry. These are just a few problems that will be encountered before power will even reach the shore. The Oregon coastal communities will meet many more once this occurs. It should also be pointed out that these communities will reap next to no benefits from this whole project. How will the transmission lines connect to the grid, and where will the power go? Can we expect landowners to have their property taken over in a similar manner to that which Jordan Cove LNG planned for these transmission lines to take the power inland to its destination? How will this program affect the tourism in this area, which is so important to our economy? Until these and so many other issues are solved, no leases should be granted. Otherwise, this will just exacerbate the existing problems.

Submission ID: de7f9161-1017-45ba-9229-a8b060cba3d6

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 11:04:41 AM
Attachments: formsubmission.csv

First Name	Stu
Last Name	Garrett
Email Address	garrettbend@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects.

Submission ID: 99116f0b-4894-4e6f-89bc-9e64c90508d8

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 10:57:44 AM
Attachments: formsubmission.csv

First Name	Chris
Last Name	Dodge
Email Address	artfuldodge2@hotmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I'm commenting in regards to the wind energy leasing occurring off our coast. The health of our coastal and marine ecosystems and wildlife is important and I am concerned that the development is moving too fast without a plan to minimize the environmental impacts. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. As such, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: - a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. - Use low-energy acoustic testing methods on surveys to reduce noise impacts - Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats. - Coordinate and plan for a single

	onshoring cable from each Wind Energy Areas to minimize impacts from cables. - Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. - Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. - Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering these concerns and taking this seriously.

Submission ID: abd937a5-3edf-4ac8-9e29-0240aa2c5912

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 11, 2024 7:56:45 AM
Attachments: formsubmission.csv

First Name	Tyrell
Last Name	Hillebrand
Email Address	thillebrand@cencoast.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Central Lincoln PUD - Electric Utility Provider for 110 miles of the Oregon Coast
Comment	Thank you for holding the listening session in Newport on June 7th. We learned about this session from reading Rep Gomberg's weekly email blog that he sends to constituents. Much like the comments made at the meeting about the local fishing fleet not being in attendance, we almost missed attending this meeting as well, as none of our staff had received a notice regarding the meeting. Central Lincoln is proud to provide our customers with power that is 97% carbon-free at the reliable and affordable rate of 8.06 cents per kilowatt hour. The wholesale rate at which we purchase power from BPA is lower than that. Estimates range for wholesale power cost from offshore wind anywhere from 12 to 63 (the 63 was shared at the meeting) cents per kilowatt hour. Without substantial long-term subsidies from the state or federal government, offshore wind is not financially feasible. If the estimates end up being as high as 63 cents per kilowatt hour, that is well beyond the highest retail rates in our nation. No customer would be willing to pay that much for power. The development of three gigawatts of offshore wind will require substantial transmission investments and buildout to allow for the delivery of offshore wind-generated power. As an example, Central Lincoln is currently in the final construction phase to build 3.5 miles of new 69kV transmission east of Newport. That project started in 2006 and is planned to be energized in September 2024. It took 18 years to complete all the permitting, surveying, easements, design, procurement, and construction for transmission for this simple and straightforward project. Our understanding of the transmission requirements that would be needed to facilitate offshore wind will be much more complex and will require a substantial amount of investment in time and money before the grid can take delivery from new offshore wind generation. The 2030

	target that has been set is not realistic. The existing transmission facilities don't have the capacity and there is no serious planning taking place to upgrade and pay for the transmission facilities needed to facilitate offshore wind development.

Submission ID: 583459f6-718d-46c1-a46c-951d5701ff8b

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 7, 2024 2:55:26 PM
Attachments: formsubmission.csv

First Name	Karol
Last Name	Simas
Email Address	surfsimas@gmal.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, As a resident of the South Coast, I am extremely concerned about the fast pace of wind energy leasing and the incremental process that does not take a big picture look at cumulative impacts until the very end. I care deeply about our coastal and marine ecosystems and wildlife, and am concerned that BOEM is rushing to advance is program without understanding the unique attributes of the west-coast wide California Current ecosystem and of Oregon's cherished coast. One of the few extremely productive ocean areas on planet earth. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon’s Coast.

Submission ID: 911ec4c1-65e3-403c-806a-aecbb8e3803c

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 2:40:48 PM
Attachments: formsubmission.csv

First Name	Fran
Last Name	Recht
Email Address	franrecht@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I believe that Oregon Territorial Sea Plan 2 in regards to Making Resource Decisions may provide an opening for DLCD to require, through its consistency evaluation, the evaluation of alternatives to the proposed action so as to avoid the impacts to ocean resources. A.2. d (Effects Evaluation: Purpose & Content), item d. requires "Feasible alternatives to achieve the purpose or objective of the proposed action". While BOEM might want to define its purpose and need narrowly-- i.e. as producing wind energy, the paradigm must be shifted: the objective for Oregon (and the nation) is to create (and hopefully store) clean energy from renewable sources with as minimal environmental effects to resources, communities and oceanographic processes. The "no-action" alternative for BOEM-- is one of its possible actions. Oregon could push through its consistency evaluation, for an alternatives analysis of other clean energy options to produce the desired amount of energy-- or have Oregon State Energy Strategy Discussion provide such an analysis. Thank you

Submission ID: 9618836b-854a-4f61-81a6-c5a4ab293f74

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 7, 2024 11:50:56 AM
Attachments: formsubmission.csv

First Name	Deborah
Last Name	Foley
Email Address	Debbieann1111@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Just no,no,no, no and no! And YOU know it! There has been so much shared just that I've read , let alone what you must have access to, to show how implementing this into our ecological environment for all species, is a horrendous idea. The forethinking on this one is really a no brainer. Stop it before it gathers up anymore speed.

Submission ID: 5af9d98d-7237-46cc-93c7-4b4c94721310

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 6, 2024 3:47:11 PM
Attachments: formsubmission.csv

First Name	Katy
Last Name	Eymann
Email Address	keymann@climateclean.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	A substantial amount of the income from leases of offshore areas should be funneled to the local communities. I understand that this may not happen and is unacceptable to me.

Submission ID: 8db6090b-faaa-45cd-bc21-b366eb2fef86

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, June 6, 2024 1:22:28 PM
Attachments: formsubmission.csv

First Name	Raymond
Last Name	Simon
Email Address	randdsimon@outlook.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	OCMP should oppose BOEM's proposal to move forward to the leasing stage. 1. Oregon should not allow its coast or cities to be subjected to the substantial risks of a "first of its kind wind farm." It is fact that the combination of "floating" and "the depth" would be a first. BOEM should present a more convincing, high probability, position that offshore windmill farm operations in Southwestern Oregon will both work and achieve the energy goals at an acceptable cost. This proof should come from international and / or U.S. operational windfarms that use similar materials, technology and construction. This might take time to witness and collect the information, but it is the prudent thing to do. 2. BOEM's designated areas may be too small, driving wind farm construction and operational costs to a level that exceeds the benefit. Can't this be modeled in short order? There are other offshore wind farm projects either being put on hold or abandoned because of unacceptable costs. 3. Oregon, and not a commercial energy company selected by the federal government, should be determining how to best pursue its future energy goals. Topics like where to locate onshore sizeable buildings used for staging of construction and eventual operations and buildings to receive, store and transmit the produced electricity, underwater cable corridors, and effects on marine life need to be vetted out within the state. I have yet to meet a person who can point me to the literature that demonstrates that this vetting has responsibly occurred. Allowing this initiative to proceed to the leasing phase is in conflict with many statements in Oregon Bill 3375 (I abbreviate from some of these statements, highlighting key language, that relate to my aforementioned points): "Whereas wind resources … of the southern Oregon coast are world class and can be responsibly harnessed to deliver clean, reliable

	electricity …”; "responsibly harnessed" is the conflict I see at this time. “Whereas floating offshore wind turbines can be located in much greater depths and further from the shore … and can be designed to minimize conflicts with and multiply benefits …”; It has yet to be established that it can be "designed to minimize" “planning … be conducted in a manner that will maximize benefits to this state while minimizing conflicts …”; It has not been established that this can "maximize benefits."

Submission ID: 2593973f-6b90-40a9-a178-cfc3df007544

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 5, 2024 9:17:07 AM
Attachments: formsubmission.csv

First Name	Ian
Last Name	Downard
Email Address	kayaking@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am concerned about the environmental impacts associated with wind energy-related leasing on the U.S. Pacific Outer Continental Shelf (OCS) offshore Oregon. In particular, I'm concerned that the concrete footings required to hold wind turbines to the sea floor could irreversibly harm the marine ecosystem. I do not support offshore leases for wind turbines in Oregon.

Submission ID: efcb176c-f30f-4ee2-a3ce-54e92ca32075

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 5, 2024 7:39:45 AM
Attachments: formsubmission.csv

First Name	Brent
Last Name	lerwill
Email Address	brentwoodhome@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	It makes no sense, on any level, to have offshore wind generation on the Oregon coast. It is way too expensive and complicated in our deep water requiring floating towers. In addition, I am concerned about valuable fishing areas being impacted and possible whale entanglement potential.

Submission ID: e0aae5cd-a981-4fe4-a467-f294346b451d

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, June 5, 2024 7:31:05 AM
Attachments: formsubmission.csv

First Name	Alan
Last Name	Whitney
Email Address	whitneyalan9@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	Alan L Whitney
Comment	The proposed offshore floating wind project has never been done and previous floating wind farm is much smaller than the proposed off Oregon. What makes you think that this can be engineered to function. As it is windmills function only 30% of the time. That means to get 3 gigabits you need 9 gigabits to build. This size of the windmill has not been done. Engineering can not just make things bigger there is a lot more that needs to develop to get it to work. Has anyone talked to a competent engineer as to if this would be economically feasible. Leases are being abandoned as economically unfeasible. In the east one lease was abandoned when they company wanted to use more smaller windmills instead of the larger ones. Someone needs to check with the engineers!

Submission ID: 1ed35152-e968-4ad5-ad72-f1135d3363d8

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 3:27:06 PM
Attachments: formsubmission.csv

First Name	Douglas
Last Name	MacCourt
Email Address	douglas.maccourt@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
	COMMENTS TO COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION For Leasing Wind Energy Areas Offshore Oregon U.S. Department of the Interior Bureau of Ocean Energy Management Pacific Outer Continental Shelf Region Submitted by: Douglas C. MacCourt Former Senior Policy Advisor, US Dept. of Energy, Washington D.C Environmental & Energy Attorney, 1988-2020 (retired) Email: douglas.maccourt@gmail.com Phone: 503-927-3362 MARINE MAMALS AND SEA TURTLES At least six species in this category are listed as threatened under the Endangered Species Act (ESA). These species are found within, adjacent to and migrate through the Affected Areas of the proposed Wind Energy Areas (WEA) (including five whale species and the Leatherback Sea Turtle). For these organisms, the Affected Environment analysis offered by the Bureau of Ocean Energy Management (BOEM) relies almost exclusively on historical sighting data at or near the surface of the ocean, or on modeling research. Conclusions in the EA regarding the potential lack of impacts on these species, based on either the absence or low numbers of sightings, fails to take into account critical information including actual migration pathways and patterns within and adjacent to the WEA, and very limited information on how, where and to what extent sighting or related surveys were conducted or data collected (except to a limited extent for Fin Whales). The EA Affected Environment document summarizes the extremely low numbers of threatened mammals and sea turtles with stunning specificity, yet the conclusions rely on BOEM-funded research, which is based on modeling rather than actual, current measurements. BOEM can’t have it both ways – to admit that we really don’t know how many of these organisms exist or where they are in

Comment	relation to the WEA, but then to conclude that the activities authorized by the leases through the EA process will have no significant impact is arbitrary and capricious. One of these organisms is too many to lose and ESA consultation will not save them from predictable allisions or collisions, or other activities authorized by the leases under the EA. TRANSMISSION AND DISTRIBUTION OF ELECTRICITY Under Section 3.6 on page 17, the Consistency Determination states the following: ODOE stated significant investments to upgrade the onshore electric transmission grid are likely needed to accommodate large-scale floating offshore wind projects. Referencing studies from NREL and PNNL, ODOE notes the threshold for significant transmission infrastructure development is necessary around 2.6 GW of offshore wind capacity. Per ODOE, no single interconnection point on Oregon's coastal grid can accommodate 2 GW and the Bonneville Power Administration notes that southern Oregon existing transmission system, with upgrades, can only accommodate 1 GW before transmission infrastructure expansion is needed.16 The NREL study notes that northern transmission centers, such as Wendson and Fairview substations, can receive up to 1.5 GWs from both WEAs.17 Assuming these studies are correct, neither the economic nor environmental impacts from construction and operation of these massive and costly infrastructure projects are evaluated or assessed in the EA or Consistency Determination. But they are certain to occur to a wide range of Oregon resources and habitats, including benthic, estuarine, near shore and onshore environments. Given that electrical pole failure is one of the leading causes of wildfires nationwide (See USDA.gov), and these wildfires have caused death, destruction and massive economic loss throughout the western US including Oregon, the potential impacts from transmission of power from the WEA's, regardless of what project ultimately is built and operated, is very significant and renders an EA wholly inappropriate for the proposal. More specifically, under these circumstances, BOEM's decision to issue an EA and the Consistency Determination are arbitrary and capricious for two independent reasons. First, the effects of the proposal are highly controversial and uncertain. See, e.g., Public Comments on the Consistency Determination, Coos Bay, OR (June 4, 2024). Second, BOEM failed to identify and meaningfully analyze the cumulative impacts of the proposal by issuing the EA instead of an environmental impact statement (EIS). The Consistency Determination attempts to offer a rationale for the potential benefits of additional onshore transmission construction and operation, as follows: ODOE notes in their Floating Offshore Wind: Benefits & Challenges for Oregon 2022 report that floating offshore wind can encourage alternative benefits such as replacing the development of tens of thousands of onshore acres for renewable energy to meet state goals, or the development of a nearby renewable hydrogen production facility. Trading nearly 200,000 acres of pristine ocean habitat to "encourage alternative benefits such as replacing the development of tens of thousands of onshore acres" is an extreme apples and oranges comparison. If an appropriate analysis of onshore to offshore wind projects had been undertaken by BOEM or Oregon state agencies, it

	would be immediately clear that the costs (including government taxpayer subsidies), complexity and impacts to critical natural and other resources to both ocean and uplands from offshore wind as proposed in the EA and Consistency Determination are not justified. ECONOMICS AND ENERGY ASSUMPTIONS Many Public Utility Districts (PUD's) in Oregon, especially in Oregon's rural coastal communities, are in the process of evaluating expansion of onshore transmission and distribution infrastructure solely to meet projected increase in demand of their local customers. These same PUD's rely on comparatively lower cost hydropower contracts through the Bonneville Power Administration (BPA) to meet local demand for electricity. The Consistency Determination uses the term "commercial scale" wind projects as the goal of the proposed leases. Both ODOE and BOEM are aware that commercial or utility scale wind projects require long-term power sales agreements (PSA's) which often require the entire output of a project to be sold into large demand or load centers such as Southern California. The reason is fairly simple – only large utilities serving large population areas can afford these PSA's, and commercial scale wind projects cannot be financed or built without them. When the existing and projected future constraints on electrical transmission and distribution, along with the business realities of long-term PSA's and the existing PUD cost structure in Oregon are factored into the energy use and economic analysis of the Consistency Determination, several problems inherent in the proposal become clear. First, it is highly unlikely that any Oregon electricity consumers will ever receive a single electron from the leases or the WEA's. This fact was never presented by BOEM or Oregon State agencies in the Public Meetings, and it is absent from the EA and the Consistency Determination. Second, onshore renewable energy projects of a wide variety, including commercial scale wind projects, can be sited, built and operated at a much lower cost, especially if they are constructed with access to existing or upgraded transmission. Finally, we know from current climate science that Oregon's and the planet's oceans are in big trouble. Given what the Consistency Determination tells us about the state of mammals and sea turtles in the Affected Areas, trading massive amounts of ocean environment to power homes outside of Oregon is extremely shortsighted, inconsistent with NEPA requirements, and burdens future generations with high energy costs and likely irreparable ocean damage.

Submission ID: 9c333955-3ed1-4251-ac23-6384fd5bfb16

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 4, 2024 9:21:41 PM
Attachments: formsubmission.csv

First Name	John
Last Name	Healy
Email Address	healyj72@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am 100 percent for wind energy. The winds on the Oregon coast will generate the power our nation needs. The approach of demanding it be at sea is troubling to me and countless citizens of the Oregon coast. Their is existing high power infrastructure on land already. Many main power lines are in areas of high winds. As a matter of fact Pacific Power was just ordered to pay damages for there lines in the Santiam valley that Blew down. The ocean is the least cost effective place to place wind turbines. The plan of large numbers set off shore is not a practical strategy for our State. Smaller numbers of turbines set on land in numerous locations along our existing power grid is the only way to proceed in this State. We are practical here in Oregon, and we get things done, the right way. Huge out of State interests will not dominate power generation in this State.

Submission ID: 5c1f1d2b-9b7a-4175-97e7-be750c067c2e

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 4, 2024 2:31:03 PM
Attachments: formsubmission.csv

First Name	Teri
Last Name	Goodwin
Email Address	tagoo9@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am a resident of Brookings, Oregon. I oppose the windmill project for the following reasons: 1) We live in an earthquake/tsunami zone. Drilling into the sea floor could cause earthquakes. 2).Our tourist economy would be threatened. People vacation here from all over the US. The windmills are eyesores that would ruin the view of our beautiful, pristine coast. People come to see whales and sunsets not giant man-made monstrosities. 3) Our coastline is a main path for whales migrating to Hawaii. Many of the whales are pregnant. The windmills could interfere with the whales' navigation, food supply and sonar. 4) We have no idea how the installation and use of the windmills will affect the ecosystem. These waters are supposed to be protected from development. 5) Commercial and recreational fishing will be negatively affected. This is a large part of our economy. I do not understand how BOEM. Could issue leases before a complete Envoronmental Impact Report is conducted by an impartial team of experts. It's unconscionable to risk damage to this beautiful area and it's wildlife. Finally, I think it is wrong for the government to force a project that will decimate the economy on our citizens. Every effort should be made to inform each individual in our town of what this project will entail and it's consequences. Many people I've spoken with have no idea what is happening. I cannot think of one benefit that will come to our town as a result of this project. I have not heard anyone here express a positive opinion of it. Please do not destroy our economy and environment by continuing this project. Sincerely, Teri Goodwin

Submission ID: 9a6d8f3f-173a-4533-866a-dd7d2a89b4bd

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 4, 2024 8:32:54 AM
Attachments: formsubmission.csv

First Name	Donni
Last Name	Borchard
Email Address	Traveling4us@hotmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am writing to state that I am AGAINST all current, future proposed wind farms in our coastal waters. The destruction to our oceans would never be returned to their natural state. Our mammals, fisherman, recreation, birds, housing values, impact on rural and remote areas will be destroyed. There is not enough housing, or resources to be able to handle this type of pillage to our small communities. Stop the nonsense.

Submission ID: 9cdf6bbb-144b-4293-8b31-bbe3d750a830

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 2:17:44 PM
Attachments: formsubmission.csv

First Name	Kathy
Last Name	McCullough
Email Address	captainkathymccullough@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I attended the Florence meeting, and you have my verbal testimony. Here is my written one. My husband and I live and farm under the PGE (Portland General Electric) Biglow Wind Project in eastern Oregon. We were excited when the towers went up in 2007 and were strong proponents of wind power. We started seeing issues with oil leakage in 2012. Soon, pieces were falling off, and the towers were shut down more and more often. When a nosecone fell off, nothing was done. Doors and discs were dropping into our fields. Then bolts. Then a blade. Two weeks ago another nosecone fell off. No matter how hard PGE tries (and they are doing the recommended maintenance now), the oil keeps leaking and the pieces keep falling. I can't imagine what will happen in our ocean off the Oregon Coast where the towers will be even harder to maintain. I've heard there are pans built to catch the oil that drips or leaks in offshore wind towers. Do you understand that the wind blows the oil before it can reach the bottom? There is a fan of oil out in our fields, not just on the tower pad. I have no issues with the way wind towers look - as a retired pilot, I thought they looked like regal propellers! But now they are dirty, oily messes and look terrible. As a photographer, I know they will not be good on the horizon in the ocean. I have no problem with flicker or sound, but the towers produce low-frequency vibrations that humans can't hear (Except PTSD survivors of IEDs and some others). Whales and crabs are extremely sensitive to vibration and lower frequencies. This is a horrible idea - towers in the ocean. We have enough problems with wildlife and oil rigs and ships. Now we are adding another known oil source. The power produced will be too expensive for taxpayers and for ratepayers. This is a boondoggle for developers but not for consumers. Everyone has gotten rich off the PGE project, including PGE

	execs (bonususes) and Vestas and Siemens. But rates continue to climb, and there was a new energy cost increase of 25%, with 12.5% proposed for next year from PGE. These towers are expensive to maintain, especially in extremely windy conditions—i.e., where all wind projects are supposed to be built. Because of the maintenance and downed towers here, our production percentage was down at least 6% from the private project south of us. We have better wind, but the maintenance costs have been atrocious. https://www.oregonlive.com/news/2022/08/how-an-airborne-blade-exposed-broader-problems-at-pges-flagship-wind-farm.html https://projects.oregonlive.com/wind-farms/ https://kathymccullough.photodeck.com/-/galleries/wind-turbines/wind-turbine-problems

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Submission ID: 0b940856-45b3-4fe0-bf60-9493eb648dab

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Monday, June 3, 2024 12:18:52 PM
Attachments: formsubmission.csv

First Name	Ed
Last Name	Joyce
Email Address	edjoyce1590@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	Oregon Shores Conservation Coalition
Comment	Without question there are environmental concerns with offshore wind that must be addressed. However, a bigger concern is our warming planet and the role that offshore wind can play in mitigating warming.

Submission ID: e3b64684-183a-4efc-a095-4a9e26277fa9

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Monday, June 3, 2024 11:56:54 AM
Attachments: formsubmission.csv

First Name	Quintin
Last Name	Ricci
Email Address	Quintin.ricci@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	
Comment	I am writing to support offshore wind projects off the coast of Oregon. As we consistently decarbonize it is important that we are building up our renewable energy solutions and protecting the ecosystems we love.

Submission ID: 43efda7e-acc2-48ce-9345-a4fb39c9c77c

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Sunday, June 2, 2024 4:31:43 PM
Attachments: formsubmission.csv

First Name	Kathleen
Last Name	Hornstuen
Email Address	firetrainer1@charter.net
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am writing, not as a person who doesn't want renewable resources, but as a very concerned citizen of the Wind Energy Project off-shore of Oregon. First of all I want to express dismay that it seems as if BOEM has no oversight or requirements that most agencies have in ventures of this magnitude. It sounds like they are putting the proverbial "cart before the horse", which in my experience can lead to disastrous and costly results. I could find no conclusive reports on environmental impacts after reading the report BOEM put out after studies in 2020. In reading, every "findings" report had reference to further studies, but no solutions address the issues brought up. It is not enough for me, or for my neighbors in our coastal communities. Any studies done were on the east coast where the environment, flora, and fauna are not the same as the west coast. I understand they are having trouble with the turbines there, also. In reading the report, several things stood out to me: 1) Radar interference solutions have not been addressed. There were references to software upgrades to existing radars of commercial and sport fisheries and shipping. Marine electronics are expensive and crucial to individuals and ship companies, and thus far, I have heard nothing of these types of upgrades. 2) Development of the tracking of West Coast Birds are all estimates in the report. Results refer to the fact that future tracking is needed. Why even designate where the "Call areas" should be when this future tracking has not been done as yet? How many birds will be killed by the turbines and what is the result on populations? 3) Sounds involved with the pile driving and electronic waves from the turbines was inconclusive on the effect on marine animals, including and especially concerning whales. What about migrations that could be disturbed? 4) What effect will the turbine footprints have on currents, sediments, sea

	animals and plants etc? What is the economic effect on our fisheries? 5) Who will benefit from the electricity? Will it be coastal towns? This project sounds like a great idea to make electricity, but only if you don't consider any other issues. The problem is there are many other issues and those issues are critical. Not only to the animals involved but importantly to the individuals who work on the ocean and their livelihoods. Fishing areas are life-blood to the coastal communities. We need to make sure this is not going to add costs to the areas where the lines are coming ashore because our coastal towns are low income already. Consider it may be better to put wind turbines on land not in our northern seas where storms can blow 100+ miles an hour offshore and waves are 30+ feet high. Wind turbines are not designed run when it blows like that, and if they topple what is the environmental result? Who will pay for those results? These things must all be considered before anything else is done. Kathleen Hornstuen 90046 Cape Arago Hwy Coos Bay, OR 97420

Submission ID: de7d2060-ef40-438c-8374-39701391e0bb

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, May 31, 2024 12:13:30 PM
Attachments: formsubmission.csv

First Name	jayson
Last Name	turner
Email Address	vinesourced@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	locals against offshore energy farming
Comment	1) B.O.E.M. Inappropriately responded to the Comments in Response to the Bureau of Ocean Energy Management Notice of Intent to Prepare an Environmental Impact Statement for Revolution Wind LLC's Proposed Wind Energy Facility Offshore Rhode Island, 86 Fed. Reg. 22927 (Apr. 30, 2021) Submitted by National Wildlife Federation, Natural Resources Defense Council, National Audubon Society, Conservation Law Foundation, Save The Bay, Acadia Center, All Our Energy, Audubon Connecticut, Audubon Society of Rhode Island, Connecticut Audubon, Mass Audubon, NY4WHALES, Ocean Conservation Research, Surfrider Foundation, Whale and Dolphin Conservation 88 page document is readable through the following link: file:///C:/Users/All/Downloads/BOEM-2021-0029-0027_attachment_1.pdf 2) Tribes Resolution Opposing BOEM plans 3) image.png image.png image.png image.png image.png image.png image.png 3) May 31st, 2024 BOEM receives announces FEIS wind farming development (action) options which including stopping the development altogether ... BOEM giving itself a back door options based on irrefutable problems with whales etc. The Bureau of Ocean Energy Management (BOEM) announces the availability of the Final Environmental Impact Statement (FEIS) on the Atlantic Shores Offshore Wind, LLC (Atlantic Shores) construction and operations plan (COP) for its proposed Atlantic Shores Offshore Wind South Project (Project) offshore New Jersey. The FEIS analyzes the potential environmental impacts of the Project as described in the COP (the Proposed Action) and the alternatives to the Proposed Action, including the No Action Alternative. The FEIS will inform BOEM's decision whether to approve, approve with modifications, or disapprove the COP. Document readable

	here \2024-11947.pdf"

Submission ID: 84fda3ab-64be-4d54-bfbe-d41c8d3646ef

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Thursday, May 30, 2024 9:52:42 PM
Attachments: formsubmission.csv

First Name	Jayson
Last Name	Turner
Email Address	vinesourced@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I and others want NO windgarm8ng offshore. Federal Government's illegal Failure to Re-evaluate "existing" inadequate conclusions , laws & policies made in 1953 (OCSLA), 1967 (Oregon Beach Bill & statewide planning Goal 17; to protect fish, wildlife and aesthetic value), 1972 to 2014 (BOEM & CZMA, despite $150 million spent on research rigidly proclaim they only need to comply with "enforcable standards" determined decades ago, that were made in ignorance of current harmful offshore over developement capabilities and current awareness of wildlife and food chain vulnerabilities). BOEM , is illegally holding to inadequate "enforceable" standards from decades ago. The NEPA and ESA require BOEM to consult with other federal agencies . BOEM ignored seeking input from the Fish & Wildlife Agency (fisheries & food chain effects), the Beureau of Industry & Security & Beureau of Economic Analysis(regards export import tariffs of foreign made turbine equipment and export fees on "battery tanker" shipping, and evaluation of how things could be profitably built in the USA), the Beureau of Ocean Safety and Environmental Enforcement (regarding inevitable shorebased recovery and cleanup operations), ETC. Through use of inadequate "enforcable" limitations in BOEM policy language, failure to appropriately "weigh" various wildlife species endangerments in BOEM's "30 layer" geospacial model in compliance with NEPA's 1970 (honesty expected) "detailed environmental review", BOEM's failure to properly follow OSCLA's mandate for "developement subject to environmental safegaurds" 43U.S.C.section1332(1)(3), failure of 1972 CZMA resolution to protect the coastal environment from growing demands of commercialism, failure of 1990 CZMAR to include disturbed offshore waters' in their Non Point Source Polution research on

	potential impacts. Once again , with BOEM being allowed to limit "enforcable" standards to a pre-historic and minimalistic level , they have illegally transgressed documented Oregon, Federal (and Tribal) Resolutions and honest intention

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Submission ID: ed2b8f83-f0e7-42e8-87e3-18afe390f5c4

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, May 29, 2024 11:04:20 AM
Attachments: formsubmission.csv

First Name	Mike
Last Name	Okoniewski
Email Address	mokoniewski.consultant@pacseafood.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	West Coast Pelagic Conservation Group-Secretary
Comment	The West Coast Pelagic Conservation Group (WCP) is strongly opposed to Floating Offshore Wind energy (FOSW) development in the West Coast Economic Exclusion Zone. (EEZ) WCP members fish and process seafood in all 3 West Coast States. We a have followed actions of the East Coast and in Europe for over 6 years and we think the way Offshore Wind Energy, floating and fixed bottom, is being driven forward at any cost, and is going to lead to an economic dead end and a coastal socioeconomic depression in our fishing communities and in our US fisheries. It is simple. There will be large scale displacement made worse as it isi scaling up the number of industrial wind energy projects. Additionally, there are enormous data gaps on the environmental impacts that FOSW will have on the California Current Large Marine Ecosystem. (CCLME) The CCLME is one of the 5 most productive on the planet. The Bureau of Ocean Energy Management (BOEM) has effectively skipped past doing any credible research or environmental review to cover these data gaps. This could have disastrous effects on the CCLME and the entire biosphere it supports that is equal to, or surpasses anything Climate Change throws at us and that may be additive to the effects of Climate Change. BOEM and our government do not have answers for these concerns and are not slowing development down to get answers. Lastly costs for FOSW energy production will follow the same pattern as on the East Coast. international Developers there have breached contracts and black mailed the states and federal government more subsidies and increased power purchase agreement rates. This news is easy to verify. How far are we willing to pay foreign companies i(n many cases with foreign governments as major stock holders) to industrialize our oceans for an unproven technology that will produce high cost electricity and

	destroy much of our US fisheries in the process. Thank you, Mike Okoniewski, WCP mokoniewski.consultant@pacificseafood.com; 360-619-2019

Submission ID: b4499393-1aef-4611-8ec5-a75e4da90c62

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Wednesday, May 29, 2024 7:43:43 AM
Attachments: formsubmission.csv

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First Name	Dr and Mrs Charles
Last Name	Hurst
Email Address	Kirstenh53@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	We are opposed to the destruction of the Oregon coastline with your destructive plan that THE MAJORITY DOES NOT want to put in ocean windmills.

Submission ID: 028f7920-6783-41bc-983e-3b890f1c6854

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 12:57:49 PM
Attachments: formsubmission.csv

First Name	Michael
Last Name	Mitton
Email Address	mmitton@nvbell.net
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	MCAT (Mobilizing Climate Action Together), Steering Committe, Co-Lead Clean Energy Team
	June 15, 2024 Department of Land Conservation & Development OCMP-DLCD 635 Capitol St. NE, Suite 150 Salem, OR 97301-2540 Re: Comments Related to Federal Consistency Review on Offshore Wind Energy Leasing MCAT (Mobilizing Climate Action Together) is a community of volunteers working to ensure that Oregon builds a healthy climate and a green-energy economy for future generations. These comments are submitted regarding development activities that primarily occur on the Outer Continental Shelf outside of the state territorial sea boundary of 3 nautical miles offshore. HB 4080 establishes as policy of State to support engagement between offshore wind developers and impacted organizations, communities, and tribes in the development of Offshore Wind Roadmap. It requires State Department of Energy (ODOE) to develop Offshore Wind Roadmap to define and specify standards to be considered in the development process for offshore wind energy. It requires the Department of Land Conservation and Development (DLCD) to conduct, or support, consistency reviews on offshore wind leasing decisions and actions related to offshore wind energy development of Oregon Coast made by federal Bureau of Ocean Energy Management (BOEM). It establishes labor and supply-chain standards for offshore wind energy development projects. Approximately half the electricity used in Oregon is generated with renewables (hydro, wind and solar). The other half comes from gas and coal plants that are located both in-state and out-of-state. Within several decades demand for electricity is expected to double as we continue to replace fossil fuels used in transportation, buildings and industry. Three years ago the ‘Clean Energy for All’ bill (HB-2021) was passed which requires all electricity used in the state be carbon-free by 2040. To hit that target will require

Comment	increasing the supply of clean electricity substantially within 15 years. Offshore wind may provide the optimal path to achieve that goal and do it with in-state generation. Ultimately, our offshore wind resource is big enough to change Oregon from an importer of dirty energy to a net exporter of clean energy. Developing this renewable resource will also add many sustainable family-wage jobs in coastal areas where the fishing and timber industries have suffered significant declines. A recent study by Princeton's Net-Zero America project said "the best wind potential in the country, if not the world, is off the Northern California and Southern Oregon coast". To meet the Biden administration’s goal of reaching 30 gigawatts (GW) of offshore wind energy by 2030, this new industry in the U.S. would need to employ more than 44,000 workers in offshore wind energy and nearly 33,000 more in communities supported by offshore wind energy activity. Achieving that target would unlock a pathway to 110 GW by 2050, generating 77,000 offshore wind jobs and more than 57,000 additional jobs in communities supported by offshore wind activity. Many of the offshore wind projects currently underway in the U.S. have Community Benefit Agreements (CBA) as part of their leases. CBAs can help ensure offshore wind creates economic opportunity and equitable development by providing up to 30% of the lease bid amounts for workforce training, supply chain development, etc. In 2022, the New York Bight auction resulted in winning bids totaling $4.37 billion. CBAs are new and are not a required part of the BOEM offshore wind permitting process, but developers can choose (and some have chosen) to pursue them. These agreements are intended to mitigate potential impacts to communities, Tribes, or other stakeholder groups and may assist fishing and related industries by supporting their resilience and ability to adapt to impacts that could arise from the development of the lease area. Participating lessees will negotiate CBAs directly with community, fishermen, Tribal governments, and others in parallel with BOEM-permitted activities. Thank you for your consideration, Michael Mitton, Co-lead for MCAT Clean Energy team MCAT Steering Committee Brett Baylor, Rick Brown, Linda Craig, Pat DeLaquil, Dan Frye, Debby Garman, KB Mercer, Michael Mitton, Rich Peppers, Rand Schenck, Joe Stenger and Catherine Thomasson

Submission ID: 37d4e1c9-a31c-4623-a816-e4e467a42235

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, May 28, 2024 8:38:03 AM
Attachments: formsubmission.csv

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First Name	Rhonda
Last Name	Young
Email Address	born0nthebeach@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Please do not put wind turbines in around Brookings Oregon. We have the chetco effect in Brookings, which is a wonderful place. Attracts tourism and keeps us warm after a cold winter. If you put those wind turbines in, we don't need the extra energy. What we need is the check co effect of the warmth and that will turn it all around. It's not natural. Our climate change keeps us warm. And we ask you not to put Em anywhere near Brookings, Gold Beach, triport. Orford, or try Florence. Try some other counties, but not in southern Oregon. Also, it's drier down here and we have to look out for fishing and that will disturb the fishing. Most of all we do not want the chatco effect messed with and this will do it.

Submission ID: 07ecfed7-5909-4010-8518-3836f6c37029

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, May 24, 2024 11:41:54 PM
Attachments: formsubmission.csv

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First Name	Irene
Last Name	Gilbert
Email Address	Ott.irene@frontier.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Wind turbines are causing the destruction of Oregon resources, wildlife and peoples quality of life. Stay out of the ocean! The noise impacts to sea life, removing miles of ocean from multiple use, cost of construction, bird and sea animal deaths, loss of economic stability are only some of the reasons. Add to that the negative environmental cost of high voltage transmission lines, condemnation of private property to build them, to produce this expensive energy and it is a loss to people, resources and only benefits the developers. Put a hold on this bad idea. We are at the brink of having other energy sources like small nuclear which will make these monstrosities and the transmission lines they require obsolete in 20 years.

Submission ID: 531551f1-ebb7-42a6-af9c-a1122a0c880b

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 12:00:37 PM
Attachments: formsubmission.csv

First Name	Hillary
Last Name	Tiefer
Email Address	hillarytiefer@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I am aware of the benefits of wind energy as an alternative fuel. However, it has come to my attention that the place of wind generators is vitally important. I'm concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. The DLCD must provide firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. As the Bird Alliance of Oregon writes, please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Thank you, Sincerely, Hillary Tiefer Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts

	Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats, and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species.

Submission ID: 665c85af-d3ae-4d22-a438-bcabcfc40b33

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 11:58:55 PM
Attachments: formsubmission.csv

First Name	Bob
Last Name	Morrow
Email Address	bobmo541@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	Concerned Citizen
Comment	Offshore Wind is not right for the Oregon Coast. It will not serve the coastal communities while it will disrupt vital industries and ecologies. Unproven technologies dropped into some of the harshest ocean conditions on the globe is a recipe for both economic and environmental disaster. The background container terminal in Coos Bay and the dredging required must be in concert with BOEM. There are so many statewide planning goals(5, 6, 19, OAR 496.012, OAR 635.415 being trampled to serve a vision of foreign companies. If this political joyride boondoggle is going forward you must take the steps necessary to assure that it does so in a manner that preserves the long established standards of Oregon. Take the long view and don't jump at the shiny object. Better still stop it in its tracks right now...

Submission ID: 957f9304-076e-47a7-a48a-e547e2181229

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Sunday, June 16, 2024 12:38:21 PM
Attachments: formsubmission.csv

First Name	Susan
Last Name	Foreman
Email Address	smforeman.sf@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I am hopeful that off-shore wind energy can provide a sustainable source of renewable energy and reduce reliance on fossil fuels. However protection of the marine ecological environment and the living organisms it supports must have priority when considering the impacts of this development. Reference: Statewide Planning Goals: Goal 19: The of use this new technology in deep sea environments is relatively untried and its impact on organisms in the California Current unknown. Monitoring of impacts to marine organisms in the WEA, and of migratory species must be conducted prior to issuance of any leases. The period monitoring period, should be determined in consultation with NOAA and Fisheries and Wildlife as sufficient to make a definitive conclusion regarding the impact to all wildlife which according to OAR 496.012 must be "maintained at optimal levels." I would assume that several years of data would be required. Analysis of impacts: It is important that monitoring data is sufficient to describe the current biological environment in the WEA : wind speed, ocean current, marine organisms, prey fish, nursery stocks, bethnic organisms... . Models should incorporate historical data where available and from other parts of the California Current. Three dimensional modeling should be carried out by experts qualified in fluid mechanics and the results reviewed by qualified scientists biologists and oceanographers from: OSU, Institute of Marine Biology, Fish and Wildlife NOAH. Concurrence from a qualified group of independent consultants on whether the model(s) adequately simulate potential impacts of an offshore installation and publication of those finding must be required as part of showing compliance with Oregon State law. Monitoring should be ongoing a lease is approved and development proceeds.

Submission ID: a5527655-8341-4172-982d-a8884cfafa72

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Tuesday, June 18, 2024 3:58:19 PM
Attachments: formsubmission.csv

First Name	Cheyenne
Last Name	Holliday
Email Address	cheyenneholliday@verdenw.org
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Verde
	Verde appreciates the opportunity to provide public comments on the offshore wind development process. Verde's mission is to build environmental wealth through organizing, advocacy, and social enterprise. Environmental wealth can mean many things including the benefits that flow to communities from renewable energy projects and meaningful community engagements. We believe it is crucial to ensure consistency with Land Use Goal 1 and to improve the community engagement process with impacted parties. The Department of Land Conservation and Development (DLCD) should direct BOEM to learn from successful state-level engagement processes. This approach will increase accessibility, education, and meaningful consultation with impacted communities throughout the upcoming offshore wind development process. Local Priorities Before any leasing process begins, it is imperative to define enforceable community agreements, including Community Benefits Agreements (CBAs), with South Coast communities. These agreements ensure that local communities are compensated and positively impacted if offshore wind projects move forward. Addressing housing needs in South Coast communities through Bid Credits is essential. Additionally, terms and conditions for developers must be developed to guide the next steps in the offshore wind development process. Clarifying the process for developing Community Benefit Agreements will make it more accessible to impacted communities and provide clear guidelines on who BOEM can enter these agreements with. Respect Tribal Sovereignty and Commit to Meaningful Engagement Verde is committed to and uplifting the necessity of meaningful engagement with Tribal Nations. Tribes are sovereign nations and must be treated as such in evaluating and

Comment	determining the potential areas for offshore wind development. We support and look to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians press release sharing their concerns about the current WEAs and meaningful Tribal engagement: “BOEM’s press release states that it has ‘engaged’ with the Tribe, but that engagement has amounted to listening to the Tribe’s concerns and ignoring them and providing promises that they may be dealt with at an unnamed later stage of the process,” said Chair Kneaper. “BOEM has failed to recognize that wind development has impacted the Tribe and has failed to assure that wind energy development will do good and not harm the Tribe, its members, and the greater coastal community. The Tribe will not stand by while a project is developed that causes it more harm than good – this is simply green colonialism.” Energy Resilience and Affordability Offshore wind development on the Oregon Coast must enhance energy resilience for coastal communities. Generating energy offshore has the potential to increase the reliability and resilience of energy in these communities. Associated transmission line upgrades should prioritize resourcing coastal communities with more resilient energy infrastructure. Additionally, the state should protect coastal Oregonians from rate increases as the electric grid transitions away from fossil fuels, addressing the high energy burden in South Coast communities. Protecting the Oregon Coast from climate impacts, without replicating the harms of the fossil fuel industry, is essential. The Oregon coast is already experiencing adverse climate impacts, and transitioning to 100% clean energy by 2040 is a critical goal. Offshore wind energy can help meet this goal, but it is vital to ensure that renewable energy development does not replicate the harms of the fossil fuel industry. Mitigate Impacts to and Protect Marine Life and Habitat Habitat destruction is the leading cause of species extinction. Twenty-eight fish species have been identified as “threatened” or “endangered” species and live within the region’s coastal habitat including Chinook and Coho Salmon. Coastal communities, including tribal communities, depend on fish for food and as a source of income. Salmon is a First Food and sacred to local Tribal Nations along the coast and in the Pacific Northwest. Chinook Salmon is also Oregon’s state fish and contributes millions of dollars to the coastal economy. Protecting and mitigating any adverse impacts to fish habitat is critical to upholding treaty rights and aligns with Oregon Statewide Land Use planning Goal 19. Oregon Statewide Land Use Planning Goal 19 requires that: “all actions by local, state, and federal agencies that are likely to affect the ocean resources and uses of Oregon’s territorial sea shall be developed and conducted to conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social values and benefits. The goal also gives higher priority to the protection of renewable marine resources—i.e., living marine organisms—than to the development of non-renewable ocean resources.” To help protect and mitigate adverse impacts to marine life: Require a comprehensive environmental review and cumulative impacts assessment as a condition for lease approval: We recommend BOEM assess the combined ecological impacts of all of the wind energy areas along the West Coast,

	which considers the whole offshore wind project process (from leasing to construction). Require mitigation conditions for migratory species that may move through the proposed WEAs: This may include (but not limited to) birds, fish and marine mammals. Require Marine Wildlife Protection and Monitoring Measures, including vessel speed reduction, stopping assessments when entanglement is probable, and requiring a marine mammal observer on board as a condition for approval. Require surveyors to reduce vessel speed to 10 knots to reduce risk and to require mitigation and monitoring of marine mammals during survey activities. To help protect and mitigate adverse impacts to habitat marine life depend on: Require lessees to mitigate impacts from Geotechnical surveys to sensitive benthic and rocky reef habitats by: Require lessees to use low-energy equipment to conduct their surveys of nearby deep-sea coral, sponges, etc. Encourage lessees to collaborate on surveys to reduce disturbance frequency and extent Require no bottom contact with hard substrate, rock outcroppings, sea-mounts, deep sea coral and sponge habitat, and require a buffer around these sensitive benthic habitats Verde is committed to advocating for these measures to ensure that offshore wind development is equitable, sustainable, and beneficial for all impacted communities. We urge DLCD and BOEM to take these recommendations seriously to protect our environment and communities.

Submission ID: 1a8fb47f-2ff5-406d-af52-0691268463cc

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Monday, June 17, 2024 11:59:00 AM
Attachments: formsubmission.csv

First Name	Alicia
Last Name	Schubert
Email Address	aliciaschubert@frontier.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats,

	and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment.

Submission ID: ceb66bf1-10ef-487e-9f3f-caa719d29e20

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 9:13:40 AM
Attachments: formsubmission.csv

First Name	Brian
Last Name	Brewer
Email Address	Brianmbrewer@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	Dear Mr. Burright and Mr. Lanier, I'm writing to express my deep concern about the wind energy leasing occurring at such a fast pace off our coast. The health of our coastal and marine ecosystems and wildlife is very important to me and I worry about development happening too fast without a plan to minimize impacts as best as we can. Although this current consistency review is focused on pre-development activities, it is a reasonable and foreseeable consequence that energy companies may ultimately construct energy developments. For that reason, I am counting on DLCD to take a hard look now at the possibility of industrial energy development and do its best to minimize impacts to Oregon's world-class marine ecosystems, wildlife, and fisheries. I support the need to move away from fossil fuels to address the climate crisis but it needs to be done right. I urge DLCD to set firm conditions before giving concurrence to BOEM for its proposed leasing and associated activities off of Oregon's Coast. Please require that BOEM prepare a west-coast-wide programmatic environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. The Territorial Sea Plan Part 2 requires an effects evaluation that should include analysis of cumulative effects of the proposed action in combination with probable future projects. Please ensure BOEM requires developers follow best management practices to avoid harm to wildlife in accordance with Statewide Goal 19 and the Territorial Sea Plan by requiring: a qualified wildlife observer be onboard any vessels to record critical data to travel at speeds not exceeding 10 knots to minimize the risk of collisions. Use low-energy acoustic testing methods on surveys to reduce noise impacts Avoid bottom contact with hard substrate, rock outcroppings, seamounts, deep-sea coral, sponge habitats,

	and other sensitive habitats. Coordinate and plan for a single onshoring cable from each Wind Energy Areas to minimize impacts from cables. Conduct robust baseline surveys for wildlife so that—should construction someday proceed— will be able to monitor and understand changes. Attention should be given to endangered species as well as Oregon Conservation Strategy Species. Engage in meaningful consultation with Tribes; Oregon natural resource agencies and commissions; and local communities. Add conservation bid credits to the Proposed Sale Auction, to help fund an independent science entity that can provide independent review of the wildlife science to be generated by development companies. Thank you for considering my comment.

Submission ID: 6f205513-c630-4d5b-82f2-9117f75c610e

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Saturday, June 15, 2024 11:59:26 PM
Attachments: formsubmission.csv

First Name	Tabatha
Last Name	Rood
Email Address	tabathamavis@gmail.com
Do you represent an Organization?	Yes
If yes, please provide your organization and title.	Azaa, Founder
Comment	There are many issues at stake here, and the proposed actions should be changed accordingly to preserve the ecological integrity of the pacific northwest. Statewide Planning Goal 19 was intended "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf" in Oregon. Goal 19 prioritizes the protection, not exploitation, of renewable marine resources over the development of non-renewable resources; however clearly identifies the social and economic interest of the state in conserving resources within the Ocean Stewardship Area, which includes: Oregon's territorial sea out to 3 nautical miles, the continental margin seaward to the toe of the continental slope, and adjacent ocean areas. There has been an apparent lack of attention in this process to ecological impacts of testing and ultimate installation of wind energy sites, due to negligence in the consideration of all marine life that the area of potential impact sustains. Furthermore, the coastal range identified for potential lease has been expressly opposed by Tribes who have expressed concerns over the renewable energy leasing process described in 30 CFR part 585, as well as potential impacts to commercial fisheries, submerged pre-contact sites offshore, and viewsheds from locations along the coast of spiritual, ceremonial, and cultural importance. This actions should be avoided for a more holistic approach to renewable energy. Thank you.

Submission ID: f9638b04-6a9c-492c-9235-d83972658c15

Record ID:

From: oregon-gov-web-services@egov.com
To: PERMITS coast * DLCD
Subject: Federal Consistency Review Offshore Wind
Date: Friday, June 14, 2024 9:13:57 PM
Attachments: formsubmission.csv

First Name	Cynthia
Last Name	Hovind
Email Address	cynthialhovind@yahoo.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	Siuslaw Tribal Elder
Comment	When I learned that Oregon relies on coal for 27% of its power, the ocean wind lease proposal with suitable mitigations, became a more digestible idea. As a member of the Siuslaw Nation, I stretch to get my mind around the scope of the Environmental Assessment. Compared to Bonneville Dam, which produces 1.2GW, this lease proposal projects the production of 3GW for Oregon. Community members have questioned the destination of this power. There must be provisions in the lease languate providing that the power be consumed in the community feeling the impact from the project. My tribe, CTCLUSI has expressed concerns about the five (5) data collecting buoys destined for 30 miles off the Coos Bay Federal lease area. I read that in California, in comparison, 2 LIDAR buoys (which are solar powered) have been situated in Morrow Bay. Based on the number of buoys described in the EA, and the fact that generators powered by diesel, I would ask that the Pacific Marine Community Center be required to sign off on this plan prior to buoy placement. The size of the turbine blades generates concerns about noise and bird mortality. Studies indicate that painting the blades with black stripes improves bird survival and must be incorporated into any recommendation. The 25 mile buffer is essential for migrating gray whales and continued monitoring must be included in the mitigating language to insure that migrating mammals will not become disoriented by the noise and stray into the shipping lanes. The grays migration ranges from 5.4 nautical miles offshore but are sometimes tracked further out. The 346,752 acres proposed for the Coos Bay section must be modified, based on whale migratory behavior gathered and bottom fish surveys. The environment assessment places the gray whale migratory route North of the proposed BOEM leasing area. Although the overall

	leasing area has shrunk, the proposed leasing site in the Coos Bay tract must be monitored closely as the buoys gather pertinent data. That data must be available to the public. Charleston fishermen cite the bottom fishery numbers in the survey. These numbers are again healthy because the boats have practiced a moratorium on catching bottom fish for 17 years. Consequently, even if the bottom fish in the survey number in .00 %, they are important. Key data to monitor with the buoys are related to the ocean bottom makeup--is it muddy? Upswelling, which may cause too much or too little nutrient transported to the surface, is yet another area of concern. There may be data gaps as far as building out the blades. Physics tell us that you cannot just multiply a model by four and get an operational wind turbine. So many stakeholders call for a Programmatic Environmental Impact Statement. I would again defer to the academic consortium to make that recommendation. Respectfully submitted, Cynthia Hovind Siuslaw Tribal Elder

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Submission ID: 19f6986b-cc53-46d9-b79b-c1598fcf476f

Record ID:

From:	Larry Basch
To:	PERMITS coast * DLCD
Cc:	Larry Basch
Subject:	FOSW public comments for Federal consistency review
Date:	Thursday, June 13, 2024 10:18:32 PM
Attachments:	Public comment re fed consistency review of offshore wind energy leasing.pdf

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[You don't often get email from lbasch@hawaii.edu. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Please find attached my public comments concerning the FOSW Federal Consistency Review.

Respectfully submitted,

Lawrence V. Basch, Ph.D.

From: Lawrence V. Basch, Ph.D.

To: DLCD

Re: DLCD Public Comments re: Federal Consistency Review on Offshore Wind Energy Leasing

Via: coast.permits@dlcd.oregon.gov

DLCD is to be commended for their serious and comprehensive communications and actions regarding their roles, responsibilities and approaches in the Federal Consistency Review of offshore wind energy leasing off the Oregon coast.

As a government and academic scientist and senior science advisor with nearly 5 decades of working experience in coastal-marine benthic ecology, oceanography, integrated (cultural and natural) marine resources management and planning, fisheries, marine conservation, review of numerous related NEPA and other environmental documents and criteria, working with local and indigenous coastal communities including on development criteria and impact reduction and mitigation of offshore wind and related technologies, my comments are based on hard-gained experience and the successes and failures of such efforts, particularly the sincere engagement and consideration of views of indigenous peoples and coastal communities by federal government agencies and representatives.

Regarding State planning goal #1, there is a need to deepen community involvement and ensure consistency with Land Use Goal #1, for government agencies at all levels to improve the community engagement process with impacted parties. DLCD in general should direct BOEM to learn from what has worked through the state-level and related engagement process(es) to increase accessibility, education, and meaningful consultation with impacted communities throughout the upcoming process.

Specifically, previous efforts by federal government agencies, including ones in the Department of the Interior and their past frequent failure to sincerely and cooperatively engage and take real heed of indigenous peoples and general public input, has led to seriously flawed and significantly delayed public engagement, review processes, and proposed project outcomes in different jurisdictions. Despite numerous recent efforts by tribes, state and local agencies, and many Oregonians to encourage BOEM to sincerely engage and seriously evaluate public input, particularly that of indigenous peoples, to date BOEM has shown that it is at best unaware of past lessons learned, irresponsible, and cavalier, and at worst insincere, disrespectful, and has actively ignored valuable public input, particularly from coastal tribes, in violation of BOEM’s mandated public trust responsibilities and regulations requiring real engagement and full consideration of indigenous knowledge, views, and the terrible history of indigenous people’s exclusion and mistreatment by federal government agencies. As in the past BOEM’s inadequate engagement with, and disrespect of, indigenous and coastal communities, including those in Oregon, has already led to widespread lack of trust in BOEM in these

constituencies, and serious doubts concerning BOEM's willingness and ability to learn from past federal government failures and follow their own agency mandates. Given this background BOEM needs to be scrupulously responsible, step up and increase the level and effectiveness of their efforts in public involvement, a well-documented and essential foundation of environmental policy, planning and best practices. One major step for BOEM is to publically acknowledge their failures to date, to apologize to the public, especially to our coastal tribes, whether federally recognized or not, and to promise and demonstrate sincere public engagement in the FOSW development process from inception to decommissioning.

Also under Goal #1, regarding BOEM's proposed sale notice, BOEM must ensure that local priorities are met. Before any leasing process begins, enforceable community agreements, including Community Benefits Agreements, need to be defined by South Coast communities so that they can be compensated and positively affected if offshore wind moves forward.

BOEM needs to:

- Increase the Community Benefit Agreement Bid Credits and Workforce Development Credits:
    - Address housing needs in South Coast communities through Bid Credits.
    - Develop specific terms and conditions for developers to follow in the next steps of the offshore wind development process.
    - Clarify the process for developing Community Benefit Agreements to make it more accessible to impacted communities, and clarify who BOEM can enter into Community Benefit Agreements with.

Add a Conservation Bid Credit: Lessees should be required to provide plans for adaptive management, assessment and monitoring strategies that may shift based on monitoring outcomes. Actions must be taken to reduce future impacts on wildlife and the ocean ecosystem by, for example, adopting monitoring and development processes and practices that eliminate or minimize impacts to highly sensitive deep water rocky habitats and their inhabitants.

Respect Tribal Sovereignty and Commit to Meaningful Engagement as noted above.

Tribes are sovereign nations and must be treated and respected as such in evaluating and determining the potential areas for offshore wind development.

The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians issued a press release sharing their concerns about the current WEAs and meaningful Tribal engagement. My comments above reflect and support all tribal concerns.

In reference to State Planning Goal #19, Protect marine resources and ecosystems: Oregon Statewide Land Use Planning Goal #19 requires that: "all actions by local, state, and federal agencies that are likely to affect the ocean resources and uses of Oregon's territorial sea shall be developed and conducted to conserve marine resources and

ecological functions for the purpose of providing long-term ecological, economic, and social values and benefits. The goal also gives higher priority to the protection of renewable marine resources—i.e., living marine organisms—than to the development of non-renewable ocean resources."

BOEM needs to be required to:

- Conduct a comprehensive environmental review and cumulative impacts assessment as a condition for lease approval: DLCD needs to direct BOEM to assess the combined and cumulative ecological impacts of all of the wind energy areas along the West Coast, which considers the whole offshore wind project process (from leasing to construction and decommissioning).
- Require mitigation conditions for migratory and non-migratory species that may occupy or move through the proposed WEAs: This may include (but is not limited to) birds, demersal and pelagic fish, benthic invertebrates and marine mammals.
- Require Marine Wildlife Protection and Monitoring Measures, including vessel speed reduction, stopping assessment activities when entanglement is probable, requiring a marine mammal observer on board all monitoring and assessment vessels at all times, limiting monitoring to non-contact and minimally invasive or non-extractive sampling as a condition for approval.
- Require surveyors to reduce vessel speed to 10 knots or less to reduce risk and to require mitigation and monitoring of marine mammals and other marine wildlife during survey activities.

Mitigate Geotechnical & Benthic Habitat Biological Survey impacts:
Geotechnical surveys are needed to assess where subsea cables and infrastructure might be located as a component of leasing activities. This includes collecting sediment cores, drilling, grab sampling and dredging. Benthic or seafloor habitats refer to substrates and the fauna (and flora) that live on rocks or sediment (epifauna) or in sediments (infauna) of the ocean floor, including sediments that contain organic matter. This organic matter is stored carbon, a sink, and an energy source for microorganisms or macrofauna.

In reference to Goal 19 and ORS 496.012:
DLCD must require lessees to mitigate impacts from all Geotechnical and Biological surveys or assessments to sensitive benthic and rocky reef habitats by:

- Requiring lessees to use low-energy equipment to conduct their surveys of nearby deep-sea coral, sponges, etc.
- Encouraging lessees to collaborate on surveys by piggy-backing different sampling efforts on survey cruises to reduce disturbance frequency and extent.
- Requiring no bottom contact of any sampling gear with hard substrate, rock outcroppings, sea-mounts, deep sea coral and sponge habitat, and require a buffer around these sensitive benthic habitats

DLCD should encourage and work with local jurisdictions to update enforceable policies and comprehensive plans

For example, the Coos Bay Estuary Management Plan is a guiding document for development in this estuary and surrounding shorelands. While it was updated in 2024, these updates were minor and did nothing to protect estuarine resources from possible development projects related to offshore wind, etc. A comprehensive phase 2 update is essential, and policies set forth in the plan regarding mitigation and development will be enforceable at the federal level.

DLCD should work with coastal and inland communities on updating local comprehensive plans that address the future need to evaluate proposals for offshore wind development that may include port development, cable landfalls, and transmission line upgrades.

In addition meaningful climate justice efforts should be supported by DLCD to:

- Ensure energy resilience for Coastal Communities: If offshore wind is developed on the Oregon Coast, it must increase energy resiliency for coastal communities. Generating energy off the coast through offshore wind has the potential to increase the reliability and resilience of energy in coastal communities. Associated transmission line upgrades should prioritize resourcing coastal communities with more resilient energy infrastructure.

- Ensure energy affordability: South Coast communities have some of the highest energy cost burden in the state, meaning they spend a higher percentage of their income on utility bills. The state should protect coastal Oregonians from rate increases as the electric grid transitions away from fossil fuels.

- Protect the Oregon Coast from climate impacts, without replicating the harms of the fossil fuel industry: Oregon coastal and marine environments are already facing the adverse impacts of climate change, including wildfires, increased temperatures, flooding, ocean acidification, heating, sea level rise and more. Oregon has a goal to achieve 100% clean energy by 2040 and offshore wind energy could help meet that goal. Transitioning Oregon away from fossil fuels is essential.

Respectfully submitted,

Lawrence V. Basch, Ph.D.

From:	Rick Eichstaedt
To:	GREENE Kirstin * DLCD; BURRIGHT Jeff D * DLCD; PHIPPS Lisa * DLCD; LANIER Andy * DLCD
Subject:	FW: CTCLUSI Letter - Re: Coastal Zone Management Act Federal Consistency Review for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf of Oregon
Date:	Monday, July 8, 2024 3:45:41 PM
Attachments:	image001.png CTCLUSI Comments to DLCD on Wind Energy CZMA Consistency 7.8.2024 signed 7.8.24.pdf

From: Meagan Davenport <mdavenport@ctclusi.org>
Sent: Monday, July 8, 2024 3:37 PM
To: coast.permits@dlcd.oregon.gov
Cc: Rick Eichstaedt <rick@rbmindianlaw.com>; Karin.Power@oregon.gov
Subject: CTCLUSI Letter - Re: Coastal Zone Management Act Federal Consistency Review for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf of Oregon

Good afternoon,
Please see the attached letter on behalf of The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians Tribal Council, Re: Coastal Zone Management Act Federal Consistency Review for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf of Oregon.

Thank you,

Meagan Davenport
Senior Executive Assistant to
CEO Lee Ann Wander & Tribal Council
Ph: 541-888-7509
Cell: 541-294-6494
Confederated Tribes of Coos, Lower
Umpqua & Siuslaw Indians
1245 Fulton Avenue, Coos Bay, Oregon

This email and its attachments are confidential under applicable law and are intended for use of the sender's addressee only, unless the sender expressly agrees otherwise, or unless a separate written agreement exists between Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians and a recipient company governing communications between the parties and any data that may be transmitted. Transmission of email over the Internet is not a secure communications medium. If you are requesting or have requested the transmittal of personal data, as defined in applicable privacy laws, by means of email or in an attachment to email, you may wish to select a more secure alternate means of transmittal that better supports your obligations to protect such personal data. If the recipient of this message is not the recipient named above, and/or you have received this email in error, you must take no action based on the information in this email. You are hereby notified that any

dissemination, misuse or copying or disclosure of the communication by a recipient who has received this message in error is strictly prohibited. If this message is received in error, please return this email to the sender and immediately highlight any error in transmittal. Thank You

CONFEDERATED TRIBES OF
COOS, LOWER UMPQUA AND SIUSLAW INDIANS
TRIBAL GOVERNMENT
1245 Fulton Avenue - Coos Bay, OR 97420
Telephone: (541)888-9577 Toll Free 1-888-280-0726 Fax: (541)888-2853

July 8, 2024

OCMP-DLCD
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

SUBMITTED VIA EMAIL (coast.permits@dlcd.oregon.gov)

RE: Coastal Zone Management Act Federal Consistency Review for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf of Oregon

Dear Madam or Sir:

The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians ("CTCLUSI" or "Tribe") would like to provide the following scoping comments to Oregon Department of Land Conservation and Development ("DLCD") on the Coastal Zone Management Act ("CZMA") Federal Consistency Review for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf of Oregon.

The Tribe appreciates the time DLCD has provided for meaningful and engaged consultation to address Tribal concerns and to better inform the Tribe as to DLCD's process. The Tribe also appreciates the additional time provided to provide comments. The consultation meetings have better informed the Tribe as to the process and have narrowed the scope of the Tribe's comments.

The Tribe offers the following comments for DLCD's consideration:

1. **The CZMA Requires the DLCD to Consider Reasonably Foreseeable Effects on Coastal Uses and Resources**

As shared during our consultation sessions, the Tribe disagrees with BOEM's efforts to segment out consideration of reasonably foreseeable future actions and impacts from both its NEPA analysis and the CZMA consistency review.

We strongly believe that DLCD has both an opportunity and an obligation to review more than the narrow actions presented by BOEM – DLCD must look beyond the leasing actions and review development of wind energy, including the related cable development impacting shoreline and terrestrial areas.

In passing the CZMA, Congress declared that it is the national policy "to preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone for

this and succeeding generations." 16 U.S.C. § 1452(1); *see also Secretary of the Interior v. California*, 464 U.S. 312, 316 (1984) (stating that the CZMA was enacted to "encourage the prudent management and conservation of natural resources in the coastal zone"). One of the linchpins of the CZMA is the requirement for "coordination and cooperation" between the federal government and coastal states. 16 U.S.C. § 1456.

Under the CZMA, DLCD is required to review "reasonably foreseeable direct and indirect effects on any coastal use or resource" for consistency with the State's coastal management plan. 15 C.F.R. § 930.33(a)(1). Such effects "include both direct effects which result from the activity and occur at the same time and place as the activity, and indirect (cumulative and secondary) effects which result from the activity and are later in time or farther removed in distance, but are still reasonably foreseeable." 15 C.F.R. § 930.11(g) (emphasis added); *see also Ocean Mammal Institute v. Gates*, 546 F.Supp.2d 960, 981-82 (D. Hawaii 2008) (court rejected Navy's determination that mid-frequency active sonar would not result in reasonably foreseeable effects because the determination was based on insufficient information).

The requirement to consider reasonably foreseeable effects applies to leasing proposals that will be followed by future development activities. Providing state consistency review at the leasing stage is important to involve all parties early in the process so that the State "will discover if there are any consistency problems with the lease sale at the beginning of the process rather than the end."[1] Accordingly, review of lease sales must address all reasonably foreseeable effects, including those resulting from "potential exploration, development and shoreside facilities."[2]

2. DLCD must include conditions that address impacts of the immediate actions and provide DLCD with needed information for future action.

While the Tribe believes that DLCD must object to BOEM's action for its failure to provide adequate information on the reasonably foreseeable direct and indirect effects on any coastal use or resource, if DLCD fails to do so, the Tribe requests the development of robust conditions that ensure that there is meaningful Tribal participation in the process, mitigation of survey impacts, and assurance that adequate information will be available at any future CZMA consistency review stage.

Accordingly, the Tribe recommends the development of the following conditions:

- **Tribal Involvement Condition:** The Tribe requests that any conditions that call for the sharing of study plans (draft and/or final), study results, and data with the State also require that the information be shared with the Tribe. Likewise, the Tribe requests that any conditions that afford an opportunity for State comment, provide a similar opportunity for the Tribe. The Tribe also requests a condition that requires the Lessee to meet with the Tribe and provide an opportunity to review the Native American Tribes Communications Plan. Finally, as discussed with DLCD, the Tribe supports a condition that requires Lessees to invite at the earliest possible time the Tribe to send observers on any survey activities.

[1] 136 Cong. Rec. H8081 (Sept. 26, 1990).
[2] *Id.* at H8080.

We would further request that this condition encourages the Lessees and BOEM to provide funding for observers and/or identify potential funding sources.

- **Roadmap Condition:** The Tribe requests that DLCD include a condition that requires BOEM to consider and implement the measures identified in the to-be-developed Roadmap process. Many stakeholders, including the Tribe, fear that the Roadmap could be ignored by BOEM. To the extent allowed under DLCD's authority, a condition should be developed to prevent that from occurring.

- **Finalization of Programmatic Agreement ("PA"):** Contrary to BOEM's April 30, 2024 consistency document provided to DLCD, the PA required as part of the NHPA compliance process is not being distributed for signature. The next draft has been distributed and is currently under review by the Tribe. DLCD should develop a condition to require the finalization of the PA before any ground disturbing activities occurs. This requirement is consistent with Statewide Planning Goal 5, including the requirement that states, "Significant natural areas that are historically, ecologically or scientifically unique, outstanding or important, including those identified by the State Natural Area Preserves Advisory Committee, should be inventoried and evaluated. Plans should provide for the preservation of natural areas consistent with an inventory of scientific, educational, ecological, and recreational needs for significant natural areas."

- **Tribal Consultation and Public Participation Condition:** Statewide Planning Goal 1: Citizen Involvement addresses public participation and should be construed to include Tribal consultation. The Tribe requests that DLCD include a Condition requiring BOEM to develop both a Tribal Consultation Plan and Public Participation Plan that outlines opportunities for Tribal consultation with BOEM (not the Lessee(s)) and public participation opportunities prior to the adoption of any construction and operations plan ("COP"). DLCD may want to consider developing this condition in a way to ensure BOEM input and meetings, as needed, for the State Roadmap process. Moreover, while the Tribe recognizes that DLCD cannot require BOEM to provide funds as a condition, the Tribe requests that a condition be developed that encourages BOEM to provide funds to Tribes for meaningful participation in the process or requires BOEM, to include in its Consultation Plan, a list of potential funding sources for meaningful Tribal involvement in the process, including funds for Tribal technical consultants. This requirement is consistent with the provisions of Goal 5 that state, "State and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and **provide technical assistance to local and regional agencies**."

- **Air Quality Condition:** Statewide Planning Goal 6: Air, Water and Land Resources Quality and ORS 468A: Air Quality are enforceable standards related to air quality that are applicable to BOEM's action. A condition related to air quality impacts should be developed. Compliance with 40 CFR Part 55: Outer Continental Shelf Air Regulations is mandatory for this action. This regulatory framework delineates air quality requisites for OCS sources and integrates pertinent state and local air quality standards to ensure uniformity. OCS sources situated within twenty-five miles of a state's seaward boundary

must adhere to identical federal and state air quality standards and permitting requirements as onshore sources.

- **Development of Monitoring Plan for Seismic Survey Work:** As discussed at the consultation meeting, the Tribe supports the development of a condition to monitor and minimize impacts with any seismic work. Such a measure is consistent with TSP 4: Uses of the Seafloor. This Condition should include comprehensive acoustic monitoring and management of survey equipment prior to and during survey operations to address impacts to fish, marine mammals, and other marine species.

- **Condition requiring Cultural Resource Surveys/Studies:** A condition should be developed to require the completion of cultural resource survey/studies to assess: (1) impacts of wind energy development to submerged resources; (2) impacts to Tribal cultural uses of wind development areas, including impacts to Tribal cultural and subsistence fishing; and (3) impacts to culturally significant viewsheds. All these surveys/studies must provide an opportunity for Tribal review of study plans, draft reports, data, as well as provide an opportunity to participate in study implementation.

- **Condition requiring Studies Necessary for Future CZMA Consistency Determination:** The Tribe requests that DLCD develop a condition that be developed to require the development of necessary studies and information for DLCD's, the Tribe's, and the public's evaluation of project impacts at the next CZMA consistency review. BOEM's decision to defer significant analysis has left significant gaps in the understanding of how wind development will impact the Ocean environment. Specifically, the Tribe requests a condition that requires the completion of studies that include:

    - Cumulative impacts of West Coast offshore wind development;
    - Potential impacts to the California Current Large Marine Ecosystem;
    - Impacts of cables on seafloor, shoreline, and terrestrial resources, including cultural resources;
    - Changes in upwelling;
    - Changes to surface-level mixing;
    - Changes to larval drift/ocean transport;
    - Impacts to stratification;
    - Forage effects;
    - Seabird impacts, including blade collision;
    - Endangered and protected species/habitat impacts;
    - Phytoplankton impacts;
    - Electromagnetic field effects;
    - Impacts to marine mammals and migration;
    - Acoustic noise impacts on ocean life;
    - Social/socio-economic impacts to coastal Oregon and inland Communities;
    - Fishing production (including stock surveys);
    - Impacts to thermocline;
    - Wake effects of turbines;
    - Projects' natural disaster resiliency or impacts;

- Impacts to birds and pollinators;
- Impacts to fish migration in ocean and upstream into Coastal rivers; and
- Broader impacts and benefits of clean energy generation replacing fossil fuel generation, including an assessment of the amount generated and where it will be utilized.

The Tribe appreciates the opportunity to comment on this project and the ongoing communication and consultation with DLCD. We welcome the opportunity to consult again if this project proceeds and to work with DLCD on the development of the Roadmap process.

Respectfully,



Brad Kneaper
Chair, Tribal Council
Confederated Tribes of Coos, Lower and Siuslaw Indians

cc: Karin Powers, Oregon, Office of the Governor

From: NHMP DLCD * DLCD
To: PERMITS coast * DLCD
Subject: FW: Federal Consistency Review Offshore Wind
Date: Thursday, May 23, 2024 9:10:24 AM
Attachments: formsubmission.csv

Ashley Edwards
Planning Grants Coordinator | Administrative Services Division
Pronouns: She/Her
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 971-718-4194 | Main: 503-373-0050
ashley.edwards@dlcd.oregon.gov | www.oregon.gov/LCD

From: oregon-gov-web-services@egov.com <oregon-gov-web-services@egov.com>
Sent: Wednesday, May 22, 2024 11:42 PM
To: NHMP DLCD * DLCD <dlcd.nhmp@dlcd.oregon.gov>
Subject: Federal Consistency Review Offshore Wind

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First Name	Pat
Last Name	Johnson
Email Address	Patjohnson1@att.net
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	No wind farms off the Oregon coastline! Don't ruin nature with ugly windmills. We have hydroelectric power! No, no, no to windmills.

Submission ID: 1ab8bcd2-5bcc-4ee2-a34a-b52bbddc7f9f

Record ID:

From: NHMP DLCD * DLCD
To: PERMITS coast * DLCD
Subject: FW: Federal Consistency Review Offshore Wind
Date: Thursday, May 23, 2024 9:10:16 AM
Attachments: formsubmission.csv

Ashley Edwards
Planning Grants Coordinator | Administrative Services Division
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Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 971-718-4194 | Main: 503-373-0050
ashley.edwards@dlcd.oregon.gov | www.oregon.gov/LCD

From: oregon-gov-web-services@egov.com <oregon-gov-web-services@egov.com>
Sent: Wednesday, May 22, 2024 7:50 AM
To: NHMP DLCD * DLCD <dlcd.nhmp@dlcd.oregon.gov>
Subject: Federal Consistency Review Offshore Wind

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First Name	Joe
Last Name	Wilson
Email Address	setptn@outlook.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
Comment	I oppose the offshore windmills. I live on the southern Oregon coast where the windmills are planned to be located. I believe these windmills are being fast tracked without mitigating the harm they will cause to our coastline and the fish & birds located there. These windmills will cause the death of migrating whales and other fish along with birds, I do not want to find dead whales, fish and birds on the beach where we walk everyday because of these windmills. It is also as proven fact that windmills fail, causing fire and oil leaks. We don't need that type of pollution on the southern Oregon coast. The agenda to save our planet should not be promoting pollution

	and the massacre of fish & birds in our coastal waters. Any benefit of these windmills are far offset by the harm that will be caused. It is not necessary to destroy our planet in order to save it.

Submission ID: 77f9e9f4-7d5f-4cd3-a1b9-ae57ea55402e

Record ID:

From: NHMP DLCD * DLCD
To: PERMITS coast * DLCD
Subject: FW: Federal Consistency Review Offshore Wind
Date: Thursday, May 23, 2024 9:10:08 AM
Attachments: formsubmission.csv

Ashley Edwards
Planning Grants Coordinator | Administrative Services Division
Pronouns: She/Her
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540
Cell: 971-718-4194 | Main: 503-373-0050
ashley.edwards@dlcd.oregon.gov | www.oregon.gov/LCD

From: oregon-gov-web-services@egov.com <oregon-gov-web-services@egov.com>
Sent: Tuesday, May 21, 2024 11:22 AM
To: NHMP DLCD * DLCD <dlcd.nhmp@dlcd.oregon.gov>
Subject: Federal Consistency Review Offshore Wind

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First Name	Cheri
Last Name	Griffith
Email Address	Ccoonsgriffith@gmail.com
Do you represent an Organization?	No
If yes, please provide your organization and title.	
	The current link for the enforceable policies on the federal consistency one sheet put out by the city of Brookings on May 21st, clearly states that it is a draft meant for medium and small projects and that ultimate responsibility for a complete enforceable policies report for the specific project is on the action agency or the applicant. I picked one policy to review and it is not even complete and waiting final amendments, important ones.how many of these policies have recently been amended or are waiting final amendments and will they be submitted before public comments end? Part 4 - Uses of the Sea Floor (Amendment in progress 2023)

Comment	Another aspect of all the reports I find troubling is verbiage about coordinating with local governments Civic groups commercial entities tribal etc, I have read many letters signed by these groups from our reps tribes commercial fishing city government not in favor. I do not feel they are being consulted or represented at all. We are rural with fractured media resources targeting a minority of the population I understand there is no way to reach everybody. The notices on public comment and meetings are pathetic you are only reaching the same handful of people that are looking. So when a finalized enforceable policy report is completed will the public get to review that? Who is responsible for final cost benefit analysis? Thank you,

---

Submission ID: 9c3c39be-be60-452a-9f72-61f74cda3bdf

Record ID:

From:	RODOMSKY Hui * DLCD
To:	BURRIGHT Jeff D * DLCD; LANIER Andy * DLCD
Cc:	PHIPPS Lisa * DLCD
Subject:	FW: Offshore wind comment
Date:	Monday, June 10, 2024 9:10:50 AM
Attachments:	9-28-23 Wind bullets.docx

Hi Jeff,

Leonard Krug, who attended the Brookings meeting, would like to submit the attached word.doc into the public comments for the current federal consistency determination.

Please add it to the collection of public comments.

Thank you,
Hui

Hui Rodomsky
South Coast Regional Representative
Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
810 SW Alder Street, Suite B | Newport, OR 97365
Cell: 541-270-3279 | Main: 503-373-0050
hui.rodomsky@dlcd.oregon.gov | www.oregon.gov/LCD

From: Oregon Anglers Alliance <OregonAnglersAlliance@outlook.com>
Sent: Wednesday, June 5, 2024 9:23 AM
To: RODOMSKY Hui * DLCD <hui.rodomsky@dlcd.oregon.gov>
Cc: gregory.stelmach@oregonstate.edu
Subject: Offshore wind comment

You don't often get email from oregonanglersalliance@outlook.com. Learn why this is important

Hello again Hui,
Attached is a comment from Sept. 2023. It is still applicable today.
Could you please share this to your groups folder?

Leonard Krug
President, Oregon Anglers Alliance

https://www.marinelink.com/news/serious-a-problem-cost-issue-us-507736

Mike Graybill;
Ratepayers will certainly be on the hook to pick up the tab for the rapid increase in the cost of materials, increased cost of capital and last but not least the profits that the wind energy giants have built into their cost of doing business.

This article makes it clear that the governors of states that have made commitments to offshore wind are expecting ratepayers to swallow some of the inflated costs but they are also looking to the federal government for additional subsidies and bailouts... "

https://gcaptain.com/states-beg-biden-to-bolster-offshore-wind-while-projects-flounder/

Here is another link explaining the sudden skyrocketing cost of offshore wind

https://insideclimatenews.org/news/14092023/inside-clean-energy-offshore-wind-projects-rising-interest-rates/?utm_source=InsideClimate+News&utm_campaign=2e855c819c-EMAIL_CAMPAIGN_2023_09_16_01_00&utm_medium=email&utm_term=0_29c928ffb5-2e855c819c-329222237

These are just a snippet of the problems to be overcome. The potential environmental impacts are perhaps larger than the financial liabilities. If we are so absorbed in the extreme costs and litigation associated with OSW, we will not be as able to safeguard our ecosystem. Our cultural and socioeconomic well-being are endangered. We need to pause and be sure of where we are going before proceeding.

Leonard Krug
President, Oregon Anglers Alliance
541-659-0976

OAA OREGON ANGLERS ALLIANCE

From: Cindy Sunley
To: PERMITS coast * DLCD
Subject: Fwd: Public Comment for Offshore Wind Turbines and Survey Boats - URGENT!!
Date: Saturday, June 15, 2024 7:04:07 AM

You don't often get email from sunleyvineyard@gmail.com. Learn why this is important

Cindy Sunley

Begin forwarded message:

From: Cindy Sunley <shulienlove@icloud.com>
Date: June 15, 2024 at 7:01:55 AM PDT
To: Sunleyvineyard@gmail.com
Subject: Fwd: Public Comment for Offshore Wind Turbines and Survey Boats - URGENT!!

Sent from my iPad

Begin forwarded message:

From: Cindy Sunley <shulienlove@icloud.com>
Date: June 15, 2024 at 6:43:12 AM PDT
To: coast.permits@dlcd.oregon.gov
Subject: Public Comment for Offshore Wind Turbines and Survey Boats - URGENT!!

I Cindy Sunley state the following:
Thank you for allowing me to comment on this critical issue.
FISHING INDUSTRY:
Turbines are dangerous for fishing boats including, but not limited to, uncontrolled drift, gear entanglements, high wind/fog weather, unsafe radar, lack of fishing during construction.
WILDLIFE:
Turbines and Survey Vessels have deadly impact on Sea and Land Wildlife, Including, but not limited to, migratory shifting patterns Air and Sea. Huge amount of ocean floor destruction (crab habitat , etc.). Sediment plume drifts killing off breeding grounds. Additional hardships already posed by climate change. Vibrations deadly to land and sea life (Causes ocean mammal deafness, confusion, and abilities to communicate with one another. Causes them to surface near vessels causing more boat strikes. Increased beaching.).
ENVIRONMENTAL:

Turbines cause disruption of wind patterns effecting onshore winds/breezes raising temperatures. Lithium Ion Batteries are not safe, toxic to make and require foreign materials. Catch on FIRE! Millions of Copper wires crossing all over Ocean floors. Constructed on earthquake faults.

BIG BUSINESS:

Turbine industry is driven by the Biden administration which feeds huge corporations like Black Rock and other foreign Businesses. Turbine wind power is not cheap for the consumer, funneling high cost energy payments to these companies.

CURRENT TURBINES:

The East Coast Turbine companies are facing a myriad of Lawsuits! Look into these issues, it is where you are headed if Turbines are placed here. You will see the REAL PROBLEMS already existing on the East Coast. Huge die offs of whales and mammals (increase already happening on Oregon coast) destruction of COD industry, and many other huge problems and risks. Oregon! They will try and explain these realities away! Don't ruin our Earthly treasures!

Cindy Sunley
54325 Beach Loop rd
Bandon, OR 97411

Sent from my iPad

From: Andrew Lesure
To: PERMITS coast * DLCD
Subject: I support off shore windfarm leasing
Date: Saturday, June 15, 2024 7:28:52 AM

You don't often get email from andrew.lesure@yahoo.com. Learn why this is important

Yahoo Mail: Search, Organize, Conquer

From:	Doug MacCourt
To:	PERMITS coast * DLCD
Cc:	claudiak.powers@gmail.com
Subject:	June 15, 2024 Comments to Offshore Wind Consistency Determination
Date:	Saturday, June 15, 2024 3:36:35 PM
Attachments:	COMMENTS TO COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION.docx

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> You don't often get email from douglas.maccourt@gmail.com. Learn why this is important

Attached.

Thank you,

Douglas C. MacCourt

Sent from Mail for Windows

COMMENTS TO COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION
For Leasing Wind Energy Areas Offshore Oregon
U.S. Department of the Interior Bureau of Ocean Energy Management
Pacific Outer Continental Shelf Region

Submitted by:

Douglas C. MacCourt
Former Senior Policy Advisor, US Dept. of Energy, Washington D.C
Environmental & Energy Attorney, 1988-2020 (retired)
Email: douglas.maccourt@gmail.com
Phone: 503-927-3362

MARINE MAMALS AND SEA TURTLES

At least six species in this category are listed as threatened under the Endangered Species Act (ESA). These species are found within, adjacent to and migrate through the Affected Areas of the proposed Wind Energy Areas (WEA) (including five whale species and the Leatherback Sea Turtle). For these organisms, the Affected Environment analysis offered by the Bureau of Ocean Energy Management (BOEM) relies almost exclusively on historical sighting data at or near the surface of the ocean, or on modeling research.

Conclusions in the EA regarding the potential lack of impacts on these species, based on either the absence or low numbers of sightings, fails to take into account critical information including actual migration pathways and patterns within and adjacent to the WEA, and very limited information on how, where and to what extent sighting or related surveys were conducted or data collected (except to a limited extent for Fin Whales).

The EA Affected Environment document summarizes the extremely low numbers of threatened mammals and sea turtles with stunning specificity, yet the conclusions rely on BOEM-funded research, which is based on modeling rather than actual, current measurements. BOEM can't have it both ways – to admit that we really don't know how many of these organisms exist or where they are in relation to the WEA, but then to conclude that the activities authorized by the leases through the EA process will have no significant impact is arbitrary and capricious. One of these organisms is too many to lose and ESA consultation will not save them from predictable allisions or collisions, or other activities authorized by the leases under the EA.

TRANSMISSION AND DISTRIBUTION OF ELECTRICITY

Under Section 3.6 on page 17, the Consistency Determination states the following:

> ODOE stated significant investments to upgrade the onshore electric transmission grid are likely needed to accommodate large-scale floating offshore wind projects. Referencing studies from NREL and PNNL, ODOE notes the threshold for significant transmission infrastructure development is necessary around 2.6 GW of offshore wind capacity. Per ODOE, no single interconnection point on Oregon's coastal grid can accommodate 2 GW and the Bonneville Power Administration notes that southern Oregon existing transmission system, with upgrades,

> can only accommodate 1 GW before transmission infrastructure expansion is needed.[16] The NREL study notes that northern transmission centers, such as Wendson and Fairview substations, can receive up to 1.5 GWs from both WEAs.[17]

Assuming these studies are correct, neither the economic nor environmental impacts from construction and operation of these massive and costly infrastructure projects are evaluated or assessed in the EA or Consistency Determination. But they are certain to occur to a wide range of Oregon resources and habitats, including benthic, estuarine, near shore and onshore environments. Given that electrical pole failure is one of the leading causes of wildfires *nationwide* (*See* USDA.gov), and these wildfires have caused death, destruction and massive economic loss throughout the western US including Oregon, the potential impacts from transmission of power from the WEA's*, regardless of what project ultimately is built and operated,* is very significant and renders an EA wholly inappropriate for the proposal.

More specifically, under these circumstances, BOEM's decision to issue an EA and the Consistency Determination are arbitrary and capricious for two independent reasons. First, the effects of the proposal are highly controversial and uncertain. *See, e.g.*, Public Comments on the Consistency Determination, Coos Bay, OR (June 4, 2024). Second, BOEM failed to identify and meaningfully analyze the cumulative impacts of the proposal by issuing the EA instead of an environmental impact statement (EIS).

The Consistency Determination attempts to offer a rationale for the potential benefits of additional onshore transmission construction and operation, as follows:

> ODOE notes in their *Floating Offshore Wind: Benefits & Challenges for Oregon 2022* report that floating offshore wind can encourage alternative benefits such as replacing the development of tens of thousands of onshore acres for renewable energy to meet state goals, or the development of a nearby renewable hydrogen production facility.

Trading nearly 200,000 acres of pristine ocean habitat to "encourage alternative benefits such as replacing the development of tens of thousands of onshore acres" is an extreme apples and oranges comparison. If an appropriate analysis of onshore to offshore wind projects had been undertaken by BOEM or Oregon state agencies, it would be immediately clear that the costs (including government taxpayer subsidies), complexity and impacts to critical natural and other resources to both ocean and *uplands* from offshore wind as proposed in the EA and Consistency Determination are not justified.

ECONOMICS AND ENERGY ASSUMPTIONS

Many Public Utility Districts (PUD's) in Oregon, especially in Oregon's rural coastal communities, are in the process of evaluating expansion of onshore transmission and distribution infrastructure solely to meet projected increase in demand of their local customers. These same PUD's rely on comparatively lower cost hydropower contracts through the Bonneville Power Administration (BPA) to meet local demand for electricity.

The Consistency Determination uses the term "commercial scale" wind projects as the goal of the proposed leases. Both ODOE and BOEM are aware that commercial or utility scale wind projects require long-term power sales agreements (PSA's) which often require the entire output of a project to be sold into large demand or load centers such as Southern California. The reason is fairly simple – only large

utilities serving large population areas can afford these PSA's, and commercial scale wind projects cannot be financed or built without them.

When the existing and projected future constraints on electrical transmission and distribution, along with the business realities of long-term PSA's and the existing PUD cost structure in Oregon are factored into the energy use and economic analysis of the Consistency Determination, several problems inherent in the proposal become clear.

First, it is highly unlikely that any Oregon electricity consumers will ever receive a single electron from the leases or the WEA's. This fact was never presented by BOEM or Oregon State agencies in the Public Meetings, and it is absent from the EA and the Consistency Determination.

Second, onshore renewable energy projects of a wide variety, including commercial scale wind projects, can be sited, built and operated at a much lower cost, especially if they are constructed with access to existing or upgraded transmission.

Finally, we know from current climate science that Oregon's and the planet's oceans are in big trouble. Given what the Consistency Determination tells us about the state of mammals and sea turtles in the Affected Areas, trading massive amounts of ocean environment to power homes outside of Oregon is extremely shortsighted, inconsistent with NEPA requirements, and burdens future generations with high energy costs and likely irreparable ocean damage.

COMMENTS TO COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION
For Leasing Wind Energy Areas Offshore Oregon
U.S. Department of the Interior Bureau of Ocean Energy Management
Pacific Outer Continental Shelf Region

Submitted by:

Douglas C. MacCourt
Former Senior Policy Advisor, US Dept. of Energy, Washington D.C
Environmental & Energy Attorney, 1988-2020 (retired)
Email: douglas.maccourt@gmail.com
Phone: 503-927-3362

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From:	Ranfis Villatoro
To:	PERMITS coast * DLCD
Cc:	LANIER Andy * DLCD; BURRIGHT Jeff D * DLCD; POWER Karin * GOV
Subject:	Labor-BGA Federal Consistency Review Comment
Date:	Saturday, June 15, 2024 1:03:14 PM
Attachments:	6.15 Labor-BGA Oregon Federal-State Consistency Review Comment .pdf

---

Dear OCMP-DLCD,

On behalf of a coalition including labor and BlueGreen Alliance, please accept our written comments for federal consistency review.

Respectfully,

Ranfis Giannettino Villatoro
--
Ranfis Giannettino Villatoro
BlueGreen Alliance
Oregon St. Policy Manager
(971)242-9964
Pronouns: he/him/his

TO: Oregon Coastal Management Program, Department of Land and Conservation Development

CC: GOVERNOR KOTEK; KARIN POWER

SUB: Federal-State Consistency Review

Dear Department of Land Conservation Development,

We represent a broad coalition of labor and community organizations that pushed for the passage of HB 4080, which included provisions for the creation of an offshore wind road map and for clarification that it is the explicit policy of the state to require the inclusion of key labor provisions and domestic requirements in all offshore wind development[1]. It is the belief of this coalition that the project should continue without delay, and that those provisions should be incorporated as part of state-federal consistency review and ultimately reflected as a stipulation of any future proposed lease sale off Oregon waters for offshore wind.

The labor provisions of HB 4080 require[2] a developer or a contractor in the construction, operations, and maintenance to offshore wind development to:

- Participate in a registered apprenticeship program as a training agent registered with Oregon State Apprenticeship and Training Council;
- Ensure that apprentices perform not less than 15% of all work hours;
- Enact a plan to achieve the goal of 15% of all work hours being performed by Oregon's diverse workforce, including women, minorities, and veterans;
- Provide a living wage for workers that includes the greater of one of the following: living wage in a locality, State of Oregon Prevailing wage, the minimum wage set in the Service Contract act, wages set in a collective bargaining agreement;
- Require employer-paid family health and retirement benefits;
- History of material compliance for previous three years of state and federal wage and hour and OSHA laws; and
- Include a "Buy America" provision for steel, iron, coatings for steel and iron and manufactured products produced in the United States if the project receives $250,000 in public funding.

These provisions help to ensure that we take the "Oregon Way"[3] in ensuring good career apprenticeship pathways to good paying jobs with benefits, as well as other general positive economic impacts for everyone in Oregon's diverse community with offshore wind development. Additionally, the labor provisions protect workers and their communities from employers with a track record of not following our state and federal laws while ensuring honest and responsible employers have an equal opportunity to be competitive and compete in a fair market with an

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[1] https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/HB4080

[2] See section 8: https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/HB4080

[3] https://traveloregon.com/things-to-do/culture-history/the-oregon-way/

alternate option for compliance through utilizing a workforce development agreement that includes a project labor agreement.

Labor provisions are not in conflict, but align with and complement BOEM's Proposed Sale Notice stipulation to "make every reasonable effort to sign a Project Labor Agreement"

BOEM has historically included a stipulation to, "Make every reasonable effort to sign a project labor agreement," which is included in both the proposed sale notices for Coos Bay[4] and Brookings, in the lease sale notices, and as part of a national priority in the Biden-Harris administration to support union job creation from offshore wind[5].

Adding HB 4080 labor provisions does not conflict with, but rather complements and furthers the stipulation to "make every reasonable effort" by adopting apprenticeship standards, workforce equity provisions, and continuing to allow the developer to make every reasonable effort to sign a project labor agreement or workforce agreement (per, HB 4080) which includes a provision on project labor agreements.

The "Buy America" Provision complements Federal goals to advance and support domestic supply chain, while maintaining an expedited off-ramp provision for responsible contractors.

Development of a domestic supply chain is a national priority, and, from past NREL reports, has an opportunity to further spur local, regional, and national job creations[6]. The provisions in HB 4080 require domestic supply chain requirements where public funding is utilized and allows flexibility for potential off-ramps where materials are not available, cost-prohibitive, or against the public interest.

Additionally, the provisions complement BOEM's proposed sale notice that includes bid credits for domestic supply-chain and aligns with federal tax credit provisions that require domestic supply chain for bonus credit (30%).

Ultimately, our coalition supports <u>concurrence with conditions</u> to include HB 4080 labor provisions, but supports the state of Oregon and BOEM in moving forward with the lease-sale in 2024 <u>without delay</u>., believing that the first step in taking "every reasonable effort is to sign a Project Labor Agreement" is to ensure that there is <u>*not*</u> an obvious industry incentive to <u>*not*</u> sign a Project Labor Agreement.

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[4] "The Lessee must make every reasonable effort to enter a Project Labor Agreement(s) (PLA) that covers the construction stage of any project proposed for the leased area, and that applies to all contractors." see page C-17 <https://www.boem.gov/sites/default/files/documents/renewable-energy/OCS-P%200566%20Lease_508c.pdf>

[5] https://www.whitehouse.gov/briefing-room/statements-releases/2023/03/29/fact-sheet-biden-harris-administration-continues-to-advance-american-offshore-wind-opportunities/

[6] https://www.nrel.gov/wind/offshore-supply-chain-road-map.html

Respectfully,

Robert Westerman
IBEW 932

Tan Perkins
Oregon AFL-CIO

Scott Strickland
SMART 16

Robert Camarillo
OSBCTC

Lorne Bulling
Ironworkers 29

Ranfis Giannettino Villatoro
BlueGreen Alliance

Addendum A: Reference HB 4080 (2024)

Source:https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/HB4080

SECTION 7. State policy. It is the policy of the State of Oregon to promote economic diversification and resilience in offshore wind energy development by ensuring that all developers and contractors involved in the construction, operation or maintenance of offshore wind energy projects and the construction of a port development project that is necessary for the development of offshore wind energy projects follow industry-leading strong labor and supply chain standards.

SECTION 8. Covered projects; standards. (1) As used in this section: (a) "Covered project" means:
(A) An offshore wind energy project.

(B) A port development project necessary for the development of an offshore wind energy project.

(C) A project related to manufacturing or supply chain that is located on port property and facilitates the construction, operation or maintenance of an offshore wind energy project.

(b) "Lockout" means any refusal by a developer or contractor to permit workers to work as a result of a labor dispute with such workers.

(c) "Port" means a port formed under ORS 777.005 to 777.725 and 777.915 to 777.953 or ORS chapter 778.

(d) "Public moneys" means moneys drawn from the State Treasury or any special or trust fund of the state government, including any moneys appropriated by the state govern- ment and transferred to any public body, as defined in ORS 174.109.

(2) A developer or contractor that is involved in the construction, operation or mainte- nance of a covered project shall:

(a) Participate as a training agent, as defined in ORS 660.010, in an apprenticeship program registered with the State Apprenticeship and Training Council to provide on-the-job training opportunities for apprentices in apprenticeable occupations to perform work on the covered project such that at least 15 percent of the work hours of each apprenticeable occupation is performed by apprentices;

(b) Establish and execute a plan for outreach, recruitment and retention of women, minority individuals and veterans to perform work on the covered project, with the aspirational target of having at least 15 percent of total work hours performed by individuals in one or more of those groups;

(c) Pay wages to workers who perform work on the covered project at a rate that is no less than the greater of:

(A) The living wage for the locality or region where the work is performed;

(B) The prevailing rate of wage that the Commissioner of the Bureau of Labor and Industries determines under ORS 279C.815 for the trade or occupation in the locality where the work is performed;

(C) The minimum wage specified under the Service Contract Act (41 U.S.C. 351-401) for the work, or similar work, in the locality where the work is performed; or

(D) The wage specified under an applicable collective bargaining agreement, if any;

(d) Offer employer-paid family health insurance and retirement benefits to workers who perform work on the covered project;

(e) Demonstrate a history of material compliance in the previous three years, or provide available history for a new business, with federal and state wage and hour laws; and

(f) Demonstrate a history of material compliance in the previous three years, or provide available history for a new business, with the rules and other requirements of state agencies with oversight regarding occupational safety and health.

(3)(a) A developer or contractor that is involved in the construction, operation or maintenance of a covered project shall require, in each contract entered into under the covered project that uses $250,000 or more in public moneys, that steel, iron, coatings for steel and iron and manufactured products that a developer or contractor purchases for or uses under the contract, and that become part of a permanent structure, must be produced in the United States.

(b) The requirements set forth in paragraph (a) of this subsection do not apply if:
(A) The requirement is inconsistent with the public interest;
(B) Steel, iron, coatings for steel and iron or manufactured products required for the covered project are not produced in the United States in sufficient and reasonably available quantities and with satisfactory quality; or

(C) Using steel, iron, coatings for steel and iron or manufactured products produced in the United States for the project will increase the cost of the covered project by more than 25 percent.

(4) The developer or contractor shall periodically submit proof of compliance with the requirements described in subsections (2) and (3) of this section. A copy of an executed workforce development agreement, as described in subsection (5) of this section, may be submitted as proof of compliance and shall be prima facie proof of compliance.

(5) A developer or contractor may comply with the requirements described in subsections (2) and (3) of this section by entering into a workforce development agreement that covers the work performed on the covered project. The workforce development agreement must provide for and include, at a minimum, the following:

(a) A project labor agreement, as defined in 48 C.F.R. 52.222-34, as in effect on the effective date of this 2024 Act. The project labor agreement must cover all workers who per- form work on the covered project who are covered by the Davis-Bacon Act (40 U.S.C. 3141 et seq.). The terms and conditions of the project labor agreement must meet or exceed the requirements provided in subsection (2) of this section.

(b) A labor peace agreement that covers all workers who perform work on the covered project who are not covered by a project labor agreement described in paragraph (a) of this subsection. The labor peace agreement must be signed by the developer or contractor and one or more bona fide labor organizations. The terms and conditions of the labor peace agreement must be binding and meet or exceed the requirements provided in subsection (2) of this section and:

(A) Provide that the developer or contractor will refrain from declaring or initiating a lockout and that the bona fide labor organization will refrain from engaging in picketing, work stoppages or boycotts against the covered project;

(B) Guarantee the labor organization’s right to obtain recognition as the exclusive collective bargaining representative of the workers through a process of having a majority of the workers in a unit sign authorization cards; and

(C) Require the developer or contractor to remain neutral with respect to any efforts by a labor organization to represent the workers.

(c) An agreement to utilize or develop domestic supply chains for the manufactured products used in the construction, maintenance or operation of the covered project. The terms and conditions of the agreement must meet or exceed the requirements provided in subsection (3) of this section.

(6) The Land Conservation and Development Commission may adopt rules as necessary to carry out the provisions of this section.

From: Deb B/Gary N
To: PERMITS coast * DLCD
Subject: Leasing Oregon"s Outer Continental Shelf for energy development
Date: Wednesday, June 5, 2024 10:38:51 AM

You don't often get email from grebes2@gmail.com. Learn why this is important

Dear Mr. Burright and Mr. Lanier,

We live on the South Coast of Oregon, and are very concerned about the fast pace of wind energy leasing that is taking place. We care deeply about our coastal and marine ecosystems and wildlife, and are concerned that BOEM is going ahead without taking into account the unique west-coast ecosystem, and especially of Oregon's cherished coast.

Please require that BOEM prepare a west-coast-wide environmental impact statement with a comprehensive cumulative impacts analysis as a condition for lease approval. Also, please require that BOEM, as a condition of concurrence, require that lessees follow best management practices to avoid harm to wildlife by requiring a qualified observer be onboard any vessels and by requiring vessels to travel at speeds not exceeding 10 knots to minimize the risk of collisions. In addition, make sure that any activities are done in such a way that will protect living marine organisms from damaging noise levels and in way that will maintain the functional integrity of the marine ecosystem. This includes avoiding damage to rock outcroppings, deep-sea coral and sponge habitats.

Also, please require lessees to conduct solid baseline surveys for wildlife so that— should construction someday proceed— we will be able to monitor and understand changes. Special attention should be given to Oregon Conservation Strategy Species that have been identified as needing help but do not have any Endangered Species Act protections.

We support the need for rapid decarbonization as a means to address the climate crisis, but still, proposals for energy development off Oregon's Coast need to be considered carefully.
We care deeply about Oregon's Coast and I don't want to see it get wrecked by industrial energy development.

Thank you for considering our comments.

Sincerely,

Deborah Buitron
Gary Nuechterlein
Emily Nuechterlein

From: Deborah Turek
To: PERMITS coast * DLCD
Date: Thursday, May 2, 2024 3:15:56 PM

You don't often get email from turekdebbie@hotmail.com. Learn why this is important

We do not want anything in our coastal areas

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From: John Nesbit
To: PERMITS coast * DLCD
Date: Friday, May 3, 2024 9:35:21 AM

You don't often get email from 03boars@gmail.com. Learn why this is important

"The New York State Energy Research and Development Authority announced Friday that the state **won't be going forward** with the three projects it provisionally awarded in its third offshore wind solicitation due to “material modifications” to the projects, including GE Vernova's pivot away from an 18-MW turbine model. Apr 22, 2024."

Hey folks, New York beat you to it. Wind farms are not wanted off Oregon's coast. Not wanted anywhere.
We're following the money...to China. Put me down for a strong "NO" on this one.

John Nesbit
Brookings, Oregon.

From: Vanessa Keys
To: PERMITS coast * DLCD
Subject: No wind turbines
Date: Thursday, May 23, 2024 11:27:41 PM

You don't often get email from vkeys89@gmail.com. Learn why this is important

People from a walks of life are against wind turbines. They will cause great damage to our delicate eco system. They will mar our pristine coastlines. The power will not be used locally or even in the state of Oregon. Boem is jeopardizing Whale migration and health, Salmon runs from the ocean will stop if they don't have a habitat to live in, sea birds and other wild life will be affected. It could have a devastating effect on the fishing industry. There's no guarantee on who or what country would be funding the leases. Do we really want another country on our shoreline? This is so frustrating, if this were put to a vote (Country wide) it would fail. Very few people want our oceans and shores devastated by a reckless money grab in the name of green energy. Our voices are not being heard. Put your money into retro fitting houses with solar panels and making the solar industry better and cheaper to use. Thank you for reading this. We need to keep the Pacific Ocean wind turbine free. Sincerely Vanessa Keys

From: Rob Taylor
To: PERMITS coast * DLCD
Subject: OCMP-DLCD BOEM Wind Energy Project
Date: Thursday, June 13, 2024 4:15:30 PM

You don't often get email from obetewic@msn.com. Learn why this is important

The DLCD should demand BOEM to forgo and stop this wind energy project by finding an exit ramp for the coast of Oregon.

The Oregon Department of Land Conservation and Development should use every statute, policy, and code to make sure the corporations that plan on leasing these call areas from BOEM are living up to the standards set by the people in the state of Oregon. The DLCD has a responsibility to make sure BOEM and the leasing corporations have cooperated with all the "enforceable policies" required by the state, county, and cities of Oregon. DLCD must impose ALL those "enforceable policies" for the benefit of the citizens. The DLCD should demand an Environmental Impact Statement from the feds before proceeding further with this project.

Here is a list of the "enforceable policies:"

State Statute & Administrative Rule enforceable policies are selected from state statute chapters and administrative rules that help govern resources in the Coastal Zone.

Statewide Planning Goal enforceable policies are selected directly from Goal language and the Territorial Sea Plan.

North Coast: County and City enforceable policies are selected from local comprehensive plans and land use regulations.

South Coast: County and City enforceable policies are selected from local comprehensive plans and land use regulations.

Sincerely, Rob Taylor

PO Box 973
Bandon, OR 97411

From: Christina Waller
To: PERMITS coast * DLCD
Subject: offshore energy
Date: Sunday, May 5, 2024 11:00:52 PM

You don't often get email from waller.c@hotmail.com. Learn why this is important

Please come to the conclusion that devices in the ocean would be too costly to implement, maintain, repair, and dispose of to see any substantial benefits in the endeavor. The dangers to our marine animals, fishing industry, and human life would carry such a high risk of loss no insurance companies would touch it... Thank you for asking for input. Christina Waller Langlois

Sent from Outlook

From:	Gail Buteau
To:	PERMITS coast * DLCD
Subject:	Offshore Wind Development
Date:	Wednesday, June 12, 2024 3:05:12 AM

[You don't often get email from fullmoonflight@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I support the opinions and position of Bird Alliance of Oregon in regards to the need for development of offshore wind development to comply with Oregon state law.

Gail Buteau
7900 Yachats River Road
Yachats, OR 97498

Sent from my iPhone

From: Shayla Spiva
To: PERMITS coast * DLCD
Subject: Offshore Wind installment comment
Date: Saturday, May 4, 2024 10:14:39 AM

You don't often get email from shaylaslucky@hotmail.com. Learn why this is important

Hello,
I think this is a great investment to future Oregonians and it also benefits the rest of the world by helping to eliminate some of the carbon-based energy that would be used in its place.
Please proceed with this project. The alternative options would be worse.
Thank you,
Shayla Spiva

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From: Al N6TA
To: PERMITS coast * DLCD
Subject: Offshore Wind Leasing Review
Date: Thursday, May 2, 2024 6:07:12 PM

You don't often get email from n6ta@outlook.com. Learn why this is important

Comment is that I am against any investigations that are inside state waters or near the shoreline. 3 miles out is okay. This sentence is what prompted my need to comment:

“expects that lessees would conduct characterization activities within state waters, estuaries, or potentially onshore as a result of a BOEM lease decision”

I reject any issuance of permits to do anything inside 3 miles.
Alan Toothaker
Gold Beach, OR

From: Stacey Fox
To: PERMITS coast * DLCD
Subject: Offshore Wind Oregon
Date: Monday, June 10, 2024 7:39:56 PM

> You don't often get email from lucky5@sonic.net. Learn why this is important

Dear permitting,

I love the wildlife and beauty of the Oregon Coast.

I know we need power too and wind and solar are certainly better than nuclear.

I am concerned about the increased vessel traffic causing more collisions with wildlife (whales and Sea Turtles). Pleas require slow speeds of 10 knots or less.

I am concerned about the disruption of the ocean floor. Please require the minimal disruption. Maybe you could permit in phases(like you do for housing). They could install a few wind turbines and then later more.

Thanks for allowing comments,

Stacey Fox

Coos Bay resident

From: Bob Lara
To: PERMITS coast * DLCD
Subject: Offshore wind Support
Date: Tuesday, June 11, 2024 4:54:32 PM

> You don't often get email from boblara@ymail.com. Learn why this is important

To whom it may concern,

My name is Bobby Lara i live in Hermiston Oregon. Ive lived in oregon all my life, 36 years. For 18 years ive been a union Heavy equipment operator (IUOE Local 701) i currently do windfarm work and i have been doing the type for 5 years. I can say that my brothers and sisters would perform this work safely, not just for human life but for the environment and marine animals. It would employ countless members of all backgrounds, minorities and as well as apprentices. Oregon needs more power as well, every year we have higher demands!!

In conclusion id like to say as a Oregon resident and tax payer, i fully SUPPORT the approval and construction of offshore wind.

Thank you,
Bobby Lara
IUOE Local 701 Journeyman Operator
541-220-4439

Yahoo Mail: Search, Organize, Conquer

From: edjoyce1590@gmail.com
To: PERMITS coast * DLCD
Subject: Offshore Wind
Date: Monday, June 3, 2024 12:30:26 PM

You don't often get email from edjoyce1590@gmail.com. Learn why this is important

Without question there are environmental concerns regarding offshore wind that must be addressed. However, a bigger concern is our warming planet and the role that offshore wind can play in mitigating warming. Oregon must step up and do its part regarding offshore wind development as has Massachusetts, New York, New Jersey, California, Hawaii, and several European countries.

Let's move forward,

Ed Joyce, Ph.D.

From: Josh Grove
To: PERMITS coast * DLCD
Subject: Offshore wind.
Date: Friday, June 14, 2024 10:56:56 AM

[You don't often get email from grove808@msn.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I support offshore wind projects in Oregon! Please bring those jobs and clean energy to our state.

Josh Grove

From: Jamie B
To: PERMITS coast * DLCD
Subject: Offshore Wind
Date: Saturday, June 15, 2024 7:38:18 PM

You don't often get email from magic63785@gmail.com. Learn why this is important

I'm opposed to Offshore Wind "Farms" The environmental impact is well known for the damage to Sea birds and Sea life is well documented. As much as I am in favor of clean energy this is the wrong place and time for this kind of progress. 90 percent of the Southern Oregon coast is opposed to this moving forward and you are still trying to push it thru?? Why??

From: CAROL MAUDE
To: PERMITS coast * DLCD
Subject: Offshore Windfarm
Date: Sunday, May 5, 2024 12:08:49 PM

You don't often get email from carolmaude@msn.com. Learn why this is important

I can't think of anything more damaging to our Seabirds, Whales, Seals and Sea Lions than offshore wind farms. Climate change has already decimated populations, and just when they're starting to adapt and recover you want to bring in man-made equipment to further ruin their habitat. Shame on you.

Carol Maude
Bandon, OR

From: Shannon Souza
To: PERMITS coast * DLCD
Cc: Kyle Stevens; Robert Westerman; Sam Schwarz; Alissa Pruess; dylan Brainard; Nora Terwilliger; Knute Nemeth
Subject: Oregon OSW / BOEM Federal Consistency Review comments
Date: Saturday, June 15, 2024 4:21:47 PM

You don't often get email from shannon@solcoast.com. Learn why this is important

I am the founder and owner of Sol Coast Companies; a sustainability consulting and contracting supporting strategic growth, responsible development, and sustainable living based in Coos Bay Oregon since 1999. My practice has included Low Impact Development, habitat restoration, public water supply planning and expansion, industrial waste minimization, net zero design and energy resilience through local generation and storage. Driven by the exposed nature of Oregon's coastal community with respect to a reliable and sustained access to electricity and fuels, my focus for the past ten years has been increasingly on the responsible and rapid integration of renewable energy generation, storage, and decarbonized fuels into the Pacific Northwest's vibrant living landscape.

I am also co-founder of Oregon Coast Energy Alliance Network (OCEAN) – a community-based non-profit exploring the opportunities and challenges of clean energy technology for coastal communities, a Board Director and four-year policy chair of Oregon Solar + Storage Industry Association's (OSSIA), on the policy advisory for Sustainable NW and former representative of the Professional Engineers of Oregon on Gov. Brown's Resilience Mitigation Advisory Council.

As you contemplate BOEM's planned actions for initiating the long process of study, evaluation, and consideration of potential wind development off of our ocean shores, please also take into consideration Oregon state planning goals that are not currently included in your list of published consistency lenses:

Goal 13: Energy Conservation

Goal 13 requires local governments to consider the effects of its comprehensive planning decision on energy consumption.
Communities residing on the southwestern coast of Oregon rely on electricity delivered via a transmission and distribution system stemming from Columbia basin hydro, located hundreds of miles to the northeast. Electricity is lost through transmission. The longer the transmission, the greater the loss. It is my understanding that up to 1/3rd of the electrons delivered from the Columbia Basin to the south coast of Oregon is lost in transmission. Transmission losses, the location of low carbon generating and storage resources, and implications to the overall energy budget for the state of Oregon should be included in this consistency review.
As our state and region grapple with the challenges of Resource Adequacy during increasingly unpredictable climactic and weather events, it is in the best interest of the state of Oregon to contemplate and include the role of Energy Conservation through reduced transmission related losses. Responsibly developed OSW, interconnected to the south coast of Oregon, can result in significant reductions in energy loss through transmission by infusing Oregon's transmission system and the WECC with resources from the west.

Goal 12: Transportation

Oregon's coastal communities are reliant on imports of electricity and fuels for all non-

human or horse powered transportation.
Goal 12 requires cities, counties, and the state to create a transportation system plan that takes into account all relevant modes of transportation: mass transit, air, water, rail, highway, bicycle and pedestrian. The resulting plan should support a variety of transportation modes so residents are not limited in the ways they can access the jobs, goods, or services available in different parts of their community.
The implications of increased understanding of OSW lease areas to infrastructure and access to secure electricity and clean fuel resources to support land based, fishing and maritime trade activities should be considered during this consistency review.

Goal 9: Economic Development

The purpose of Goal 9 planning is to make sure cities and counties have enough land available to realize economic growth and development opportunities.
Electricity and fuels are essential to the continued operation and strategically sustainable growth of community level economic development. Neither the Investor-Owned Utilities nor Bonneville Power Association reliant Community Owned Utilities serving Oregon's coastal communities have presented plans for meeting Oregonian's energy Resource Adequacy, WRAP, needs by 2026. In addition to the alarming implications of this state of affairs for the safety of Oregonians, this lack of energy resource security undermines the opportunities of Oregon communities to uphold existing commercial activities and attract sustainable diversification of economic resources.

In summary, please take into consideration the beneficial implications of BOEM's activities in strengthening our state's understanding of resources, available to the state of Oregon, rate payers and coastal communities, for upholding;
Goal 13, Energy Conservation through strategically located resources which reduce energy losses due to transmission and uphold our energy conservation goals
Goal 12, Transportation through locally generated EV charging capacity and clean fuels access for coastal shore side and maritime transportation.
Goal 9, Economic Development through consideration of increasing our understanding of the shore side land use implications of supporting coastal communities with higher quality, more secure, clean energy.

Shannon Souza

Principal
Sol Coast Consulting & Design, LLC
Conserve – Construct – Create
243 S 2nd St Coos Bay, Oregon
541.290.0418

From: Yelena Nowak
To: PERMITS coast * DLCD
Cc: BURRIGHT Jeff D * DLCD
Subject: OTC comment to DLCD
Date: Saturday, June 15, 2024 8:57:43 PM
Attachments: OTC comments to DLCD 06152024.pdf

Some people who received this message don't often get email from yelena@oregontrawl.org. Learn why this is important

Hello,

Please accept the attached comments on behalf of the Oregon Trawl Commission regarding the Federal Consistency determination for BOEM's Oregon offshore wind leasing.

Thank you,
Yelena

Yelena Nowak
Director | Oregon Trawl Commission
yelena@oregontrawl.org
O: 541.469.7830
C: 541.254.3055

OREGON TRAWL COMMISSION

June 15, 2024

Jeff Burright
State-Federal Relations Coordinator
Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

RE: Oregon Offshore Wind Energy Leasing Federal Consistency Determination

Dear Mr. Burright,

I submit the following comments on behalf of the Oregon Trawl Commission (OTC) in response to the Department of Land Conservations and Development (DLCD) solicitation of public comment on Federal Consistency determination regarding the Bureau of Ocean Energy Management's (BOEM) notice of availability of the draft Environmental Assessment for commercial wind lease issuance off the Oregon coast.

OTC is an industry-funded state commission, established by the Oregon state legislature, to support Oregon's trawl commodities and "*to enhance and preserve the economic interests of the state*".[1] Our constituents are all Oregon trawl fishermen who fish for bottom trawl groundfish, midwater trawl shoreside whiting (hake), and Oregon pink shrimp, selling their catches directly to the seafood processors located along the Oregon coast. The majority in our fleet are small local family businesses, many of whom also come from multi-generational fishing operations. Oregon commercial fishing industry generates substantial economic activity in the coastal communities, together with processors, supporting thousands of jobs, while producing healthy sustainable wild-caught seafood on the Oregon coast. According to the Oregon Department of Fish and Wildlife (ODFW), the annual economic output of the Oregon commercial fishing/seafood industry is estimated at $1.2B. Our constituents have a direct interest in BOEM's Oregon Wind Energy Areas (WEA) and the surrounding territories off the coasts of Coos Bay and Brookings that are currently being proposed for OSW leasing, as they have been relying on these areas for fishing, bycatch avoidance, and fishery ecosystem benefits (e.g. spawning grounds, upwelling, etc.).

The DLCD's Oregon Coastal Management Program (OCMP) has initiated a Federal Consistency review of the proposed BOEM leasing action for OSW development in Oregon. These comments are in response to DLCD solicitation of public comment on the proposed leasing consistency determination.

[1] ORS 576.062, ORS 576.054

First, we would like to thank the DLCD staff for their work. We recognize the contribution of this agency to the wellbeing of Oregon's coastal communities and the marine environment. We thank you for taking charge of the OSW Roadmap, and we look forward to collaborating with this agency in the future. We also appreciate you for holding the in-person meetings on the coast regarding this subject earlier this month.

At the DLCD in-person meeting in Coos Bay on 4th of June, OTC made a public statement. DLCD is aware of the position OTC is holding regarding BOEM's OSW development. OTC has been expressing our concerns with OSW and its planning process many times before, including at the BOEM Oregon Task Force meetings. For the record, we incorporate by reference several previous statements OTC made on the issue of BOEM's Oregon OSW development:

1. OTC comments to BOEM on the draft Environmental Assessment (June 14, 2024)
1. A letter from four Oregon seafood commission to Governor Kotek (June 13, 2024)
2. OTC comments to BOEM on the Notice of intent to prepare Environmental Assessment (March 15, 2024)

Oregon trawl fishermen are extremely concerned with the long list of OSW, with the deficient BOEM's planning process, and a very quick pace of this development. Floating OSW in Oregon will be done on a very large scale, posing many known and unknown risks to Oregon's healthy abundant fisheries, the commercial fishing industry, healthy coastal and marine environments and our communities that depend on living marine resources. Not only it will be done at a large-scale, but it will also be done in multiple projects simultaneously occurring in the same region – off southern Oregon coast and off northern California coast. Approx. 60 miles south of the Brookings WEA, BOEM has advanced two OSW leases off Eureka, CA, where site assessment and characterization activities are already occurring. There is a reason to believe, this region will be turned into a massive size marine industrial park to produce intermittent, unreliable, expensive energy. No one knows what impacts this development will have on Oregon's marine environment, not even BOEM. No studies have ever been performed to evaluate the environmental and socioeconomic risks from the industrial-scale floating OSW development in the California Current Ecosystem. This region is highly valuable due to its natural upwelling system, which causes exceptional marine productivity and biodiversity of living marine resources, including various sustainable fisheries. BOEM's OSW process does not allow for such a distinction. **OTC recommends DLCD to object to the BOEM's action.**

OTC also recommends DLCD to inquire with the Oregon Department of Justice regarding whether the state process under the auspices of the Roadmap, which DLCD is in charge of, would take precedence over the Federal BOEM's planning process. This question should be contemplated with the backdrop that it was the will of the Oregonians to pursue OSW development in 'Oregon Way' instead of relying on an inadequate BOEM's process, which does not allow impacted stakeholders an authentic seat at the table, nor does it prioritize health of the local communities, natural environment, or the viability of the fishing industry. The Roadmap aims to address those challenges and pursue OSW development in Oregon in a deliberate manner, ensuring it is done truly responsibly. However, the Roadmap must be prioritized over the BOEM's process in order to achieve its purpose and intent.

We appreciate your consideration of our comments and the request.

Sincerely,



Yelena Nowak,
Executive Director,
Oregon Trawl Commission

From: Pacific Challenger
To: PERMITS coast * DLCD
Subject: Pacific Ocean leases
Date: Thursday, May 2, 2024 6:16:18 PM

[You don't often get email from pacificchallenger@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Hello I would just like to express my opposition to offering leases for any offshore use. The ocean provides for many family's up and down our coast. Leasing out our ocean to anything wind energy or anything else could and will destroy our local economy.
Joe Mulkey

From:	Kimberly Ambert - NOAA Affiliate
To:	PERMITS coast * DLCD; Brad Pettinger
Cc:	Corey Ridings; Marci Yaremko; Dani Evenson; Susan Bishop; Karla Bush; Pete Hassemer; Phil Anderson; Sharon Keifer; Stephanie Johnson; Amy Lubrano; Rose Stanley - NOAA Federal; Doug Vincent-Lang; Frank Lockhart; Kyle Adicks; Hall, Heather J (DFW); HARRINGTON Michael R * ODFW; Corey Niles; Bill Templin; Caitlin Imaki - NOAA Federal; John@Wildlife Ugoretz; Sheila Lynch; Brett Ettinger; Rachel Baker; Karrie Jeffries; Craig Shuman; Barry Thom; Chris German; McKnight, Caroline@Wildlife; Chris Oliver; Briana Brady; Benjamin Cross; Butch Smith; Virgil Moore; Joshua Lindsay; John Netto; Marc Gorelnik; Roger Root; Kathryn Kempton - NOAA Federal; Jennifer Quan; Ryan Wulff; Charles Fosse; AINSWORTH Justin C * ODFW; Keeley Kent - NOAA Federal; Christa Svensson; NORTH John A * ODFW; Maggie Sommer; Jim Fredericks; Chuck Bonham; David Hogan; Joe Oatman; Mike Clark; Kyle Hanson; Kelly Susewind; Bob Dooley; MATTES Lynn * ODFW; BUELL Troy V * ODFW; Rachael Wadsworth - NOAA Federal; Mike Conroy; Susan Chambers; Correigh Greene; Heppell, Scott
Subject:	PFMC letter re: Comments on Oregon Offshore Wind Consistency Review
Date:	Friday, June 14, 2024 4:51:27 PM
Attachments:	PFMC comment letter on OR OSW consistency review June 2024.pdf Enclosure 2.pdf Enclosure 3.pdf Enclosure 1.pdf

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You don't often get email from kimberly.ambert@noaa.gov. Learn why this is important

Please see the attached letter to the Department of Land Conservation & Development, from Mr. Brad Pettinger, Chair of the Pacific Fishery Management Council, regarding Council comments on the Oregon Offshore Wind Consistency Review.

Should you have any questions, please contact Mr. Kerry Griffin at 503-820-2409 or toll-free at 1-866-806-7204.

Thank you,

--

Kimberly Ambert
Administrative Specialist

Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220

503-820-2421 (direct)
503-820-2299 (fax)

Hours: M/W/F 8-4:30

Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101 Portland, OR 97220-1384
Phone 503-820-2280 | Toll free 866-806-7204 | Fax 503-820-2299 | www.pcouncil.org
Brad Pettinger, Chair | Merrick J. Burden, Executive Director

June 14, 2024

Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Re: Bureau of Ocean Energy Management lease issuance for designated Oregon Wind Energy Areas

To Whom It May Concern:

Thank you for the opportunity to provide comments on Oregon's Federal consistency review process as it relates to the Bureau of Ocean Energy Management's (BOEM) proposal to issue leases within the designated Oregon Wind Energy Areas (WEAs) for the purposes of exploring offshore wind energy development projects. The Pacific Fishery Management Council (Council) has serious concerns about the impacts that offshore wind (OSW) energy development will have on commercial and recreational fishing, as well as the habitats, ecosystem, and coastal communities that will be affected.

The Federal consistency review process is critically important to ensure that OSW activities are consistent to the maximum extent practicable with Oregon's enforceable policies, as well as any conditions applied by Oregon's Coastal Management Program, based on those enforceable policies. The Council has submitted numerous comment letters on BOEM's OSW planning process. These letters include specific recommendations consistent with the Council's authorities to sustainably manage Federal fisheries, to protect fish habitat and ecosystems, and to minimize adverse economic impacts to coastal communities.

While we are not able to provide comments on which of Oregon's enforceable policies are applicable in this situation, we recommend considering the Council's previous comments, in three letters enclosed here, to determine which of those recommendations are applicable to Oregon's consistency review and determination. These letters are:

1. Comment letter on draft Wind Energy Areas off the Oregon Coast (November 2023)
2. Comment letter on BOEM's draft Environmental Assessment for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf, Oregon (June 2024)
3. Draft comment letter on BOEM's Proposed Sale Notice for Commercial Leasing for Wind Power Development on the Oregon Outer Continental Shelf (June 2024)

Thank you for consideration of our comments, and please contact Kerry Griffin (Kerry.griffin@noaa.gov; 503-820-2409) on Council staff with any questions.

Sincerely,



Brad Pettinger
Pacific Council Chair

KFG:kma

Enclosures

Cc: Council Members
Mike Conroy
Susan Chambers
Correigh Greene
Scott Heppell

Pacific Fishery Management Council

7700 NE Ambassador Place, Suite 101 Portland, OR 97220-1384
Phone 503-820-2280 | Toll free 866-806-7204 | Fax 503-820-2299 | www.pcouncil.org
Brad Pettinger, Chair | Merrick J. Burden, Executive Director

November 10, 2023

Mr. Doug Boren
Pacific Regional Director
Bureau of Ocean Energy Management
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010

Honorable Governor Tina Kotek
900 Court Street, Suite 254
Salem, OR 97301-4047

Re: Bureau of Ocean Energy Management Request for Comments: *Draft Wind Energy Areas - Commercial Leasing for Wind Power Development on the Oregon Outer Continental Shelf (OCS)*

Dear Mr. Boren and Governor Kotek:

The Pacific Fishery Management Council (Council) appreciates the opportunity to comment on the Bureau of Ocean Energy Management's (BOEM) Draft Wind Energy Areas (WEAs) off the Oregon Coast. Within the Request for Comments, BOEM identifies nine features, activities, mitigations, or concerns within or around the Draft WEAs on which it is seeking comments. The comments provided in this letter address several of those nine topics.

The Council appreciates BOEM's collaboration with the National Oceanic and Atmospheric Administration's (NOAA) National Centers for Coastal Ocean Science (NCCOS) to use an ocean planning model with the goal of identifying the most suitable areas for potential Draft WEAs within the Oregon Call Areas. The Draft NCCOS Report: *A Wind Energy Area Siting Analysis for the Oregon Call Areas* (Draft Report or Carlton et al., 2023) is a useful tool that has promise, but significant questions remain about operational aspects of the model's application to waters off the Oregon Coast. The Council also appreciates BOEM and NCCOS presenting information at the September Council meeting and participating in Council Advisory Body meetings, including providing a presentation to the Council's Coastal Pelagic Species Advisory Subpanel (CPSAS) online meeting August 30, and participation in a joint Groundfish Advisory Subpanel (GAP) and Marine Planning Committee meeting on September 1 to field questions.

The Council manages West Coast commercial and recreational fishing for many key California Current species. This includes responsibilities for protecting the marine ecosystem, the habitats upon which healthy fisheries depend, and the wellbeing of coastal communities. The Council's Fishery Ecosystem Plan includes a vision statement that captures these responsibilities: *The Pacific*

Fishery Management Council envisions a thriving and resilient California Current Ecosystem that continues to provide benefits to current and future generations and supports livelihoods, fishing opportunities, and cultural practices that contribute to the wellbeing of fishing communities and the nation (PFMC 2022).

In prior communications with BOEM, the Council has expressed concern that the offshore wind (OSW) planning process for Oregon has been too rushed and has failed to adequately evaluate the most suitable locations for OSW development with the least impact to fishing activities, important habitats, and the wellbeing of Oregon's coastal communities. The Council, as well as members of Oregon's U.S. Congressional Delegation and the Oregon Governor, requested a pause in the process to more fully and transparently evaluate suitable areas for OSW off Oregon. In our opinion, the pause has been insufficient to allow the robust evaluation the Council has requested. In this letter we offer detailed comments and recommendations to be considered prior to issuing final WEAs off Oregon. An Executive Summary provides an overview of Council concerns and recommendations, followed by detailed descriptions.

1. Executive Summary

The Council believes that meaningful engagement should follow a linear process where presentations and discussions occur prior to a public comment period, not simultaneously. Without adequate timing for these discussions, concerns arise over the lack of transparency around BOEM's rationale for data inclusion and exclusion in the area siting process. **The Council recommends that additional discussions between BOEM, NCCOS modelers, Council members, and the public occur** where there is a two-way dialogue on how and why decisions are made, and how public comment input can be used or has been used to find solutions to remaining identified conflicts prior to finalizing WEAs.

Offshore wind energy development has the potential to cause substantial impacts to the cultural identity, food security, wellbeing, and economy of Tribes, especially those that have federally recognized fishing rights. The Council notes that these Tribes are concerned that if these Draft WEAs are developed, the displaced fisheries could increase vessel traffic and fishing effort, thereby impacting the Tribes' fishing areas and activities. In addition, impacts to habitats and the marine ecosystem could also negatively affect tribal fishing activities. **The Council recommends BOEM continue working with the Tribes to address outstanding Tribal concerns, prior to continuing with the OSW siting process.**

The Council remains concerned about the lack of certain fishing data (particularly recreational fishing information other than albacore charter) included in any of the data layers but understands there is a lack of recreational spatial data available to be used in the suitability model framework. Given the importance of recreational fisheries to coastal communities, the Council **recommends that BOEM work with the Council and recreational sectors to address fisheries data gaps prior to finalizing the Oregon WEAs.**

A common theme throughout the Draft Report is that data/information was not included due to time constraints. One important example of data that is deficient is the socioeconomic data for commercial and recreational fisheries, coastal communities, and ports. Currently the economic data that is included uses only cumulative value measures paid directly to fisheries participants.

The Pacific Fishing Effort Mapping (PacFEM) tool is currently being developed to evaluate more comprehensive regional and local economic impacts. **The Council recommends that additional time be provided to improve the suitability modeling effort by including data/information such as that from the PacFEM project**.

The Council is supportive of evaluating areas outside the current Call Areas that may be suitable for OSW development and may have fewer impacts to fishing, habitat, and coastal communities. Currently, only historical fishing grounds are used for the suitability modeling. Given the change in the California Current from climate change-related oceanographic processes and change in management measures (e.g., modifications to the configuration of areas open or closed to commercial fishing), future shifts in fishing effort should be considered when evaluating suitability for OSW siting. **The Council recommends that BOEM extend the geographic scope of the NCCOS suitability model coastwide off Oregon to determine suitable areas for OSW development outside the Call Areas.**

The Council remains concerned that the National Marine Fisheries Service's (NMFS) recommendation for using the presence and Critical Habitat of Endangered Species Act (ESA)-listed species as a constraint layer in the suitability model was not selected by BOEM, while the Department of Defense and U.S. Coast Guard recommendations were included as constraints.

The Council is also concerned that the levelized cost of energy values are out of date, and **the Council recommends that BOEM update the levelized cost of energy, as the current values may no longer be valid**.

Juvenile and larval fish distribution provided by NMFS were not included in the suitability model. These data and other ecosystem-based data layers should be included in the NCCOS suitability model for future OSW siting. **The Council recommends that BOEM include a careful analysis of ecosystem impacts, such as wind wake effects on ocean processes, and should identify sensitive areas such as larval nursery areas that may be impacted by OSW siting**.

The Council remains very concerned about potential disruptions to important scientific surveys that provide data vital to fisheries management and ecosystem protection actions. In June 2022, NMFS responded to BOEM's *Call for Information — Commercial Leasing for Wind Energy Development on the Outer Continental Shelf (OCS) Offshore Oregon*, expressing concern about the impacts to scientific surveys. The Council is concerned that these NMFS surveys in or near the Draft WEAs could be negatively impacted, which could then impact stock assessments and other scientific products used to inform management decisions, especially in the context of multiple lease sales along the West Coast.

Based on the concerns described above, the Council strongly recommends that BOEM not take any further actions on OSW energy planning off Oregon until these concerns, described in the September 2023 Marine Planning Committee (MPC) Report (Agenda Item H.3.a, Supplemental MPC Report 2, September 2023[1]) are addressed and included in the process, as appropriate.

[1] See - https://www.pcouncil.org/documents/2023/09/h-3-a-supplemental-mpc-report-2/

However, if BOEM chooses to move forward with the OSW planning process before adequately addressing the concerns outlined here, we offer additional recommendations contained in this letter.

Impacts to Fisheries (See Section 2.1)

The Council recognizes and appreciates BOEM's efforts to minimize impacts to fishing activities in the Call Areas. Contributions and recommendations from NCCOS, NMFS, and the Oregon Department of Fish and Wildlife (ODFW) have helped guide the location of the Draft WEAs. After careful consideration of the Draft WEAs and available fisheries data, the Council concludes there are areas integral to fishing activities within the Draft WEAs that should be removed prior to issuing final WEAs.

The groundfish fishery includes dozens of rockfish species, several flatfish (flounders and soles), and roundfish species (such as sablefish and hake) and is the primary year-round economic driver for most Oregon ports. It also includes both recreational and commercial sectors. While most recreational effort takes place shoreward of the Draft WEAs, a lack of robust recreational data is concerning and should be quantified before WEAs are finalized.

Commercial groundfish fishermen use a variety of gear types and operate in very distinct areas based on their target species and, in some cases, species they must avoid (e.g., salmon). Thus, the Council considers each primary groundfish sector and proposes areas to be removed that would afford the best retention of fishing opportunity while leaving larger areas intact. Most groundfish fishing occurs in areas shallower than 400 fathoms (731.5 meters); removing those areas would allow retention of most groundfish fishing effort. Additionally, removing specific areas will provide mobile gear fleets, such as trawlers, the ability to move and navigate around the WEAs while fishing in adjacent fishing grounds, provide "travel-through" or transit channels where fishermen can set their gear (mobile gear or fixed gear), retrieve their gear and exit the WEA in a continuous fashion, and provide for greater safety when multiple vessels are operating in the same area near a WEA.

The Highly Migratory Species (HMS) fishery includes commercial and recreational fisheries for albacore tuna that are important economic drivers for HMS participants and for Oregon's coastal communities. The Council is recommending removal of areas in both Draft WEAs based generally on ranked importance levels of 50 percent or greater. While areas recommended for removal in Draft WEA B show a lower ranked importance, those areas are very important to commercial and recreational fishermen based in Southern Oregon and Northern California, and likely to become more so as activities associated with leases in the Humboldt lease sites begin. Deep-set buoy gear (targeting swordfish, which is part of the HMS fishery) was recently authorized for use as a gear type off Oregon. Many oceanic features in both Draft WEAs lead experienced commercial fishermen to believe those areas could be prime swordfish grounds as the fishery expands to Oregon. Since that fishery has no historic footprint off Oregon, it received no consideration during the NCCOS modeling process.

The Coastal Pelagic Species (CPS) fishery is active in Oregon and is a very valuable economic contributor especially during periods of high Pacific sardine and market squid presence. The CPS fishery typically operates shoreward of the Draft WEAs and thus does not have an active presence

in the Draft WEAs. However, the Council is concerned about the potential impacts to spawning activities and the larval life cycle of the Pacific sardine, and the exclusion of larval distribution data from the NCCOS model. This information can be provided by NMFS from survey activities conducted in or near the two Draft WEAs.

Current recreational and commercial salmon fishing effort does not seem to be directly impacted by the Draft WEAs, but BOEM should recognize that may change in the future. Recreational fishing data is also sparse and should be addressed before final WEAs or lease areas are proposed. Understanding salmon species' movements throughout the draft WEAs is also important to fisheries such as the trawl fisheries, particularly the midwater hake (Pacific whiting) trawl sectors, because salmon is caught incidentally in these fisheries. Trawlers must abide by strict rules to avoid them. Full OSW development in the WEAs could interrupt salmon migratory patterns and cause unintended consequences for other fisheries.

Based on Council concerns about impacts to these fisheries, we recommend that BOEM consider removing specific areas from the Draft WEAs. Figure 2 and Figure 1 below display the composite ranked importance data layers for several fisheries in Draft WEA A (Coos Bay) and Draft WEA B (Brookings), respectively. Figure 4 and Figure 3 display the BOEM aliquots in Draft WEAs A and B respectively, that should be considered for removal, based on the importance to specific commercial or recreational fisheries or sectors. Detailed explanations and a list of aliquot numbers are found in the Fisheries section below. The Council is willing to assist BOEM in further refining the Draft WEAs.

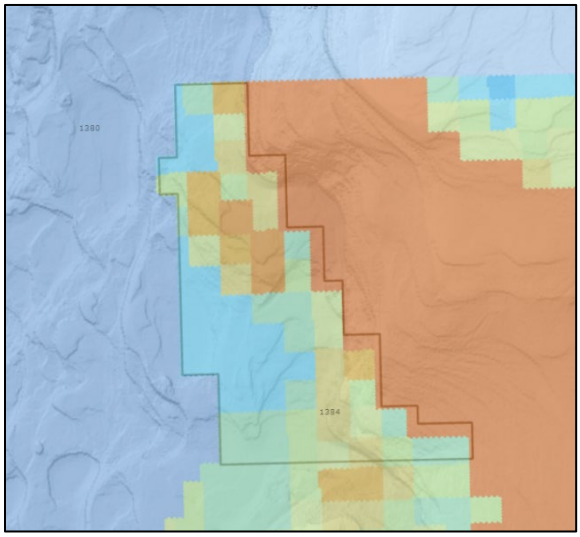

Figure 2: Draft WEA A (Coos Bay) and composite ranked importance. Red/orange = less suitable for OSW; blue/green = more suitable for OSW (source: OROWindMap)

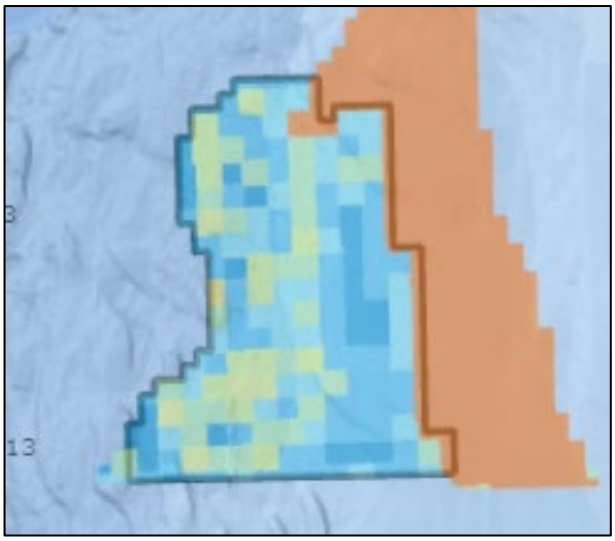

Figure 1: Draft WEA B (Brookings) and composite ranked importance. Red/orange = less suitable for OSW; blue/green = more suitable for OSW (source: OROWindMap)

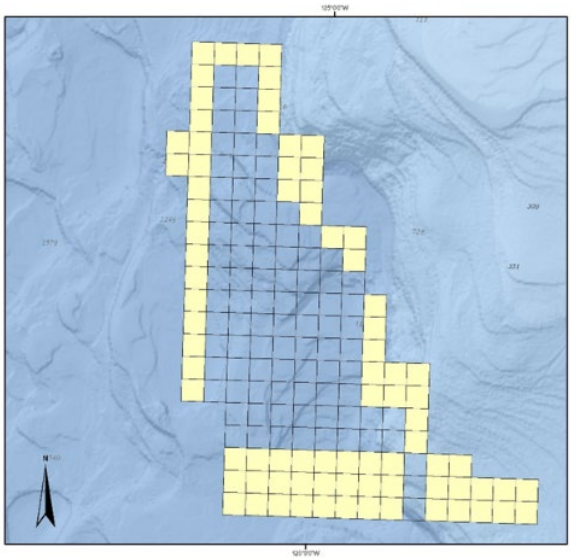

Figure 4: Draft WEA A (Coos Bay) aliquots recommended for potential removal to minimize impacts to fishing activities.

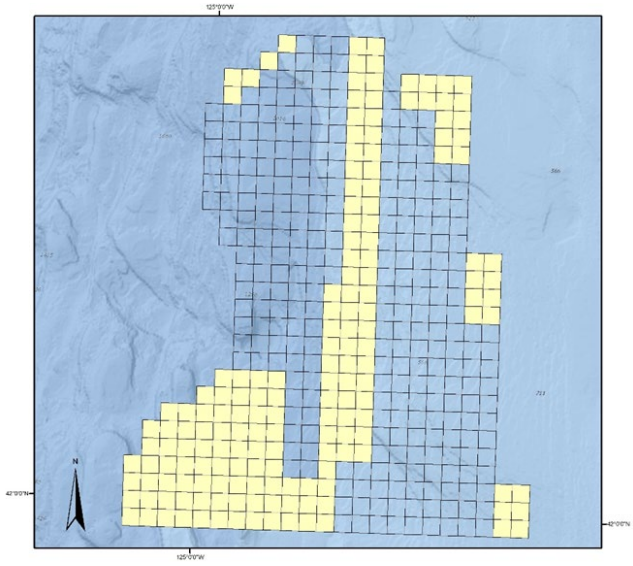

Figure 3: Draft WEA B (Brookings) aliquots recommended for potential removal to minimize impacts to fishing activities.

Impacts to Habitats and the Marine Ecosystem (See Section 2.2)

The Magnuson–Stevens Fishery Conservation and Management Act (MSA) requires the Council to describe, identify, conserve, and enhance essential fish habitat (EFH) for Council-managed species. The MSA also requires the Council to consider identifying Habitat Areas of Particular Concern (HAPC) that require additional consideration, as well as actions that could have adverse effects on EFH. EFH for Council managed fisheries, along with several EFH Conservation Areas (EFHCAs) and important habitat features have been identified within the Draft WEAs. The Council is recommending avoiding these habitats by removing specific aliquots from the draft WEAs, as well as implementing a minimum 500 m buffer around important habitat features.

Significant sensitive habitat resources occur in both Draft WEAs A and B (Figure 6 and Figure 5, respectively), and/or in the surrounding areas. These habitat resources include:

- All hard substrate areas (rocky reef HAPC) identified in surficial geologic habitat (SGH) v.4 (Goldfinger et al. 2014), including nearshore and shoreline rocky habitat;
- All hard substrate areas (rocky reef HAPC) identified by Merle et al. (2021);
- Observed deep-water coral and biogenic habitats at NOAA research sites;
- “High robust” habitat suitability areas for coral taxa associated with hard substrate;
- Methane seeps bubble plume w/observed faunal communities and ongoing research;
- All methane seep bubble plume sites;
- Hard substrate areas (including carbonate clasts) mapped/characterized by Cochrane et al. (2017);
- Areas with canopy kelp (HAPC); and
- EFHCAs: Stonewall Bank, Heceta Bank, Deepwater off Coos Bay, Arago Reef, Bandon High Spot, Rogue Canyon, Rogue River Reef, and the Brush Patch

Within the Draft WEAs, **the Council recommends avoiding areas with sensitive benthic habitat resources by removing aliquots that have substantial overlap with these resources and implementing a minimum 500 m buffer around the resources to prevent disturbance or damage from site assessment, installation, operations activities associated with wind projects and cable routes.**

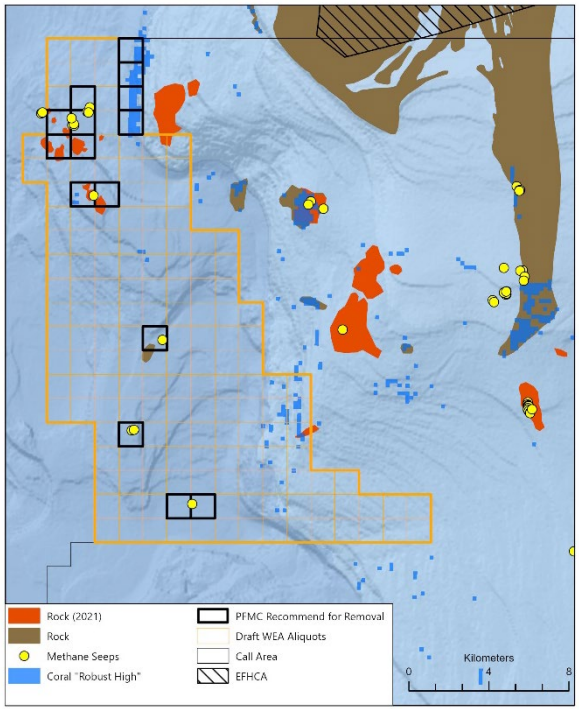

Figure 6: Sensitive habitats within Draft WEA A (Coos Bay), and aliquots proposed for removal (bold outline).

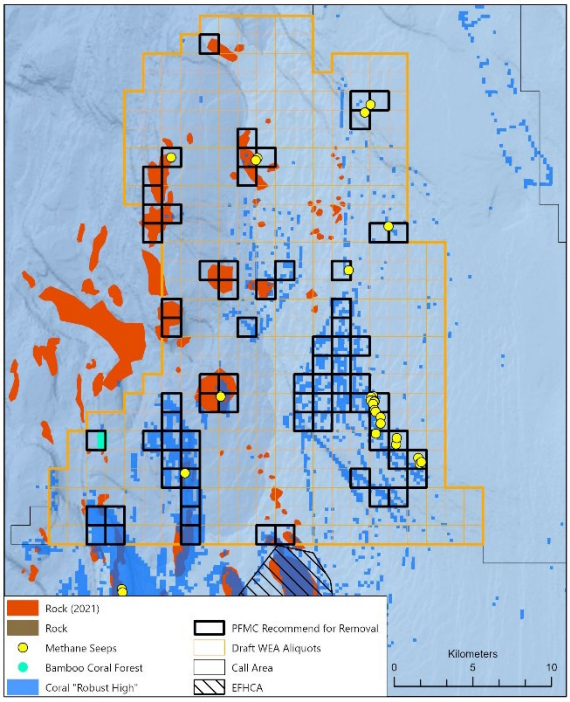

Figure 5: Sensitive habitats within Draft WEA B (Brookings), and aliquots proposed for removal (bold outline).

In areas outside the Draft WEAs, **the Council recommends implementing a minimum 500 m buffer around sensitive habitat resources to prevent disturbance or damage from site assessment, installation and operations activities associated with cable routes.**

In addition to the habitats listed above, there are notable features outside the Draft WEAs that could be impacted by cable routes. Specifically, there is substantial rock south of Heceta Bank not previously delineated though it is discernable in high-resolution backscatter data. Also, there is a large mud volcano southeast of Draft WEA A covered with carbonate rock and a unique faunal assemblage.

The Council also identifies the need for additional data or processing to inform WEA siting and cable routes, and makes the following recommendations:

- **Use recent (2016-2023) high-resolution seafloor mapping data to identify sensitive habitats throughout the WEAs and at possible cable routes, not previously delineated in SGH v.4 (Section 2.2: Habitat and Ecosystem Concerns and Recommendations below).**

- **Conduct high resolution seafloor mapping where data gaps remain shoreward of 200 m depth to identify sensitive habitats, including fish nursery habitats, prior to determining cable routes. (See Section 2.2: Habitat and Ecosystem Concerns and Recommendations).**
- **Initiate efforts to model the effects of wind tower arrays ('wind wake' effects) on local wind forces to understand the potential long-term effects on ocean productivity. This is especially relevant to the Heceta Bank rocky reef complex and adjacent shelf break. If such modeling indicates a likelihood of effects on Heceta Bank, then the Council recommends removing aliquots that are within range of contributing to those effects.**

2. Detailed Description of Concerns and Recommendations

Process resulting in the Draft WEAs and prior Council input

The Council has previously commented during the BOEM planning process offshore Oregon. On June 28, 2022, the Council provided comments on BOEM's Request for Information and Nominations: Commercial Leasing for Wind Energy Development on the Outer Continental Shelf Offshore Oregon (Call Letter).[2] On April 6, 2023, the Council submitted a letter to BOEM and Oregon Governor Tina Kotek expressing "*concerns about the development of offshore wind (OSW) energy in ocean waters off the Oregon Coast*"[3] and requesting that the Call Areas be rescinded so BOEM could "*restart the process of identifying Call Areas off Oregon by considering all areas greater than 12 miles offshore, including areas deeper than 1,300 meters*." Those concerns remain, as evidenced by the Council's discussion during the September 2023 meeting. On April 12, 2023, the Council submitted a letter to BOEM with some specific recommendations for improving the spatial suitability modeling and strengthening the OSW planning process.[4] While some of the recommendations were addressed, others remain unfulfilled.

Related to prior Council correspondence, we reference two other letters. On June 9, 2023, the two Oregon U.S. Senators, two Congressional Representatives, and Oregon Governor Tina Kotek sent a letter to BOEM Director Elizabeth Klein, requesting a pause in the process to provide additional time "to consult with Tribal governments, engage stakeholders in coastal communities, and assist BOEM in identifying, understanding, and responding to local concerns." And on August 8, 2023, the two Senators and two Representatives sent a letter to Director Klein encouraging BOEM to ensure meaningful engagement with stakeholders, and requesting a 60-day comment period for the draft Oregon WEAs, rather than the 30 or 45-day comment periods for Draft WEAs in other parts of the country.

The Council strongly recommends that BOEM not take any further actions on OSW energy planning off Oregon until the concerns described in Agenda Item H.3.a, Supplemental MPC Report 2 September 2023[5] are addressed and included in the process. These concerns are largely identical to those expressed in our April 12, 2023, letter. In support of BOEM's stated goal

[2] See - https://www.pcouncil.org/documents/2022/06/june-2022-letter-to-boem-on-oregon-call-areas.pdf/
[3] See - https://www.pcouncil.org/documents/2023/04/april-2023-boem-offshore-wind-gov-kotek.pdf/
[4] See - https://www.pcouncil.org/documents/2023/04/april-2023-letter-to-boem-on-offshore-wind-process-recommendations.pdf/
[5] See - https://www.pcouncil.org/documents/2023/09/h-3-a-supplemental-mpc-report-2/

of developing a clean energy future that benefits communities and co-exists with other ocean users, BOEM should take additional time to ensure better-informed decisions that would allow OSW off Oregon to be developed in a way that minimizes impacts to fishing, coastal communities, habitats, and the ecosystem. This request reiterates previous requests for a pause in the process, from the Council and other entities. In addition to the overarching request to pause the process, we offer several comments in response to BOEM's request for comments on the Draft Oregon WEAs.

Summary of Council Concerns

This section summarizes the Council's overarching concerns. The detailed comments provided should be read in recognition of the major concerns expressed about the lack of time to absorb and understand the information presented. Much of the concern described here was more fully described in the Supplemental MPC Report referenced above. But again, the time for MPC discussion and preparation of that report was also very compressed. Additional detailed comments, including identification of aliquots for removal, were compiled by the MPC Committee members, working with members of their respective advisory bodies, and the Habitat Committee. It was clear from the discussion of Council advisory bodies that the data, results, and methods of the suitability analysis and other factors taken into account by BOEM in identifying the draft WEAs are not well understood. The limited time and explanation are major reasons why the Council remains concerned about opportunities for meaningful engagement and transparency with West Coast fishing communities to date.

Data Layer Concerns

The Council remains concerned about opportunities for meaningful engagement and transparency with West Coast fishing communities. The Draft Report states: "over 400 data layers were acquired during data inventory."[6] Appendix A of the Draft Report provides a list of data utilized for this spatial planning analysis and lists a total of 40 datasets. Of these, links are provided for 10 datasets, 23 reference unpublished datasets, and the remaining seven are available upon request. Questions remain about the quantity, quality, and thoroughness of the data used in the model. The Council is also concerned about some of the assumptions and methodologies utilized in the model and either not included in the report and/or not explained during the meetings. The Council recommend that BOEM provide the decision framework that was used behind data and model input selections to increase transparency regarding the selection of data included in the model or considered. By advocating for additional transparency**, the Council recommends that additional discussions between BOEM, NCCOS modelers, Council members, and the public occur where there is a two-way dialogue on how and why decisions are made, and how public comment input can be used or has been used to find solutions to remaining identified conflicts.**

The Council appreciates BOEM and NCCOS including the fisheries datasets provided by ODFW and NMFS in developing a combined fisheries data layer.[7] The nine fisheries identified for the model included groundfish bottom trawl, at-sea hake mid-water trawl, shoreside hake mid-water trawl, pink shrimp trawl, groundfish fixed gear pot, groundfish longline, commercial albacore, charter albacore, and Dungeness crab pot fisheries. The Council remains concerned about the lack

[6] Draft Report, Section 2.3.2., pages 18 & 19
[7] Draft Report, Appendix E, pages 153 - 166

of recreational fishing data other than albacore charter included in any of the data layers but understands there is a lack of recreational spatial data, and the commercial data may also cover or overlap many of the recreational fishing grounds. Additionally, ODFW and NMFS had only a limited amount of time to pull the information together. Recreational fishermen noted the Brookings Draft WEA (Draft WEA B) could potentially create problems for private sport albacore fishing, deep-water halibut and groundfish bottom fishing because it creates a navigational challenge.

The Council recommends that BOEM work with the Council and recreational fisheries sectors to address fisheries data gaps to identify areas of potential conflict that occur within the proposed draft WEAs.

The socioeconomic data layer for commercial and recreational fisheries, dependent fishing communities, and ports is deficient: the economic measure used in the fisheries data layer is based solely on ex-vessel revenues, which does not provide a full depiction of sport and commercial fishing's economic impacts to coastal communities and ports. Socioeconomic relationships in coastal ports should be considered beyond the revenues paid directly to fishermen. The Pacific Fishing Effort Mapping (PacFEM) project[8] considers these socioeconomic relationships for all West Coast fisheries and ports and should be incorporated into subsequent runs of the NCCOS spatial suitability model to inform decisions on Final WEAs**,** to reflect the full socioeconomic value of those areas. **The Council recommends that BOEM not finalize draft WEAs or cable routes until an economic analysis using the PacFEM tool is conducted to identify potential impacts to U.S. West Coast ports from the proposed WEAs.**

Similar to the approach of compiling fisheries data, BOEM should include a careful analysis of ecosystem impacts and should identify sensitive areas such as larval nursery areas that may be impacted by OSW development. While BOEM has concentrated on direct impacts to fishing (and loss of operational fishing flexibility due to gear types), the Draft Report lacks the modeling necessary to show the potential decrease in fishing ground flexibility to fishermen based on the wind energy itself. The Draft WEAs and other areas being considered for development are frequently also the prime areas for the densest fish populations due, in part, to upwelling. Wind is essential to marine productivity. Accessing and/or removing the wind energy in the best areas could lead to lower fish abundance, which is something that should be modeled and incorporated into decision making.

The Council recommends BOEM conduct an analysis on the potential cumulative impacts of OSW siting on larval dispersal and ocean productivity through reduced or altered wind energy.

Tribal concerns

Offshore wind has the potential to cause real-world impacts to the cultural identity, food security, well-being, and economy of those Tribes of this Council that have federally recognized fishing rights. The Council notes that these Tribes are concerned that if these Call Areas are developed, the displaced fisheries could increase vessel traffic and fishing effort, thereby impacting the

[8] This project is a collaborative state-federal project underway by PSMFC, led by NMFS and funded in part by BOEM.

Tribes' fishing areas and activities. In addition, areas developed for OSW could alter ocean ecosystem dynamics, resulting in unknown ecosystem outcomes and potential impacts to tribal treaty protected resources. Many of these Tribal resources originate in, or migrate from, areas off California and Oregon. Lastly, Tribes signed treaties with the United States Government, which the U.S. Supreme Court has upheld as the supreme law of the land, and the Biden-Harris administration has made commitments to uphold these rights. The Department of the Interior and BOEM have specific obligations, both as a party to the various treaties and as trustee of treaty-reserved resources, to ensure that the United States honors its commitments in those treaties in all aspects of its work, including OSW.

Modeling concerns

The NCCOS modeling efforts considered only areas within boundaries of the Call Areas. The spatial suitability effort should be applied to all U.S. waters off Oregon to determine if there are more suitable areas outside the Call Areas. The Council has made this request previously. As shown in the Draft Report, the wind resources and potential are similar in most of the waters off Oregon. Spatial and temporal variability should also be considered when modeling to identify potential impacts. Currently a historical perspective is used to identify impacts, but the within year (seasonal) and between year impacts are not considered independently for comparison to this average. Given that the past ten years has been a time of change in the California Current (e.g., marine heat waves, ocean acidification and hypoxia) and a time of fisheries management changes (e.g., changes to the non-trawl Rockfish Conservation Area (RCA)), temporal and spatial shifts should be considered to better anticipate potential future impacts.

The Council recommends that BOEM use the NCCOS spatial suitability model to all U.S. waters off Oregon to determine if there are more suitable areas outside the Call Areas. In addition, temporal analyses should be conducted to identify the spatial changes in fishing grounds over time when evaluating spatial suitability.

Rushed modeling

The inability to provide additional data/information due to time constraints is a common theme in the Draft Report, and thus precluded adequate evaluation of several important issues. The Draft Report includes many references in which time and/or incomplete information was identified as a limiting factor, including:

- Adequate evaluation of other fisheries and other fish species (pages 24, 122, & 154)
- Coastal and Marine Ecological Classification Standard (CMECS) substrate attributes (page 134)
- Mesoscale eddies data layers (pages 135 & 137)
- Future shifts in habitat and species distribution (page 135), and
- Other oceanographic features such as preferred temperature, depth, chlorophyll, and prey distribution (page 137).

In addition, we note that juvenile and larval fish distribution data provided by NMFS are not included as a data layer in the model. While the Draft Report does include juvenile and larval fish distribution data in Appendix F, the Council would have benefited from having a better opportunity to consider the potential role of the data in the development of Draft WEAs. The draft Coos Bay WEA (WEA A) is a Dover sole spawning area (see section on Groundfish bottom trawl). NOAA

survey reports have shown it also is a forage and/or spawning area for Pacific sardine, with larval transport taking place through the Call Area to reside their first year in the Umpqua River estuary. Allowing additional time to gather and incorporate the information outlined above, as well as allowing adequate time for proper inclusion of data that, according to the Draft Report, was not fully utilized due to time constraints, would provide additional confidence in the model's outputs. **The Council recommends BOEM include additional data layers that were excluded due to time constraints into the NCCOS suitability model for future OSW siting processes.**

Limited incompatibility (constraint) layers

The Department of Defense Exclusion Area, which covers more than half of the Coos Bay Call area, and the U.S. Coast Guard Pacific Coast Port Access Route Study (PAC-PARS) fairways were the only activities deemed completely incompatible with OSW and thus considered constraints in the NCCOS model. The Council expresses concern that the presence and Critical Habitat of ESA-listed species such as leatherback sea turtles (LST) and the Southern Resident Killer Whale (SRKW) is not afforded similar consideration as a constraint. While BOEM has noted that they did consider the ESA-listed species and acknowledged that ESA consultations will be required to evaluate jeopardy and adverse modification to critical habitat, members of the Council's MPC believe the status of these populations warrant consideration of being scored as constraints in the model. The Pacific Leatherback Conservation Area closed large swaths of the ocean to specific gear types during times when it was expected LSTs would be foraging off the coast. That fisheries are subject to such constraints, while OSW development is not, represents a troubling philosophical dichotomy. Similarly, concern was also expressed about the failure to include the ESA-listed short-tailed albatross in the bird data layer- another species which could have profound impacts on our fisheries should there be an interaction.

Levelized cost of energy

The Wind Submodel in the Draft Report uses the Levelized Cost of Energy for 2027 (LCOE). This was based on a 2021 report prepared by the National Renewable Energy Laboratory (NREL). Although we forgo detailed comments here, the Council questions whether the values provided ($/MWh) are still valid, given recent events on the East Coast, where developers are asking for changes or increases in power purchase agreements by as much as 54 percent.[9] T**he Council recommends that BOEM update the levelized cost of energy, as the current values may no longer be valid**.

Potential impacts to NOAA scientific surveys

The Council remains concerned about potential disruptions to these important surveys. In June 2022, NMFS responded to BOEM's Call for Information — Commercial Leasing for Wind Energy Development on the Outer Continental Shelf (OCS) Offshore Oregon.[10] Included within that document is a graphical depiction of NMFS Scientific Surveys Conducted within the Brookings Call Area and Vicinity.[11] The Groundfish Bottom Trawl Survey collects samples in both Draft WEAs. In the southern portion of Draft WEA B in Brookings, there are NMFS Sampling Stations

[9] https://www.msn.com/en-us/money/markets/equinor-bp-seek-54-hike-in-us-offshore-wind-power-price-filings-show/ar-AA1g5g8P (Reuters)
[10] See - https://www.regulations.gov/comment/BOEM-2022-0009-0178
[11] See Figure 27, page 48 of the NMFS June 28, 2022, comment letter

for the Pre-recruit Survey, West Coast Pelagic Fish Survey, Northern California Current Ecosystem Survey, and Integrated Ecosystem and Pacific Hake Survey (see Figure 3.25, page 69, and Appendix D of the Draft Report). The Pacific hake survey is particularly important to inform international management of fisheries resources. Questions remain about the potential uncertainty that could result in stock assessments, and other scientific products used, to inform management from changes to these NMFS surveys in the Draft WEAs, if a full build-out of OSW energy was completed in the Draft WEAs. Similarly, additional questions arise when trying to understand the potential uncertainty resulting when the five California lease areas are fully built out. The Council is concerned that in the siting process, there hasn't been a wider ecosystem-wide approach, including potential impacts to NMFS surveys, taken to consider this issue in the context of California's 25 GW goal and the three GW that BOEM is seeking off the Oregon Coast, related to Oregon's renewable energy goals. **The Council recommends adopting recommendations from NMFS, including evaluation of the cumulative effects and resulting uncertainties arising from development of the California OSW leases and any future Oregon OSW leases**.

Navigational concerns

Navigational channels and "travel-through"/transit areas should be considered. As the Council's Groundfish Management Team stated in its March 2021 Agenda Item C.2.c, Supplemental GMT Report 1, "Closure of areas used to access fishing ground could result in detours that cost [the fishing] industry time, fuel and money." Both Draft WEAs present potential navigation and safety issues, especially when coupled with adverse weather conditions and the needs of fishery participants to modify their transit routes due to the presence of OSW facilities, to avoid protected species interactions, or to navigate between fishing areas separated by an OSW facility. For example, the Coos Bay Draft WEA A could present navigation and safety issues, especially for vessels fishing Heceta Bank and then transiting farther offshore. The Council has commented previously regarding our concerns for safe navigation and **recommends that BOEM ensure adequate transit lanes to promote safety and to minimize impacts to commercial and recreational fishing participants.**

Cumulative impacts and adequate evaluation of optimal OSW energy siting

As stated in the Council's letter to Oregon Governor Kotek, the Council remains concerned that the NCCOS modeling efforts considered only areas within boundaries of the Call Areas. No modeling was completed to help determine if there are more suitable areas outside the Oregon Call Areas, despite multiple requests to do so. As shown in the Draft Report, the wind potential is similar across large areas of the Oregon Coast. The Council previously recommended a coast-wide, long-term evaluation of the potential impacts to fisheries, habitats, the ecosystem, and coastal communities. While a cumulative impacts assessment is required under the National Environmental Policy Act (NEPA), we believe a proper evaluation, including a comparison of a variety of alternatives, should occur before any further OSW planning takes place for the West Coast. Because of the narrow modeling focus, there is a lack of confidence that BOEM did an adequate job in identifying Call Areas and Draft WEAs with the lowest possible impacts to fishing communities. The intent of NEPA and related laws is to ensure that the public has the same information as the decision makers and understands the trade-offs considered before decisions are made). Concerns remain about the piecemeal approach BOEM is taking in siting of WEAs and narrow focus on cumulative impacts of OSW on the marine environment and fisheries. For instance, the southern end of Draft WEA B, within the Brookings Call Area, is less than 50 nautical

miles from the two lease sites off Humboldt in California. We understand that BOEM's process involves conducting more thorough analysis before the Construction and Operations phase. However, such fundamental analyses should come during the planning phases before key area identification decisions are made.

2.1 Fishery-Specific Concerns and Recommendations

In addition to the overarching request to pause the process until the above Council concerns are met, the Council provides the following comments and recommendations in response to BOEM's request in Section 9 of the public notice. These comments and recommendations are focused on areas that are integral for fishing activities managed by the Council. **The Council recommends that BOEM remove the specific areas described below and collated in Figure 17 and Figure 18, given the economic and social importance of both commercial and recreational fisheries across all sectors to the state of Oregon and the U.S. West Coast**. These recommendations are based on the ODFW/NMFS ranked suitability maps in the Draft Report and housed in the OROWindMap tool, other maps as indicated, and input from subject matter experts in the fishing sectors described below.

Highly migratory species

Determining the suitability of specific areas, in relation to future fishing activities, is based on historic fishing data. This is a significant shortcoming of the NCCOS model in that potential future fisheries, or newly available species due to distribution shifts, are not considered. Deep-Set Buoy Gear is a newly authorized gear type used to harvest swordfish and other marketable highly migratory species off the West Coast. As Pacific Bluefin tuna continue their remarkable recovery from an overfished state, commercial and recreational fishermen are encountering them north of their historic range, including as far north as off the Washington coast. Given the leases off California have an initial term of 39 years, it is reasonably foreseeable the two Draft WEAs would have some importance to both of those fisheries.

The commercial albacore fishery typically ranks fourth or fifth for total annual revenues generated in Oregon marine fisheries. Between 1992 and 2022 commercial landings in Oregon have averaged 7.6 million pounds per year.[12] Between 2012 and 2022 an average of 329 commercial vessels landed albacore in Oregon.[13] In 2022, a total of $14,250,000 was paid to those vessels.[14] This does not account for any downstream economic impacts and benefits to Oregon's fishing communities.

ODFW's Ocean Recreational Boat Survey (ORBS) deploys samplers to monitor Oregon's sport fisheries and provide estimates of overall effort and catch. There were an estimated 29 charter trips and 1,476 private recreational trips over the 2022 season. An estimated total of 21,823 albacore were caught in the recreational fishery.[15]

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[12] Commercial and Recreational Harvest of Albacore in Oregon: Annual Albacore (Thunnus alalunga) Sampling Report, 2022. ODFW Marine Resources Program. 20pp. See - 2022 Annual OR Albacore Report.pdf (state.or.us)
[13] Id @ 5 (Table 4 - Total number of unique vessels landing albacore in Oregon, 2012-2022)
[14] Id @ 10 (Table 11 - Total revenue (ex-vessel) and average price of Oregon albacore landings, 2012-2022)
[15] Id @ 15.

Albacore fisheries are opportunistic but typically dependent on habitat features including seamounts, offshore banks, and deep-water canyons which tend to be highly productive areas associated with forage accumulation. As such, fishing grounds important to those fisheries tend to be similar year-to-year.

The Draft Report includes effort and revenue values for the commercial albacore fishery and effort data for the charter fleet. The Council remains concerned about the lack of information about recreational fisheries, in particular the albacore fishery. **The Council recommends BOEM conduct targeted outreach with representatives of the recreational albacore fishery to fill that data gap to better inform potential final WEAs**.

Areas still remain within both Draft WEAs that are important to the commercial and charter vessel albacore fisheries. The combined fisheries data layer had the effect of diluting the dependence of the albacore fleet(s) on those areas.

While some areas within the Brookings Draft WEA may appear to be of lower importance (i.e., having a ranked importance less than 0.5) to Oregon's albacore fisheries, these areas are highly important to commercial and recreational fisheries based in southern Oregon and northern California. Those areas should be considered for removal.

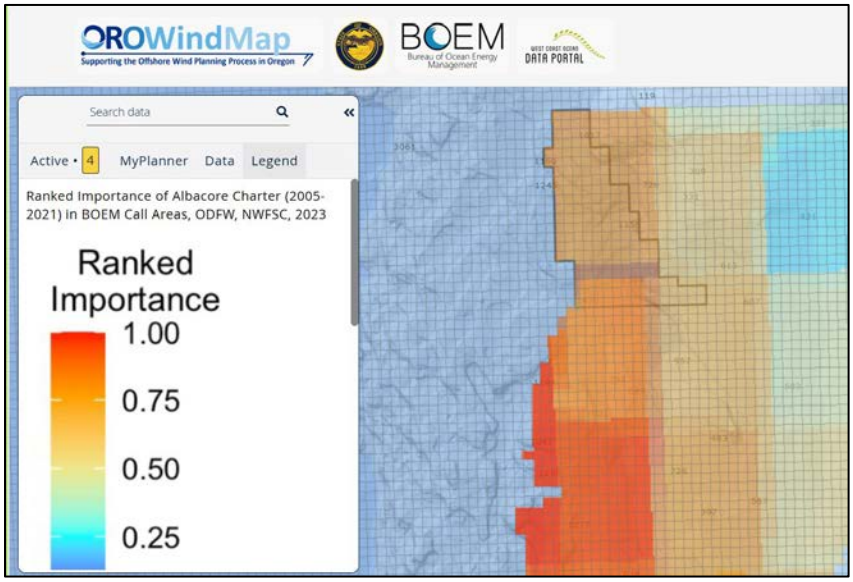

Figure 7: Ranked importance of albacore charter fishing in the area of the Coos Bay WEA (Draft WEA A).

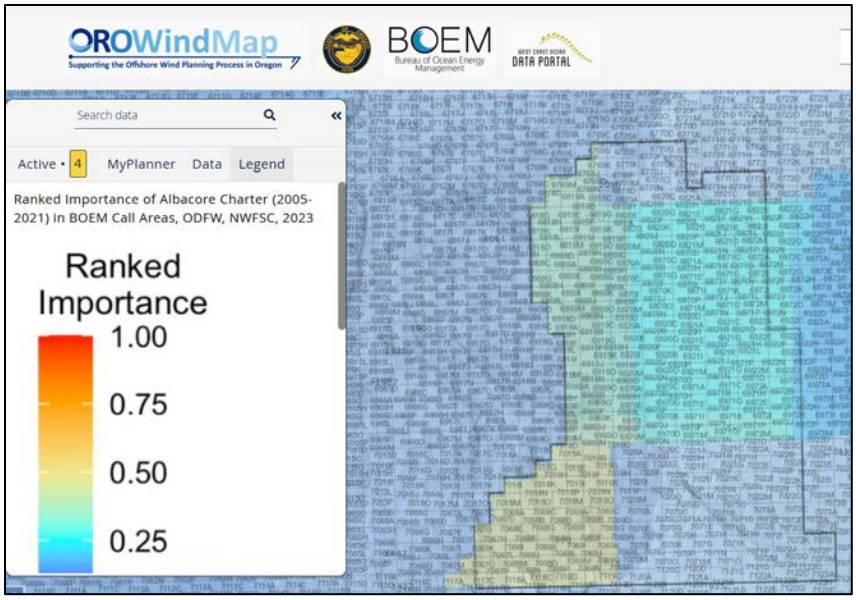

Figure 8: Ranked importance of albacore charter fishing in the area of the Brookings Draft WEA.

Salmon fisheries

While information readily available in OROWindMap does not indicate a prevalence of recreational or commercial salmon fishing within the Draft WEAs, BOEM should recognize this may change in the future. The paucity of recreational fishing data regarding effort within the Draft WEAs remains an issue that must be addressed at some point, ideally before identifying final WEAs but definitely before any leases are proposed.

Other fishing sectors, such as the whiting (Pacific hake) trawl fisheries, also depend on information about the migratory patterns of salmon, when they migrate and population status of specific species. While salmon may be caught unintentionally as bycatch, trawl fisheries must abide by strict rules to avoid them. Full development of the WEAs could interrupt these migratory patterns and cause greater unintended consequences to not only the directed salmon fisheries but also other fisheries that take them incidentally. In addition, displaced fisheries from within the draft WEAs may potentially increase impacts with bycatch and protected species inshore of the draft proposed WEAs through fishing ground compression which would limit the operational area needed to minimize and avoid potential negative interactions. **In order to minimize potential impacts to commercial and recreational salmon fisheries, the Council recommends BOEM conduct targeted outreach with representatives of these fisheries to fill data gaps to better inform potential final WEAs**.

Groundfish fisheries - sectors and specific gear types

The Council's Pacific Coast Groundfish Fishery Management Plan (FMP) includes more than 100 different species. Most live on or near the bottom of the ocean. The FMP includes benthic and pelagic rockfish, 12 species of flatfish, six species of roundfish, including species like Pacific hake (whiting) and sablefish that are economically important species on their own; sharks and skates and more. Several gear types are used to harvest groundfish, including bottom and midwater trawls, bottom longlines, pots or traps, etc. Some of the fishing effort is broken out to different sectors by gear type or by the management system used to keep the fisheries sustainable (individual

quota program, trip limits, cooperatives, etc.). Groundfish also supports a vital recreational fishery in all three West Coast states. Full descriptions and management of each sector can be found in the most recent edition of the Status of the Pacific Coast Groundfish Fishery Stock Assessment and Fishery Evaluation (SAFE) document (July 2022, for reference here).

Using OROWindMap and based on input from fishing industry participants, several fishing sectors and gear types, and the potential challenges each may face with the Draft WEAs, are described in this section. Potential solutions are included here, while retaining contiguous areas that BOEM could potentially identify for OSW leasing. The Council process incorporates traditional fishermen's knowledge, and state, Tribal and Federal fishery managers' expertise in decisions. With this in mind, **the Council recommends the following**.

- **Any area within the Draft WEAs in waters shallower than 400 fathoms (731.5 meters) should be removed.** Although waters deeper than 400 fathoms have been used for fishing in some form or another, most groundfish fishing takes place in areas shallower than 400 fathoms. Groundfish trawlers, specifically, depend on these shallower areas to harvest the mix and volume of species that seafood processors need to meet market expectations. This mix is frequently referred to as the DTS (Dover, thornyheads and sablefish) complex because the primary species include Dover sole, shortspine thornyheads and sablefish. By adjusting the depth and location of fishing, a trawl captain can change the percentages of these and other market species to achieve the quantities requested by seafood processors while minimizing the catch of fish and species that are not targeted. Compression of the fishing grounds shoreward of the 400-fathom curve due to OSW energy developments will severely impact the trawler's ability to adjust their fishing strategies to catch the mix of fish processors need. Therefore, aliquots shallower than 400 fathoms should be removed from the Draft WEAs.
- **Areas with sharp corners or "pan-handle"-like protrusions are difficult to fish around with mobile gear and even some fixed gears**. The Council recognizes the aliquots, by nature, are square and that some protrusions are necessary to estimate fathom curves or for other reasons. Vessels utilizing mobile gears, such as trawl, cannot make sharp turns. Fixed gears, like groundfish pots and groundfish longlines may also be unable to set their gears near these corners due to potential current drift or weather that may push the gear into or near an aliquot where an anchor, interarray cable, transmission line or anchor line is located. Generally, minimizing these protrusions will make it easier for fishermen to adjust their fishing behavior. We make specific suggestions below.

In order to minimize potential impacts to commercial and recreational groundfish fisheries, the Council recommends BOEM remove any aliquot having waters shallower than 400 fathoms (731.5 meters) as well as areas with sharp corners or "pan-handle"-like protrusions that are difficult to fish around.

Groundfish: Bottom longline

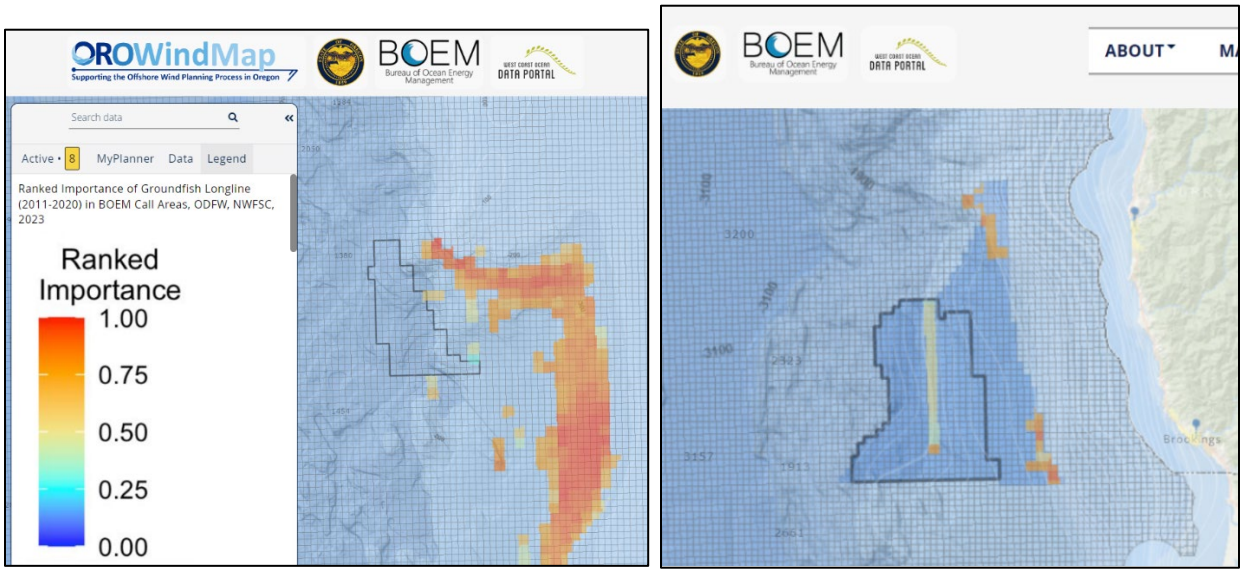

Figure 9: Groundfish bottom longline fishing effort using ODFW and NWFSC ranked fisheries data. OROWindMap link: https://bit.ly/3PyPfU5. (left: Draft WEA A; right: Draft WEA B).

Groundfish bottom longline fisheries include a groundline weighted to the seafloor by anchors on each end, with buoy lines running to the surface to which a flag is attached to identify retrieval. Hooks are attached to the groundline. Longlines are typically set along a fathom curve or seafloor formation and used to fish for sablefish and halibut. While not considered a mobile gear, like trawl, longlines can be susceptible to currents, broken buoy lines due to interaction with a vessel, etc. Therefore, fishermen using longlines would likely not want to set gear too close to an aliquot corner, like those in eastern center section and bottom southeast corner of the Coos Bay Draft WEA A (Figure 9) or near an OSW turbine anchor, as the gear could drift into a WEA and become lost.

There is fishing activity in the center of the Brookings Draft WEA B, concentrated in a north-south line. Removing these areas from the Draft WEA would allow longliners to set along the fathom curve or seafloor feature that has historically been fished. Additionally, removing the eight aliquots below that center channel would create a travel-through/transit area for fishermen that would alleviate the need to make the return trip to the northern end to exit the WEA (See Figure 17 and Figure 18). This continuous transit opportunity would create efficiencies for longliners and would increase safety for vessels and crews, especially those that operate in this area during the spring and summer when the prevailing wind is out of the northwest.

Groundfish: Pots/traps

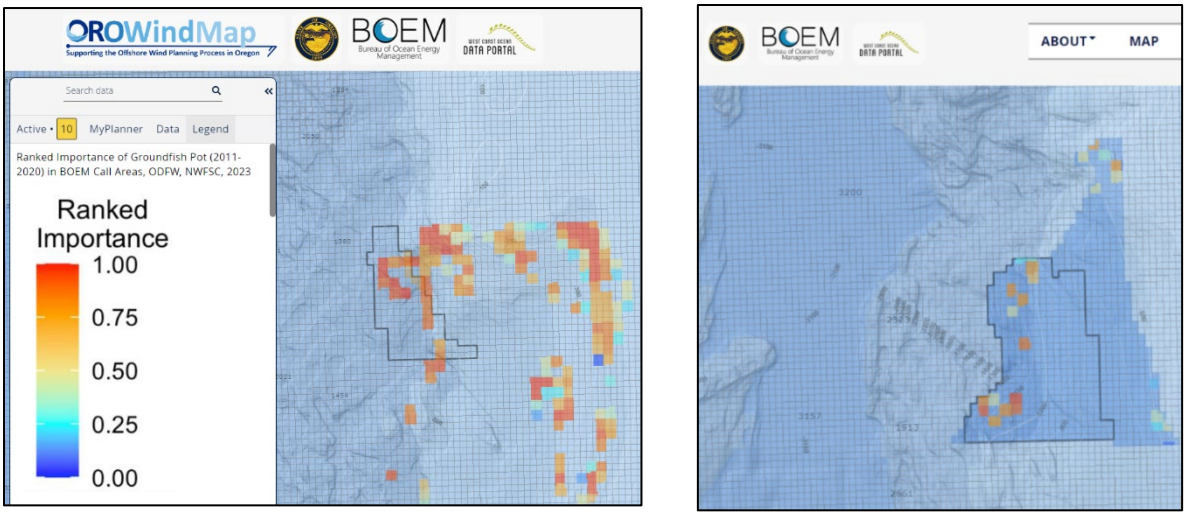

Figure 10: Groundfish pot ranked importance using ODFW and NWFSC ranked fisheries data. OROWindMap link: https://bit.ly/3RB1OAT . (left: Draft WEA A; right: Draft WEA B).

Groundfish pot/trap fisheries target sablefish, a highly valued fish on the West Coast. Pot and trap fishermen harvest between $4 million and $7 million annually of sablefish; those numbers double when other species are also considered. However, due to the operation of this gear type, pots and traps may not be set in the same areas as bottom longlines that also target sablefish. The pots and traps may be in very discrete areas, making selection of edge aliquots more difficult than for other groundfish gear types. The northeastern section of the Coos Bay Draft WEA A and the southwest area of the Brookings Draft WEA B remain highly utilized areas (Figure 10) especially as fish move and depending on ocean conditions. Sablefish generally inhabit the same areas year over year, but stock size may also lead to changes in fish behavior. Additionally, the establishment of a Take Reduction Team (TRT) to implement changes to reduce whale entanglements will have an unknown effect on future fishing behavior. In other words, build-out of OSW leases may force pot/trap fishing (and other sectors) into areas with greater risk of marine mammal interactions.

Seafloor features and bathymetry largely account for the changes in fishing behavior between longlines and pot/trap fishing. Based on this rationale, **BOEM should consider removing specific aliquots from the Draft WEAs** (see Figure 17 and Figure 18).

Groundfish: Bottom trawl

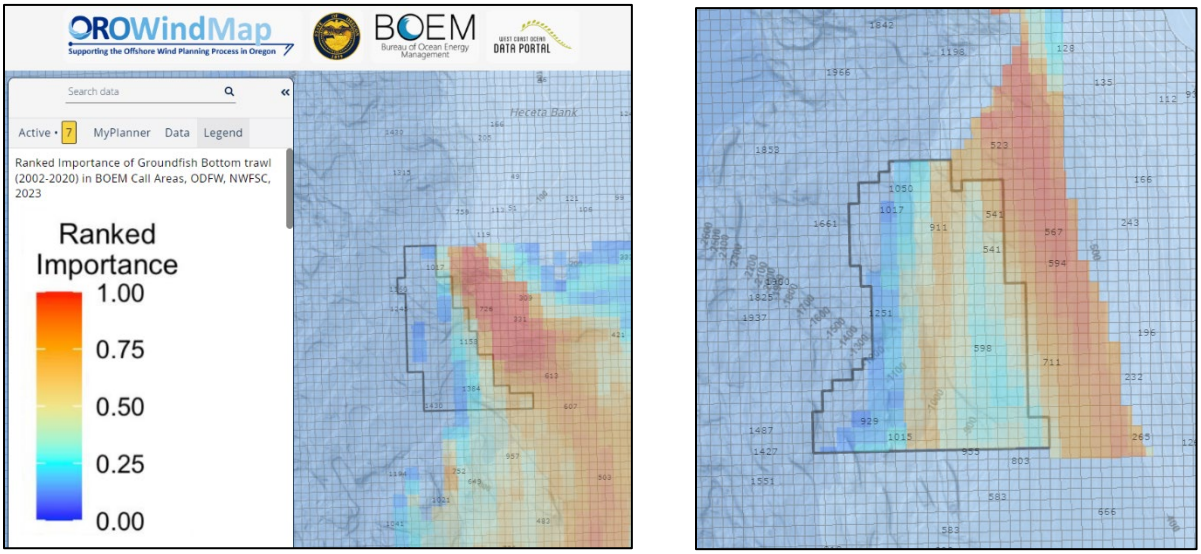

Figure 11: Groundfish bottom trawl ranked importance using ODFW and NWFSC ranked fisheries data. OROWindMap link: https://bit.ly/3PINiEW. (left: Draft WEA A; right: Draft WEA B).

Groundfish bottom trawl fisheries use nets towed behind a vessel; therefore, they are considered "mobile gear" and cannot make sharp turns while fishing. Trawlers also frequently tow along fathom curves or seafloor features where their target species and/or complex (more than one species caught in the same area) occurs. Trawling accounts for a significant amount of groundfish volume delivered to Crescent City and Eureka, California; and Brookings, Coos Bay (Charleston), Newport, Garibaldi and Astoria, Oregon. Trawlers may also fish in one state and deliver to another, frequently traversing fishing grounds from Washington to California. It is imperative that fisheries using mobile gear have sufficient space in which to drop their nets, turn, retrieve their gear and move according to changes in fishing activity or weather. It is also foreseeable that trawlers displaced from the Humboldt OSW area may depend on fishing opportunities in Oregon.

It is clear from Figure 11 that trawlers also utilize a similar corridor in the middle of the Brookings Draft WEA that bottom longliners do. In the same fashion, removing the aliquots in that corridor would enable trawlers to access a traditional fishing area that has historically been important and may become critically important in the future. Removing the aliquots in the actively fished area will create a "travel-through" or transit zone so vessels would not have to enter from the north, fish all the way down the corridor, then return north to exit the WEA. The same reasons that applied to bottom longline fishing apply here: greater operational efficiency; increased safety, especially if more than one vessel is trawling the same area; and ensuring operational mobility during inclement weather.

These areas also do not fully account for significant regulatory changes that have affected the bottom trawl sector; the fishery has evolved over decades. Trawlers have had to adjust their business plans and operations to account for a number of stocks being declared overfished and subsequently rebuilding, a trawl individual quota program being implemented, changes to the trawl

Rockfish Conservation Area, and more. Processors, too, that depended on volumes of groundfish, had to modify their business models. BOEM should recognize that OSW development will likely disrupt shoreside support systems when transmission cables are laid and limited port areas may be devoted to wind components or support vessels. Eliminating specific areas or aliquots will preserve traditional fishing areas that may have been subject to limited fishing activity recently. In other words, it is clear these areas have been important in the past and should be preserved for future use as stocks and ocean conditions change, thereby also supporting the shoreside infrastructure such as processors, fuel docks, marine supply stores, etc. See Figure 17 and Figure 18 for a composite set of aliquots that BOEM should consider for removal from the Draft WEAs.

Groundfish: Shoreside hake (Pacific whiting)

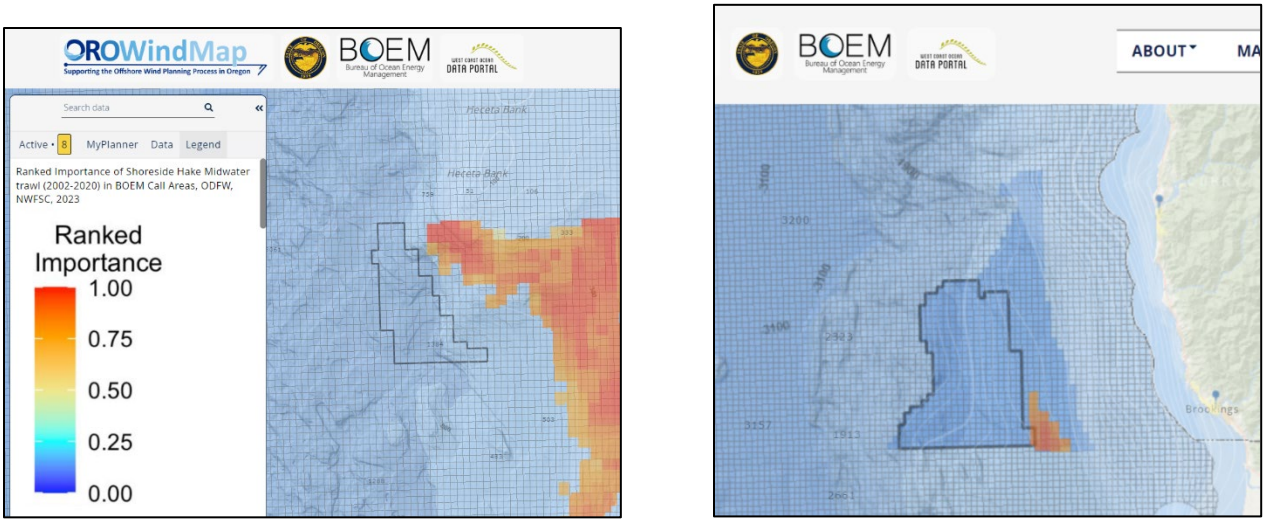

Figure 12: Shoreside hake fishing ranked importance using ODFW and NWFSC ranked fisheries data. OROWindMap link: https://bit.ly/3ZCi1HX. (left: Draft WEA A; right: Draft WEA B).

Shoreside hake (Pacific whiting) vessels are similar in size to bottom trawl vessels, but fish on congregating schools of hake that are higher in the water column. These vessels catch the hake then deliver to processing plants on shore. They follow schools of whiting and must adhere to strict regulations regarding bycatch of other species. Therefore, they may choose to fish in an area that has the best opportunity for clean tows of whiting and also to avoid bycatch.

Hake is considered a large volume fishery that is one of the most economically important singular groundfish species on the West Coast. About 25 vessels fish for shoreside processors annually. The U.S. has international treaty obligations with Canada for its management from British Columbia to California.

Shoreside whiting fishing vessels also require large areas for turning around and maneuvering around aliquot corners or seafloor features, such as the southeast corner of the Brookings Draft WEA. Removing important areas from the Draft WEAs will afford these vessels the opportunity to retain their operating efficiency and flexibility while remaining safe at sea. See Figure 17 and Figure 18.

Groundfish: At-sea hake (whiting), mothership sector

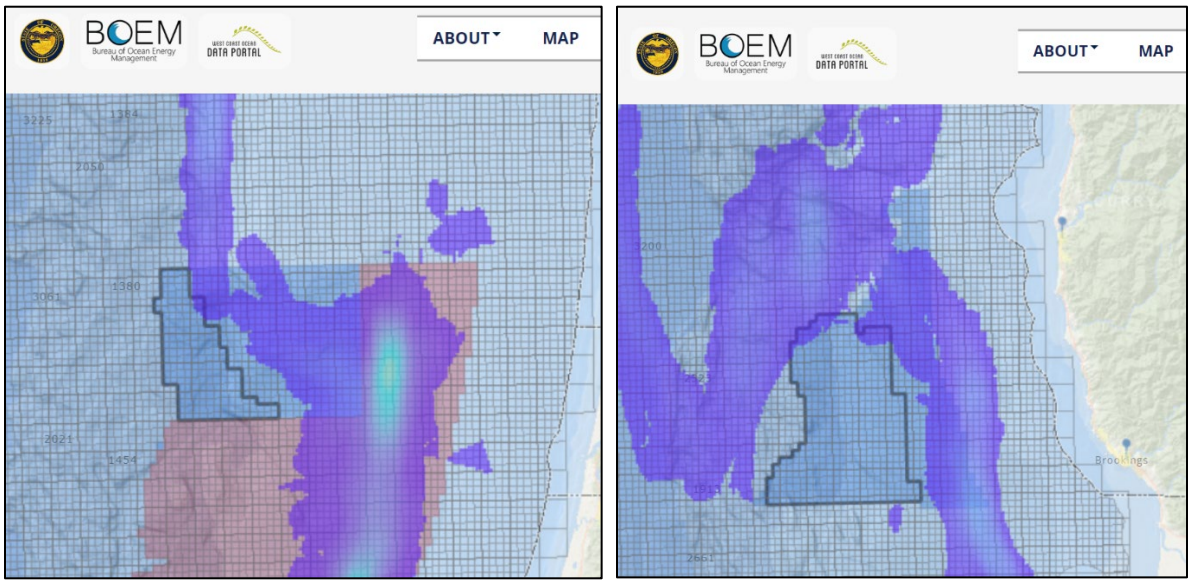

Figure 13: At-sea mothership sector intensity, 2011-2015, using NWFSC FRAM data. OROWindMap link: https://bit.ly/3LI6OAa. (Left: Draft WEA A; right: Draft WEA B).

At-sea mothership vessels and their associated catcher vessels target hake (Pacific whiting). Motherships are large vessels that contract with trawler catcher-vessels similar in size to the shoreside trawl vessels. Many of the shoreside vessels also participate in the mothership sector. The catcher boats use trawl nets to catch hake, then transfer the net to the mothership, which proceeds to receive the catch from the catcher vessels, process it, package it and freeze it for delivery to onshore distribution facilities later. While motherships do not actually harvest the fish, the fleets of catcher vessels that travel with them do target abundant schools of hake using midwater trawl nets. This sector is also subject to strict bycatch avoidance rules and regulations. Therefore, their fleet operations may be limited by not only target species abundance, but bycatch avoidance of other groundfish species or salmon.

Figure 13 shows mothership activity within the Draft WEAs in the 2011-2015 time frame. The fishing intensity during this time period provides a better indication of the importance of areas within and near the two Draft WEAs, because the fishing locations of the mothership sector are quite variable between years. Nonetheless, in certain time frames, the areas in and around the Draft WEAs are very important and very productive. In many years, it is impossible to predict which areas or portions of the Draft WEAs will be important in the future as stocks change and the ocean changes. As noted under "General Comments and Suggestions," removal of aliquots shallower than 400 fathoms would help the catcher vessels participating in the mothership sector, since most of their target species, hake, is caught in those areas.

It is important to note that both the Draft WEA A and Draft WEA B are in close proximity to productive fishing grounds for both at-sea fleets (motherships and catcher-processors) and the Council remains concerned about offshore wind's potential negative impacts to upwelling and ecosystems. Renewable energy development in one area should not create unintended

consequences for adjacent fishing areas that at-sea hake fisheries and shoreside hake fisheries deem essential to their harvest and processing operations.

Safety at sea is a pivotal concern. More than one mothership and its associated catcher vessels may work in the same area if the target species, hake, is abundant and bycatch is low. Motherships require maximum flexibility and space for at-sea processing operations, especially when multiple vessels are operating in the same area at the same time.

Referencing these figures, specific areas should be considered for removal in order for the mothership sector to retain historical opportunities for fishing. See Figure 17 and Figure 18.

Groundfish: At-sea hake (whiting), catcher-processor sector

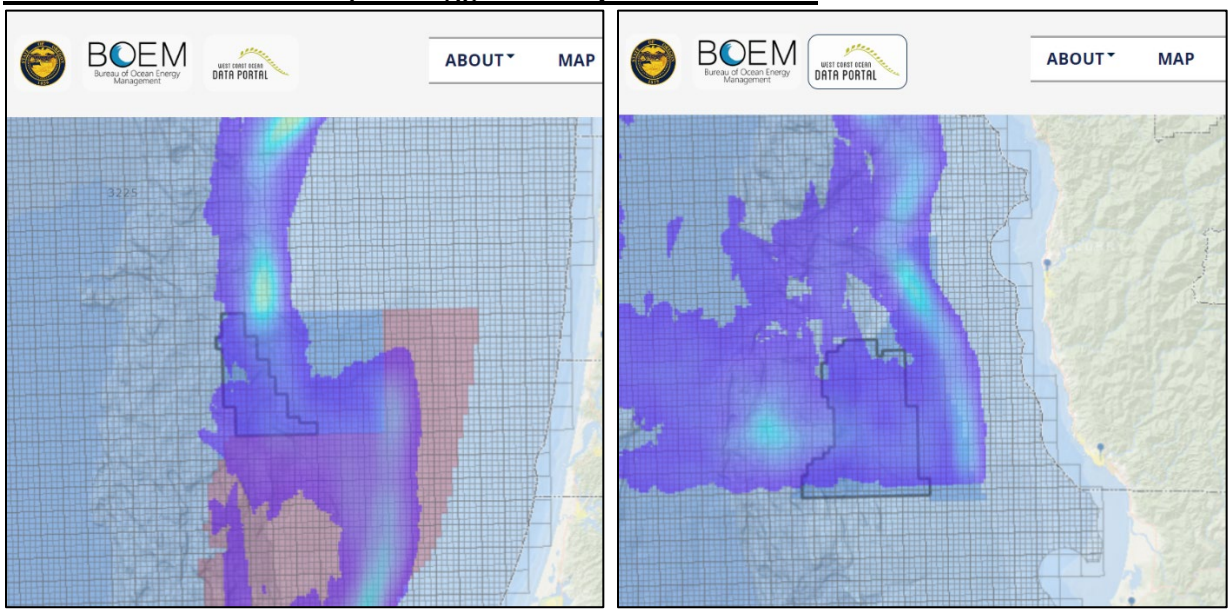

Figure 14: At-sea catcher-processor intensity, 2011-2015, using NWFSC FRAM data. OROWindMap link: https://bit.ly/3LBF93y. (Left: Draft WEA A; right: Draft WEA B).

The at-sea catcher-processor (CP) sector includes large vessels that tow equally large midwater trawl nets for a single species, Pacific hake (whiting). They then bring the nets aboard, unload the fish and process, package and freeze it onboard. These large trawlers, like the smaller bottom trawlers, also need large areas for turning or changing course. The close proximity of the Draft Coos Bay WEA A to highly productive and important fishing grounds would effectively preclude the ability of the at-sea CP sector to access these areas because of the risk of entanglement of nets with OSW infrastructure.

The above figures show the years during which the CP sector frequented both draft WEAs. According to the rest of the dates in the NWFSC FRAM dataset, the CPs did not frequent the areas outside of the 2011-2015 time frame. This area is important for several reasons: Target species may be move into these areas for reasons relating to temporary or permanent ocean changes; or species caught as bycatch may move *out* of these areas during ocean changes while the target species, hake, is in relative abundance. That is, the areas may be important for bycatch avoidance.

For example, between 2014 and 2016, the West Coast experienced an unprecedented marine heatwave ("The Warm Blob"), which temporarily changed fish congregations and fishing behavior. This likely influenced the CP sector's change in fishing patterns off the southern Oregon coast.

As changes in the ocean occur and another strong El Nino appears to be forming, these areas may once again be important to the CP sector. Therefore, we suggest removing several areas that are adjacent to productive fishing grounds to maintain vessels' maneuverability and to allow for flexibility in harvesting operations into the future. See Figure 17 and Figure 18.

Groundfish: Recreational bottomfishing effort

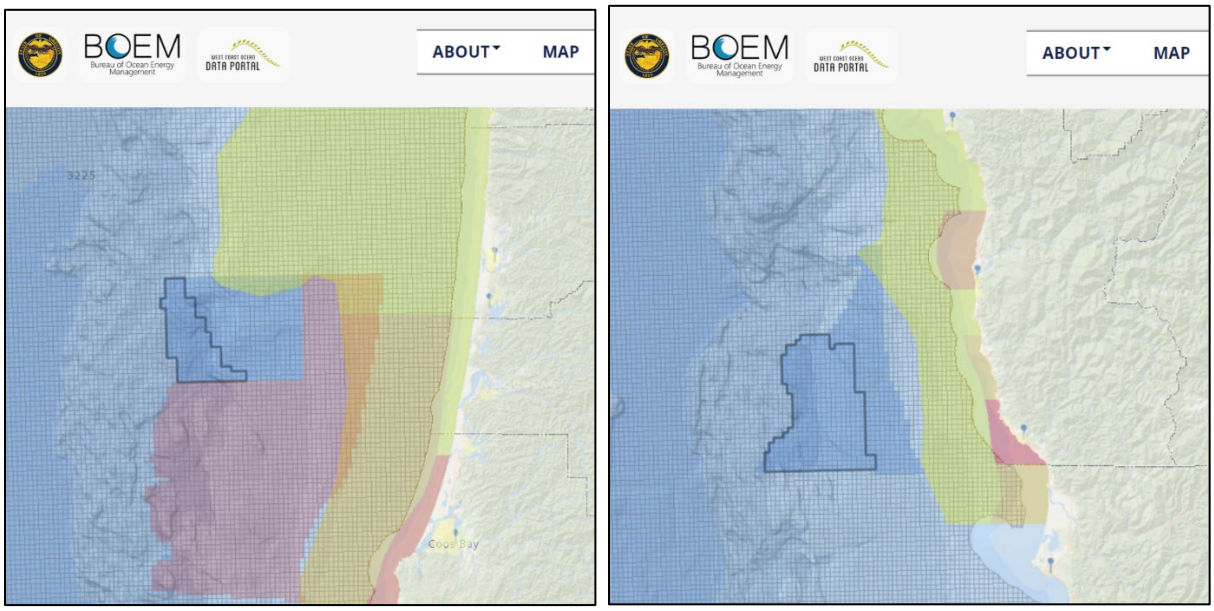

Figure 15: ODFW recreational bottomfishing trips by reef, 2015-2020. OROWindMap link: https://bit.ly/3LF9cHM. (Left: Draft WEA A; right: Draft WEA B).

Recreational fishing effort includes small, private vessels and charter vessels, both of which are important to the coastal economies of northern California ports and Brookings, Gold Beach, Bandon, Coos Bay, Winchester Bay, and Florence in Oregon, all ports near the Draft WEAs.

Both private and charter vessels target rockfish and other species, but the maps above show the primary recreational effort is closer to shore and well shoreward of the Draft WEAs (Figure 15). However, as restrictions around rockfish, salmon or halibut increase, sport fishermen will seek other species to target. For example, deepwater lingcod, Pacific halibut and offshore rockfish. Currently, sport fishermen in Oregon are looking for additional opportunity to pursue recreational fishing for sablefish. Both private and charter fishermen will likely fish farther offshore and in many of the same areas as the sablefish longliners and pot/trap fishermen. The paucity of datasets available complicates consideration of recreational effort within the Draft WEAs. Conducting outreach to recreational fisheries would better inform BOEM of potential impacts to and conflict with these economically important fisheries.

In order to minimize potential impacts to recreational bottomfish fisheries, the Council recommends BOEM conduct targeted outreach with representatives of these fisheries to fill data gaps to better inform potential final WEAs.

The importance of spawning areas

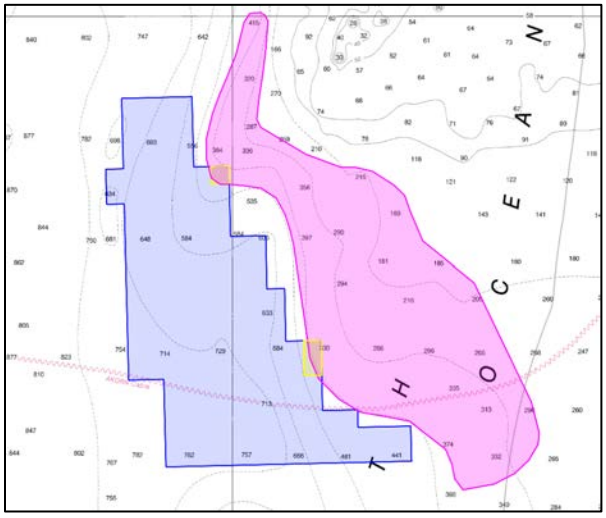

Figure 16: Draft Coos Bay WEA (A) in blue; Dover and petrale winter spawning areas in pink (Source: fishing industry input).

Dover and petrale sole are important species to the groundfish bottom trawl sector. Average ex-vessel values alone equate to between $9 million and $14.5 million annually over the past five years. Protecting the traditional areas targeted for fishing these bottomfish is complemented by removing areas from potential OSW sites in which spawning occurs.

OROWindMap does not include the Dover and petrale sole spawning areas, but trawlers have identified the area in pink in Figure 16 as the primary area for these two stocks off the southern Oregon Coast. **The Council recommends that BOEM include these data and explore the inclusion of other ecosystem-based data layers for inclusion in the NCCOS suitability model.**

Summary of areas integral to fishing activities

Based on the rationale, maps, and data described above, the **Council recommends removal of the aliquots below from the Draft WEAs**. The aliquots highlighted in yellow are a composite representing all fishing sectors and other factors (e.g., spawning and nursery areas) described above. These aliquots are listed in **Table 1** below.

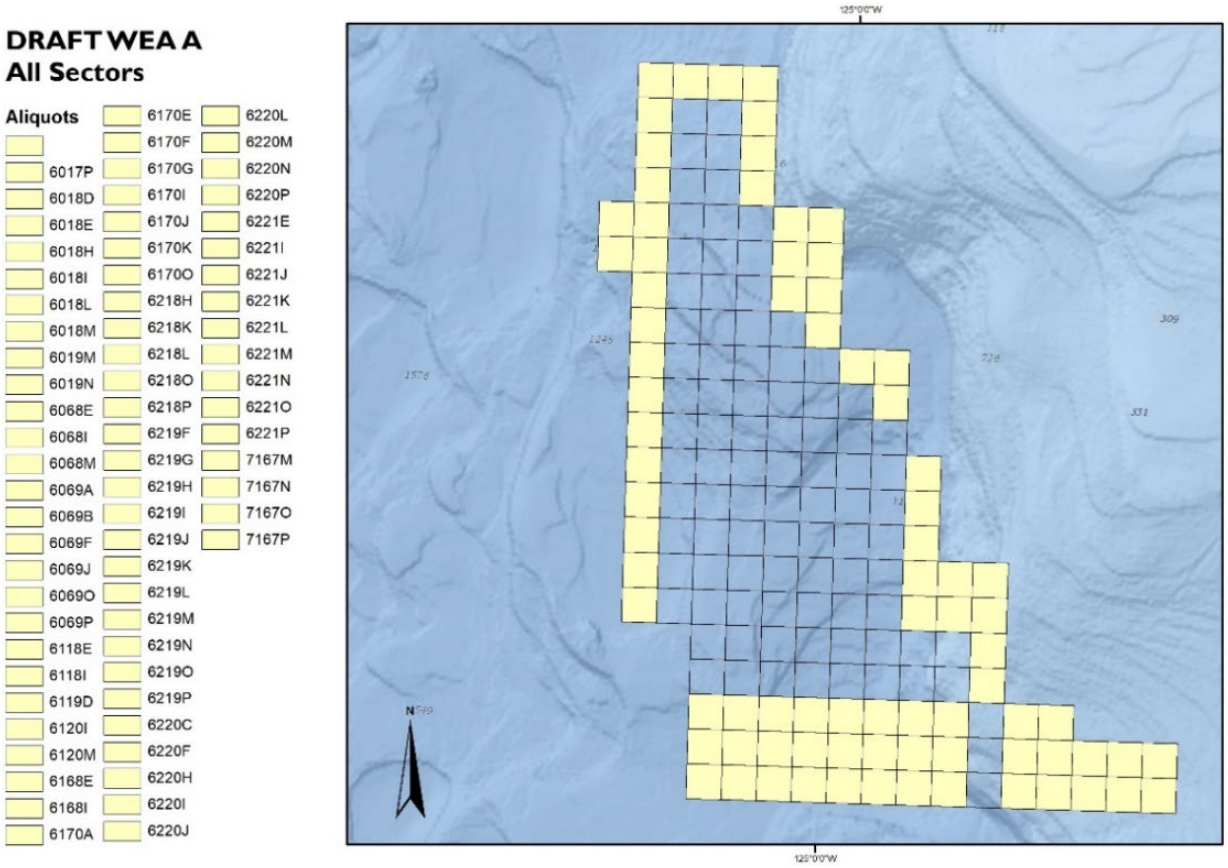

Figure 17: Composite of all aliquots recommended for removal from the Draft Coos Bay WEA, based on importance to fishing sectors managed by the Council.

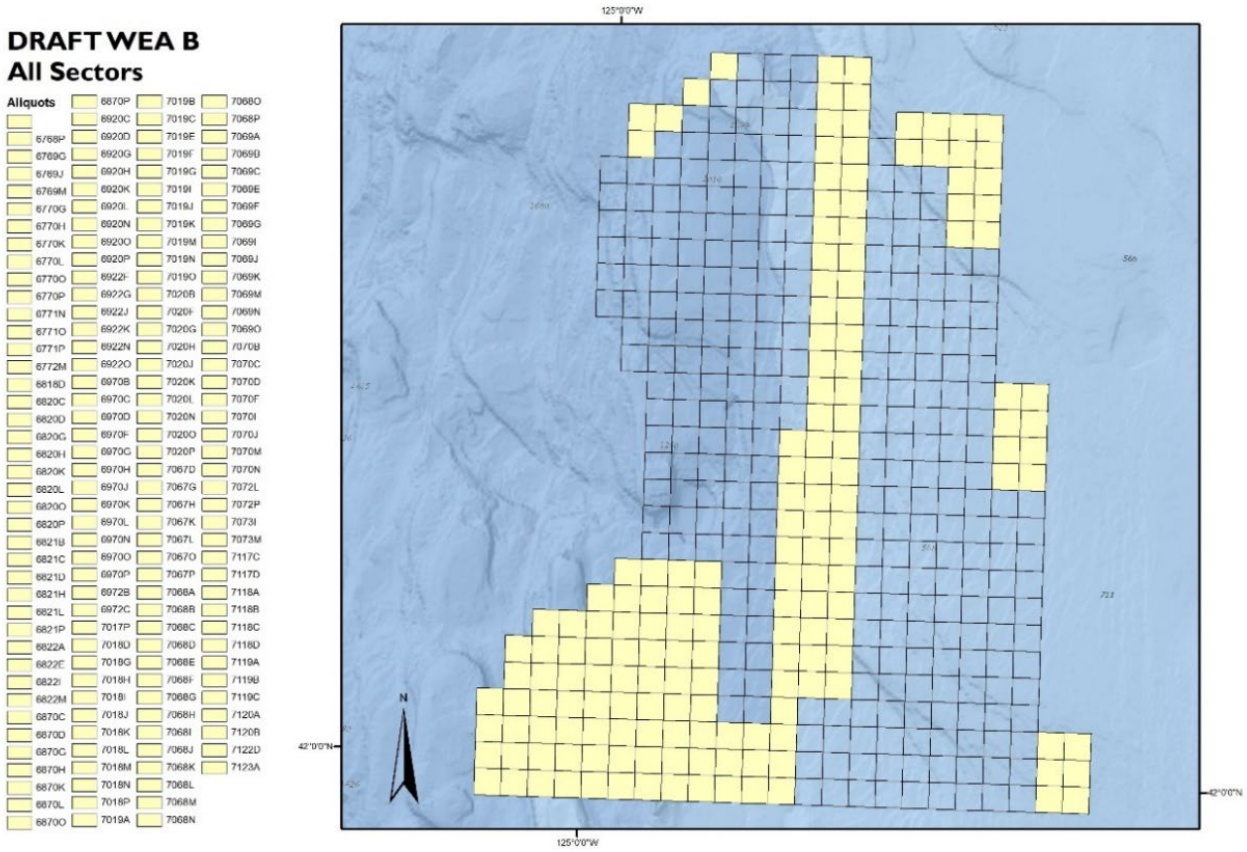

Figure 18: Composite of all aliquots recommended for removal from the Draft Coos Bay WEA, based on importance to fishing sectors managed by the Council.

Table 1: Aliquots proposed for removal from Draft WEAs

Draft WEA A (Coos Bay)					
6017P	6069B	6170E	6219G	6220I	6221O
6018D	6069F	6170F	6219H	6220J	6221P
6018E	6069J	6170G	6219I	6220L	7167M
6018H	6069O	6170I	6219J	6220M	7167N
6018I	6069P	6170J	6219K	6220N	7167O
6018L	6118E	6170K	6219L	6220P	7167P
6018M	6118I	6170O	6219M	6221E	
6019M	6119D	6218H	6219N	6221I	
6019N	6120I	6218K	6219O	6221J	
6068E	6120M	6218L	6219P	6221K	
6068I	6168E	6218O	6220C	6221L	
6068M	6168I	6218P	6220F	6221M	
6069A	6170A	6219F	6220H	6221N	
Draft WEA B (Brookings)					
6768P	6821P	6970B	7019G	7068E	7072L
6769G	6822A	6970C	7019I	7068F	7072P
6769J	6822E	6970D	7019J	7068G	7073I
6769M	6822I	6970F	7019K	7068H	7073M
6770G	6822M	6970G	7019M	7068I	7117C
6770H	6870C	6970H	7019N	7068J	7117D
6770K	6870D	6970J	7019O	7068O	7118A
6770L	6870G	6970K	7020B	7068P	7118B
6770O	6870H	6970L	7020F	7069A	7118C
6770P	6870K	6970N	7020G	7069B	7118D
6771O	6870L	6970O	7020H	7069C	7119A
6771P	6870O	6970P	7020J	7069E	7119B
6771N	6870P	6972B	7020K	7069F	7119C
6772M	6920C	6972C	7020L	7069G	7120A
6818D	6920D	7017P	7020N	7069I	7120B
6820C	6920G	7018D	7020O	7069J	7122D
6820D	6920H	7018G	7020P	7069K	7123A
6820G	6920K	7018H	7067D	7069M	7018K
6820H	6920L	7018I	7067G	7069N	7019A
6820K	6920N	7018J	7067H	7069O	7068K
6820L	6920O	7018L	7067K	7070B	7068L
6820O	6920P	7018M	7067L	7070C	7068M
6820P	6922I	7018N	7067O	7070D	7068N
6821B	6922G	7018P	7067P	7070F	
6821C	6922J	7019B	7068A	7070I	
6821D	6922K	7019C	7068B	7070J	
6821H	6922N	7019E	7068C	7070M	
6821L	6922O	7019F	7068D	7070N	

2.2 Habitat and Ecosystem Concerns and Recommendations

The Council recognizes BOEM's goal of siting WEAs to generate sustainable energy, and if WEAs were designed to avoid sensitive habitats, goals for both sustainable energy and fisheries might be achieved. But BOEM's current wind suitability mapping appears to discount key habitat features in their siting of WEAs and associated infrastructure. Therefore, the Council provides the following recommendations to maintain habitat protections as wind energy is further planned along the Pacific Coast. These recommendations stem from Council authorities to protect EFH and include protections not only within WEAs but along potential cable routes to ports.

Council authorities

Essential Fish Habitat Provisions of MSA

The EFH provisions of the MSA promote the conservation of fisheries species by requiring fishery management councils to describe, identify, conserve, and enhance EFH for Council-managed species. As defined at 50 CFR 600.10:

Essential fish habitat means those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity. For the purpose of interpreting this definition of essential fish habitat: "waters" include aquatic areas and their associated physical, chemical, and biological properties that are used by fish and may include aquatic areas historically used by fish where appropriate; "substrate" includes sediment, hard bottom, structures underlying the waters, and associated biological communities; "necessary" means the habitat required to support a sustainable fishery and the managed species' contribution to a healthy ecosystem; and "spawning, breeding, feeding, or growth to maturity" covers a species' full life cycle.

The MSA also requires Councils to identify actions that could have adverse effects on EFH. Adverse effect means any impact that reduces quality or quantity of EFH, and may include direct or indirect physical, chemical, or biological alteration of the waters or substrate and loss of (or injury to) benthic organisms, prey species and their habitat, and other ecosystem components, if such modifications reduce the quality or quantity of EFH. Adverse effects on EFH may result from actions occurring within EFH or outside of it and may include site-specific or EFH-wide impacts, including individual, cumulative, or synergistic consequences of actions (50 CFR 600.810). The MSA authorizes the Council to comment on actions that may affect the habitat, including EFH, of a fishery resource under its authority (Section 305(b)(3)(A)) and requires the Council to comment on actions that are likely to substantially affect the habitat of an anadromous fishery resource under its authority (Section 305(b)(3)(B)).

EFH Conservation Measures

Consistent with 50 CFR 600.815(a), the Council describes EFH conservation measures in its FMPs. Specific to the groundfish FMP, Essential Fish Habitat Conservation Areas (EFHCAs) are spatially discrete areas of particularly sensitive or productive benthic habitats where fishing with some or all types of bottom-contact gear is prohibited. Habitat areas of particular concern (HAPCs) are specific habitat features or spatially discrete areas of EFH that meet one or more of the following considerations for designation: the importance of the ecological function provided by the habitat; the extent to which the habitat is sensitive to human-induced environmental degradation; whether, and to what extent, development activities are, or will be, stressing the habitat type; or the rarity of the habitat type. Activities that could affect HAPCs receive greater

scrutiny during EFH consultations. HAPC designations for groundfish are rocky reefs (i.e., waters, substrates and other biogenic features associated with hard substrate), canopy kelp, seagrass, estuaries, and "Areas of Interest" (e.g., unique seamounts and canyons). HAPC designations for salmon are marine and estuarine submerged aquatic vegetation, estuaries, spawning habitat, complex channels and floodplain habitats, and thermal refugia. Many other important habitat features are described as EFH for groundfish, including methane seeps and coral/sponge habitats.

Potential impacts and conservation recommendations for numerous non-fishing activities are developed for each FMP. The Pacific Coast Groundfish FMP (PFMC 2020) includes conservation recommendations specific to seafloor cables and OSW facilities, as well as numerous other activities. For seafloor cables, conservation recommendations are provided to address direct impacts to organisms, release of contaminants, alteration of electromagnetic fields, and noise effects. For OSW facilities, conservation recommendations are provided to address loss and alteration of habitat, sedimentation, siltation, and turbidity, direct impacts to organisms, alteration of electromagnetic fields, and noise effects.

Draft WEA siting decision and habitat information

The Council remains concerned about the effects of wind energy development on the habitats of Council-managed species and of non-managed species whose population status may constrain Council fisheries or otherwise provide ecosystem benefits. In response to BOEM's April 2022 Call Notice, the Council recommended that BOEM enlist the assistance of NCCOS to conduct a robust geospatial compatibility analysis that incorporates all relevant data to identify areas where wind farms, ecosystem resources and existing ocean uses can successfully coexist (PFMC 2022a). The Council appreciates that BOEM sought assistance from NCCOS and NMFS to provide a geospatial suitability model intended to inform WEA siting. The NCCOS habitat sub-model ("Scenario 1") described in the Draft Report indicated substantial areas of the Coos Bay and Brookings Call Areas unsuitable for wind energy development and yet substantial portions of habitat-incompatible areas are included in the Draft WEAs. It is unclear how BOEM utilized the data or arrived at its decision for siting the two Draft WEAs, as this is not sufficiently discussed in the Draft Report.

The Council recommends BOEM detail exactly how the NCCOS habitat sub-model was interpreted in the designation of Draft WEAs, given that habitat-incompatible areas are included in the Draft WEAs.

Also, in response to BOEM's Call Notice, the Council recommended that BOEM consider all available seafloor mapping data in the analysis to identify previously unmapped rocky habitat likely to be affected by OSW projects and cable routes. Several high-resolution multibeam datasets have been published in recent years (2016-2023) by various sources (OSU/CIMERS NOAA PMEL/EIO, NOAA/OCS, USGS[16]) but there is no indication these data informed BOEM's decision on Draft WEA siting. Recent work by Merle et al. (2021) identified methane carbonate outcrops (i.e., rock) using the US Cascadia Margin Multibeam Backscatter (USCMMB) high-resolution data which covers nearly 40% of the US Cascadia margin (Strait of Juan de Fuca to

[16] Oregon State University (OSU)/Cooperative Institute for Marine Ecosystem and Resources Studies (CIMERS); National Oceanic and Atmospheric Administration (NOAA)/Pacific Marine Environmental Laboratory's Earth Ocean Interactions Program (PMEL/EIO); NOAA/Office of Coast Survey (OCS); US Geological Survey (USGS).

Mendocino Ridge). As with all rock, carbonate rock qualifies as rocky reef HAPC for groundfish. More than 1,000 sq. km. of carbonate rock was delineated within the USCMMB footprint, of which 100 sq km is in the two Oregon Call Areas and 41 sq km is in the two Draft WEAs (Figure 19). This data are available from Merle et al. (2021) upon request. This new habitat information stresses the importance of using all available high-resolution seafloor mapping data to identify sensitive habitats within the Draft WEAs and throughout the region that will be affected by wind energy projects and associated cable routes. To our knowledge, the CMECS-reclassified "SGH v.4" HAPC data layer (source: Goldfinger et al., 2014) was the only seafloor mapping data that informed BOEM's decision on WEA siting.

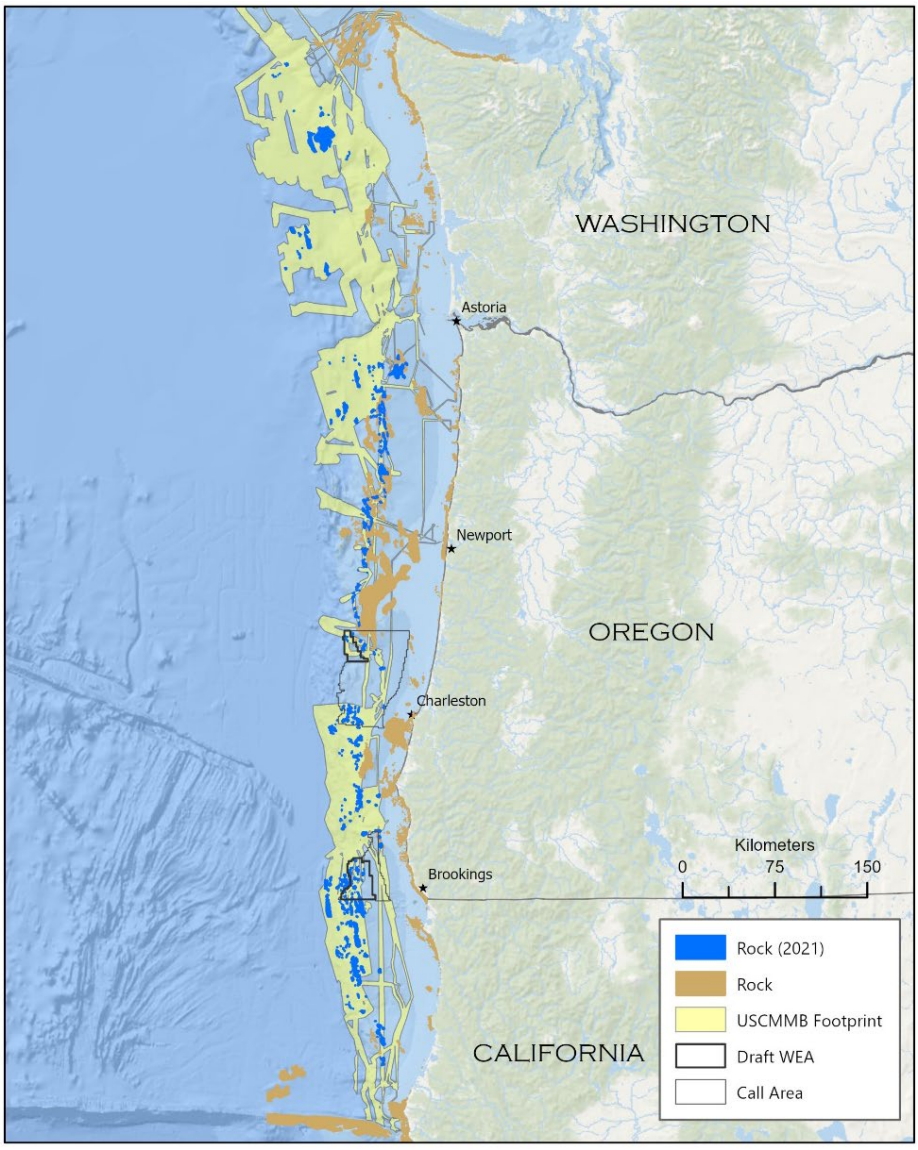

Figure 19: Map of methane-derived carbonate rock (blue polygons) on the Cascadia Margin identified by Merle et al (2021) in high-resolution multibeam backscatter data (yellow). Analysis limited to areas within the backscatter footprint that also coincide with water column bathymetry data. Backscatter data source: US Cascadia Margin Multibeam Backscatter (USCMMB]) (Merle, et al. 2021).

While significant mapping efforts have occurred in deeper offshore waters, most of the region shoreward of the 200 m isobath has not been mapped with sufficient resolution to discern rocky seafloor, with the exception of some discrete areas. Additional mapping and seafloor characterization will be necessary to discern rocky habitats and inform cable route planning.

The Council strongly recommends BOEM use recent (2016-2023) high-resolution mapping data to identify sensitive habitats not delineated in SGH v.4 (Goldfinger et al. 2014), particularly rocky reef HAPC, throughout the region that will be affected by wind energy projects and associated cable routes. The Council also recommends that BOEM put forth additional resources to ensure appropriate seafloor mapping and characterization happens in waters <200 m prior to cable route planning.

Draft Coos Bay WEA (WEA A) - Habitat resource of concern and recommendations

Shelf Break and Wind Wake Effects

In response to BOEMs April 2022 Call Notice, the Council recommended against siting WEAs in the northwest portion of the Coos Bay Call Area where sensitive habitats and ocean dynamics make this area unsuitable for wind energy projects. Draft WEA A borders the shelf break and the western flank of Heceta Bank, just 7 km (4.3 miles) west of the Bank plateau. As we explained, Heceta Bank is one of the most productive and biodiverse regions on the Oregon shelf, fueled by ocean dynamics and circulation patterns unique to this region in the southern area of the Bank. Large scale installations can disturb benthic/pelagic processes, and turbine arrays can create wind deficits downwind of the arrays up to several miles that may affect ocean dynamics and ecosystem function in surrounding areas (Akhtar et al. 2021, Lloret et al. 2021). Wind deficits induced by wind energy turbines could disrupt circulation and upwelling on Heceta Bank, which could further exacerbate seasonal hypoxic conditions unique to the southern region of the bank, as well as affect overall ocean productivity on the bank. Loss of ocean productivity on and near Heceta Bank remains a primary concern of the Council.

The Council recommends BOEM initiate and expedite efforts to model the effects of wind tower arrays on local wind forces to understand the potential long-term effects on ocean productivity on Heceta Bank and do so prior to finalizing WEAs. If such modeling indicates a likelihood of effects on Heceta Bank, then the Council recommends removing aliquots that are within range of contributing to those affects.

Benthic Habitat Resources

Significant benthic habitat resources are concentrated in the northern region of Draft WEA A (Figure 20). Aliquots **NK10-01/ 6018F, 6018I, 6018J, 6018M, 6018N** overlap several carbonate rock outcrops totaling 5 sq km (identified by Merle et al., 2021) which coincide with methane seep bubble streams that support one of the most diverse seep faunal communities discovered during NOAA's Nautilus Research Dives NA072 and NA095 (Embley 2016, Wilkinson 2018). The northeast boundary of Draft WEA A overlaps areas of "robust high" habitat suitability for coral taxa (modeled by Poti et al. 2020). Adjacent to the coral is a massive carbonate rock structure just outside the Draft WEA, further precluding any path for possible cable routes. A significant portion of the WEA's eastern boundary either overlaps or is in proximity to the shelf break. The shelf break is a region of important ecological processes, such as upwelling, which fuels ocean

productivity (e.g., krill) and food web dynamics, and where species tend to concentrate. The habitat resources in the northern region of the Draft WEA should be protected from all activities associated with OSW projects and cable routes, including site assessment, installation, operations, and decommissioning. Sensitive benthic habitats (rock, coral, methane seeps) elsewhere in the Draft WEA should also be protected.

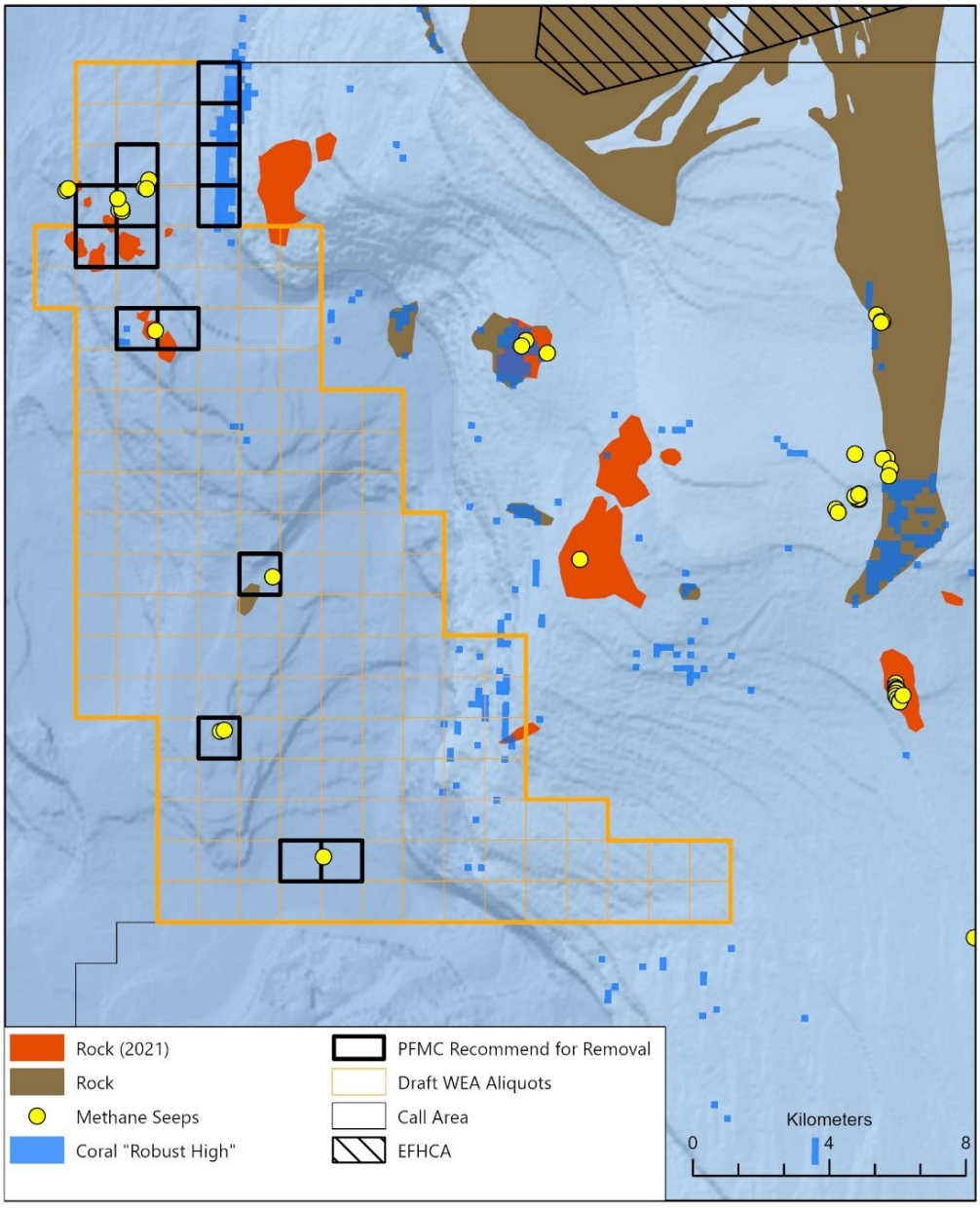

Figure 20: Aliquots outlined in black overlap sensitive benthic habitat resources (methane seeps, rock, coral) and are **recommended for removal** from WEA A by the Council to prevent offshore wind development and cable routes in sensitive areas. Methane seeps bubble streams (yellow) are from: USGS 2023, Merle et al. 2021, Riedel et al. 2018, and Johnson et al. 2015. Rock (red) is from Merle et al (2021). Coral "Robust High" (blue) is modeled habitat suitability for coral taxa associated with hard substrate (Poti et al., 2020).

The Council recommends avoiding areas with sensitive benthic habitat resources by removing aliquots within Draft WEA A that have substantial overlap with these resources (as shown in Figure 20 and Table 2). The Council recommends implementing a minimum 500 m buffer around these resources to prevent disturbance or damage from site assessment, installation and operations activities associated with wind projects and cable routes.

Sensitive benthic habitats include:

- **hard substrate (rocky reef HAPC, Goldfinger et al. 2014, Merle et al. 2021)**
- **coral habitat in Aliquots NK10-01/ 6018F, 6018I, 6018J, 6018M, 6018N (direct observation from NOAA research dives)**
- **coral habitat ("high robust" habitat suitability (Poti et al. 2020)**
- **methane seeps emission sites (Johnson et al., 2015; Riedel et al., 2018; Merle et al., 2021, Rudebusch et al., 2023)**

Draft Brookings WEA (WEA B) - Habitat resource of concern and recommendations

Benthic Habitat Resources

Significant sensitive habitat resources occur throughout Draft WEA B (Figure 21). There is 55 sq. km. of carbonate rock in Draft WEA B throughout the USCMMB coverage area (investigated by Merle et al. (2021). Where the USCMMB data coverage ends (somewhat near the 750 m or 800 m isobath), there may be additional backscatter data collected by USGS that could indicate additional rock in the eastern portion of Draft WEA B (Susan Merle, personal communication). As noted above, we recommend BOEM expedite efforts to identify rock habitat in the USGS backscatter data and other recent backscatter data in areas associated with OSW development.

Across the central and southern portion of the Draft WEA B there is broad distribution of "robust high" habitat suitability for coral taxa. Suitable habitat is most dense in the southwest portion of the Draft WEA. While in situ data of coral distribution off Oregon is limited, one area in WEA B has been identified. Aliquot **NK10-04 7018M** overlaps an extensive bamboo coral forest of large, decades-old bamboo coral which was first discovered in 2000. Subsequent NOAA surveys documented a diverse faunal community living among the bamboo coral (Embley 2018). This important and historic NOAA survey site is of continued scientific interest and study and highlights the importance of using the "high robust" habitat suitability model as proxy for coral habitat.

Numerous methane seep bubble stream sites were recently discovered and mapped in the southeast portion of Draft WEA B (Aliquots **NK10-04/ 7021H, 7021L, 7021P, 7022M, 7072B**). This is a region of ongoing research by the USGS to characterize seep emissions in the context of tectonic geomorphology and ocean warming (Rudebusch, 2023). The southern boundary of Draft WEA B is less than 100 m from the Brush Patch EFHCA which was designated to protect rock-ridge reef and sensitive coral/sponge communities (PFMC 2020). There is high risk of disturbance and damage to this sensitive habitat given the proximity to activities associated with site assessment, installation, and operations.

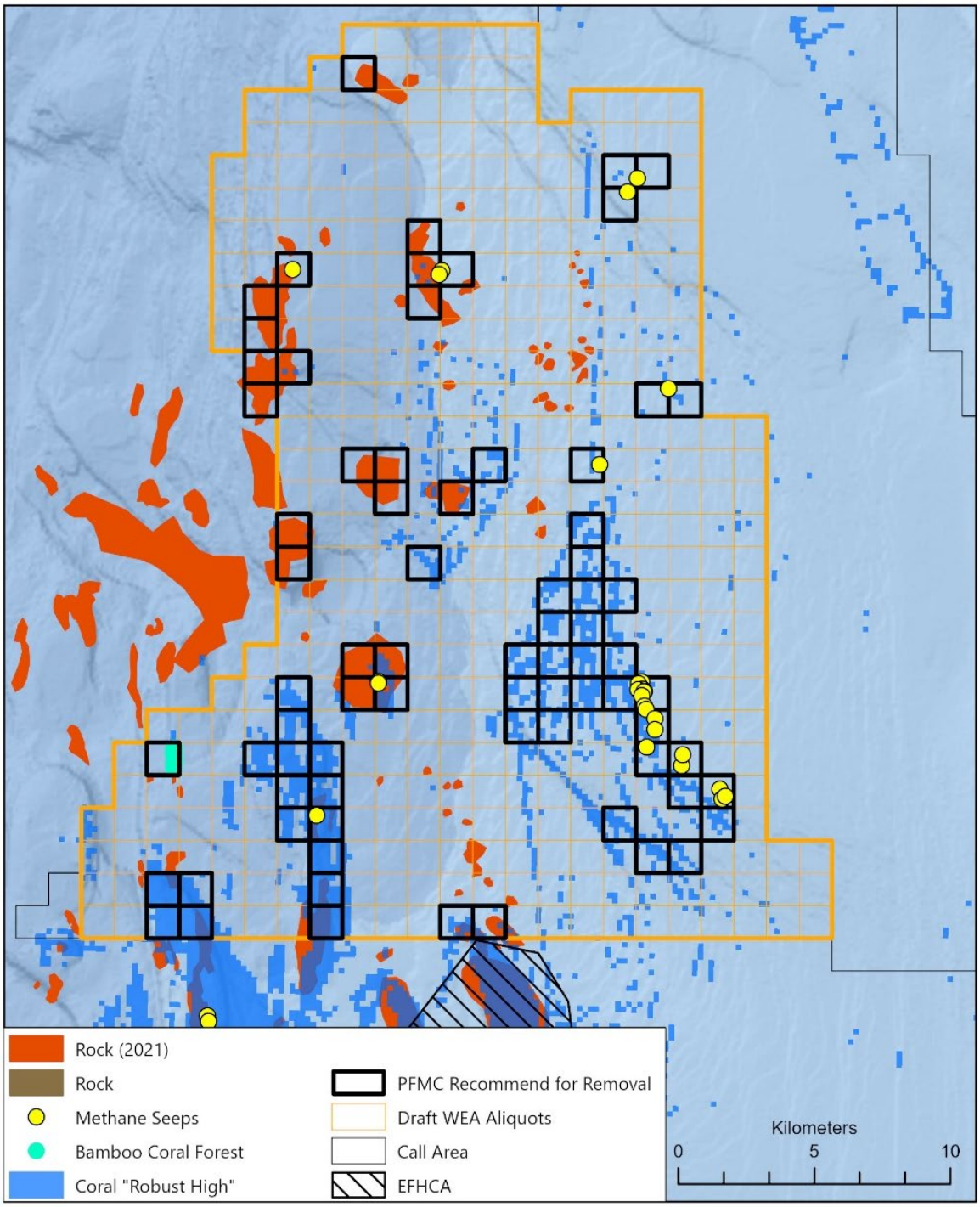

Figure 21: Aliquots outlined in black overlap sensitive benthic habitat resources (methane seeps, rock, coral) and are **recommended for removal** from WEA B by the Council to prevent offshore wind development and cable routes in sensitive areas. Methane seeps bubble streams (yellow) are from: USGS 2023, Merle et al. 2021, Riedel et al. 2018, and Johnson et al. 2015. Rock (red) is from Merle et al. (2021). Bamboo Coral Forest (bright blue) from NOAA surveys (Embley 2016). Coral "Robust High" (blue) is modeled habitat suitability for coral taxa associated with hard substrate (Poti et al. 2020).

Elsewhere in Draft WEA B are additional aliquots that overlap rock, coral and seeps habitats. These sensitive habitat resources should be protected from site assessment, installation and operations activities associated with wind energy projects in Draft WEA B and wherever cable routes are possible.

The Council recommends avoiding areas with sensitive benthic habitat resources by removing aliquots from within Draft WEA B that have substantial overlap with these resources as shown in Figure 21 and Table 2. The Council recommends implementing a minimum 500 m buffer around the resources to prevent disturbance or damage from site assessment, installation, operations activities associated with wind projects and cable routes.

Sensitive benthic habitats include:

- **hard substrate (rocky reef HAPC; Goldfinger et al. 2014, Merle et al. 2021)**
- **coral habitat in Aliquot NK10-04 7018M (direct observation; NOAA Nautilus Dive NA072)**
- **coral habitat ("high robust" habitat suitability; Poti et al. 2020)**
- **methane seeps emission sites (Johnson et al., 2015; Riedel et al., 2018; Merle et al., 2021, Rudebusch et al., 2023)**
- **Brush Patch EFHCA**

Cable routes and sensitive habitats outside the Draft WEAs

Seafloor Mapping

Protecting rocky reef HAPC and other sensitive benthic habitats (corals and methane seeps) from damage from the installation, maintenance, or presence of transmission cables is a priority for the Council. Identifying cable routes that avoid these habitat resources may be difficult and is further challenged by the lack of a high-confidence, comprehensive map of rocky habitat for the region. As discussed above, a significant portion of the deeper shelf (>200 m) has been mapped at high-resolution in recent years, but seafloor classification of the surveyed region has not been produced. The lack of high-resolution data shoreward of recent mapping efforts hinders the identification of most hard substrate and other sensitive habitats in this region. The Council's comments are based on habitat features delineated in the available classification data (Goldfinger et al. 2014, Merle et al. 2021).

Where high-resolution seafloor data do not already exist shoreward of the final WEAs, the Council recommends BOEM expedite the collection of additional high-resolution seafloor mapping data, including habitat characterizations, to identify habitat-compatible cable route options. In addition, cable route options should be identified prior to issuing a Final Sale Notice. Doing so may prevent selecting lease areas that do not have viable cable routes.

Sensitive Habitats

The Council's same recommendations for avoiding sensitive habitats within the Draft WEAs apply outside the Draft WEAs for planning cable routes: avoid sensitive habitats entirely by establishing a substantial buffer to protect against damage during site assessment, installation, operations and decommissioning activities associated with cable routes.

The following areas are sensitive habitats, and the Council recommends implementing 500 m buffers around them:

- **All hard substrate areas identified in SGH v.4 (Goldfinger et al. 2014), including nearshore and shoreline rocky habitat**
- **All hard substrate areas delineated by Merle et al. (2021)**
- **Hard substrate areas (including carbonate clasts) mapped/characterized by Cochrane et al. (2017)**
- **Areas with canopy kelp HAPC**
- **All methane seep bubble stream sites**
- **EFHCAs: Stonewall Bank, Heceta Bank, Deepwater off Coos Bay, Arago Reef, Bandon High Spot, Rogue Canyon, Rogue River, and Reef the Brush Patch**

Several sensitive benthic areas outside the WEAs are at particular risk from cable routes due to their locations between the WEAs and the shore.

Heceta Bank

Most of Heceta Bank was mapped with high (10 m) resolution multibeam bathymetry sonar (MBARI 1998) and is well-characterized. The top of the bank is predominantly rock ridge and boulder-cobble fields surrounded on the western and southern margins by unconsolidated sediments. The multibeam coverage of the southern flank extends southward 10 km into the Coos Bay Call Area (Figure 22). A review of the backscatter data on the southern flank confirms that a significant portion of this extension is accurately delineated as rock (boulder/cobble). Upon close examination, the multibeam backscatter data indicates an area of rock outcrop that was classified as unconsolidated sediment but appears to be hard substrate. The rock feature is located at 124.876° W between 43.91° N and 43.862° N) and extends 6 km to the south from the current delineated rock polygon. This extension of rock connects to the rock delineated by Merle et al. (2021) resulting in a continuous band of rock as far south as 43.81° N and precludes cables routes exiting the northern two thirds of Draft WEA A from being routed directly eastward. Additionally, the "leg-shaped" feature along the eastern margin of the bank is classified as rock. The portion of this feature that is west of 124.79° W is within the Monterey Bay Aquarium Research Institute (MBARI) multibeam footprint and the interpreted rock is consistent with the backscatter imagery. There is additional rock at the edge of the backscatter imagery, east of 124.79°. Additional mapping is necessary to characterize the seafloor east of 124.79° W before cable routes are considered through this area.

The Council recommends avoiding Heceta Bank entirely by implementing a minimum 500 m buffer around the Heceta Bank complex, including the western and southern flanks to encompass the additional 16 km southern extension of rocky reef HAPC discussed above.

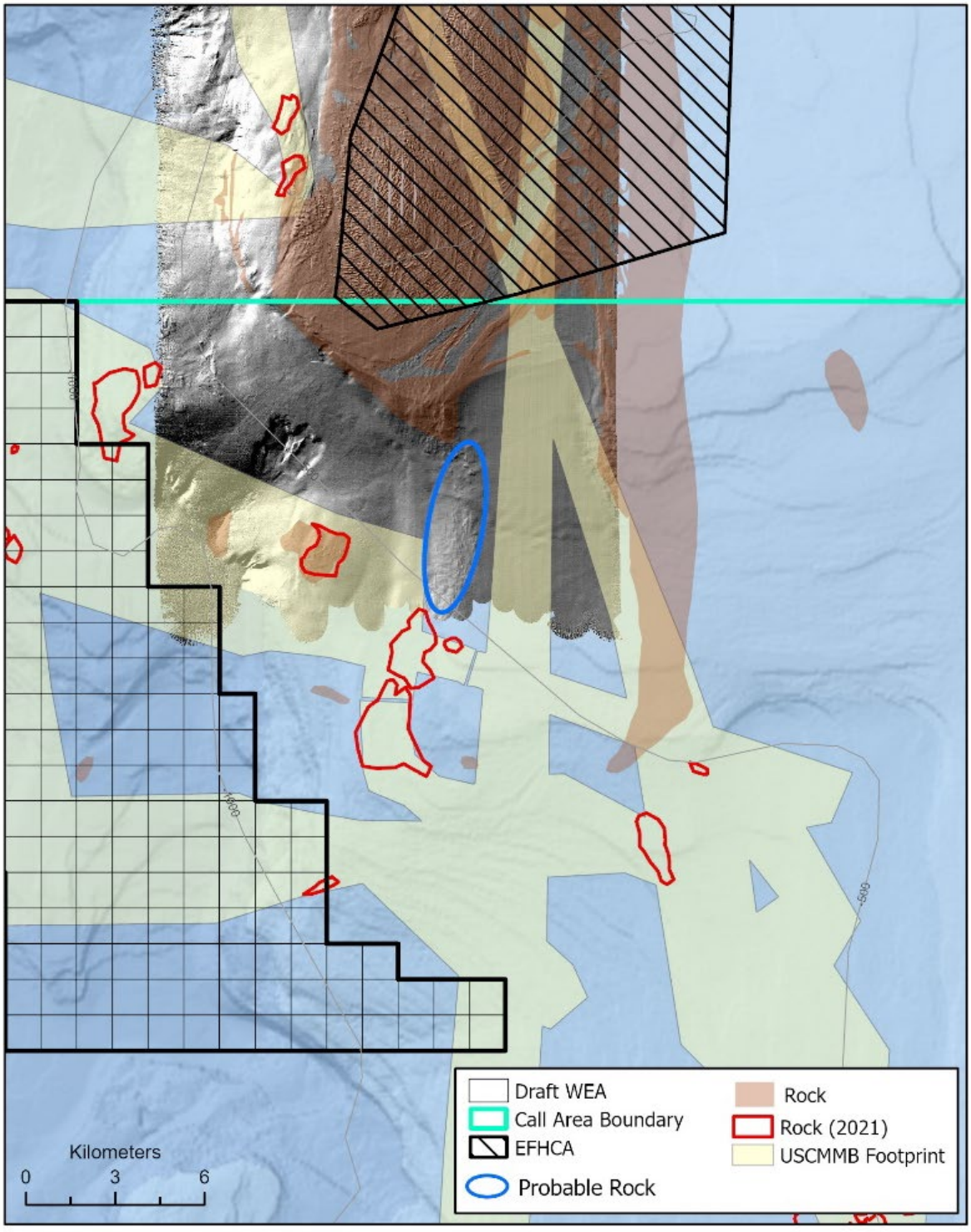

Figure 22: Probable rock (blue oval) on Heceta Bank's south flank discernable in high-resolution multibeam data (source: MBARI 1998). Backscatter imagery (USCMMB) used to identify hard substrate (red outline) by Merle et al. (2021) not available for this figure. USCMMB footprint shown in yellow.

Mud Volcano
A large, potentially ancient mud volcano is located approximately 8 miles southeast of Draft WEA-A (43.682° N latitude, 124.698° W longitude). Extensive carbonate deposits, bacterial mats, clam beds and methane seeps occupy the flank and summit with bubble streams rising 80 m from the 1 km diameter cone (Rudebusch et al., 2023). A diverse community of fishes, corals, sponges, and numerous other macrofauna are associated with the volcano and the surrounding carbonate rock. This unique geology could be damaged by cable route activities.

The Council recommends avoiding this feature entirely by implementing a minimum 500 m buffer around the carbonate rock surrounding the base of the volcano to protect this unique geology from activities associated with cable routing (site assessment, installation, operations).

Rogue Canyon and Reef Complex
Few marine areas off southern Oregon are without rocky reef HAPC or steep terrain which create numerous challenges for locating suitable cable routes away from sensitive habitats. North of Draft WEA B is the Rogue Canyon EFHCA and the steep topography of Rogue Canyon. The narrow (7 km) region between the steep canyon head and Rogue River EFHCA has massive carbonate rock, numerous methane seeps and "high-robust" coral habitat. Shoreward, Rogue River Reef EFHCA extends all the way to nearshore Rogue Reef where extensive rocky terrain occurs throughout the nearshore. Nearly the entire coast south of Rogue River (Gold Beach) is rocky reef HAPC.

The Council recommends avoiding these habitats by implementing a minimum 500 m buffer around the habitat resources in this region (rock, methane seeps, "high robust" coral habitat, EFHCAs) to protect these habitats from activities associated with cable routing (site assessment, installation, operations).

Nearshore Nursery Habitat for Fish
Cable routing will need to pass through nearshore EFH environments to landing sites and connect to the electric grid. In addition to HAPC-designated Oregon estuaries, areas of nearshore rocky reef and biogenic structure provide significant nursery habitat for a variety of Council-managed species and occur along the shorelines that border directly to the east of each WEA. Nearshore habitat details can be found in the recently completed comprehensive nearshore maps for substrate and biotic habitats compiled by the Pacific Marine and Estuarine Fish Habitat Partnership (PMEP 2022a, b). Furthermore, nursery habitats have been documented for both hardbottom and softbottom habitats in shelf areas in proximity to the Call Areas, including for flatfishes (e.g., Toole et al 2011), rockfishes and other groundfish species (e.g., Studebaker et al 2009) and surf zone sands for Chinook salmon (e.g., Jarrin et al 2013).

The Council recommends that BOEM enlist NCCOS to support comprehensive nearshore habitat mapping in areas where cable planning may occur, and to avoid cable routing through areas identified as nursery habitat for Council-managed species.

Table 2: List of aliquots in Draft WEA A and Draft WEA B overlapping sensitive benthic habitats, recommended by the Council for removal, to protect sensitive habitats, habitat features, and the marine ecosystem**.**

WEA_Name	Aliquot ID	FID		WEA_Name	Aliquot ID	FID
A	NK10-01 6018D	4		B	NK10-04 6971M	415
A	NK10-01 6018F	6		B	NK10-04 6971N	416
A	NK10-01 6018H	8		B	NK10-04 7018M	439
A	NK10-01 6018I	9		B	NK10-04 7018P	442
A	NK10-01 6018J	10		B	NK10-04 7019C	445
A	NK10-01 6018L	12		B	NK10-04 7019D	446
A	NK10-01 6018M	13		B	NK10-04 7019E	447
A	NK10-01 6018N	14		B	NK10-04 7019G	449
A	NK10-01 6068F	25		B	NK10-04 7019H	450
A	NK10-01 6068G	26		B	NK10-04 7019I	451
A	NK10-01 6119M	74		B	NK10-04 7019M	455
A	NK10-01 6168P	93		B	NK10-04 7019N	456
A	NK10-01 6219J	137		B	NK10-04 7020D	462
A	NK10-01 6219K	138		B	NK10-04 7020H	466
A	NL10-10 7167P	616		B	NK10-04 7020L	470
B	NK10-04 6769K	172		B	NK10-04 7021A	475
B	NK10-04 6820M	229		B	NK10-04 7021B	476
B	NK10-04 6821G	239		B	NK10-04 7021C	477
B	NK10-04 6821H	240		B	NK10-04 7021E	479
B	NK10-04 6821K	243		B	NK10-04 7021F	480
B	NK10-04 6868H	256		B	NK10-04 7021G	481
B	NK10-04 6868L	258		B	NK10-04 7021H	482
B	NK10-04 6868P	259		B	NK10-04 7021I	483
B	NK10-04 6869A	260		B	NK10-04 7021L	486
B	NK10-04 6869M	272		B	NK10-04 7021P	490
B	NK10-04 6870A	276		B	NK10-04 7022M	500
B	NK10-04 6870B	277		B	NK10-04 7068M	522
B	NK10-04 6870E	280		B	NK10-04 7068N	523
B	NK10-04 6918D	312		B	NK10-04 7069A	526
B	NK10-04 6919K	323		B	NK10-04 7069B	527
B	NK10-04 6919L	324		B	NK10-04 7069E	530
B	NK10-04 6919P	328		B	NK10-04 7069F	531
B	NK10-04 6920K	339		B	NK10-04 7069J	535
B	NK10-04 6920N	342		B	NK10-04 7069N	539
B	NK10-04 6921D	348		B	NK10-04 7071G	564
B	NK10-04 6921J	354		B	NK10-04 7071L	569
B	NK10-04 6922A	361		B	NK10-04 7072A	574
B	NK10-04 6969A	371		B	NK10-04 7072B	575
B	NK10-04 6969E	375		B	NK10-04 7072F	578
B	NK10-04 6970E	391		B	NK10-04 7072I	580
B	NK10-04 6971B	404		B	NK10-04 7118A	592
B	NK10-04 6971F	408		B	NK10-04 7118B	593
B	NK10-04 6971I	411		B	NK10-04 7119B	597
B	NK10-04 6971J	412		B	NK10-04 7120B	601
B	NK10-04 6971K	413		B	NK10-04 7120C	602

The Council appreciates the efforts undertaken by BOEM to minimize impacts to fishing activities, habitats, and coastal communities, and we look forward to working with BOEM in the future, to continue these efforts. If you have any questions, please contact Mr. Kerry Griffin on Council Staff (Kerry.griffin@noaa.gov).

Sincerely,



Brad Pettinger
Pacific Council Chair

KFG:ael

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Mike Conroy
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Draft Comment Letter on Bureau of Ocean Energy Management Draft Environmental Assessment

XX June 2024
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Submitted online via *regulations.gov: Notice of Availability of a Draft Environmental Assessments for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf, Oregon;* Docket No. BOEM -2023-0065

Dear Ms. Gilbane;

The Pacific Fishery Management Council (Council) appreciates the opportunity to comment on the Bureau of Ocean Energy Management's (BOEM) draft Environmental Assessment (Draft EA) for the Oregon Wind Energy Areas (Oregon WEAs) and submits the following comments for your consideration. The stated purpose of the Draft EA is to analyze whether the issuance of leases and grants within the Oregon WEAs would result in significant impacts to the environment, and therefore require the preparation of an environmental impact statement prior to lease issuance. BOEM is requesting public comment on the adequacy of its environmental analysis and measures to avoid or reduce potential environmental impacts.

The Council is charged with sustainably managing U.S. West Coast fisheries, which includes conserving and enhancing habitats in support of sustainable U.S. fisheries. The Council is one of eight Regional Fishery Management Councils established by the Magnuson-Stevens Fishery Conservation and Management Act of 1976 (MSA). The Council develops management actions for Federal fisheries of Washington, Oregon, California, and Idaho, and is required to achieve optimum yield in the fisheries. Optimizing the yield of our nation's fisheries requires safeguarding these resources, their habitats, commercial and recreational fishery participants, and fishing-dependent communities. We offer the following comments and recommendations regarding habitat, fisheries, and cumulative impacts.

Overarching Concerns

The Council remains seriously concerned that the rapid pace of offshore wind (OSW) energy planning on the Pacific Coast could result in permanent harm to fisheries, habitats, and/or fishing communities. OSW development is a generational initiative, and it is critically important to take the appropriate amount of time to prevent those impacts. We note that the State of Oregon is developing a long-term, coast-wide strategy, or Oregon Offshore Wind Roadmap (Roadmap). The Roadmap will define standards to be considered in the process related to offshore wind energy development through the engagement with coastal communities, communities of practice, and tribal nations. An informal group representing varied perspectives on floating offshore wind have provided considerations for the State to take into account in the development of a Roadmap "*that*

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can serve as the foundation for stakeholder engagement, articulate expectations of offshore wind energy development, and set forth processes to help ensure that the consideration of offshore wind energy is transparent, robust, and inclusive.' The Roadmap is expected to be completed by September 2025 and will provide a methodical process for consideration of OSW energy development off Oregon. In light of this**, the Council recommends that BOEM should not approve any Site Assessment Plans (SAPs), survey plans, or Construction and Operations Plans (COPs) off Oregon until the Roadmap is complete.** To be clear, this suggestion is not intended to disrupt the pre-assessment surveys needed for site assessment plan development or reduce the amount of time available for site assessment and characterization (3-5 years) prior to submission of COPs. It is simply meant to give the state of Oregon time to complete the Roadmap which may provide guidance pertinent to the OSW related activities that will be included in the SAPs, survey plans, and COPs.

Habitat Issues

Essential Fish Habitat and Council Authorities

The MSA requires the Council to describe, identify, conserve, and enhance essential fish habitat (EFH) for species managed under the Council's fishery management plans (FMPs). The MSA defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.[1]" The MSA includes additional provisions to designate Habitat Areas of Particular Concern (HAPC), which are specific types or areas of habitat within EFH.[2] The MSA further authorizes the Council to comment on Federal or state activities that may affect the habitat, including EFH, of a marine or anadromous fishery resource under its authority. Adverse effects on EFH may result from actions occurring within EFH or outside of it and may include site-specific or EFH-wide impacts, including individual, cumulative, or synergistic consequences of actions.

The Council has identified EFH throughout the Pacific Coast region for species managed under each of its FMPs: Pacific Coast groundfish, coastal pelagic species, Pacific Coast salmon, and highly migratory species. HAPCs have been identified for groundfish (rocky reefs, estuaries, canopy kelp, seagrasses, offshore banks, seamounts, canyons, and other areas of interest) and salmon (estuaries, marine and estuarine submerged aquatic vegetation and other freshwater habitat features). In addition, the Council has designated EFH Conservation Areas for groundfish species in its Groundfish FMP, which are spatially discrete areas to protect sensitive habitats from the effects of some types of bottom fishing.

Habitat-Focused Comments and Recommendations

As noted in our previous comments to BOEM on the Oregon WEAs, the Oregon WEAs overlap EFH (including methane seeps) for Council-managed species and overlap groundfish rocky reef HAPC. The Council is particularly concerned about the sensitive benthic habitats in the proposed lease areas and potential cable easements. Sensitive habitats include hard bottom habitats (bedrock, boulder, cobble, methane carbonate rock), deep-sea coral habitat, methane seep bubble plumes, chemosynthetic communities, and other habitat-forming invertebrate communities.

[1] 16 U.S.C. §1802(10)

[2] HAPCs are identified based on one or more of the following considerations: (i) The importance of the ecological function provided by the habitat; (ii) The extent to which the habitat is sensitive to human-induced environmental degradation; (iii) Whether, and to what extent, development activities are, or will be, stressing the habitat type; (iv) The rarity of the habitat type. (50 CFR 600.815(a)(8)).

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In those previous comments, we identified several aliquots that coincide with sensitive benthic habitats and recommended their removal from the WEAs. The Council continues to believe this is the appropriate action given the high potential for impacts or loss of these resources. The Council again recommends omitting those aliquots from the lease sales. If BOEM does not remove these aliquots from leasing, then BOEM should require substantial buffers around all areas with sensitive benthic habitats to prevent impacts from bottom-contact survey equipment and installations associated with site assessment and site characterization.

The Council notes that the EA lacks sufficient detail on the characterization of benthic habitat resources and the proposed site assessment and characterization activities and lacks meaningful analysis of the potential impacts of those activities. Of particular concern are bottom-contact activities in the habitats listed above. The Council recommends the EA provide greater detail about the proposed activities by quantifying the frequency, duration, density of survey line spacing, density/amount of cores, etc. of those methods over the duration of the lease and analyzing the quantified effects of those activities on habitat resources. The Council recommends the EA analyze the cumulative effects of multiple survey activities that are likely to overlap spatially.

The Council has commented previously on the installation and ongoing operation of transmission cables. Easements for offshore converter stations may also be authorized, outside of the OSW lease areas. We emphasize the importance of identifying multiple options for cable routes and offshore converter stations to ensure that routes and locations can meet the requirements for both cable burial and avoidance of sensitive habitats.

As noted in our previous comments, fine-scale seafloor maps are necessary for locating sensitive habitats. The Council reiterates our previous recommendation that BOEM coordinate and expedite the development of fine-scale substrate classification maps with its agency partners using the existing seafloor mapping data collected in recent years (primarily in support of OSW development) by BOEM, the U.S. Geological Survey (USGS), the National Oceanic and Atmospheric Administration (NOAA), and others. This desktop mapping exercise should be completed as soon as possible, but prior to additional seafloor mapping or other site assessment and site characterization activities. Fine-scale substrate maps would help orient new high-resolution seafloor mapping of the lease areas and potential cable easements, particularly for locating sensitive benthic habitats. BOEM should require all new benthic habitat mapping at the highest resolution possible, and a higher sampling rate than described in BOEM's guidance document (*Guidelines for Providing Benthic Habitat Survey Information for Renewable Energy Development on the Atlantic Outer Continental Shelf*). The Council recommends that BOEM require lessees to adhere to the *NMFS Greater Atlantic Fisheries Recommendations for Mapping Fish Habitat* recommendations (transmitted to BOEM March 29, 2021) for habitat mapping and seafloor classification and biogenic habitats. The Council also recommends lessees consult with West Coast habitat scientists to further delineate and classify habitat features relevant to the West Coast.

The Council notes that the map of sensitive benthic resources (Figure 3-1 of the draft EA) does not include deep-sea coral resources identified in our previous comments on the Oregon draft WEAs. Specifically, the ancient bamboo coral forest NOAA research site in Aliquot NK10-04

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7018M of the Brookings WEA, and the deep-sea coral habitat suitability layer. This map should be corrected in the final EA to include deep-sea coral habitats, as noted in our previous comments.

Summary of Council Recommendations: Habitat

- **The Council reiterates its previous recommendations that BOEM conduct a careful impacts analysis relative to EFH Conservation Areas and HAPCs and ensure that activities carried out under this EA will not harm the habitats within these areas.** The Council's November 10, 2023, comment letter[3] on the Draft Oregon WEAs includes additional information on habitat protection buffers.
- **Omit aliquots with sensitive benthic resources from the lease sales (as recommended in previous Council comments). If aliquots are not removed from lease sales, require substantial buffers around those areas for all bottom-contact site assessment and site characterization activities.**
- **BOEM should coordinate and expedite the development of fine-scale substrate classification maps with agency partners using the existing seafloor mapping data collected in recent years (primarily in support of OSW development) by BOEM, USGS, NOAA and others.**
- **Require sufficiently sized buffers around all areas with sensitive habitats in potential cable easements, as recommended by state/Federal resource agencies.**
- **Require lessees to conduct broad-scale and fine-scale comprehensive biological site characterization surveys with emphasis on identifying sensitive benthic habitats in the lease areas and potential cable easements and make this information available for public review. Additionally, lessees should consult with West Coast habitat scientists on survey design and methodologies used to explore non-extractive methods prior to resource extraction to reduce impacts.**
- **Provide greater detail in the final EA about the proposed activities by estimating the frequency, duration, survey line spacing, density/amount of cores, etc., of those methods over the duration of the lease and analyzing the quantified effects of those activities on habitat resources.**
- **Analyze the cumulative effects of multiple survey activities that are likely to overlap spatially on sensitive habitats in the final EA.**
- **Coordinate and expedite the development of fine-scale substrate classification maps using existing seafloor mapping data collected in recent years.**
- **Require lessees to conduct seafloor habitat mapping at the highest resolution possible, and a higher sampling rate than described in BOEM's guidance documents.**
- **Require lessees to adhere to the *NMFS Greater Atlantic Fisheries Recommendations for Mapping Fish Habitat* for habitat mapping and seafloor classification, and to consult with the West Coast habitat scientists to further delineate and classify habitat features relevant to the West Coast.**

[3] Council comment letter on Oregon Draft WEAs

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- **Include deep-sea coral habitats in Figure 3-1 (or other seafloor map figures), in the final EA.**
- **Surveys related to establishing cables routes and offshore converter stations should be designed to develop multiple options for eventual routes and locations proposed in the Construction and Operations Plan.**

Fisheries Issues

The Council has encouraged BOEM to prioritize engagement with the fishing industry as it moves forward with site characterization and lease issuance activities off Oregon and California. Many individuals/businesses participating in West Coast fisheries, or those dependent upon those activities, may be directly or indirectly impacted by placement of turbines off Oregon.

Socioeconomics

The Council is concerned that Section 3.6, including Figure 3-5, map of ports, and discussion do not include Winchester Bay/Reedsport (Umpqua River), in Douglas County, and Florence (Siuslaw River) in Lane County. Both ports have vibrant sport fishing and tourism industries and commercial fishing businesses. Omitting both ports, and the socioeconomic impacts to the industries and ocean users in those ports, is a glaring oversight that should be corrected in the final EA, especially in Sections 3.7 (Commercial Fishing) and 3.8, (Recreation and Tourism). Establishing accurate facts about the ports and port infrastructure is extremely important, so the public has the best, most recent information on which to provide comments and state, Federal and tribal agencies can make the best decisions. Making decisions and evaluating impacts using inaccurate information will only compound the problems related to socioeconomic concerns.

While neither port is deep enough to accommodate all activities likely to accompany offshore wind deployment, both are larger and more diverse than Port Orford. The U.S. Army Corps of Engineers website does not have details on these two ports, but the Port of Umpqua and Port of Siuslaw do have significant sport and commercial fisheries components, including docks for both, fish processing/receiving stations for commercial fish and shellfish, and marine-related facilities. Additionally, one of the West Coast's most prominent commercial fishing vessel builders, Fred Wahl Marine Construction, is in Reedsport.

BOEM used port facilities facts directly from the U.S. Army Corps of Engineers (USACE) website, which contains some errors and omissions. For example, the Port of Brookings Harbor, does not have a 120-foot-deep navigation channel (page 52 of the Draft EA). The Port of Coos Bay accommodates three major processing facilities, not just one, with additional buying stations, an ice plant, and another prominent commercial fishing vessel contractor, Giddings Boatworks. The omission of these ports also may decrease the opportunities for offshore wind developers to take advantage of businesses in those ports that may aid marine-related industries.

Commercial and Recreational Fishing

The Draft EA, in Section 3.7, correctly highlights the importance of several commercial fisheries, especially those identified by NMFS and the Oregon Department of Fish and Wildlife. This data is much more robust and accurate than trying to correlate data acquired from technology onboard fishing vessels (i.e. vessel monitoring system (VMS) or automated identification system (AIS) to fish tickets and landings information. It is important to work with state and Federal agencies as

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well as the local fishing industry to find suitable locations for installation of meteorological buoys (met buoys), to avoid impacts to fishing activities. This is especially important for areas of higher importance for the trawl fishery as those vessels are less nimble and require long, unobstructed tow tracks. Recreational and other hook and line fishing can more easily avoid areas where buoys are placed.

The tables in the commercial section of the affected areas (fisheries descriptions) are limited, inaccurate and not representative of trends in variability due to the use of summaries from COVID-19 pandemic years, specifically 2020. For example, Table 3-14 excludes all commercial fisheries except groundfish and Table 3-15 includes incorrect data regarding crab fishing depths. It is also unclear from Table 3-14 what geographic scope is being used for the reporting of number of vessels (i.e. is the scope coastwide, southern Oregon, or specific ports) and this information is missing from the fisheries in Table 3-15. It is imperative these omissions and inaccuracies be addressed in the final EA.

The EA is also unclear about which commercial fisheries are being presented for revenue and landings summaries in Table 3-13. Fisheries operation inshore of the WEAs will be potentially impacted by vessel traffic from site assessment and characterization activities. Therefore, if inshore fisheries are not included, they should be.

Regarding recreational fisheries, BOEM uses charter albacore and VMS/AIS information from commercial salmon to show there were no effects to recreational fisheries (Appendix C). However, as we noted above, VMS and AIS data does not sufficiently account for fishing effort, let alone serve as a proxy for recreational effort. This methodology dismisses other recreational fisheries and is an inappropriate use of commercial and recreational information. More information and understanding of recreational fisheries need to be understood before determining if the effects to recreational fisheries are minor.

The Council remains concerned about the potential to leave met buoy anchors in place after the buoys themselves are removed. Solid objects like buoy anchors are a hazard to fishing and can cause major damage to fishing vessel gear and also to the benthic environment. We realize these buoys will be regulated by USACE and/or the Bureau of Safety and Environmental Enforcement, but BOEM should make removal of anchors a condition of the lease or any approved Site Assessment Plan.

The Draft EA describes various methods of communicating (e.g., notice to mariners and Fishery Communication Plans) and working with local fishermen and other ocean users. The Council supports these efforts.

Marine Mammals

The Council remains concerned that site assessment and characterization activities (including acoustic effects, as well as deployment and presence of buoys or other survey equipment) may alter migratory patterns of certain marine mammal species in such a way that interaction with fishing gear is more likely. This could impact the California and Oregon commercial Dungeness crab fisheries and other fixed gear fisheries that operate in, or adjacent to, the Oregon WEAs. Fishermen are currently subject to increasingly strict regulations regarding whale and sea turtle risks of entanglement. If humpback or blue whales migrate closer to shore than is typical as a result

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of activities undertaken for site characterization or site assessment purposes, fishermen are concerned they may be held accountable for whale entanglements, or their fishing seasons modified or shortened to address risk. This is not a negligible or minor impact to commercial fishing.

The Council is also concerned about secondary entanglement of marine mammals, which could occur if pot/trap gear becomes entangled with a met buoy, which then entangles a marine mammal. The draft EA states that "the general inshore deployment (~200ft water depth) and weight of pot traps" makes them unlikely to become entangled in the met buoy lines to present an entanglement risk. The MPC notes that there are areas of high ranked importance for the pot/trap fisheries in the WEAs (National Centers for Coastal Ocean Science (NCCOS) report Figure 3.50) and therefore BOEM should analyze this possibility as a potential impact in the EA, and lessees should acknowledge the potential in SAPs. The Council is concerned that commercial fishermen may be held accountable for secondary entanglements. This risk can be minimized by avoiding placement of met buoys in aliquots with high importance of pot/trap fisheries, as documented in the NMFS and ODFW fisheries spatial data provided in the NCCOS report.

Cumulative Effects Analysis

While Appendix B of the Draft EA does acknowledge ongoing activities associated with the five leases off California, it does not analyze the potential impacts of simultaneous site assessment activities occurring off both California and Oregon. Further, with additional lease sales planned off California in late 2027 or early 2028[4], it is reasonably foreseeable that activities associated with those future leases may overlap with site assessment activities covered by this Draft EA.

Each phase of BOEM's process for the Oregon WEAs will add compounding adverse effects to Council-managed species, habitats, and fisheries, and can exacerbate other factors in the region affecting these resources (e.g., fishery management measures, climate-related ocean conditions). The Council believes these factors are within the scope of the cumulative effects analysis required at this stage. Transmission cables and other offshore wind infrastructure continue to be a primary concern of the Council due to a myriad of potential impacts to EFH, benthic species and sound-sensitive species, such as: potential adverse effects during installation of infrastructure include vibration and noise generated by subterranean drilling; destruction of habitat features; destruction of deep-sea corals; impacts to fish and marine mammals; scouring and plume caused by seafloor trenching and transmission cable burial; habitat damage during installation of mooring anchors; and impacts of electromagnetic fields from suspended midwater cables.

Council Recommendations on Fisheries and Other Issues:

Socioeconomics

- **BOEM should improve the Socioeconomic section by including both Winchester Bay/Reedsport and Florence ports in the final EA and verifying/correcting information pulled from the USACE website (e.g., depth of the Brookings Harbor Channel, the number of Coos Bay processing facilities, etc.).**

Commercial and Recreational Fishing

[4]BOEM Renewable Energy Leasing Schedule

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- **BOEM should identify areas of importance for bycatch avoidance, not areas only important for targeting specific species. Additionally, recreational fishing data gaps need to be addressed.**
- **The Council strongly recommends BOEM consider impacts to specific fisheries when analyzing potential impacts. In addition, we encourage BOEM to expand its analysis to describe the changing conditions and regulatory constraints affecting where and how fisheries operate.**
- **The Council recommends BOEM – and future lessees – continue to work closely with local fishermen and NMFS to find suitable locations for buoys (or other installations) to minimize the chance of interactions. Buoy placement in areas that vessels already avoid (e.g., near existing known hazards or areas closed to fishing) is one way to minimize potential conflicts between the scientific collection instruments, fishing vessels and gear. Lessees should be required to remove all anchoring systems.**

Marine Mammals

- **Consider and analyze potential impacts to marine mammals associated with fishing activities that are shoreward of the WEAs. This includes site assessment and survey activities as well as secondary entanglements.**
- **Avoid placement of met buoys in WEA aliquots with high ranked importance for pot/trap fisheries.**
- **Fishermen should not be held liable if marine mammals are entangled with met buoys.**

Cumulative Effects Analysis

- **The Council recommends the final EA should include a cumulative effects analysis of activities that are likely to occur, across the region, throughout the multi-year process and should describe measures to minimize those effects. Efforts should also be focused on developing a regional cumulative impacts study that considers the impacts of various numbers of wind farms off the West Coast. It is reasonable and pragmatic to gain the best understanding of the total impacts for the California Current and our West Coast fishing communities.**

Lastly, we urge BOEM to include the recommendations in our prior comment letter (PFMC letter dated March 15, 2024 on the EA scoping process, especially related to removing specific aliquots from further consideration, based on their importance to fisheries, habitat, and the marine ecosystem. We incorporate that letter by reference here.

Thank you for considering our comments on the Draft EA. We look forward to the final EA incorporating the Council's recommendations, which will help to avoid and minimize impacts to habitats, fisheries, and other marine resources. We thank BOEM for the opportunity to provide comments on the Draft EA and look forward to continued collaboration. Please contact Kerry Griffin of my staff (Kerry.griffin@noaa.gov; 503-820-2409) if you have any questions.

Sincerely,

Signature block – Council Chair

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KFG:xxx

Cc: Council Members
Mike Conroy
Susan Chambers
Correigh Greene
Scott Heppell
Arlene Merems

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05/31/24

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Draft Comment Letter on the Bureau of Ocean Energy Management's Commercial Leasing for Wind Power on the Oregon Outer Continental Shelf - Proposed Sale Notice

[*July 1, 2024*]

Mr. Doug Boren , Pacific Regional Director
Bureau of Ocean Energy Management
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010

Re Bureau of Ocean Energy Management's *Pacific Wind Lease Sale 2 (PACW–2) for Commercial Leasing for Wind Power on the Oregon Outer Continental Shelf —Proposed Sale Notice*

Dear Mr. Boren:

The Pacific Fishery Management Council (Council) appreciates the opportunity to comment on the Bureau of Ocean Energy Management's (BOEM) Pacific Wind Lease Sale 2 (PACW–1) for Commercial Leasing for Wind Power on the Oregon Outer Continental Shelf — Proposed Sale Notice (PSN). The Council offers the following comments which address concerns surrounding impacts to commercial and recreational fishing activities, fishing-dependent coastal communities, and vital marine habitats and species of the California Current Ecosystem (CCE). We provide some general comments followed by responses to some but not all of the specific questions posed in the PSN.

First, however, we wish to make clear that serious concerns about the process remain. One concern is that the process continues to move too quickly. It has outpaced the information needed for decision-making, leaving the decision-making process so far under-informed at best. The community benefit agreement (CBA) concept included in the PSN provides one example. They may hold promise. At the same time, they are something the Council would take considerable time to develop, with at least a three-meeting process for considering alternatives, analysis, and public input. More fundamentally, there is concern that the focus on CBAs signals a shift in emphasis to compensating for fisheries losses instead of where it properly belongs—on avoiding and minimizing them. The right to fishing, and interpreting BOEM's mandates so as not to affect it, is embedded in the Outer Continental Shelf Lands Act's Congressional declaration of policy (43 U.S.C. § 1332(2)).

In addition, the sequence of decision-making and environmental impact analysis under BOEM's process remains of highest concern. The public does not have a detailed analysis on what developing these areas would mean for the marine ecosystem or fisheries. We understand the reasons for this and know that BOEM plans a more detailed analysis for later stages. However, when a more detailed analysis is conducted it may show that the impacts are unacceptable or that other areas also would be desirable and suitable for wind energy development and yet have lower

impact to fisheries and the environment. The BOEM process should not foreclose that possibility. The utilization of a spatial suitability model developed by National Oceanic and Atmospheric Administration's (NOAA) National Centers for Coastal Ocean Science (NCCOS) helped identify areas with less conflict within the boundaries of the Call Areas offshore Oregon but failed to take a holistic approach to determining if areas with even less conflicts existed outside those original Call Areas.

We continue to believe that a programmatic, region-wide, marine spatial planning approach would be preferable for a public process. BOEM recently published a Notice of Intent To Prepare a Programmatic Environmental Impact Statement for Future Floating Wind Energy Development Related to 2023 Leased Areas Offshore California. In response to the Notice of Intent, the Council reiterated our recommendation for a West Coast wide programmatic analysis of cumulative effects.[1] That said, the time to use this approach is prior to lease sales, and ideally prior to establishment of Wind Energy Areas. That is the time when use of this approach can most meaningfully result in avoidance or minimization of impacts to fishing communities, habitats and marine resources. Again, the Council continues to recommend that the agency take a more comprehensive, marine spatial planning type approach to best support its decision-making and the public's involvement in it.

Given the above, and the uncertainty surrounding the future of offshore wind (OSW) projects, the Council recommends not publishing the Final Sale Notice until such time that further certainty is available. Based on this uncertainty, there is a very real concern that any auction held before the first week of November would result in fewer perspective bidders and lower bids. The most recent OSW auction conducted by BOEM, in the Gulf of Mexico, result in only one lease sale in the amount of $5.6 Million.[2] Two other Wind Energy Areas were not bid upon. The minimum bids established in the present PSN, $6.689 Million for the Brookings WEA and $3.060 Million for the Coos Bay WEA, would not represent a fair return for those lease areas given their importance to the fishing industry and the likely fishing-related revenues which could be generated over the 38-year lease term. Additionally, the proposed CBAs would fail to meet their stated purpose and goals with lower lease sale values. In the alternative, the Council recommends the proposed minimum bid of $50/acre be significantly increased given the results from the California lease sales. The leases offered off California were auctioned off at a range of $1,624/acre to $2,518/acre – significantly more than the $50/acre proposed minimum bid contained in the PSN.

Council Authorities and Responsibilities

Essential Fish Habitat and Council Authorities

The MSA requires the Council to describe, identify, conserve, and enhance essential fish habitat (EFH) for species managed under the Council's fishery management plans (FMPs). The MSA defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.[3]" The MSA includes additional provisions to designate Habitat Areas of

[1] https://www.pcouncil.org/documents/2024/02/february-2024-letter-to-boem-re-the-notice-of-intent-to-prepare-a-programmatic-environmental-impact-statement-to-analyze-impacts-of-floating-offshore-wind-energy-development-on-the-five-leased-areas.pdf/

[2] https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/GOMW-1-Round-by-Round-Results_0.pdf

[3] 16 U.S.C. §1802(10)

Particular Concern (HAPC), which are specific types or areas of habitat within EFH.[4] The MSA further authorizes the Council to comment on Federal actions or state activities that may affect the habitat, including EFH, of a marine or anadromous fishery resource under its authority. Adverse effects on EFH may result from actions occurring within or outside EFH and may include site-specific or EFH-wide impacts, including individual, cumulative, or synergistic consequences of actions.

EFH is identified throughout the Pacific Coast region for species managed under each of its FMPs: Pacific Coast groundfish, coastal pelagic species, Pacific Coast salmon, and highly migratory species. HAPCs have been identified for groundfish (rocky reefs, estuaries, canopy kelp, seagrasses, offshore banks, seamounts, canyons, and other areas of interest) and for salmon (estuaries, marine and estuarine submerged aquatic vegetation and other freshwater habitat features). In addition, Essential Fish Habitat Conservation Areas (EFHCA) are designated for groundfish species in the Council's Groundfish FMP. EFHCAs are spatially discrete areas designated to protect sensitive habitats from the effects of some types of bottom fishing.

Fishing, Coastal Communities, and MSA National Standards
The MSA includes ten National Standards (NS) that are principles to be followed in any FMP to ensure sustainable and responsible fishery management. The National Marine Fisheries Service (NMFS) has developed regulatory guidance for the ten NS (50 CFR Part 600 Subpart D). With those standards in mind, the Council **recommends** that any analysis of the effects of offshore wind (OSW) energy development activities consider four NS with particular relevance to the siting, design, and configuration of OSW lease areas:

- The effects of the proposed action on the ability of fisheries to continue to achieve optimum yield from managed wild fish stocks (NS1 - 50 CFR § 600.310).
- The effects of the proposed action on scientific information which informs conservation and management measures. Scientific information specifically includes "data compiled directly from surveys or sampling programs, and models that are mathematical representations of reality constructed with primary data." (NS2 – 50 CFR § 600.315).
- The effects of the proposed action on the sustained availability of fishery resources to fishing communities near any proposed lease sale areas, and on the sustained participation of those fishing communities in fisheries, including minimizing adverse economic impacts to fishing communities (NS8E - 50 CFR § 600.345).
- The effects of the proposed action on fishing vessel safety of navigation and safety of human life at sea (NS10 - 50 CFR § 600.355).

Our comments below are focused on potential impacts to habitats and the CCE, and impacts to commercial and recreational fishing activities, fishing-dependent coastal communities, and associated industries such as transportation, seafood trade, and recreation. We offer the following comments specific to one of the questions contained in the PSN.

[4] HAPCs are identified based on one or more of the following considerations: (i) The importance of the ecological function provided by the habitat; (ii) The extent to which the habitat is sensitive to human-induced environmental degradation; (iii) Whether, and to what extent, development activities are, or will be, stressing the habitat type; (iv) The rarity of the habitat type. (50 CFR 600.815(a)(8)).

I. Existing Uses and how they may be affected by the development of the proposed Lease Areas

Commercial and recreational fisheries, and those businesses dependent upon those industries, will be significantly impacted. The Council has submitted extensive comments, including technical and scientific data, during the Oregon OSW planning process detailing potential impacts to fishing communities and habitats.[5] Those are incorporated by reference. The potential impacts to fishing communities from the two WEAs cannot be viewed in isolation. California has a long-term planning goal which includes another 20GW of OSW off the California coast. The California Energy Commission, in the Draft of its Strategic Plan for offshore wind energy developments installed off the California coast in federal waters, identified sea space it has deemed suitable for future OSW development. The majority of these areas are between Cape Mendocino and the California/Oregon border. The Council remains concerned about the cumulative impacts of ALL potential developments along the west coast and the impacts of those to the marine ecosystem, fishing communities, habitats and living marine resources.

The Council is extremely concerned about impacts of commercial and recreational fishing as well as fishing-dependent coastal communities, for lease sites in both WEAs and beyond. OSW development within the WEAs means that access to fishing areas will be precluded, transit will be impacted, and research activities will be impacted. The Council recommends that BOEM establish, or require Lessees to establish, corridors of sufficient size to accommodate fishing vessel and research vessel transit and research activities.

II. Areas Proposed for Leasing

Future Restrictions to Protect Sensitive Habitats

Both lease areas overlap important benthic habitats for species important to our commercial and recreational fisheries. This includes habitats that are present in low abundance, limited distribution, or are sensitive to long-term or permanent damage. The Council, along with resource agencies and Tribes, have identified numerous areas of sensitive habitat in both the Coos Bay WEA and Brookings WEA, as well as outside the WEAs as it relates to cable routing, based on the limited and coarse habitat information available at this time. Sensitive habitats include all hard bottom habitats (canyons, bedrock, boulder, cobble, carbonate rock), deep-sea coral and sponge habitats, methane seep bubble streams with or without associated methanogenic communities, mud volcano, as well as all EFH designations (EFHCAs and HAPCs). The Council, State and Federal resource

[5] March 2024 comment on BOEM's Notice of Intent to Prepare an Environmental Assessment for Commercial Wind Leasing and Site Assessment Activities on the U.S. Outer Continental Shelf Offshore Oregon (https://www.pcouncil.org/documents/2024/03/march-2024-letter-to-boem-on-notice-of-intent-environmental-assessment-for-commercial-wind-leasing-off-oregon.pdf/); November 2023 comment on Draft Wind Energy Areas - Commercial Leasing for Wind Power Development on the Oregon Outer Continental Shelf (OCS) (https://www.pcouncil.org/documents/2023/11/november-2023-letter-to-boem-governor-kotek-on-pfmc-comments-on-draft-wind-energy-areas.pdf/); April 2023 letter to Governor Kotek and BOEM regarding Oregon's Offshore Wind Energy Development Process (https://www.pcouncil.org/documents/2023/11/november-2023-letter-to-boem-governor-kotek-on-pfmc-comments-on-draft-wind-energy-areas.pdf/); and June 2022 comment on BOEM's Request for Information and Nominations:
Commercial Leasing for Wind Energy Development on the Outer Continental Shelf Offshore Oregon (https://www.pcouncil.org/documents/2022/06/june-2022-letter-to-boem-on-oregon-call-areas.pdf/)

agencies, and others have requested that aliquots overlapping sensitive habitat resources be excluded entirely from OSW development and associated activities, that sufficiently sized protective buffers be established around sensitive habitats if aliquot removal is not applicable, and that cable corridors also avoid these habitats. This applies to sensitive habitats not currently mapped but that would be identified in new mapping efforts. BOEM has indicated in this PSN Notice that sensitive habitats may be excluded from leasing:

> *"Potential bidders are advised that portions of the Lease Areas may not be available for future development (i.e., installation of wind energy facilities) because of sensitive seafloor habitats."*

Previous comments by the Council also recommended that BOEM require lessees to conduct (and share) high-resolution seafloor mapping and produce fine-scale habitat classification maps for identifying sensitive habitats not previously mapped, and to do so prior to conducting any bottom-contact site assessment or site characterization activities, including anchoring. BOEM indicates in the PSN that lessees will be required to provide additional data and evaluation to identify sensitive seafloor habitats:

> "*BOEM will require further data gathering and evaluation of seafloor habitats and expects to place restrictions on disturbance of sensitive seafloor habitats during COP review."*

The Council's previous comments are incorporated herein by reference as most are equally relevant to this PSN. Of particular relevance: (1) if aliquots overlapping sensitive habitats are not removed from leasing then establish sufficiently-sized buffers around all sensitive habitats (i.e., sensitive habitats currently mapped plus habitats identified during new mapping), (2) concerns and recommendations for site assessment and characterization activities, (3) need fine-scale habitat classification maps of WEAs and possible cable routes using the existing high-resolution multibeam data to (a) inform potential bidders of areas that may be restricted due to the presence of sensitive habitats, and (b) to guide/prioritize lessee's subsequent high-resolution seafloor mapping which will further refine existing maps of sensitive habitat. (4) New high-resolution mapping and substrate classification map development should be done prior to bottom-contact site assessment/characterization activities (geological and geophysical surveys, and biological surveys) to ensure sensitive habitats are sufficiently protected from bottom-contact activities and equipment, including anchoring.

The Council's letters to BOEM on draft Oregon WEAs and on the draft EA for Commercial Wind Lease Issuance off Oregon (includes site assessment and site characterization) include additional details and recommendations, and are incorporated by reference.

Regarding the two draft commercial lease documents (OCS-P Lease 0566 and OCS-P Lease 0567), Addendum C in both lease documents contains lease-specific terms and conditions. The Council recommends that Section 2.1 (*Site Characterization: Survey Plan*) and Section 5.3 (*Stipulations: Geological and Geophysical Survey Requirements*) be revised to include the Council's recommendations on the EA for leasing. In particular, the Council recommends as lease conditions:

- Require lessees to adhere to prescribed buffers around all areas of sensitive habitats, as recommended by state/Federal resource agencies.
- Require lessees to conduct benthic habitat mapping at the highest resolution possible

- Require lessees to adhere to guidance and standards provided in the *NMFS Greater Atlantic Fisheries Recommendations for Mapping Fish Habitat* (transmitted to BOEM March 29, 2021) for habitat mapping, seafloor classification and biogenic habitats.
- Require Lessees to consult with West Coast habitat scientists to further delineate and classify habitat features relevant to the West Coast.
- Require Lessees to provide the frequency, duration, survey line spacing, density/amount of cores, etc., of site assessment/characterization methods anticipated, over the duration of the lease, analyzing the quantified effects of those activities on habitat resources.
- Require lessees to analyze the cumulative effects of multiple survey activities that are likely to overlap spatially on sensitive habitats in the final EA.

Wind Wake Effects and Upwelling

The Council remains concerned with wind wake effects from OSW farms reducing upwelling in the proposed lease areas. Wind-driven coastal upwelling is a primary driver of productivity in the CCE. Disruption of upwelling could also exacerbate deepwater hypoxia since upwelling (and downwelling) processes are a major driver of oxygen renewal conditions in coastal environments. Wake effects can also impact temperature, salinity, and stratification. The WEAs may be particularly susceptible to changes in oceanographic processes because they are located within the oxygen minimum zone of the upper slope of the continental shelf (600-1200 meters), a unique area where oxygen concentrations are naturally and consistently low. Periodically, these low oxygen waters move onto the shelf and contribute to widespread hypoxic events.

Recent modeling efforts show about a five percent reduction in wind speeds found in the lee of wind farms, which leads to an approximately 10 to 15 percent decrease in upwelled volume transport and resulting nutrient supply to the coastal zone in the vicinity of the Morro Bay WEA and Diablo Canyon Call Area off the coast of California (Integral Consulting 2021). Model simulations for wind farms in the southern North Sea demonstrate large-scale attenuation in the wind forcing and associated alterations in the local hydro- and thermodynamics (Christiansen et al. 2022). Other recent analyses indicate that turbine arrays can create wind deficits downwind of the arrays up to 100 kilometers and may affect ocean dynamics and ecosystem function in surrounding areas (Akhtar et al. 2021, Lloret et al. 2022).

Understanding wind deficit effects on ecosystem processes in this region will be important to BOEM's decision on whether to permit OSW off the West Coast, as well as the placement and configuration of lease sale areas. Results from these and future studies should be used to inform the location of lease sales to minimize the impacts to upwelling, ocean stratification, and prevailing currents in the California Current. We consider the potential impact of wind wakes on the productivity of the California Current to be a foundational issue which should be completely understood before OSW development activities occur. The Council **recommends** that BOEM stipulate as part of the lease sale that the Lessee's Construction and Operation Plan includes an analysis of wind wake effects and identifies lease areas and site designs that generate the least amount of wake effect on upwelling or other oceanographic processes.

Bidding Credits

BOEM proposes to grant bidding credits to establish a community benefit agreement (CBA) with a community or stakeholder group whose use of the geographic space of the Lease Area, or whose

use of resources harvested from that geographic space, is directly impacted by the Lessee's potential offshore wind development.

The Council has serious concerns about the potential impacts of OSW development on fishing-dependent communities. These impacts may result in the permanent loss of fisheries, processing plants, jobs, and related enterprises. We are cautiously supportive of CBAs as vehicles, if sufficiently funded and implemented, to provide support to coastal communities or stakeholder groups that would be impacted by OSW development. Fishing-dependent communities stand to suffer significantly more than most other coastal community sectors, and the Council is encouraged by BOEM's recognition of the potentially severe impacts that fishing communities will endure, on an indefinite basis. CBAs should extend and be guaranteed for the lifetime of the project and possibly beyond. CBAs should be required as a condition of the lease and should remain in place if a lease or OSW facility is transferred or sold to a different entity.

The PSN proposes a bidding credit of 5 percent for bidders who have an "*existing CBA or a commitment to enter into a new CBA with a community or stakeholder group*…". The CBA would be designed, in part '*particularly to assist fishing and related industries to manage transitions, gear changes, or other similar impacts which may arise from the development of the Lease Area*.' We support the inclusion of 'related industries' as being directly affected by OSW activities, and we consider processing plants, transportation, retail businesses, as well as out-of-area fishing participants that are at least partially dependent on fish resources in the area, to be related industries directly affected by OSW development.

The Council included specific recommendations on CBAs in our comment letter on the PSN for the lease sales off California.[6] We incorporate those recommendations here.

Lease terms and conditions

Commercial Fisheries: The Council supports the proposed lease stipulation to require development of a Fisheries Communications Plan (FCP), including the requirement that a Lessee contact potentially affected commercial fishing communities prior to submitting its Construction and Operations Plan. We **recommend** including in any FCP, a requirement to work collaboratively with local fishing industry representatives to identify optimum transmission and interarray cable routes. We also recommend the FCP require Lessees to engage with representatives from affected fishing industry sectors to schedule site assessment and/or site characterization activities during times when fisheries utilizing the proposed lease areas are not being prosecuted to minimize potential impacts. BOEM should consider having NMFS or BOEM help produce standard administrative guidelines and provide an appeal or arbitration mechanism if needed.

Commercial and recreational fishing will be amongst existing uses and resources with the highest potential to be affected by offshore wind energy development activities in the Wind Energy Areas. Oregon's recreational fishing industry is economically and culturally important to coastal communities. The proposed lease stipulation states only that Lessees shall work with "commercial fishing communities" prior to submitting COP proposals to "ensure that, whenever feasible, survey and development activities are compatible with seasonal fishing operations." The Council

[6] See - https://www.pcouncil.org/documents/2022/08/august-2022-letter-to-boem-on-pacific-wind-lease-sale-1.pdf/

recommends that BOEM place the recreational fishing community on equal footing with the commercial fishing industry in lease stipulations, as appropriate, and every other point in this process where fishery impacts are in issue.

The Council appreciates the opportunity to provide comment on the PSN for California Lease Areas. If you have any questions, please contact Kerry Griffin on Council staff (Kerry.griffin@noaa.gov; 503-820-2409).

<Council Chair Signature Block>

Cc Council Members
Mike Conroy
Susan Chambers
Correigh Greene
Scott Heppell
Arlene Merems

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PFMC
06/03/24

From: Susan Murbach
To: PERMITS coast * DLCD
Subject: Protect marine resources
Date: Saturday, June 15, 2024 9:28:24 AM

[You don't often get email from sooz@actionnet.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear fellow Oregonians,

With new changes coming to electrical generation in this country I would like to make sure our environment and biological diversity is protected.

As a longtime Oregonian who loves this beautiful coast and the natural world, I feel rules should be put in place to protect estuaries, wildlife, deep sea corals and seamounts from development.

We need to enhance and work with nature to secure a livable world for future generations. Our oceans and lands are teeming with life that deserves protection. We need enforceable policies in place before large corporations enter our state to develop “renewable energy” projects.

Please protect what Mother Nature has blessed us with. Some things are irreplaceable.

Sincerely,

Susan Murbach
541-270-3379

From:	Jacob Stallings
To:	PERMITS coast * DLCD
Subject:	Public Comment for BOEM Offshore Wind Lease Proposal
Date:	Tuesday, June 11, 2024 11:43:59 AM
Attachments:	Stallings, J. BOEM Offshore Letter of Support.docx

You don't often get email from jacob@iuoe701.com. Learn why this is important

Please see attached.

Jacob Stallings
General Counsel

555 E. 1st St.
Gladstone, OR 97027
***Office:* 503-650-7701**
***Fax:* 503-650-7715**
***Cell:* 503-318-5106**

June 11th, 2024

Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Re: BOEM Offshore Wind Leasing on the Outer Continental Shelf

To Whom It May Concern,

I am a Representative of and the General Counsel for the International Union of Operating Engineers Local 701. Our union covers nearly 4,000 heavy equipment operators and stationary members in Oregon and SW Washington — many of whom would benefit from work constructing and maintaining offshore wind turbines that could be developed in the coming years through offshore wind leasing on the outer continental shelf off Oregon's coast.

Thank you for the opportunity to comment on BOEM's request to issue leases within the designated Oregon Wind Energy Areas, including the Coos Bay Wind Energy Area and the Brookings Area. I am strongly in support of this project moving forward, as issuing these leases would allow potential developers to start site characterization activities and prepare a Site Assessment Plant for BOEM, moving Oregon closer to building offshore wind technology.

Granting BOEM's request and permitting a lease auction will not only improve Oregon's environmental well being, it paves the way for more vital and much needed jobs for workers in Oregon's rural coastal regions. Offshore wind development projects would ensure heavy equipment operators will be able to secure steady income, without having to travel far from their families.

The length and size of a potential offshore wind project would allow apprentices to complete the required hours to graduate into full-fledged journeymen on a single jobsite, helping address Oregon's concerns about an aging construction workforce. These projects are also an excellent opportunity for increasing diversity in the construction industry and expanding opportunities for workers of all experiences.

Approving these amendments will only augment the benefits to all of Oregon and its vital workforces. I strongly urge the Coastal Management Program to approve the request to issue leases within the designated Oregon Wind Energy Area.

Respectfully,
Jacob Stallings
General Counsel
IUOE Local 701

From:	Cindy Sunley
To:	PERMITS coast * DLCD
Subject:	Public Comment for Offshore Wind Turbines and Survey Boats - URGENT!!
Date:	Saturday, June 15, 2024 6:43:55 AM

[You don't often get email from shulienlove@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

I Cindy Sunley state the following:
Thank you for allowing me to comment on this critical issue.
FISHING INDUSTRY:
Turbines are dangerous for fishing boats including, but not limited to, uncontrolled drift, gear entanglements, high wind/fog weather, unsafe radar, lack of fishing during construction.
WILDLIFE:
Turbines and Survey Vessels have deadly impact on Sea and Land Wildlife, Including, but not limited to, migratory shifting patterns Air and Sea. Huge amount of ocean floor destruction (crab habitat , etc.). Sediment plume drifts killing off breeding grounds. Additional hardships already posed by climate change. Vibrations deadly to land and sea life (Causes ocean mammal deafness, confusion, and abilities to communicate with one another. Causes them to surface near vessels causing more boat strikes. Increased beaching.).
ENVIRONMENTAL:
Turbines cause disruption of wind patterns effecting onshore winds/breezes raising temperatures. Lithium Ion Batteries are not safe, toxic to make and require foreign materials. Catch on FIRE! Millions of Copper wires crossing all over Ocean floors. Constructed on earthquake faults.
BIG BUSINESS:
Turbine industry is driven by the Biden administration which feeds huge corporations like Black Rock and other foreign Businesses. Turbine wind power is not cheap for the consumer, funneling high cost energy payments to these companies.
CURRENT TURBINES:
The East Coast Turbine companies are facing a myriad of Lawsuits! Look into these issues, it is where you are headed if Turbines are placed here. You will see the REAL PROBLEMS already existing on the East Coast. Huge die offs of whales and mammals (increase already happening on Oregon coast) destruction of COD industry, and many other huge problems and risks. Oregon! They will try and explain these realities away! Don’t ruin our Earthly treasures!
Cindy Sunley
54325 Beach Loop rd
Bandon, OR 97411

Sent from my iPad

From: carole cohen
To: PERMITS coast * DLCD
Subject: public comment Wind Energy/BOEM lease
Date: Friday, June 14, 2024 8:54:18 AM

You don't often get email from ccohen678@gmail.com. Learn why this is important

une 14, 2024

Dear Mr. Burright and Mr Lanier,

I would like to state when I first heard about wind energy I was excited. The need to move away from fossil fuels and other destructive forms of energy that negatively impact our environment is vital. Yet, as I researched wind energy I became more and more convinced that this form of energy with huge turbines in the Pacific Ocean will/could have just as much of a negative impact on our environment.

It is imperative that the DLCD consider and carefully plan for any possible negative consequences that could occur and impact our fragile marine ecosystems, including wildlife and fisheries. The Territorial Sea Act requires evaluations be made and the cumulative effects and impacts of any proposed action be identified.

Additionally, Best Management Practices should be strictly adhered to as Statewide Goal 19 and the Territorial Sea Act indicate to avoid harm to wildlife. Therefore, BOEM should be held to a high standard of accountability as they study the wildlife and the environment they would impact if given the leases.

1. They should have at least three neutral qualified wildlife observers on each and every one of their facilities anytime they go out to sea. These observers would report any and all critical data. (Since these locations can experience high waves and heavy wind action along with numerous bar closures I am not sure that a reasonable amount of study could be done to ascertain the year round impact on marine wildlife.)
2. They should be required to utilize low energy acoustics as they study marine wildlife, even though any level of acoustics impacts marine wildlife.
3. An Independent Marine Science study is conducted that is funded with conservation bid credits to the proposed sale auction. This study should be used when making any determination for the proposed construction of any form of wind energy at the given locations.
4. Additionally, an extensive plan needs to be in place that deals with how to provide ongoing maintenance in high seas when the bar is closed and facilities cannot leave port and specifically designates who is responsible for the funding for the maintenance. This plan should include the cost of any/all environmental cleanup when fluids leak, when the turbines fall over or other unforeseen occurrences happen with this form of energy producing equipment. Further, this plan should address and specifically cite who pays for the costs of the clean up along with a timeline for any and all clean up as needed with restoration to the environment as well as a detailed plan to remove the turbines when no longer needed.

In conclusion, I have other concerns about the proposed use of wind energy off the beautiful and wild coast of Oregon which I did not address at the time. I feel the unknowns of the impact of the environment may be just as hazardous as fossil fuels. I do not want us to jump out of the frying pan into the fire. Therefore, I strongly oppose leasing any part of the Oregon Coast to BOEM and their proposed use of windmill turbines to produce energy at this time.

Sincerely,

Carole Cohen

From: Andy Barker
To: PERMITS coast * DLCD
Subject: Public comment, offshore wind
Date: Thursday, May 9, 2024 9:25:55 PM

[You don't often get email from abarker62@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

As an Oregon coast resident, I am in favor of offshore wind energy development. It is entirely possible create much-needed carbon-neutral power while still allowing for healthy commercial fisheries and protecting habitat for sea birds and sea life. The fossil fuel industry wants our coastal community to become paralyzed in opposition to wind energy, but we cannot afford to waste precious years fighting amongst ourselves while we have a chance to combat climate change. Let’s find solutions now and move ahead quickly while there is a window of opportunity.

--Andy Barker, PO Box 1373, Manzanita Or, 97130

From: Kathleen Dickson
To: PERMITS coast * DLCD
Subject: Public Comment: Leasing of areas on the Outer Continental Shelf for purposes of offshore wind exploration
Date: Saturday, June 15, 2024 5:47:35 PM

You don't often get email from kdickson.1961@gmail.com. Learn why this is important

To whom it may concern:

I'm a resident of Brookings, Oregon, and have attended the recent virtual and in-person meetings held by both BOEM and DLCD, here in Brookings. I'd like to share my comments with you as it pertains to the Floating Offshore Wind Brookings Call Area leases currently being proposed by BOEM.

First, let me say that I'm **in favor** of Floating Offshore Wind Turbines, provided they're sited in such a location as to minimize the amount of damage done to the ocean, the sea floor, the coastline, and especially, the marine life and bird life; AND that they're sited in a location that is the most economically sound, both from the standpoint of construction/installation, and of distributing the power that gets generated to the places that will use it. Sadly, I don't think the Brookings Call Area chosen by BOEM agrees with either of these provisions.

I am also very concerned that BOEM is moving too fast and has not yet looked at the cumulative impacts of the several proposed wind farms along the west coast on birds and wildlife (if my understanding is correct, there are at least two sites being proposed north of the Brookings call area and at least one site south of it). Finally, I also don't believe that BOEM has sufficiently engaged with or listened to either the local Tribes or coastal communities such as Brookings.

Enforceable Policy - GOAL 19: OCEAN RESOURCES OAR 660-015-0010(4): To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

BOEM is not taking into consideration the fact that commercial and recreational fishing is one of the top three industries in terms of our economy...and it directly contributes to one of the other top three industries - tourism. Recreational fishing brings visitors to our region; commercial fishing puts local fish on the tables of our restaurants; and since the southern end of Curry County is considered a food desert (there being very little agriculture in the region), seafood ends up being one of the key food sources for the communities in Curry County.

Enforceable Policy: GOAL 18: BEACHES AND DUNES OAR 660-015-0010(3): To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

Another red flag in my opinion, is a lack of consideration by BOEM as to the **expense -** and potential damage done to our fragile coastline - of bringing floating offshore wind energy ashore and online. This expense will be enormous in Oregon with a massive need to build new transmission lines (since our region is so remote and geologically quite unstable). BOEM does not take these practical considerations into account since they are just focused on leasing.

In closing, I believe that, even as we need to quickly move away from fossil fuels, we also need to take the precautions needed so as to not degrade our outstanding Oregon coastal and marine ecosystems. In addition, whatever we end up doing needs to be as efficient and strategic as possible. That said, I'd like to recommend that DLCD "agree with conditions" based on Enforceable Policy Goals #18 & #19 as noted above.

Thank you for the opportunity to comment.

Kathleen Dickson
18821 Montbretia Lane
Brookings, OR 97415

P.S. I would also refer you to this section of the **Oregon Territorial Sea Plan**, as follows *(all emphasis mine)*:

2. Policies: When making decisions to approve routing, placement or operation of a seafloor utility or fixture, state and federal agencies shall:
a. **Protect ocean fisheries and other ocean uses from any adverse effects that may be caused by installation or operation of cables, pipelines, or other fixtures** by requiring that such routing, placement, or operation:
1.) avoid conflicts between commercial or recreational fishing or other ocean-use activities and utilities, as a first priority;
2.) reduce any adverse effects when conflicts cannot be avoided; and
3.) mitigate for adverse effects after first reducing them to the minimum practicable.
b. Protect marine habitat, fishery areas, and other marine resources as required by Statewide Planning Goal 19, Ocean Resources and the Oregon Territorial Sea Plan; and
c. **Promote direct communication between affected ocean users to resolve or avoid conflicts and require written agreements among the parties when necessary to ensure communication and memorialize agreements.**

From:	Peter Ullrey
To:	PERMITS coast * DLCD
Subject:	Public Notice for BOEM
Date:	Wednesday, June 12, 2024 8:55:21 AM
Attachments:	BOEM Offshore Letter of Support.docx

You don't often get email from peter@iuoe701.com. Learn why this is important

Hello,
Please see attached for my personal public commentary on the BOEM topic that is due by June 15, 2024.

Thank you.

Peter Ullrey, Stationary Apprenticeship Coordinator
and Business Agent
International Union of Operating Engineers, Local 701
555 E. First Street
Gladstone, OR 97027
Cell: (503) 807-6215
Office: (503) 650-7701
Fax: (503) 650-7715

June 12, 2024

Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
635 Capitol Street NE Suite 150
Salem, OR 97301

Re: BOEM Offshore Wind Leasing on the Outer Continental Shelf

To Whom It May Concern,

I am the field representative and stationary training coordinator for the International Union of Operating Engineers Local 701. Our union covers nearly 4,000 heavy equipment operators and stationary members in Oregon and SW Washington — many of whom would benefit from work constructing and maintaining offshore wind turbines that could be developed in the coming years through offshore wind leasing on the outer continental shelf off Oregon's coast.

Thank you for the opportunity to comment on BOEM's request to issue leases within the designated Oregon Wind Energy Areas, including the Coos Bay Wind Energy Area and the Brookings Area. I am strongly in support of this project moving forward, as issuing these leases would allow potential developers to start site characterization activities and prepare a Site Assessment Plant for BOEM, moving Oregon closer to building offshore wind technology.

Granting BOEM's request and permitting a lease auction will not only improve Oregon's environmental well being, it paves the way for more vital and much needed jobs for workers in Oregon's rural coastal regions. Offshore wind development projects would ensure heavy equipment operators will be able to secure steady income, without having to travel far from their families.

The length and size of a potential offshore wind project would allow apprentices to complete the required hours to graduate into full-fledged journeymen on a single jobsite, helping address Oregon's concerns about an aging construction workforce. These projects are also an excellent opportunity for increasing diversity in the construction industry and expanding opportunities for workers of all experiences.

Approving these amendments will only augment the benefits to all of Oregon and its vital workforces. I strongly urge the Coastal Management Program to approve the request to issue leases within the designated Oregon Wind Energy Area.

Respectfully,
Peter Ullrey
Field Rep / Stationary Training Coordinator
IUOE Local 701

From: doug udell
To: PERMITS coast * DLCD
Subject: RE: Comment on ocean wind power.
Date: Thursday, May 2, 2024 9:07:30 PM

You don't often get email from dougger42@yahoo.com. Learn why this is important

Please no, not in the ocean. Of course the ships used to bring maintenance workers and supplies, all quite expensive, will be powered by electricity? Not charged by fossil fuels? This is going to be a boondoggle, all about money and not helping our country. Small, affordable, and safe nuclear power would stop this damage from happening.
Thank you, Doug Udell
Sent from Yahoo Mail on Android

From: Christine Moffitt
To: PERMITS coast * DLCD
Subject: Re: comments regarding Consistency
Date: Saturday, June 15, 2024 5:09:49 PM
Attachments: June 15 Moffitt Comments DLCD.pdf

You don't often get email from christinemoffitt@outlook.com. Learn why this is important

Dear Friends

I submit these comments as a private citizen for your process of evaluation.

Thank you for your support in enabling public comments through this process.

Christine

Christine M. Moffitt, Ph.D.
Emerita Faculty, U of Idaho
Fellow American Fisheries Society
Fellow, American Institute of Fisheries Research Biologists
Member, Oregon Sea Grant Advisory Council
Member, Western Regional Panel on Aquatic Nuisance Species
President, Friends of South Slough Reserve, Inc.

June 15, 2024

Jeff Burright State-Federal Relations Coordinator
Oregon Coastal Management Program
Oregon Department of Land Conservation and Development
Jeff.D.Burright@dlcd.oregon.gov
coast.permits@dlcd.oregon.go

Dear Jeff and DLCD staff:

I have reviewed the draft BOEM assessment and Consistency Review and provide the following comments to support my suggested action that DLCD should **OBJECT** to the EA with its Consistency Review.

I am aware of multiple other submissions by other entities that can be used to support this objection in other areas of concern.

I provide here selected examples to support that the assessment provided is not consistent to the maximum extent practible with the policies of the Oregon coastal program. My objection describes some of the aspects related to how BOEM has failed to supply sufficient information to make a determination of consistency (15 CFR 930.43). The lack of a comprehensive approach in the EA and the parsing of this document into a phased approach of a site survey process without any pathway proposed and further analysis of the relationship of this survey to site development is also at odds with the state goals of a comprehensive assessment. There must be a comprehensive cumulative assessment of the entire process and its risks. The impacts of the project will extend to estuaries, coastal habitats as well as the territorial sea.

The biological, archeological, or geological impacts of site assessment and characterization activities will involve multiple vessel trips and installation of fixed buoy monitoring devices, and extensive surveys of the ocean floor by other instruments. The further development of specific sites for wind energy will challenge and affect not only the local ports and support systems as well as the fishing and recreational industries. However, this process considers this as if this was a one-time event, and no additional development was planned. However, ironically, in this document, the BOEM assessment of No Action Alternatives includes the entire process of wind energy development and assumes that the proposed offshore wind development is the only solution to reduce carbon emissions. That assumption is clearly in error.

Understanding of the impact of the entire project relates to nearly all of the Oregon Coastal Resource Goals. We seek to include the local entities and public engagement and full engagement with the state agencies and adequate time for review and refinement. The example of lack of engagement is clear in the conclusions for example are provided in the Consistency Document that make statements of determination of impact that are questionable and are offered with no supporting documentation of their conclusions. How can an evaluation of this process be conducted without dialog and clear and comprehensive analysis of the impact of this development?

I provide below selected highlighted examples of the document's conclusions of risk and of the approach taken to address No Action Alternatives in the following examples.

On page 29

> *3.3.2.3 Intertidal Coastal and Habitats*
> *Impacts to benthic resources in coastal and intertidal habitats are not expected for site assessment and site characterization activities. Any impacts that could occur would be from accidental events, such as vessel grounding or collision. Impacts to fishes and EFH may occur from noise generated by project vessels and potential introduction of invasive species from non-local project vessels. These potential effects are not expected to affect viability of regional populations or cause long-lasting damage to habitats*.

The reference to invasive species is the only time there is any reference to invasive species in the document. The process of introducing infrastructure into an area with survey buoy devices, and activities that involve taking samples from the benthic areas, and deploying monitoring cameras and associated devices are of high risk. Ship vessel traffic associated with these surveys will be a high risk to these areas as it is likely to be in the area for extended times. BOEM must provide monitoring and disinfecting protocols for any ship and equipment that is to be part of these operations. Where will the oversight be? What mitigative measures would be taken should an unwanted species be found? The companies and their assets interested in development will likely come from areas outside of the immediate region. The ships and equipment can carry nonnative species, and also potential pathogens of concern. The local ports may also be used to launch and dock vessels and equipment used in the site characterization. They may have species that would be of risk to the sites proposed for development. The document provides no reference to mitigation details and assumes there is no little to no risk.

There are documented studies of examples of the introduction of nonnative species through ship activities, survey instruments, and especially through installment of infrastructures related to wind development. Selected reviews are provided below.[i] [ii]

Examples of the exceptionally undocumented conclusions about impact in this review are on Page 29.

> *Section 3.3.2.4 Threatened and Endangered Species*
> *The regional population viability of species listed in Table 3-3 is not expected to be adversely affected by the stressors associated with the project, and thus no additional conservation measures are proposed.*
>
> ***Conclusion***
> *Impacts to benthic resources would be limited to the immediate footprint of the 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 benthic fish populations.*

The No Action Alternatives, however, are provided throughout this document to assume that the offshore wind development is the only way to mitigate climate change. An example of these statements is provided at the bottom of Page 29.

> *3.3.3* ***No Action Alternative***
> *Under the No Action Alternative, climate change would continue to cause impacts to marine and coastal habitats and benthic assemblages within the geographical analysis area. These impacts are likely to be incremental and difficult to discern from effects of other actions such as urban development, mariculture, shipping and vessel discharges, and dredging. Local climate change-induced impacts to marine and coastal habitats and associated biotic assemblages, such as sea-level rise or physiological stress from ocean acidification, are likely to be incremental and may be difficult to discern at short time scales (less than 5 years) from effects of other actions such as urban development, fishing, mariculture, shipping and vessel discharges, point and non-point sources of pollution, and dredging. Implementation of the No Action Alternative would not meaningfully reduce ongoing impacts to coastal habitats and associated biotic assemblages when compared to the Proposed Action.*

Another example of No Action Alternative is provided on page 48:

> *Coastal and marine birds in the geographic analysis area are subject to a variety of ongoing human-caused impacts that overlap with the Proposed Action, including fisheries bycatch in gillnet and other fisheries, oil spills, various contaminants, plastics pollution, anthropogenic noise, habitat destruction, introduced predators, disturbance of marine and coastal environments, and climate change. Many coastal and marine bird migrations cover long distances, and these factors can have impacts on individuals over broad geographical scales. Climate change has the potential to impact the distribution and abundance of coastal and marine bird prey due to changing water temperatures, ocean currents, and increased acidity.*
>
> *Under this alternative, commercial leases and grants would not be issued in the Coos Bay and Brookings WEAs. However, BOEM expects other ongoing activities and planned actions to have continuing regional impacts on coastal and marine birds over the timeframe considered in this EA. Impacts from urban development and increasing air, vessel, and onshore traffic will continue to contribute to climate change and will have negative impacts on coastal and marine birds. Implementation of the No Action Alternative would not meaningfully reduce ongoing impacts to coastal and marine birds from existing and potential future actions. The largest ongoing contributors to impacts on coastal and marine birds and bats stem from habitat destruction, disturbance of marine and coastal environments, and commercial and recreational fishing activities, primarily through bycatch*.

In the discussion of counties and local economy I highlight the following statements on Page 51

3.6.1.1 Counties
Recreation and tourism are the primary ocean economy sectors in Coos, Curry, and Lincoln counties. Tourism and recreation included eating and drinking establishments, hotels, marinas, boat dealers and charters, campsites and RV parks, science water tours, and recreational fishing (NOAA 2022), which is further explained in section 3.8. The next highest ocean economy sector in "other" for Coos and Curry counties includes representation from marine construction, ship and boat building, offshore mineral extraction, or non-categorized data. In contrast, living resources is the next highest industry sector for Lincoln County. Living Resources includes commercial fishing, fish hatcheries, aquaculture, and seafood processing and seafood markets (NOAA 2022), which is further examined in section 3.7. Coos, Curry, and Lincoln counties' ocean economy sectors are detailed in Table 3-11.

The characterization of the socioeconomics of the affected areas lacks important details of many additional communities. The Port of Umpqua has support facilities in Winchester/Reedsport, and these are located in Douglas County. Reedsport has a large commercial fishing vessel builder, Fred Wahl Marine Construction. The support in the port includes docks for fish processing/receiving stations for commercial fish and shellfish, and marine-related facilities. The Port of Siuslaw in Florence in Lane County has extensive recreational and support facilities for retail vendors. The extent of tourism and local economic activity is extensive in these locations with multiple retail and restaurant offerings that feature the working waterfront. These details are pertinent to the EA Both EA Section 3.7 and 3.8. are deficient in these details. The treatment and mention of Douglas and Lane counties is limited and fails to consider these important aspects of the economic and social nature of these areas of the coast. Moreover, the assessment of Coos County is deficient of details especially for the Charleston sector that hosts three processors and considerable other support of recreational, retail and commercial fishing. Also completely omitted from this is the presence of the South Slough National Estuarine Research Reserve, located adjacent to the Charleston community.

In summary with these examples, I suggest that DLCD reject this document as inadequate to make any decision regarding the consistency assessment of the proposed surveys of areas proposed for lease sale.

Sincerely,

Christine M. Moffitt, PhD
700 Denise Place
Coos Bay OR 97420

---

[i] ICES Journal of Marine Science (2020), 77(3), 1092–1108. doi:10.1093/icesjms/fsz018.

[ii] https://www.osti.gov/servlets/purl/1179455/

From: Christine Hutchins
To: PERMITS coast * DLCD
Subject: Review concerning offshore wind farms
Date: Thursday, May 2, 2024 6:31:00 PM

You don't often get email from chutchins@comcast.net. Learn why this is important

I am 100% against wind farms off the coast of Oregon due to our whale population will be impacted.

Once a year they transmit South to Baja and then north to Alaska.

The vibrations will end up messing up the whales ability to travel safely without beaching themselves on our beaches

This is a ridiculous idea then there are plenty of other options on land where you are killing a large number of birds.

If this is approved it will be the very last time I vote for a Democrat.

Chris Hutchins

From:	Casey MacLean
To:	PERMITS coast * DLCD; BURRIGHT Jeff D * DLCD; LANIER Andy * DLCD
Cc:	Nicole Hughes
Subject:	RNW Comments on DLCD/OCMP Federal Consistency Review
Date:	Friday, June 14, 2024 5:16:34 PM
Attachments:	RNW Comments DLCD Federal Consistency June 2024.pdf

You don't often get email from casey@renewablenw.org. Learn why this is important

Good afternoon,

Attached are Renewable Northwest's comments on DLCD's federal consistency review. Please let me know if you have any questions, and thank you for considering our comments.

Best,
Casey

Casey MacLean
Offshore Wind Policy Manager
Renewable Northwest
421 SW 6th Ave., Suite 1400
Portland, OR 97204-1625
C: 703.963.4471
www.RenewableNW.org

June 14, 2024

Jeff Burright
State-Federal Relations Coordinator
OCMP-DLCD
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Andy Lanier
Marine Affairs Coordinator
OCMP-DLCD
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Renewable Northwest ("RNW") is a 501(c)(3) non-profit based in Portland, Oregon, that advocates for the responsible, rapid, and just decarbonization of the electricity grid in the Northwest region. Our members include renewable energy developers and industry, clean energy buyers, and environmental and consumer advocates. RNW believes that responsibly developed floating offshore wind projects off the coast of Oregon have the potential to provide valuable and necessary renewable energy to our region. Oregon's H.B. 2021 requires the electricity providers to reduce greenhouse gas emissions associated with electricity sold to Oregon consumers to 80 percent below baseline emissions by 2030, 90 percent below baseline emissions by 2035, and 100 percent below baseline emissions levels by 2040.[1] Meanwhile, load growth in the Northwest is projected to increase at unprecedented rates, with estimates that demand for electricity in the region will increase by 25 percent in the next decade.[2] Oregon's ambitious timeline will not only mean replacing existing emitting electricity sources but also ramping up production to meet increasing demand from data centers and electrification efforts in other sectors like transportation and buildings. Offshore wind is an attractive potential new resource for Oregon, particularly since the wind resource off the South Coast of Oregon is among the strongest in the country.

The Bureau of Ocean Energy Management (BOEM) published a Proposed Sale Notice and lease terms for two Wind Energy Areas (WEAs) off the Oregon coast on April 30, 2024. Per the Coastal Zone Management Act of 1972, as amended (CZMA), BOEM is submitting a

[1] Oregon House Bill 2021, as Enrolled.
https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB2021/Enrolled
[2] Northwest Regional Forecast of Power Loads and Resources: August 2023 through July 2033. Published May 2023.
https://www.pnucc.org/wp-content/uploads/2023-PNUCC-Northwest-Regional-Forecast-final.pdf

Consistency Determination[3] for leasing the WEAs offshore Oregon, and the Oregon Coastal Management Program (OCMP) initiated a Federal Consistency review to ensure BOEM's proposed actions are consistent with Oregon state laws and policies. RNW appreciates the opportunity to submit comments to OCMP on this federal consistency review.

BOEM's proposed action, subject to the state's review, is the issuance of leases and associated easements in the Coos Bay and Brookings WEAs. Lessees would be granted the exclusive right to conduct site assessments, and to submit to BOEM a Site Assessment Plan (SAP) and/or a Construction and Operations Plan (COP) at a future date. Therefore, at this stage, a reasonably foreseeable effect of the award of leases is that lessees would conduct environmental and site assessments in the lease areas and on the Outer Continental Shelf. The state also expects lessees would conduct some of these activities within state waters (up to 3 nautical miles offshore), estuaries, or potentially onshore. In its federal consistency determination[4] BOEM has determined that the leasing activities planned for the WEAs offshore Oregon are consistent to the maximum extent practicable with the OCMP, pursuant to the requirements of the CZMA and the Oregon Ocean Resources Management Act of 1991 (ORS 196.405–515).

RNW submits these comments in support of a concurrence finding with BOEM's consistency determination; upon review, we believe the actions proposed by BOEM are consistent with the enforceable policies of the OCMP. Many Oregonians rightfully have questions about the impacts of floating offshore wind projects on Oregon's ocean and coastal ecosystems, fisheries, tourism industry, recreation and more. RNW notes that this stage of the federal consistency process is to determine the "reasonably foreseeable effect" of BOEM's proposed actions to lease the Brookings and Coos Bay WEAs, and the associated site characterizations and assessments that will be conducted by the lessees. These proposed actions will likely include minor impacts such as vessel surveys, geotechnical exploration of the seafloor, and placement of anchored meteorological buoys, all of which are necessary to better understand the unique characteristics of this area to determine if floating offshore wind can be responsibly developed in these locations. Should lessees submit a COP at a later date, BOEM and the state will undergo another federal consistency review process ahead of any construction of floating offshore wind infrastructure.

RNW notes that DLCD's OCMP is conducting a thorough and lengthy community outreach process to engage Oregonians in the federal consistency review, which began on April 30, 2024. Notably, DLCD is hiring additional staff to help with this effort. We appreciate that to date, the agency has hosted a virtual meeting along with four 3-hour public meetings in the Oregon coastal communities of Brookings, Coos Bay, Florence, and Newport to provide background

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[3] Coastal Zone Management Act Consistency Determination for Leasing Wind Energy Areas Offshore Oregon, Bureau of Ocean Energy Management. April 30, 2024. https://www.oregon.gov/lcd/OCMP/FCDocuments/Consistency-Determination_LeasingWEAsOffshoreOregon.pdf

[4] Coastal Zone Management Act Consistency Determination for Leasing Wind Energy Areas Offshore Oregon, Bureau of Ocean Energy Management. April 30, 2024. https://www.oregon.gov/lcd/OCMP/FCDocuments/Consistency-Determination_LeasingWEAsOffshoreOregon.pdf

information to the state's review of the BOEM consistency determination and to seek feedback from the public.[5] These meetings generate increased awareness, community buy-in, and trust in the process. We also encourage the state to conduct specific Tribal outreach to meet the unique needs of Tribes and ensure transparency and understanding of this process. Following the close of the comment period on June 15, 2024, the OCMP will have one month to analyze public comments and incorporate them into the consistency determination.

In its federal consistency determination, BOEM included an analysis of the consistency of its proposed action with relevant enforceable policies of the Oregon Coastal Management Program (pg. 35).[6] These policies include:

- Statewide Planning Goals
    - Statewide Planning Goals 1 - 18
        - Statewide Planning Goal 1: Citizen involvement
        - Statewide Planning Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces
        - Statewide Planning Goal 6: Air, Water and Land Resources Quality
        - Statewide Planning Goal 16: Estuarine Resources
        - Statewide Planning Goal 17: Coastal Shorelands
    - Statewide Planning Goals - Goal 19
        - Statewide Planning Goal 19 - Ocean Resources
        - Oregon Territorial Sea Plan, Part 2: Making Resource Use Decisions
        - Oregon Territorial Sea Plan, Part 3: Rocky Shores Management Strategy
        - Oregon Territorial Sea Plan, Part 4: Uses of the Seafloor
        - Oregon Territorial Sea Plan, Part 5: Uses of the Territorial Sea for the Development of Renewable Energy Facilities or Other Related Structures, Equipment or Facilities
- State Agency Authorities
    - Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OARs)
        - ORS 468A: Air Quality
        - ORS 468: Environmental Quality Generally
        - ORS 468b: Water Quality
        - OAR 340-041: Water Quality Standards: Beneficial Uses, Policies, and Criteria for Oregon
        - OAR 660-015: Land Conservation and Development Commission
        - ORS 196: Ocean Resource Planning; Wetlands; Removal and Fill
        - ORS 390: Oregon Parks and Recreation Department
        - ORS 506: Commercial Fishing and Fisheries

[5] Oregon Coastal Management Program, Department of Land Conservation and Development. Offshore Wind Energy Leasing information page. https://www.oregon.gov/lcd/ocmp/pages/offshore-wind-energy-leasing.aspx

[6] Coastal Zone Management Act Consistency Determination for Leasing Wind Energy Areas Offshore Oregon, Bureau of Ocean Energy Management. April 30, 2024. https://www.oregon.gov/lcd/OCMP/FCDocuments/Consistency-Determination_LeasingWEAsOffshoreOregon.pdf

- ORS 496: Wildlife
- OAR 635-415: Fish and Wildlife Habitat Mitigation Policy
- ORS 358: Archaeological Objects and Sites

RNW believes this list is comprehensive and well-analyzed, but would be supportive of the addition of further relevant enforceable policies if they are conducive to reasonable and responsible site characterization in the WEAs. The proposed action includes guardrails; surveys conducted by lessees must first be approved by BOEM in survey plans, and site assessment plans (SAPs) such as the installation of oceanographic and meteorological buoys and other devices will also be subject to review and approval by BOEM. Given these requirements, we do not think it is necessary for the state to require any additional conditions of lessees, such as third-party monitors or evaluators of site characterization activities, which could be overburdensome for developers. Renewable energy developers aim to engage in highly responsible practices that adhere to all necessary permitting, and which maintain their reputation within the community. RNW notes that this list of enforceable policies is not intended to cover Oregon's enforceable policies that would be related to offshore wind project construction and operations.

Earlier this year, Oregon's H.B. 4080[7] was signed into law. This important legislation requires the state to create a roadmap for standards "to be considered in the processes related to offshore wind energy development and approval"; it also sets labor standards for any future offshore wind energy projects in the states. RNW was proud to have a leadership role in the development of a set of considerations for inclusion in the roadmap.[8] The roadmap is set to be completed by September 1, 2025. At this time, BOEM anticipates holding a lease auction in the fall of 2024. RNW believes that the state roadmapping process can happen in parallel with the BOEM process, and that it is unnecessary to delay a BOEM auction until the roadmap is completed. The standards set by the roadmap are intended to inform BOEM as they consider future development of offshore wind projects, but at this stage in the process, the state is only considering the impacts from the lease auction and site characterization activities. A lease sale is not included in the "covered projects" definitions set forth in Sec. 8 of H.B. 4080; covered projects include offshore wind energy projects, port development projects, and projects related to offshore wind manufacturing or supply chain that are located on port property. The DLCD's assessment of state enforceable policies to be used in the federal consistency review is not a part of the offshore wind roadmapping process, and need not delay an auction or be added as an enforceable policy to the federal consistency determination. As noted previously, a second federal consistency review would occur if a lessee submits a COP to BOEM, and this stage would be better suited to incorporate the completed state offshore wind roadmap.

[7] Oregon House Bill 4080, as Enrolled. https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/HB4080/Enrolled
[8] Oregon Floating Offshore Wind Energy Roadmap with Exit Ramps: Considerations.. https://oregonconsensus.org/wp-content/uploads/2024/04/Considerations_Oregon-FOSW-Roadmap-with-Exit-Ramps_04262024_final.pdf

RNW appreciates the consideration of these comments, as well as OCMP's laudable efforts in transparency, education, and outreach surrounding its federal consistency review. Offshore wind is a promising renewable energy resource, and Oregon must pursue additional renewable energy resources to meet growing demand and fulfill its statutory requirements for renewable energy. We look forward to future opportunities for engagement in this process.

Sincerely,

/s/
Casey MacLean
Offshore Wind Policy Manager
Renewable Northwest

From:	Ashley Audycki
To:	PERMITS coast * DLCD; BURRIGHT Jeff D * DLCD; LANIER Andy * DLCD
Subject:	Rogue Climate Comment for Offshore Wind FCR
Date:	Friday, June 14, 2024 7:05:34 PM
Attachments:	Rogue Climate FCR Comment 06_2024.pdf SouthCoastCommunityConversations. Rogue Climate-1.pdf

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Hello,

Rogue Climate is submitting a comment for the Federal Consistency Review Process on proposed Offshore Wind lease sale and site assessment activities.

Our organizational comment and appendixes, which include our South Coast Community Conversations on Offshore Wind Energy report and the Principles for Just Transitions in Offshore Wind Energy, are attached to or linked within the email. We request that all documents be added to the record to be considered for this public comment period.

Please let us know if there are any issues with the attached files.

Thank you,
Ashley Audycki

JustTransition-OffshoreWindEnergy.pdf

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Ashley Audycki
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June 14, 2024

Jeff Burright
Department of Land Conservation & Development
State-Federal Relations Coordinator
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

RE: Federal Consistency Review for Leasing the Wind Energy Areas Offshore Oregon

Introduction & Overview

Thank you for the opportunity to submit comments regarding the Federal Consistency Review for the Wind Energy Areas (WEAs) for the potential Oregon floating offshore wind (FOSW) leasing. We appreciate the Department of Land Conservation and Development's (DLCD) opportunities to engage in the review of proposed lease sale and site assessment activities. Rogue Climate is looking forward to engaging in future reviews applicable to individual projects, to ensure that the process is accessible and transparent, includes community decision-making, and maximizes benefits while minimizing harm to South Coast Tribes, communities, and ecosystems.

Rogue Climate serves and works alongside Southern Oregon and South Coast communities most impacted by climate change, including low-income, rural, youth, and communities of color, by organizing for clean energy, sustainable jobs, and a healthy environment. We do so through leadership development, political education, and campaigns for policies that benefit our communities.

Rogue Climate is invested in the protection of the Coos Bay estuary and the climate resilience of South Coast communities and Tribes, after years organizing to stop the Jordan Cove LNG export terminal and Pacific Connector fracked gas pipeline. Rogue Climate was also a key leader in the campaign to pass HB2021, which directs Oregon's Investor Owned Utilities to achieve 100% clean energy by 2040 and interim targets.[1] We understand the dire need to mitigate the worst

[1] HB2021 https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB2021/Enrolled

impacts of climate change on communities across the state and globally by transitioning off fossil fuels within the decade, while also holding that this transition must not perpetuate the burdens of our current energy systems on environmental justice communities and our environments. Rogue Climate is committed to engaging in state and federal processes for FOSW in order to uplift the priorities of impacted coastal communities, Tribes and marine industries, ensure that ecological and cultural resources are protected, and to advocate for a just, equitable and accessible process.

We request that the State of Oregon consider the key priorities of coastal communities with whom we organize, and implement the following conditions to strengthen the next steps of FOSW evaluation in alignment with Oregon's enforceable policies. The following list provides these priorities summarized along with applicable enforceable policies, with additional detail on each condition provided below:

- **Protect marine resources and ecosystems *(Statewide Planning Goal #19)***
    - Conditions:
        - BOEM shall conduct a comprehensive environmental review and cumulative impacts assessment for the West Coast.
        - Lessees must mitigate impacts for migratory species that may move through the proposed WEAs, including:
            - Lessees must consult with the Oregon Department of Fish and Wildlife (ODFW) in order to receive approval of their Site Assessment Plans.
            - Lessees must provide their proposed plans to ODFW along with all other information necessary for ODFW to determine the impact the proposed activities will have on affected wildlife.
            - Any mitigation measures proposed by ODFW pursuant to OAR 635-415 will be mandatory and must be implemented by the lessee in their Site Assessment Plan prior to approval.
        - Lessees must implement marine wildlife protection and monitoring measures including speed reduction to 10 knots, stopping assessments when entanglement or harassment is probable, and requiring multiple marine mammal observers onboard.
- **Mitigate environmental impacts on benthic environments *(Statewide Planning Goal #19, ORS 496.012, TSP Part 2,3,4,5, TSP Part 3 Policy J)***
    - Conditions:



        - Lessees must develop an anchoring plan to avoid, minimize, and mitigate impacts from offshore wind development, operation, and decommissioning, following California's conditions.
        - Lessees must avoid intentional contact within hard substrate, rock outcroppings, or deep-sea coral/sponge habitat, following California's conditions.
        - Lessees must use low-energy equipment to conduct their surveys of nearby deep sea-coral, sponges, and other sensitive benthic species.
        - BOEM shall encourage lessees to collaborate on surveys to reduce disturbance frequency.
- **Deepen community involvement *(Statewide Planning Goal 1, TSP Part 2)***
    - Conditions:
        - BOEM shall host 2 community meetings between the hours of 4pm-9pm in each of the towns of Brookings, Gold Beach, Coos Bay/North Bend, Reedsport, and Florence.
        - BOEM shall take public comments for the Federal Record directly at the community meetings.
        - BOEM shall clarify the evaluation and leasing process through educational workshops, videos, models and educational handouts.
        - BOEM shall work with local organizations, Tribal governments, and local governments on building trust among communities and to plan community engagement.
        - BOEM shall share transparently how comments will be implemented throughout the FOSW development process.
- **Respect Tribal sovereignty and commit to meaningful engagement *(ORS 358, BOEM Renewable Energy Modernization Rule)***
    - Condition:
        - BOEM shall meet its legal obligation to meaningful government-to-government consultation and consensus with impacted Tribes in advance of a lease sale.
        - BOEM shall provide a Tribal-specific CBA as a bid credit in the Proposed Sale Notice to be developed prior to the commencement of activities by the Lessee and developed through engagement with impacted Tribal Governments.
- **Ensure local community priorities are met**
    - Conditions:



    - BOEM shall increase the Work Force and Supply Chain Development Bid Credits to 20%.
    - BOEM shall increase the General Community Benefit Agreement to 10% bid credits to support sustainable housing development.
    - BOEM shall strengthen the bid credit parameters, including clarifying the lease auction process for the public and increasing transparency for parties entering CBA's.
    - BOEM shall ensure that Lease Use Area CBA bid credits prioritize protections for current marine industries and not displace the existing fishing industry**.**
- **Update enforceable policies and comprehensive plans *(Statewide Planning Goal #2, Periodic Review - ORS 197.628 - 636)***
    - DLCD should work with local jurisdictions to ensure that comprehensive plans and enforceable policies are updated to ensure robust review of proposed FOSW development.
    - DLCD should prioritize identifying and filling gaps in existing enforceable policies to protect cultural and ecological resources, impacted communities and Tribes throughout FOSW development.

For this initial Federal Consistency Review, Rogue Climate has signed on to coalition comments submitted by Oregon Shores Conservation Coalition and others. While we understand their argument for consistency denial, **we encourage DLCD to proceed with concurrence with conditions.** In this comment, we wish to highlight the specific priorities of coastal communities with whom we organize, and underscore key conditions to strengthen protections if a leasing process moves forward.

Protect marine resources and ecosystems

Oregon Statewide Land Use Planning Goal 19 requires that:

> "All actions by local, state, and federal agencies that are likely to affect the ocean resources and uses of Oregon's territorial sea shall be developed and conducted to conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social values and benefits. The goal also gives higher priority to the protection of renewable marine resources—i.e., living marine organisms—than to the development of non-renewable ocean resources."[2]

[2] Statewide Planning Goal 19: Marine Resources. Oregon Ocean Information. https://www.oregonocean.info/index.php/ocean-policy/73-goal19

Using the lens of Goal 19, BOEM's site assessment on the Outer Continental Shelf does not meet the scope of the Coastal Zone Management Act since the EA does not list sufficient information about the impacts of the action on state coastal uses and resources. The information that BOEM has supplied to DLCD is inadequate for making an informed assessment whether the proposed actions are consistent with Oregon law and enforceable policies. Information gaps include (but are not limited to): cable impacts, cumulative impacts, benthic habitat impacts, migratory species impacts, and a comprehensive ecological regulatory review of the potential spillover impacts into state waters. Subsequently, we recommend that DLCD make the following conditions:

> ***a. Condition: BOEM shall conduct a comprehensive environmental review and cumulative impacts assessment for the California Current Ecosystem on the West Coast.***

BOEM's Environmental Assessment scope fails to meet key considerations for evaluating site characterization and activities for the proposed lease areas. BOEM failed to include the consideration of cables since the activity tends to be project-specific. Yet, the proposed action is outlined in the consistency determination as an activity that is tied to obtaining the lease. To address this gap in information and better support the consistency determination, BOEM must share more information with DLCD on the potential impacts to meet standards of Comprehensive Land Use Planning (ORS 197) and DLCD Periodic Review and the Territorial Sea Plan Part 5 which require BOEM to address the project's cumulative impacts in its written evaluation.[3,4,5]

This phase of the BOEM leasing process fails to evaluate the fuller picture of potential offshore wind development and negates other nearby regions already facing offshore wind development. The piecemeal nature of BOEM's process does not meet the scope of NEPA which looks at the full picture of the proposed project's impacts, which is the effective analysis for this

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[3] ORS 197. Chapter 197 - Comprehensive Land Use Planning
https://www.oregonlegislature.gov/bills_laws/ors/ors197.html
[4] The Complete Planner's Guide to Periodic Review (2nd Edition)
https://www.oregon.gov/lcd/Publications/Periodic_Review_Guide_2nd_ed_2012.pdf
[5] Oregon Territorial Sea Plan Part Five: Use of the Territorial Sea for the Development of Renewable Energy Facilities or Other Related Structures, Equipment or Facilities. Oregon Ocean Information.
https://www.oregonocean.info/index.php/ocean-documents/planning/territorial-sea-plan2/part-5-marine-renewable-energy-facility-siting-2009-2013-2019/1897-tsp-part-5-final-text-and-appendix-a-2019/file

CZMA review. There is a need for a combined ecological impacts assessment on the entire West Coast, as leases in California and future proposed leases along the West Coast may impact the California Current Ecosystem. There are concerns that offshore wind development may harm this critical ecosystem due to impacts on ocean upwelling and migratory wildlife and fish.[6,7] The Territorial Sea Plan Part 2 requires a review of the cumulative effects of a proposed project with "probable future projects" and demands that BOEM consider the combined effects of each development before committing these areas to development in its proposed action.[8]

Based on this evidence, **we recommend that DLCD require BOEM to assess the combined ecological impacts of all the wind energy areas along the West Coast as a condition of leasing, which would consider the whole lifecycle offshore wind development (from leasing to decommissioning).**

b. Condition: Lessees must mitigate impacts for migratory species that may move through the proposed WEAs.

Migratory species are essential parts of coastal ecosystems and critical drivers for coastal tourism. This may include (but not limited to) birds, fish, and marine mammals.

Goal 19 lines up with a variety of state wildlife statutes such as ORS 496.012, which states that "[i]t is the policy of the State of Oregon that wildlife shall be managed to prevent serious depletion of any indigenous species and to provide the optimum recreational and aesthetic benefits for present and future generations of the citizens of this state." Accordingly, actions must be taken in a way that "maintain[s] all species of wildlife at optimum levels" and "maintain[s] public access to the lands and waters of the state and the wildlife resources thereon."[9] Consistent consultation and engagement with agencies such as the Oregon Department of Fish and Wildlife (under OAR 635-145) is needed to guide what actions and mitigation practices are needed for managing future activities. **To do this, we recommend the following condition language drafted by Oregon Conservation partners:**

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[6]NOAA Ocean Explorer: Upwelling
https://oceanexplorer.noaa.gov/explorations/02quest/background/upwelling/upwelling.html
[7] NOAA FIsheries: Offshore Wind Energy: Protecting Marine Life
https://www.fisheries.noaa.gov/topic/offshore-wind-energy/protecting-marine-life
[8] Oregon Territorial Sea Plan PART TWO: Making Resource Use Decisions
https://www.oregon.gov/lcd/OCMP/Documents/otsp_2-a.pdf
[9] https://oregon.public.law/statutes/ors_496.012

- **Lessees must consult with the Oregon Department of Fish and Wildlife (ODFW) in order to receive approval of their Site Assessment Plans.**
- **Lessees must provide their proposed plans to ODFW along with all other information necessary for ODFW to determine the impact the proposed activities will have on affected wildlife.**
- **Any mitigation measures proposed by ODFW pursuant to OAR 635-415 will be mandatory and must be implemented by the lessee in their Site Assessment Plan prior to approval.**

c. Condition: Lessees must implement marine wildlife protection and monitoring measures including speed reduction, stopping assessments when entanglement or harassment is probable, and requiring multiple marine mammal observers onboard.

Due to the lack of information presented in the EA and the Consistency Determination document, we recommend that DLCD require lessees to perform certain practices as a condition of approval, in alignment with the Marine Mammal Protection Act.[10] Conditions include vessel speed reduction, stopping assessments when entanglement or harassment is probable, and requiring multiple marine mammal observers onboard.

Vessel speed restrictions are important for mitigating conflicts with wildlife such as whales. Consistency between states will make development and operation more efficient, allowing vessels and associated vessels to run on the same rules between connecting states. In California's Consistency Review Process, there was a condition to require vessel speed restrictions that we believe provides a highly relevant and helpful model for what DLCD should require:

> **"BOEM will require vessels conducting lease characterization studies, surveys, metocean buoy installation, maintenance, or decommissioning or any other survey activities to travel at speeds no more than 10 knots during all related activities including vessel transit along the California coast. If future consultation with NMFS, USFWS or other state or federal agency results in different vessel speed requirements, BOEM will work with Commission staff to ensure that any new requirements remain consistent and do not diminish the level of resource protection provided by this**

[10] Marine Mammal Protection Act
https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-protection-act

requirement."[11]

BOEM should require surveyors to reduce vessel speed to 10 knots to reduce risk and to require mitigation and monitoring of marine mammals during survey activities.

The activities of site assessments may utilize lines and cables that may create probable entanglement for marine life. We recommend similar measures to be taken that were identified from the Oregon Sea Grant Whale Entanglement Working Group that includes gear modification, gear marking, and spatial management.[12] Stopping assessments when entanglement is probable is a proactive measure that aligns with the Statewide Planning Goal 19 - protecting marine resources.

Another management tool is requiring multiple marine mammal observers onboard. We encourage DLCD to adopt a similar approach to California, except with more than one observer on board (ideally two to four). By including more than one observer onboard, it will give observers a chance to view multiple angles on vessels at a single moment and allow observers to take breaks.

Mitigate Geotechnical Impacts & Benthic Habitat Impacts

Proposed site assessment activities include geotechnical surveys to assess where subsea cables and infrastructure might be located as a component of leasing activities. This includes collecting sediment cores, drilling, and dredging. Benthic floor habitats refer to anything that lives on the bottom of the ocean floor, including sediments that contain organic matter. This organic matter is stored carbon, an energy source for all microorganisms. BOEM's EA failed to indicate how benthic habitats would be affected by vessel and buoy anchoring and the frequency of anchoring that may lead to significant disturbance to sensitive benthic habitats without appropriate mitigation measures.

a. ***Condition: Lessees must develop an anchoring plan to avoid, minimize, and mitigate impacts from offshore wind development, operation, and decommissioning, following California's conditions.***

[11]California Coastal Commission Consistency Determination CD-0001-22, (Humboldt Wind Energy Area) https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0001-22_Concurrence%20Letter.pdf

[12] Oregon Whale Entanglement Working Group https://docs.google.com/document/d/1Sc9VHt_Ntl-Pri5Zgs3PQHc6w4FiuZvU7BxI4kdpYgQ/edit

DLCD should require lessees to develop an Anchoring Plan to avoid, minimize, and mitigate impacts that are supported by TSP Part 3 Policy J.[13] In the California conditions, there was a requirement for an anchoring plan that includes:

> "The Lessee must submit an Anchoring Plan to BOEM as part of any survey plan that requires vessel anchoring. The Plan must describe how the Lessee will avoid placing anchors on sensitive ocean floor habitats, cables, and pipelines and must include the following information:
>
> 1. A list of all vessels that will anchor during survey activities and the number and size of anchors to be set;
> 2. Detailed maps showing proposed anchoring sites located at least 40 feet (12 meters) from hard substrate. The distance between the proposed anchoring sites and any hard substrate must be sufficient to fully protect the hard substrate from anchors and related infrastructure;
> 3. A description of the navigation equipment that would be used to ensure anchors are accurately set; and
> 4. Anchor handling procedures that would be followed to prevent or minimize anchor dragging, such as placing and removing all anchors vertically."[14]

a. Condition: Lessees must avoid intentional contact within hard substrate, rock outcroppings, or deep-sea coral/sponge habitat, following California's conditions below.

Benthic habitats are "irreplaceable." They meet the definition of "Habitat Category 1" under OAR 635-415-0025, which thus requires "no loss of either habitat quantity or quality."[15] Strong conditions are essential to ensure there is no damage to a critical habitat. DLCD should require a similar model that was outlined in the California conditions to protect benthic habitats, including:

> "The Lessee must avoid intentional contact within hard substrate, rock outcroppings, seamounts, or deep-sea coral/sponge habitat, and include a buffer of at least 40 feet (12

[13] Territorial Sea Plan Part 3 https://www.oregon.gov/lcd/OCMP/SiteAssets/Pages/Territorial-Sea-Plan/TSP3_RHMS_April202023.pdf
[14] California Coastal Commission Consistency Determination CD-0001-22, (Humboldt Wind Energy Area) https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0001-22_Concurrence%20Letter.pdf
[15] https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=2989

meters) from hard substrates that fully protects these habitats from bottom contact, including, but not limited to, anchoring, mooring, and sediment sampling."[16]

d. Condition: Lessees must use low-energy equipment to conduct their surveys of nearby deep sea-coral, sponges, and other sensitive benthic species.

Additionally, we encourage DLCD to implement conditions to reduce impacts to benthic habitats during site characterization surveys. For example, BOEM should require lessees to use low-energy equipment when surveying benthic habitats and encourage lessees to collaborate on surveys to reduce disturbance frequency and extent.

Deepen community involvement

BOEM has failed to build trust and transparency throughout the process so far, resulting in the spread of misinformation and growing concern in coastal communities.[17] According to Statewide Planning Goal 1, Oregonians should have the opportunity to be engaged at every stage of a development process, and cities and counties are required to ensure the following. BOEM should be held to the same standard of meaningful community engagement:

1. "Opportunities for widespread public involvement
2. Effective two-way communication with the public
3. The ability for the public to be involved in all phases of the planning process
4. Making technical information easy to understand
5. Feedback mechanisms for policy-makers to respond to public input, and
6. Adequate financial support for public involvement efforts"[18]

In the BOEM Environmental Assessment, we notice a gap in information about the communities proposed to be impacted by the Coos Bay WEA, such as Florence, Reedsport, and Winchester Bay. As the Coos Bay Wind Energy Area lease areas are geographically north of Coos Bay, we encourage more research and community engagement by BOEM to fully consider the potential socio-economic and environmental impacts in these communities. These communities depend

[16] California Coastal Commission Consistency Determination CD-0001-22, (Humboldt Wind Energy Area) https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0001-22_Concurrence%20Letter.pdf

[17] OPB Article, https://www.opb.org/article/2024/01/03/offshore-wind-energy-oregon-coos-bay-bandon/

[18] Statewide Planning Goal 1 https://www.oregon.gov/lcd/OP/Pages/Goal-1.aspx

on tourism and fishing,[19] and the EA does not list their ports in the assessment. With the lack of information about potentially impacted communities in the EA, we conclude that BOEM needs to do more community engagement to properly address South Coast priorities in the Proposed Sale Notice.

Thus far, BOEM has demonstrated a failure to meet the State of Oregon's standards for community involvement and engagement as outlined in Goal 1, including a failure to provide accessible meetings. For example, in the current EA comment period, BOEM scheduled public meetings that were virtual and scheduled during the typical work day, making it challenging for working families and impacted community members to participate. When BOEM added an additional evening meeting, it was not well advertised compared to the initial meeting notices resulting in limited attendance. For the current Proposed Sale Notice (PSN) comment period, meetings were scheduled in the evenings but with the lack of information on why community members should attend, which resulted in limited attendance as well. During those virtual sessions, the vast majority of attendees self-reported as representing a government agency or a nonprofit organization. This illustrates a lack of accessibility and outreach to the most impacted parties who need to be at the table in order for BOEM to make transparent and equitable decisions.

We strongly recommend DLCD strengthen conditions regarding community engagement for BOEM to move forward with a lease sale. Specifically, we recommend the following conditions:

- **BOEM shall host 2 community meetings between the hours of 4pm-9pm in each of the towns of Brookings, Gold Beach, Coos Bay/North Bend, Reedsport, and Florence.**
- **BOEM shall take public comments for the Federal Record directly at the community meetings.**
- **BOEM shall clarify the evaluation and leasing process through educational workshops, videos, models and educational handouts.**
- **BOEM shall work with local organizations, Tribal governments, and local governments on building trust among communities and for planning engagement.**
- **BOEM shall share transparently how comments will be implemented throughout the FOSW development process.**

[19] Oregon Coastal Ports Report by Oregon Coast Visitor's Association https://static1.squarespace.com/static/635c0e5f0b1f8e110416611c/t/635f0902c4aac133897c6d2b/1667172635383/Oregon+Coastal+Ports+Report+%28OCVA%2C+2021%29.pdf

We applaud DLCD's efforts thus far in the Federal Consistency Review process for scheduling multiple meetings among coastal communities in-person and an online option. We encourage DLCD to continue these practices for future decision-making periods in the offshore wind process, as well as throughout the Road Map Process. Rogue Climate specializes in organizing community meetings and creating accessible educational events. We hope to be able to support DLCD's efforts to communicate with the public about how to engage in the offshore wind process.

Respect Tribal Sovereignty and Commit to Meaningful Engagement

Rogue Climate does not speak for or on behalf of Tribes, but rather seeks to uplift Tribal comments and concerns, and advocate for early, meaningful and thorough Government-to-Government consultation. Tribal Sovereignty is a fundamental component of a Just Transition away from the fossil fuel-based energy system and towards an equitable renewable energy system and climate resilience. Throughout the development process for floating offshore wind, Tribes must be treated as Sovereign Nations through Government-to-Government consultation.

a. ***Condition: BOEM shall meet its legal obligation under the Renewable Energy Modernization rule to meaningful government-to-government consultation and consensus with impacted Tribes in advance of a lease sale.***

BOEM is legally mandated to engage in Tribal consultation before issuance of a lease and during area identification prior to the competitive issuance of leases, according to BOEM's Renewable Energy Modernization Rule.[20] However, many Tribes have been disappointed with the lack of thorough consultation to date. BOEM falls under the directive of the Department of Interior and therefore should be following the department's Tribal Consultation and Consensus Policies:

> "It is the policy of the Department to recognize and fulfill its legal obligations to identify, protect, and conserve Tribal trust resources; carry out its trust relationship with Federally recognized Tribes and Tribal members; and invite Tribes to consult on a government-to-government basis whenever there is a Departmental Action with Tribal Implications. All Bureaus and Offices shall make good-faith efforts to invite Tribes to consult early in the planning process and throughout the decision-making process and engage in robust, interactive, predecisional, informative, and transparent consultation

[20] BOEM Renewable Energy Modernization Rule, Sections 585.203, 585.211(b) https://www.govinfo.gov/content/pkg/FR-2024-05-15/pdf/2024-08791.pdf

when planning actions with Tribal implications. It is the policy of the Department to seek consensus with impacted Tribes in accordance with the Consensus-Seeking Model." [21]

The Hanis Coos and Miluk Coos peoples have been original stewards of the Oregon Coast's waterways and surrounding lands since time immemorial. The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians (CTCLUSI) have been consistently vocal that their concerns regarding the impacts of fishing and viewsheds have not been addressed. According to a press release from CTCLUSI on February 13, 2024, the final WEA's designate "approximately 195,012 acres for wind energy development, in areas that are within the Tribe's ancestral territory, contain viewsheds of significant cultural and historic significance to the Tribe, and are important areas for Tribal fishing." CTCLUSI Tribal Council Chair Brad Kneaper said, "'BOEM's press release states that it has 'engaged' with the Tribe, but that engagement has amounted to listening to the Tribe's concerns and ignoring them and providing promises that they may be dealt with at some later stage of the process… BOEM has failed to recognize that wind development has impacted the Tribe and has failed to assure that wind energy development will do good and not harm the Tribe, its members, and the greater coastal community. The Tribe will not stand by while a project is developed that causes it more harm than good – this is simply green colonialism."[22] Due to the lack of meaningful consultation, the Tribal Council of CTCLUSI approved a resolution to oppose BOEM's offshore wind development process in November, 2023.[23]

The State of Oregon also has a mandate to engage in meaningful consultation with Tribes according to DLCD Policy 06-01, "Local and Tribal Government Communication Policy". It is the policy of Oregon's DLCD to "to ensure that local and tribal governments have the ability, information and access they need to actively participate in the statewide planning program."[24] Additionally, it is the policy of the Oregon Department of Land Conservation and Development

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[21] Department of the Interior, Departmental Manual on Intergovernmental Relations https://www.doi.gov/sites/doi.gov/files/elips/documents/512-dm-4_2.pdf

[22] Press Release: *Tribe Disappointed with Wind Energy Decision Citing Failure of BOEM to Honor its Obligations to Tribe and Impacts to Fisheries, Cultural Resources and Heritage,* Confederated Tribes of the Coos, Lower Umpqua, & Siuslaw Indians. February 13, 2024 https://ctclusi.org/wp-content/uploads/2024/02/CTCLUSI-Press-Release-on-BOEM-WEA-Decision-2.13.2024-FINAL.pdf

[23] Press Release: *Tribe Passes Resolution Opposing Offshore Wind Energy Development, Citing Impacts to Fisheries, Cultural Resources, and Heritage,* Confederated Tribes of the Coos, Lower Umpqua, & Siuslaw Indians. November 8, 2023 https://ctclusi.org/wp-content/uploads/2023/11/Press-Release-on-BOEM-Opposition-11.8.20239.pdf

[24] Local and Tribal Government Communication Policy: https://www.oregon.gov/lcd/About/Documents/06-01_Local_tribal_Govt_Communication_Policy.pdf

to, “establish, improve and maintain partnerships with Oregon's Indian Tribal governments, while seeking to better understand each other, and work cooperatively to identify and address mutual goals and concerns arising from state land use policy that affects Tribal interests,” according to Policy 07-02.[25] Therefore, **we encourage DLCD to proactively invest in Tribal consultation at every stage of the offshore wind development process, resource Tribes to engage in the BOEM process and Oregon Offshore Wind Roadmap, and hold BOEM accountable to its mandate to engage with Tribes as sovereign nations prior to a lease sale.**

b. ***Condition: BOEM shall provide a Tribal-specific CBA as a bid credit in the Proposed Sale Notice to be developed prior to the commencement of activities by the Lessee and developed through engagement with impacted Tribal Governments***.

In addition, we recommend that DLCD include a condition that requires BOEM to provide a Tribal-specific CBA as a bid credit in the PSN. BOEM’s regulations and the Outer Continental Shelf Lands Act (OCSLA) permit BOEM to pursue an additional bidding credit, including a Tribal-specific CBA in accordance with subsection 8(p)(4) of the OCSLA.[26] A Tribal-specific CBA with Oregon’s federally recognized Tribes would reduce administrative and litigation costs to BOEM and the Lessee, create certainty, and more effectively eliminate and mitigate impacts to Tribal cultural and environmental resources as well as support meeting the Secretary’s requirements under section 8(p)(4) of the OCSLA.[27] The Tribal-specific CBA should be executed prior to the commencement of activities by the Lessee and developed through engagement with impacted Tribal Governments.[28]

We also encourage DLCD and BOEM to strengthen Tribal engagement by including interested Tribes that are not federally recognized and call the proposed leasing areas waters and surrounding lands their ancestral homelands. For example, the Tolowa-Dee-Ni’ Nation has ancestral homelands that could be impacted by the Brookings WEA. In their own words, “Their Taa-laa-waa-dvn (Tolowa-Ancestral-Land) lays along the Pacific Coast between the watersheds of; Wilson Creek and Smith River in California and the Winchuck, Chetco, Pistol, Rogue, Elk and Sixes Rivers, extending inland up the Rogue River throughout the Applegate Valley in Oregon. Their Taa-laa-waa-dvn roughly covers what are today Curry, Josephine, and Del Norte

[25] Policy on Government to Government Relations with Tribes: https://www.oregon.gov/lcd/About/Documents/07-02_Govt_to_Govt_Tribes_Policy.pdf
[26] Yurok Tribe Comments on Proposed Sale Notice, Aug 1, 2022, at 4, https://www.regulations.gov/comment/BOEM-2022-0017-0037
[27] Same as 26.
[28] Same as 26.

Counties."[29] **We encourage DLCD to request BOEM to engage in deeper consultation with Tribal Nations that are interested in and impacted by the process, including both federally recognized Tribes and directly impacted Tribes that are not federally recognized.**

Ensure local community priorities are met

In order for FOSW development to align with a Just Transition to an equitable renewable energy system, the process must ensure that local community priorities are met. BOEM's process leading toward the proposed auction thus far does not address the priorities we have heard from South Coast community members. Rogue Climate hosted a series of community conversations where participants shared their priorities that must be addressed for offshore wind to move forward, including housing, energy affordability, energy resilience, mitigating and avoiding the impacts of climate change, and ensuring high-road family wage jobs.[30] Subsequently, we recommend the following conditions to increase the potential for bid credits to address community priorities.

a. ***Condition: BOEM shall increase General Community Benefits Agreements bid Credits to 10% and Work Force and Supply Chain Development bid credits to 20% to address housing needs in South Coast communities.***

The Bid Credits in BOEM's PSN need to invest long-term in South Coast community priorities. Housing is one of the top priorities we have heard from community members, as coastal communities are already facing a housing supply shortage and unaffordable housing costs.[31] In order for any large development projects to move forward, housing needs must be met to support coastal communities. BOEM's EA failed to identify the workforce housing needs for the site assessment phase and predicted housing needs for future phases of FOSW development. During County Health Assessments in Coos County, housing was identified as a key area for improving regional health.[32] During this critical moment, it is important that housing needs are

[29] https://www.tolowa-nsn.gov/35/About-Us
[30] Report: "South Coast Community Conversations on Floating Offshore Wind Energy" https://drive.google.com/file/d/198zh2re87Hp00ekNJaiQ5Bk5Wa5wXmfy/view
[31] Oregon Housing Needs Analysis Legislative Recommendations Report: *Leading with Production*, Oregon Department of Land Conservation and Development, Oregon Housing and Community Services. December 2022 https://www.oregon.gov/lcd/Housing/Documents/20221231_OHNA_Legislative_Recommendations_Report.pdf
[32] Advanced Health Coos County Community Health Improvement Plan Progress https://www.oregon.gov/oha/HPA/dsi-tc/CCOCHIP/AH-2023%20Coos+Curry%20CHP%20Progress%20Reports_Final.pdf

addressed early on so that proper assessment and sustainable housing development can occur. Increased housing stock is necessary not only for workforce and supply chain development, but for buffering impacted communities from further burden. For instance, Curry County, which has the greatest lease acreage proposed, needs funding for navigating housing development.[33] Currently 37% of households in Coos County are cost-burdened or are experiencing housing problems such as overcrowding or incomplete facilities.[34] The Curry [35]and Coos [36]County Housing Action Plans help showcase the need for affordable housing that supports both workforce development and general community growth. If FOSW moves forward, demands for workforce housing will add additional strain to the housing market in South Coast communities. Significant support is needed to address housing needs in South Coast communities.

Oregon's housing crisis has been highlighted in legislation and Executive Orders.[37] **In alignment with Governor Kotek's housing priorities and DLCD's housing assessment, we encourage DLCD to consider this condition to BOEM to support coastal communities:[38]**

- **Increase the Workforce and Supply Chain Development bid credits from 15% to 20%**
- **Increase the General Community Benefits Agreements bid credits from 5% to 10%**

b. Condition: BOEM shall clarify the lease auction process for the public and increase transparency for parties entering CBA's.

Within BOEM's Proposed Sale Notice, we have noticed a lack of clarity about whom developers can enter Community Benefit Agreements (CBA's) with. Due to the growing mistrust about offshore wind amongst the public, we encourage DLCD to require BOEM to create transparency about how and with which parties developers may reasonably enter into CBAs. **We also encourage DLCD to request BOEM make the auction process transparent and accessible for the general public to understand so that South Coast communities can build trust with potential developers; that may include:**

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[33] Advance Health - Curry County Housing Assessment https://advancedhealth.com/wp-content/uploads/2018/06/CurryCHA_FinalCopy.pdf
[34] ^ID
[35] Curry County Housing Action Plan https://docs.czb.org/CurryCountyBookFINALSpreads_Oct23.pdf
[36] Coos County Housing Analysis and Action Plans https://docs.czb.org/CoosCountyBookJune27spreads.pdf
[37] Office of the Governor State of Oregon, Executive Order 23-04: *Establishing a Housing Production Goal and Housing Production Advisory Council:* https://www.oregon.gov/gov/eo/eo-23-04.pdf
[38] https://www.oregon.gov/lcd/housing/pages/ohna.aspx

- **Clarifying who can enter into CBA's with developers to help ensure that benefits are directed at South Coast communities and/or organizations invested in South Coast communities.**
- **Requiring transparency to disclose what parties have entered into CBA's and other bid credits with developers**
- **Hosting in-person workshops throughout South Coast communities to educate the public on the CBA, bid credit and auction processes.**
- **Creating videos and informational handouts that help break down the auction process and bid credit process.**

c. ***Condition: BOEM shall ensure that Lease Use Area CBA's prioritize protections for current marine industries such as fishing.***

Fishing-related industries are key economic drivers for coastal communities and must be properly consulted throughout FOSW development. Coastal communities such as Winchester Bay and Florence share fish landing data from ODFW[39] with Yachats and Walport, so it may be difficult to determine at this moment what potential impacts to fish landing totals could be. Fishing industry concerns must not only be heard, but addressed thoroughly. Potential impacts should be navigated through a mitigation hierarchy. Oregon has identified a priority in maintaining water-dependent use areas through Statewide Planning Goal 17.[40] **We recommend that DLCD urge BOEM to ensure that Lease Use Area CBA bid credits prioritize protections for current marine industries and not displace the existing fishing industry.**

Additional Spillover Considerations - Ensuring A Just Transition:

Through the Climate Justice Alliance, Rogue Climate, alongside UPROSE and Taproot Earth developed the attached framework, *Principles For A Just Transition in Offshore Wind Energy,* to guide how a Just Transition can be achieved in floating offshore wind energy.[41] Climate Justice Alliance defines a Just Transition as:

> "Just Transition is a vision-led, unifying, and place-based set of principles, processes, and practices that build economic and political power to shift from an extractive economy to a regenerative economy. This means approaching production and consumption cycles

[39] ODFW Winchester Bay-Florence-Yachats-Waldport Fish Landing Data https://dfw.state.or.us/fish/commercial/landing_stats/2023/2023%20-%20WALDPORT%20TO%20WINCHESTER%20BAY.pdf

[40] https://www.oregon.gov/lcd/OP/Pages/Goal-17.aspx

[41] "*Principles For A Just Transition in Offshore Wind Energy*" https://drive.google.com/file/d/1FMOoFlq1yb17BQkGXl3Q4jPMbON1O6J7/view

holistically and waste-free. The transition itself must be just and equitable; redressing past harms and creating new relationships of power for the future through reparations. If the process of transition is not just, the outcome will never be. Just Transition describes both where we are going and how we get there."[42]

In alignment with the principles of a Just Transition for FOSW, we wish to uplift the following community priorities that emerged from Rogue Climate's listening sessions with South Coast community members. While these points do not apply to the current scope of this Federal Consistency Review and enforceable policies, we believe these are essential to highlight throughout the FOSW process to ensure an equitable outcome for impacted communities and Tribes.

- **Ensure energy resilience for Coastal Communities:** If offshore wind is developed on the Oregon Coast, it must increase energy resiliency for coastal communities. Generating energy off the coast through FOSW has the potential to increase the reliability and resilience of energy in coastal communities. Associated transmission line upgrades should prioritize resourcing coastal communities with more resilient energy infrastructure.

- **Ensure energy affordability:** South Coast communities have some of the highest energy burden in the state, meaning they spend a higher percentage of their income on utility bills. The state should protect coastal Oregonians from rate increases as the electric grid transitions away from fossil fuels.

- **Protect the Oregon Coast from climate impacts, without replicating the harms of the fossil fuel industry:** The Oregon coast is already facing the adverse impacts of climate change, including wildfires, increased temperatures, flooding, ocean acidification and more. Oregon has a goal to achieve 100% clean energy by 2040 and FOSW energy could help meet that goal. Transitioning Oregon away from fossil fuels is essential. As Oregon transitions away from fossil fuels, it is crucial that renewable energy development does not replicate the harms of the fossil fuel industry.

- **High-road labor standards and local workforce investment:** Training and apprenticeship programs should prioritize long-term family wage jobs for local communities. Local

[42] https://climatejusticealliance.org/just-transition/

union hiring should be prioritized, following the standards of project labor agreements set out by HB4080.[43]

- **Support local and regional supply chains:** Offshore wind development in Oregon should maximize benefits to local and regional economies, building supply chains that are compatible with communities and the environment.

- **No fossil fuel or hydrogen expansion:** Most forms of hydrogen production rely on fossil fuels including fracked gas, nuclear or other fossil fuels, and produce harmful NOx and greenhouse gas emissions. Even when produced with renewable energy, hydrogen generation is an extremely inefficient use of valuable electricity, losing 70% of renewable energy and requiring 9-18 tons of water per ton of H2. There should be no development of fossil fuel-based hydrogen production related to offshore wind development. If developed, energy generated from FOSW should go towards powering South Coast communities, not diverted into inefficient hydrogen generation.

Update enforceable policies and comprehensive plans

Further evaluation of current state and local enforceable policies will be needed for future steps in the potential offshore wind development process. According to Statewide Planning Goal 2, local governments are required to have a comprehensive plan that aligns with statewide planning goals.[44] And according to ORS 197.628 - 636, cities and counties are required to conduct a Periodic Review of these plans.[45] We encourage DLCD to work with coastal and inland communities to update local comprehensive plans that address the future need for infrastructure, which may include port development and transmission line upgrades. We also encourage OCMP partner agencies to consider if other enforceable policies need to be strengthened or created to effectively evaluate proposed offshore wind development and associated port and transmission development.

One example of a local comprehensive plan that needs to be properly updated is the Coos Bay Estuary Management Plan (CBEMP), a guiding document for development in the estuary and shorelands for one of Oregon's largest estuaries. While the plan was updated in 2024, these updates were minor and did nothing to protect estuarine resources from possible development

[43] HB4080 https://olis.oregonlegislature.gov/liz/2024R1/Downloads/MeasureDocument/HB4080/Enrolled
[44] https://www.oregon.gov/lcd/OP/Pages/Goal-2.aspx
[45] https://www.oregon.gov/lcd/cpu/pages/periodic-review.aspx

related to offshore wind.[46] A comprehensive phase 2 CBEMP update is still needed, and policies outlined in the plan regarding mitigation and development should be updated to be enforceable at the federal level.

During previous large project proposals such as the Jordan Cove LNG pipeline and export terminal, the CBEMP was inadequate for properly evaluating the new estuarine uses and community needs, which led to misinterpretation of how permits should be evaluated. This case study demonstrated that if the plan is not updated to reflect current conditions, evaluating how to proceed with large projects under the existing framework may over-burden local government staff, local decision-makers, community members, and local Tribal governments.

We encourage DLCD to prioritize updates to Oregon's enforceable policies through the Oregon Offshore Wind Roadmap process, in order to ensure that future stages in FOSW permitting and review adequately protect cultural and ecological resources, as well as impacted communities and Tribes. **We recommend that DLCD gather a robust group of interested parties and community members to help identify any gaps in enforceable policies. We request further examination into policy areas pertaining to port development estuarine impacts, shoreline cable structures, transmission line upgrades, and additional areas identified by this group and Tribal governments.**

Conclusion

Developing floating offshore wind energy must balance Oregon's clean energy goals with the priorities of coastal communities and Tribes, while protecting cultural and ecological resources that make South Coast communities unique. This can only happen effectively if government agencies commit to meaningful consultation with Tribal governments and robust engagement with interested parties and impacted communities. Oregon's enforceable policies lay a strong foundation for these priorities. In order to ensure that FOSW development does not replicate the harms of the fossil fuel industry, further generate distrust with impacted communities and Tribes, or cause significant negative impacts to the land and ocean we love, we urge DLCD to hold BOEM to a high standard as they move forward with the leasing process. **We recommend that DLCD proceed with concurrence with the conditions we have listed above to protect marine resources and ecosystems, mitigate environmental impacts on benthic environments,**

[46] Coos Bay Estuary Management Plan Phase 1 update proposal, Coos County Community Development Department. 2023 https://www.co.coos.or.us/sites/default/files/fileattachments/community_development/page/23913/cbemp_part_1_revised_may_3_2023_1.pdf

deepen community involvement, respect Tribal Sovereignty and commit to meaningful engagement, ensure local community priorities are met, and update enforceable policies and comprehensive plans.

We appreciate DLCD's thorough review of the proposed actions, and the agency's commitment to ensuring an accessible process moving forward. Rogue Climate looks forward to continued collaboration and engagement into the future.

Sincerely,

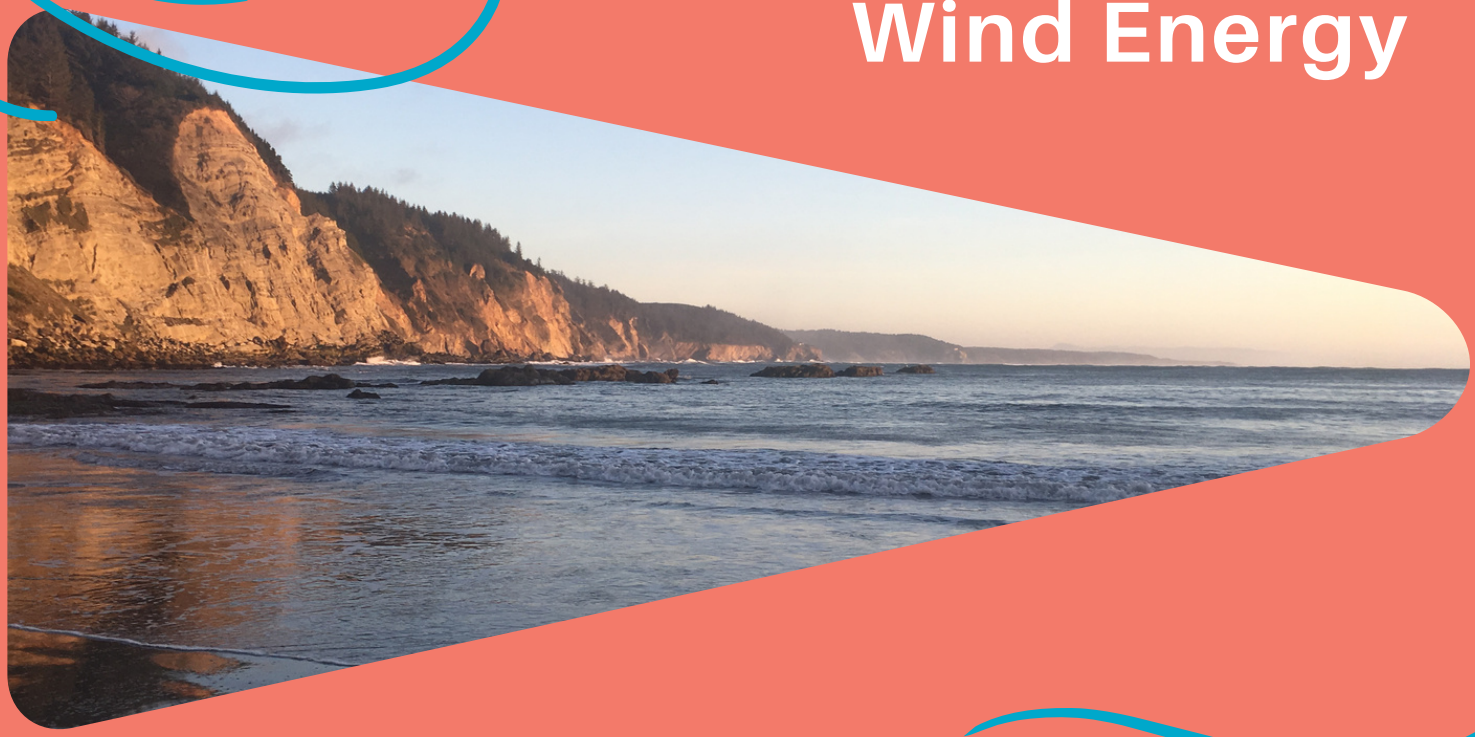
Ashley Audycki
South Coast Coordinator
Rogue Climate
ashley@rogueclimate.org

Appendix attachments include:

- Community Conversations Report
- Just Transitions Principles for Offshore Wind Energy

Rogue Climate

South Coast Community Conversations on Floating Offshore Wind Energy



REPORT

October 2023

LISTENING

> *Is it really to assist the community or more of a money grab?*

> *Will it harm fish and marine mammals?*

> *Potential green energy is good, but I don't want damage to the ocean or its inhabitants.*

> *I want to see jobs here, I want to see the windmills built here.*

> *Protect & grow thriving tourism, fishing etc.*

> *Listen to the fishermen, educating and working together to address their concerns.*

ROGUE CLIMATE'S TEAM

wanted to understand what our members, supporters and neighbors think and feel before taking a position on Floating Offshore Wind (FOSW) on Oregon's South Coast. This report is a high level overview of FOSW proposals and the vision, opportunities, concerns, and desires we heard from community members through surveys and listening sessions in the Fall of 2022. We hope this will serve as one tool for ensuring a good public process that prioritizes the needs of South Coast communities. We will continue organizing to strengthen respectful discourse about the future of our communities, achieving climate justice, sustainable jobs, and a healthy environment.

> *Fully engaged with a voice and vote on the matter*

> *Good schools, affordable homes, working communities.*

> *Want to learn more about both sides. Haven't made up my mind yet.*

> *Living sustainably, with local foods, etc. Being independent.*

> *The more people involved the better representation for wind to be successful.*

> *...concerned about negative impacts and not being controlled by the local community*

OREGON'S SOUTH COAST



The South Coast

is the ancestral home of the Hanis Coos, Miluk Coos, KoKwell, Quuich, Siuslaw, Chit-dee-ni, Tolowa-Dee-ni, and Tututni peoples who have been the original stewards of the land and waters since time immemorial. Today, federally recognized tribes such as the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, Coquille Indian Tribe, and the Confederated Tribes of the Siletz, continue to practice their cultural lifeways and sovereign governance across the region today.

The South Coast is characterized by old growth forests, flowing rivers once abundant with salmon, a temperate climate, and access to estuaries beside the sea. A longstanding maritime industry introduced natural resource harvesting, including timber, commercial fishing, and agriculture.

Largely rural, many residents value the quieter pace, connection to nature, local food sources such as fish, and a sense of self-reliance. These communities experience the co-existence and occasional tension between ecological preservation, and the industries that rely on those natural resources, such as timber. However, residents largely share values of achieving economic security and creating good paying jobs, while also enjoying and protecting for future generations the natural and built environments that make this place special.

South Coast communities have weathered many changes - some external, such as **devastating wildfires**[1] and other climate change impacts. Some were self-driven, such as the cultivation of tourist economies (duning, for instance) as the timber industry shifted. Now, they face a new crossroads as Floating Offshore Wind (FOSW) projects are proposed for rapid development off Oregon's Southern coast.

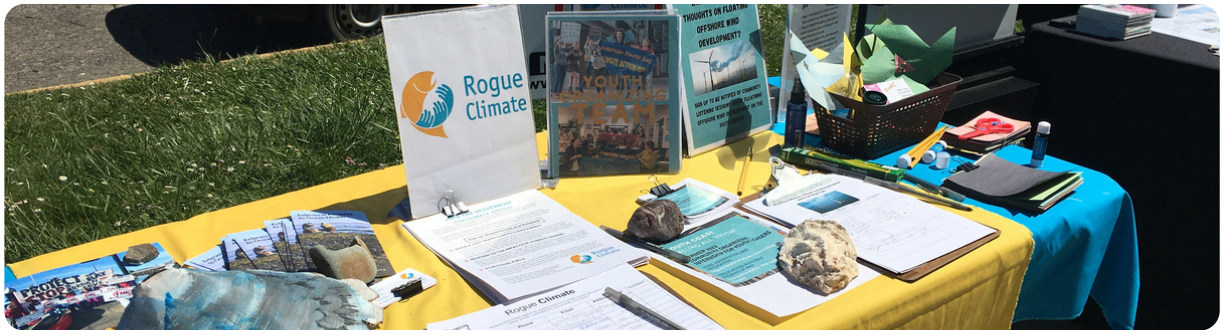


WHO WE ARE

Rogue Climate's mission is to empower Southern Oregon communities most impacted by climate change, including low-income, rural, youth, seniors, and communities of color, to win climate justice by organizing for renewable energy, sustainable jobs, and a healthy environment. We do so through leadership development, political education, fostering conversations, and campaigns for policies that benefit our communities over the special interests of the largest corporations.

With support and backing from the community, Rogue Climate opened a Coos Bay office in 2019 to continue the work to stop the Jordan Cove LNG export terminal and to move forward a **just transition** to renewable energy. Movement Generation describes a just transition as *"A vision-led, unifying and place-based set of principles, processes, and practices that build economic and political power to shift from an extractive economy to a regenerative economy."* Before opening our Coos Bay office, Rogue Climate supported organizing in Coos County with regular visits from Rogue Valley staff.

In December of 2021, the developers proposing the Jordan Cove LNG pipeline and export terminal pulled the project, marking a victory for communities who organized for over fifteen years against it. Now, the Coos Bay office is listening to community members, stakeholders, and uplifting Tribal government concerns to evaluate what climate solutions will help promote resilience and climate justice in the region.



REPORT PROCESS



Sessions

Four community sessions were held in the fall of 2022 with a total of about 100 participants. We acknowledge we could not reach everyone, and this was a starting point.



A range of constituencies

and identities participated, including commercial and recreational fishing, scientists, business owners, teachers, youth, and others. They held in common being people whose daily lives would be directly affected by floating offshore wind.



Participation increased

with each round, and we received positive feedback about the sessions and requests for more. Each session was unique in their comments and attendance, but we discovered consistent themes and questions across each of the sessions and subsequent conversations.

Rogue Climate, as a local community organization, was well positioned to learn what South Coast residents think about FOSW. We hosted a series of gatherings, "South Coast Community Conversations on Floating Offshore Wind Energy" to identify community priorities that must be considered in potential FOSW development. However, this is not a comprehensive reflection of all South Coast residents' and constituencies' opinions. This is our best qualitative representation of what we heard in these sessions, and strongly encourage more opportunities to engage and listen to South Coast communities, especially low income, rural, and Indigenous people.

CLIMATE CHANGE AND SOUTH COAST COMMUNITIES



South Coast communities already live with the impacts and growing threat of climate change. Addressing both the impacts and the causes was a priority for listening session participants. Residents experience more flooding, extreme weather, drought, wildfires, hotter temperatures, and an influx of people moving to the area who have been displaced by **climate related disasters.** [2]

Climate migration from others who can afford to purchase a second home on the coast to escape impacts like wildfire smoke, is exacerbating a growing housing crisis. With an ocean based economy and as people who love the sea, ocean acidification, higher waves, sea level rise, water table salinity, erosion, storms, and harm to coastal food sources uniquely impact the **South Coast way of life.** [3]

Coastal communities have fewer resources than larger cities making it more difficult to adapt to climate crises, and these changes threaten coastal identity and cultural traditions. Disinvestment in rural and coastal communities means a more difficult time planning and adapting, and this should be accounted for and addressed.



SOLVING FOR CLIMATE CHANGE

Climate change was repeatedly expressed as a leading concern for youth living in the South Coast, as well as creating greater energy resilience, and community dialogue. And they care equally about whether Floating Offshore Wind Development can be done right.



> "How is as important as why, or what"
>
> "Everyone should be heard in a judgement free environment"
>
> "Still don't have all the answers ... undecided"

According to the United Nations Intergovernmental Panel on Climate Change (IPCC) comprised of the world's leading scientists, we must reduce our greenhouse gas emissions (ghgs) 43% by 2030 in order to avoid the worst impacts of climate change and **preserve life on Earth.**[4]

This calls for reducing fossil fuel use and developing replacement renewable energy sources like wind and solar at a speed and scale never done before. In 2021 Rogue Climate organized with a coalition of climate and environmental justice organizations to pass the Clean Energy for All bill (House Bill 2021) to transition Oregon's electricity to 100% renewable energy by 2040 while prioritizing benefits for communities of color and rural, coastal, and low-income communities and workers.

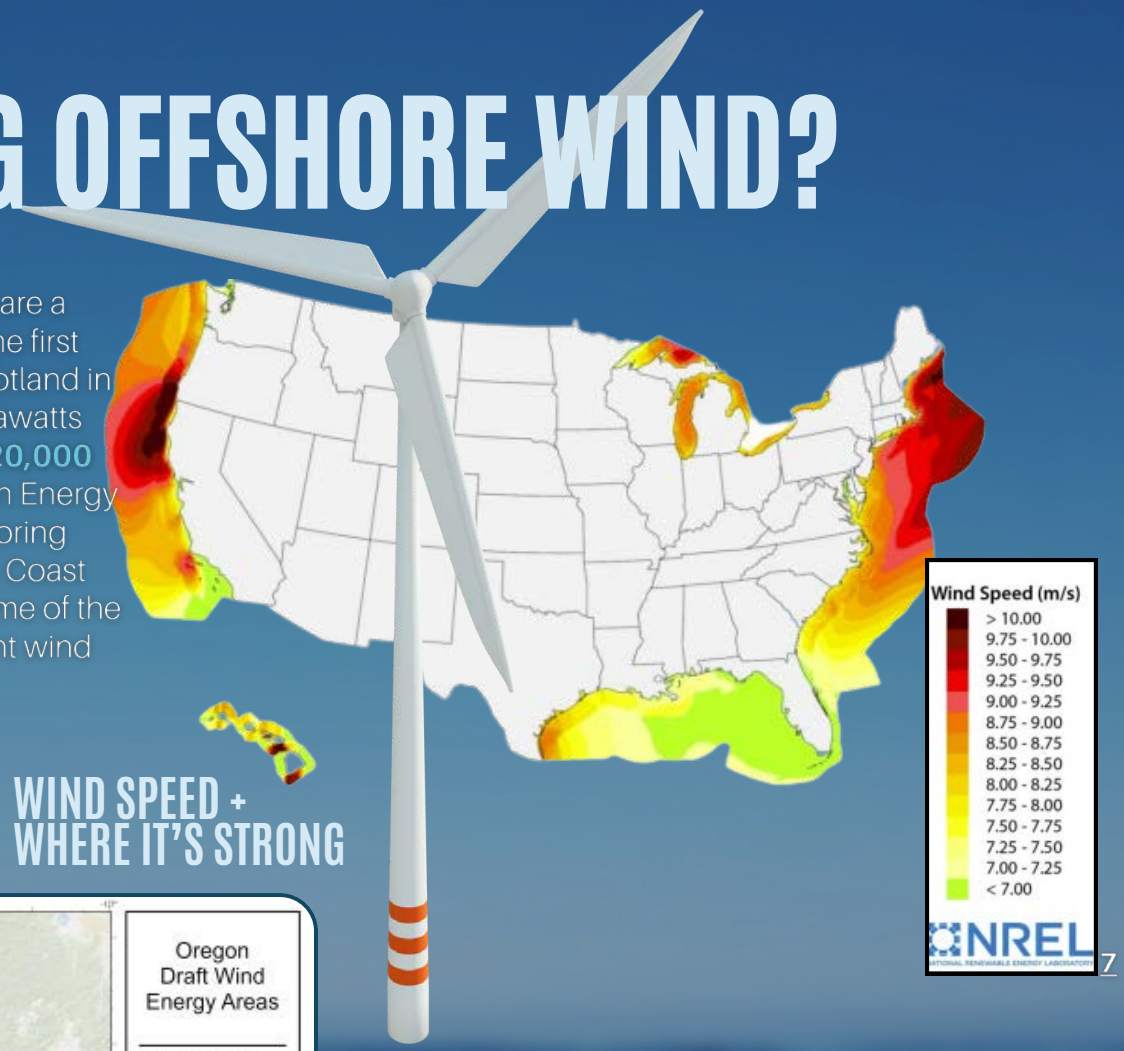
The Biden Administration set a goal of developing 30 gigawatts (GW) of offshore wind by 2030, with the potential for "enough to power 10 million homes with renewable energy, support 77,000 jobs, and spur private **investment up and down the supply chain."**[5] They set an additional goal of developing 15 GW of floating offshore wind by 2035.

This rapid and massive deployment of renewable energy has the potential to help address climate change while also generating substantial economic activity. However, these goals don't guarantee that impacted communities will have decision-making power aligned with their vision, or that nearby residents will experience the direct benefits from the associated economic activity. Will additional stressors from construction and operation of a massive wind farm create a tipping point that South Coast ecosystems cannot sustain? It is critical that this deployment of renewable energy does not duplicate the harms of the fossil fuel industry.

This report can serve as a starting point for elevating the concerns, ideas, vision, and priorities of South Coast communities in creating a thriving clean energy future and as we consider FOSW proposals - and beyond.

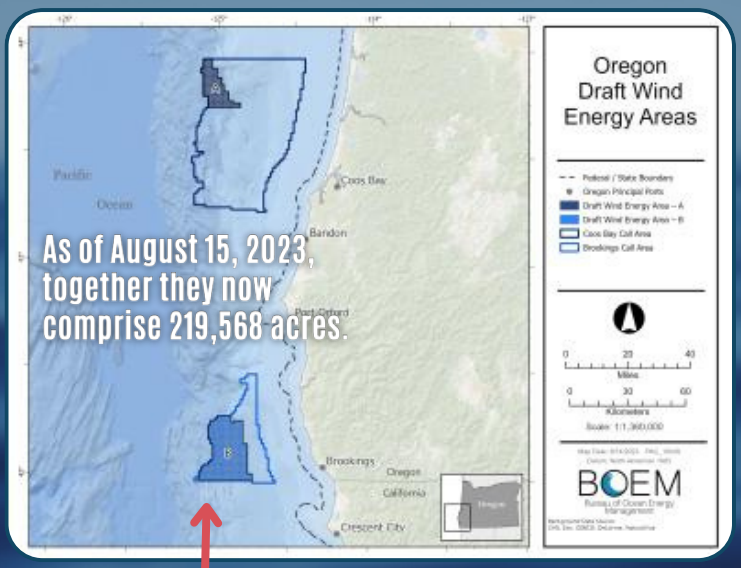
WHAT IS FLOATING OFFSHORE WIND?

Floating offshore wind farms are a relatively new technology. The first project was completed in Scotland in 2017 and generates 30 megawatts (MW) or **enough to power 20,000 homes.**[6] The Bureau of Ocean Energy Management (BOEM) is exploring FOSW along Oregon's South Coast because the region offers some of the strongest and most consistent wind across the entire West Coast.



[7]

WIND SPEED + WHERE IT'S STRONG



As of August 15, 2023, together they now comprise 219,568 acres.

Only parts of the call areas will be made available for leasing. This means the call areas on the map would not be entirely filled with wind turbines, and the actual area of a wind farm would shrink in the leasing process.

In early 2022,

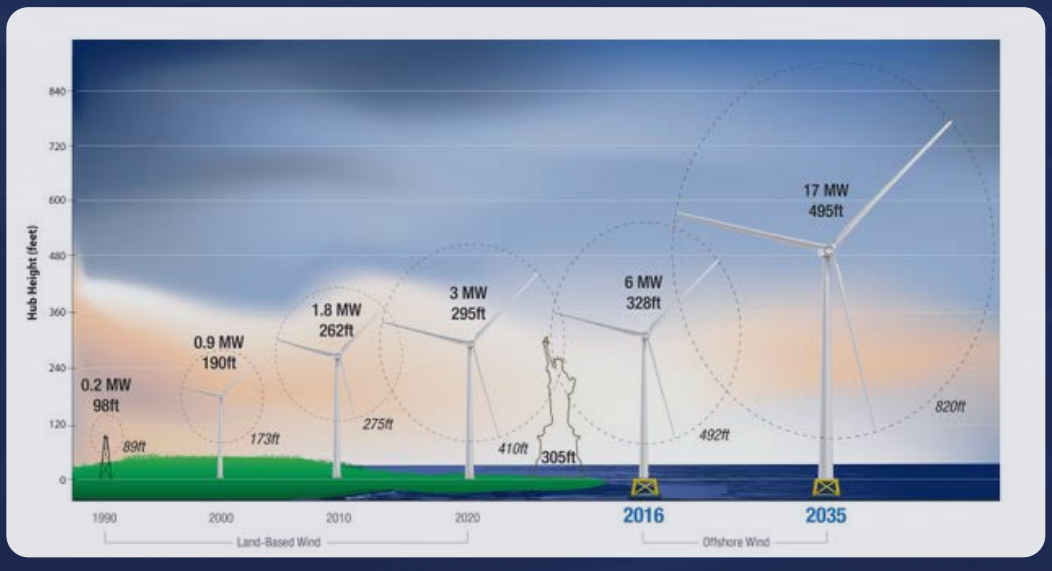
after compiling research and data about wind viability, protected species, feedback from ocean users including the fishing and crabbing industries and Tribes, BOEM identified locations about 12 nautical miles off Oregon's South Coast where companies can apply for leases to develop FOSW. At the time of these listening sessions, BOEM presented two "call areas", one near Coos Bay, and one near Brookings, with a large footprint of 1,158,400 acres. After reviewing comments from the Department Of Defense, the Coast Guard, and the fishing industry, these call areas were narrowed down into Wind Energy Areas (WEAs), the area that could potentially be leased by industry. As of August 15, 2023, together they now comprise 219,568 acres.

CALL AREAS MAY CHANGE // TRACK THEM HERE: www.boem.gov/renewable-energy/state-activities/Oregon

OFFSHORE WIND TURBINE SIZE



Here is the Department of Energy's explanation of FOSW wind turbine size: "The average hub height for offshore wind turbines in the United States is projected to grow even taller—from 100 meters (330 feet) in 2016 to about 150 meters (500 feet), or about the height of the **Washington Monument,** in 2035." [8]





VISION FOR A THRIVING COAST

> *Working waterfronts that provide year-round economic employment and support community resilience - food security. And strong, resilient coastal communities that support marine ecosystems and long-term employment. A strong maritime industry that accounts for historical and cultural values.*



When we asked participants to describe what a thriving South Coast community would look like to them, we heard a vision for a rich quality of life. It's a future in which people, the economy, and the natural resources that sustain them are all fully cared for. South Coast communities would have abundant, accessible, and affordable housing, a strong economy, and a healthy environment with clean air and water. Residents envision a place in which the economic opportunities offered by the coast are not a threat to essential ecosystems and Tribal cultural resources, and in which a working waterfront and a healthy estuary are not at odds. Young people will stay or return because there are living wage jobs, affordable housing, and thriving cultural offerings like arts, events, and restaurants.



VISION FOR A THRIVING COAST

SOUTH COAST COMMUNITIES

in this vision are resilient and adaptable, with a strong economy driven by new, locally owned businesses and a desire for models of public ownership.[9] Investments support local schools with fully resourced students and teachers, and nearby colleges provide workforce training to grow local industries. Continuing education is offered across disciplines to learn and grow at any age.





FAMILIES ARE SECURE

because of strong healthcare, housing and public services like firefighters, schools, parks, and youth, senior, disabled, and veteran services. Communities are accessible and welcoming across age, race, and other identities, with healthy civic engagement and dialogue.

A PLACE OF RESPECT

It's a place in which the cultural traditions and sovereignty of Tribes have respect and influence. People from many different backgrounds feel safe and at home.

South Coast communities recognize a unique interdependence in their socio-economic circumstances and natural environment. For instance, access to healthy and affordable food is connected to supply chain issues, impacts to food systems from climate change or development, local wealth generation and retention, and human migration. Restoration of salmon was frequently mentioned - a clear symbol of food systems, recreational, commercial, and cultural value. Participants desire an economy that is regenerative for both people and the surrounding lands. To achieve this, it is essential to make sure that incoming projects will not do harm to the longevity and health of the Coos Bay Estuary, communities, and existing economies, and instead will bring real benefits. This frame should be included in assessing FOSW impacts and opportunities as a way to facilitate this comprehensive community vision.



PRIORITIES & CONSIDERATIONS

> *There will be an opportunity to have the nature, culture, and heritage of Oregon's coastal communities be forever changed.*



Participants were asked

about what opportunities may come with FOSW on the South Coast, and what they are most concerned about.

Community members want a reliable picture about how FOSW construction, operation, and maintenance might fit into their vision for the future and their daily lives now. As one participant said, “Before the community can effectively engage - they need to be properly informed.”

Many people are undecided about FOSW. Some were entirely opposed, seeing only harm. Others want renewable energy as soon as possible - with the right conditions. Community members are caught in a bind. They feel a responsibility to support renewable energy to address climate change, but wonder if the risk and cost is worth the benefit, or, if failing to support it will make climate change worse. Alongside this sense of responsibility and opportunity is a fear of being exploited, that impacts are not yet well understood, and that vast changes may consume South Coast communities without their authority. Moreover, residents are concerned it will benefit only a limited few and not entire communities. These co-existing fears must not be exploited by developers, or agencies, but rather, must guide their operational choices and methods of community engagement.

PRIORITIES:

Economic Impacts

Participants discussed the inevitable economic consequences of ecosystem collapse on the fishing industry and food security. Concerns about developing FOSW were connected to this, and the potential for accelerated industrialization of the South Coast. Additional economic considerations were included in many participants' comments. For instance, a boom and bust economy during construction, how might this affect housing availability and affordability, and the cost of living connected to gentrification. Jobs were a big question - both protecting existing industries and jobs, and a desire for stronger benefits. Many participants raised concerns that jobs associated with FOSW might not go to local community members. They share a fear of moving more toward an extractive economy than investing in a regenerative, diversified one.

Alternatively, if FOSW was designed in alignment with the community vision, it was seen as a possible way for young people to stay in the area because of additional living wage jobs, workforce development opportunities, job security, and other opportunities. The possibility for other community benefits such as quality, affordable housing were also identified, and infrastructure improvements such as electric grid resiliency, and lower electricity bills. They entertained the potential for other long term industries and jobs to emerge, such as wind turbine manufacturing. Kelp farms came up multiple times as a possible complimentary industry.



PRIORITIES:

Coastal Ecosystems and Marine Impacts

Across identities and constituencies, community members were concerned about FOSW and impacts from industrialization to marine life and the estuary ecosystem. This means the health of fisheries and impacts to migratory species generally, and salmon and whales specifically. Water contamination or interference with the California current upwell would be a disruption for South Coast communities. Entanglement in cables, electromagnetic field effects, vibrations, destruction of eelgrass, and dredging in the Coos Bay Estuary were noted as potential impacts to marine life and ecosystems, and protection from flooding.

Community members care about the integrity of these ecosystems as well as the economics and way of life connected to them. Commercial fishing (which includes crabbing and shellfish), canning and processing, recreation and tourism, and the businesses that support these industry activities and workers could be affected. Displacement from historic fishing grounds and the unknown cumulative impacts to marine life from this new technology are central concerns.

> *"Does it benefit the Oregon Coast?"*

Public Benefits and Community Ownership

Concerns connected to economics from South Coast communities about FOSW are clear - who is really going to benefit, and how? One participant stated, "Mechanisms such as subsidies and tax breaks should proportionately benefit the local community, not just the developer." Residents may face significant changes to daily quality of life, even if the project is for the greater good. Community members must receive tangible benefits as part of that risk. When considering possible benefits FOSW could bring, participants noted dividend or patronage from the revenue from selling the power, and a seat at the table in making decisions about other industrial development. Privatizing the coast was a major concern, and community members had questions about the risk and lack of accountability that could come with private equity. Public ownership was seen as a possible antidote, sharing and localizing the profit. Alternative economic models were a repeated theme, some noting examples like direct, long term infrastructure investments, and the state of Oregon or their communities owning the project.

PRIORITIES

Food

Food merited its own category because of the frequency and breadth of feedback concerning food security, access, and impacts. The words "resilience" and "food sources" arose frequently. People take pride in being a place that produces food, and expressed a desire to protect and enhance access to healthy, local food systems. A growing coastal population and climate migration has many concerned about food security and how industrialization of the coast might help or harm. Some want to enhance this economic focus: "[Being] a food and water based economy, not just focused on industrial development." Amidst the pressures of an altered climate, subsistence suffers as local food sources become more scarce. The impact on cultural identities and local traditions connected to subsistence are significant for coastal communities. Tribal cultural resources and traditions bear their own unique impacts.



Tribal Cultural Resources

The listening sessions included some Native participants, but the sessions did not include formal consultation with Tribal Governments. Please look to the Tribal **websites of Confederated Tribes of Coos, Lower Umpqua, Siuslaw Indians**[10] and the Coquille Tribe, to read **their comments in their words**.[11] Participants noted concerns around impacts to cultural resources, including destruction of sacred sites. This destruction is concerning, and so is the fear of a slow erosion that may come with big changes if ways of gathering, the marine landscape, and other factors in cultural practices are severely disrupted by FOSW.

Additional concerns[12] related to lifeways included specific attention to Migratory Species Use Areas, Resident Species Use Areas, ocean viewshed, and Traditional Cultural Property.

This is not a comprehensive expression of concerns and desires from Indigenous communities, and proper consultation must be conducted with Tribal governments and cultural leaders.

DEALBREAKERS

Participants were asked what protections would be most important *to residents, and if they had any dealbreakers for FOSW proposals. These are factors that could result in community opposition to FOSW.*

> *Protect our estuary, our lifeblood! ...economics of major, multinational companies coming in and sucking out local wealth, transferring it to outside investors at the expense of the local communities...*

Failing to Prioritize Tribal Interests

Respect for and prioritization of Tribal concerns and conditions for any development were clear. Multiple participants stated that if the Tribes oppose the project, they would not support FOSW.

Lack of Authentic Community Engagement and Power

Processes that are considered disrespectful would chill community support. This includes things like exercising eminent domain, a lack of a thorough process that includes local decision-making power, or if those with authority (governments, large corporations/developers) do not listen to or sincerely partner with the community, the Tribes, or local businesses. Moving forward without integrating community input or involvement is a serious dealbreaker.

Trojan Horse for Fossil Fuels

Participants opposed any fossil fuel connection. They would resist it if any aspect of the development ends up benefitting fossil fuel companies or creating expanded, prolonged infrastructure for fossil fuel operations.

Driving Economic Disparity

Residents oppose the cost of development, operation, or maintenance pushing costs on to the local community in any number of ways - with electric rate increases, damage to local infrastructure, strains on social services, and especially impacts to housing availability and affordability. And/or, if profits only end up benefiting corporations not the local community, or labor for the project is largely not union and doesn't create good, living wage local jobs.

Harm to the Coos Bay Estuary and Marine Ecosystems

Failing to recognize the ocean as public domain, and anything that might further degrade the Coos Bay Estuary was stated as dealbreakers, including dredging. Particular concern was expressed about irrevocable impacts or a long recovery for areas with special protections, and this harm would be a dealbreaker. One participant said, "Dealbreakers could be more waste, water contamination and offset to the community" and another, "Loss of fisheries".

POWER SHARING

When asked about how they would like to be engaged,

above all, community members want transparency and accountability. This includes clarity on impacts (no sugarcoating), such as how marine life will interact with cables and other infrastructure, and who will take responsibility if unforeseen consequences arise. Misinformation could create community polarization. Most residents' knowledge about FOSW is limited. It's a new technology, and a deep understanding of what benefits and potential harms come with construction, operation, and maintenance is unclear. Participants expressed sentiments about too much "selling" of the project without the community's full knowledge or participation, and no clear mechanisms for accountability from BOEM or the developers. Some shared that it sounds more like a big windfall of tax breaks and revenue for corporations, while the community bears the impacts.





Participants are seeking trustworthy expertise to explain operations and potential impacts, and to conduct a comprehensive environmental impact statement upstream and downstream. They want early and frequent consultation across a variety of viewpoints at every stage of the project, through concept, lease, design, operations, and maintenance. There were requests to learn from other locations such as Scotland, and to slow down, create smaller test sites, learn, and adapt.

RECOMMENDATIONS

Share power for community engagement



Community members noted that accessibility often skews results. Participants mentioned that working class people are often left out of the conversation due to constraints such as time, transportation, and access to childcare. It is crucial that BOEM offers multiple opportunities and methods for engagement to ensure that agencies and public officials can hear directly from local residents, including prioritizing voices from the Tribes, fishing industry, scientists and others.



> "I imagine an approach that involves broad coalitions and an intense/robust negotiation process."



Based on what we've heard,

here are recommendations about how to approach FOSW, and South Coast communities' futures.

These recommendations synthesized from the listening sessions are aligned with **climate justice priorities for FOSW development, which should also be integrated.**[13]

RECOMMENDATIONS



Build Trust With Thorough Consultation
Don't rush consultation and do it with sincerity - really listen, don't just look for the ways to persuade. Currently, community members don't trust agencies, advocates, or developers. People must be able to control outcomes and treated as decision-makers with their input, not just be a box to check. Trust requires certainty that residents are being told a true story about the potential impacts and opportunities so they can make their own educated, cost-benefit analysis with agency and respect for what might be given up for the greater good - or not. Trust is built through clear, measurable actions such as signing community benefit agreements, and following through on small and large commitments that put community interests first.

Prepare for Vulnerabilities and Disasters
The projects should be well insured, and have guarantees for local communities and constituencies in the event of harm caused by infrastructure. Disaster recovery funds and mechanisms to quickly distribute it if something goes wrong would generate more trust. For example, developers could put money into bonds (similar to **reclamation bonds for mining required under the Surface Mining Control and Reclamation Act**[14] or held in an **escrow account**[15] to pay for future decommissioning costs or disaster response should the company go bankrupt or fail to take care of old FOSW infrastructure. Provide clarity on the added risks of large infrastructure with tsunamis and severe weather, and how companies would prepare to protect communities and position them for recovery.

Prioritize Tribal Consultation
Learning about and addressing Tribal interests are paramount. Formal and robust consultation with Tribal governments and demonstrating how developers and agencies intend to meet their interests and conditions are essential.

Localize and Entertain Abundant Alternatives
Community members need confidence from decision-makers and private interests that if this development proceeds, their communities will directly benefit. Train and hire locally across the supply chain - manufacturing, staging, construction, operation, and maintenance. Existing jobs should not be displaced. Fund programs that address underserved residents' needs first by offering job opportunities and education. Provide local training and long term, family wage jobs. Benefit the many, not the few - local ownership and local benefits - not just corporate shareholders. Community ownership could redefine the relationship to this project. Investigate alternatives to FOSW - for example, could onshore or solar be a better fit for the region.

THE FUTURE OF SOUTH COAST COMMUNITIES

A community benefit agreement must look at long term impacts. And, the companies should invest in the South Coast community long term, for future generations. This means supporting local infrastructure like schools, hospitals, transportation, and parks, as well as social programs like workforce development - not simply compensation for displacement. Economics for the project will be evaluated based on whether it benefits the few or the many (extractive vs regenerative).

These listening sessions uncovered new ideas, about what opportunities FOSW could offer, real concerns that the community holds, and what was most important to participants for the South Coast. These included ideas such as possibilities for the structures to serve multiple purposes, to create kelp farms near the turbines, or to change up how the ownership structures work. If FOSW is developed on the Oregon coast, it must make South Coast communities substantially better off - not worse, and must benefit everyone, not just a select few.This process illuminated a few significant needs and desires for the long term:

Long-Term Planning for South Coast Communities is needed, both for climate adaptation and resilience, as well as economic development in harmony with other values and practical considerations such as the quality of natural resources. Instead of deciding whether or not residents want or will accommodate what developers bring to them, residents should decide what kind of development they wish to plan for, and how to attract it. If there are large capital investments available for FOSW, why not invest in a myriad of other, smaller projects that offer more local power, control, and benefits?

Holistic Planning for FOSW within South Coast Communities - Conduct an economic analysis related to FOSW - what other kinds of economic development pairs well with FOSW, or are alternatives to FOSW, and what do residents want? What can be optimized and mitigate impacts - for instance, kelp farms at turbines. Conversely, what additional development should be avoided.

Monitoring Coastal Resilience - Comprehensive and ongoing environmental analyses to understand cumulative impacts, evaluations by trusted organizations, and frequent opportunities for community discourse as any project is proposed and considered. Investments in Long-Term community connections - how can the process of community education and engagement on this issue strengthen South Coast Communities' capacity for civic engagement overall?

Sometimes, when confronted with big changes, communities clarify what they love most and wish to protect. South Coast residents shared their vision for the future and how they wish to be involved in shaping it, beyond FOSW. This vision, concerns, and ideas are a roadmap of possibilities for partners and developers who are serious about collaborating with South Coast communities and investing in this vision. Thank you for listening.



ADDITIONAL RESOURCES

Rogue Climate website on climate justice and FOSW:
https://rogueclimate.org/offshore-wind/

Movement Generation's Definition of a Just Transition
https://movementgeneration.org/justtransition/

Bureau of Ocean Energy Management Oregon FOSW Page
https://www.boem.gov/renewable-energy/state-activities/Oregon

Scotland FOSW projects
Scottish Government site:
https://www.gov.scot/policies/marine-renewable-energy/offshore-wind-energy/

Hywind, the world's first FOSW farm:
https://www.equinor.com/energy/hywind-scotland

Portugal's Windfloat Atlantic FOSW farm:
https://www.windfloat-atlantic.com/

Maine FOSW Initiative:
https://www.maine.gov/energy/initiatives/offshorewind

Institute for Human Rights and Business, Community ownership models for Renewable Energy:
https://www.ihrb.org/focus-areas/just-transitions/community-ownership-of-renewable-energy-how-it-works-in-nine-countries

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4. IPCC Report Press Release, April 4, 2023
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5. White House Factsheet on Offshore Wind Energy, Sept 15, 2022
https://www.whitehouse.gov/briefing-room/statements-releases/2022/09/15/fact-sheet-biden-harris-administration-announces-new-actions-to-expand-u-s-offshore-wind-energy/

6. The Peterhead Windfarm or Hywind, built by Norwegian company Statoil
https://www.equinor.com/energy/hywind-scotland

7. NREL Floating Offshore Wind Annual Technology Baseline 2019
https://atb-archive.nrel.gov/electricity/2019/index.html?t=ow&s=ov

8. Department of Energy wind turbine explanation
https://www.energy.gov/eere/articles/wind-turbines-bigger-better#:~:text=That's%20taller%20than%20the%20Statue,the%20Washington%20Monument%2C%20in%202035.

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9. One participant said "Public ownership (internet, utilities, etc."), and mention of the ocean as "public domain". There was mention of Norway's alternative to oil and gas (suggesting a state owned/state benefit). **A specific quote:** "Offshore wind is renewable energy, perhaps it could reduce energy costs, less reliance on natural gas or coal or hydropower, perhaps job creation, community funds, community ownership, educational programs, community benefit agreements and probably more."

10. CTCLUSI BOEM Workshop Info and Comment Page
https://ctclusi.org/bureau-of-ocean-energy-management-boeminformation-workshop/

11. CTCLUSI Press Release on Wind Energy Areas
https://ctclusi.org/wp-content/uploads/2023/09/Press-Release-on-BOEM-WEAs-8.18.2023-RE_MD-Edits.pdf

12. Native News Online Offshore Wind Development Plans
https://nativenewsonline.net/environment/confederated-tribes-of-the-coos-concerned-about-offshore-wind-development-plans

13. Rogue Climate, Uprose, and Climate Justice Alliance: Principles for a Just Transition in Offshore Wind Energy https://rogueclimate.org/offshore-wind/

14. Office of Surface Mining and Reclamation
https://www.osmre.gov/resources/reclamation-bonds

15. Escrow Explanation Investopedia
https://www.investopedia.com/terms/e/escrow.asp



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Subject:	Seafood commodity commissions letter to Governor Kotek
Date:	Wednesday, June 12, 2024 2:50:21 PM
Attachments:	OTC ODCC OAC OSC letter to Governor Kotek 06122024.pdf

Some people who received this message don't often get email from yelena@oregontrawl.org. Learn why this is important

Dear Karin,

On behalf of the Oregon Trawl Commission, Oregon Dungeness Crab Commission, Oregon Albacore Commission, and Oregon Salmon Commission, please accept the attached letter to Governor Tina Kotek regarding BOEM's offshore wind energy development in Oregon.

We look forward to hearing Governor's feedback regarding our request.

Sincerely,
Yelena

Yelena Nowak
Director | Oregon Trawl Commission
yelena@oregontrawl.org
O: 541.469.7830
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June 12, 2024

Dear Governor Kotek,

The Oregon Trawl Commission, Oregon Dungeness Crab Commission, Oregon Albacore Commission, and Oregon Salmon Commission submit this letter to thank you for your leadership in the Offshore Wind Energy (OSW) space and to strongly recommend that you ask the Bureau of Ocean Energy Management (BOEM) not to auction any leases off Oregon until the Roadmap is completed.

Operating under the umbrella of the Oregon Department of Agriculture, the undersigned commissions are industry-funded state commodity groups, established by the Oregon state legislature "*to support commodity industries and to enhance and preserve the economic interests of the state*".[1] Our constituents include hundreds of Oregon's commercial fishermen who fish for pink shrimp, Dungeness crab, groundfish, Pacific whiting, albacore tuna, and salmon, delivering their catches to seafood plants along the Oregon coast. In 2023, our fishermen caught 300 million pounds of various healthy sustainable seafood off Oregon, generating nearly $170 million in ex-vessel value to fishermen alone. According to the Oregon Department of Fish and Wildlife (ODFW), the Oregon commercial fishing/seafood industry produces $1.2B in annual economic output. Commercial fishing is also among the oldest industries in the region and is at the heart of the coastal heritage, culture, and the way of life. Our constituents have a direct interest in the BOEM's Oregon Wind Energy Areas (WEA) off Coos Bay and Brookings.

On April 16th, your office sent a letter to BOEM, in which you requested that BOEM does not permit "*any offshore wind projects to move ahead with construction… until Oregon's Roadmap is complete, and the state has had a reasonable amount of time to complete any formal policy amendments that directly result from Roadmap recommendations*." On May 1st, BOEM issued a Proposed Sale Notice for the lease sale they plan to hold in Oregon in October 2024.[2] Meanwhile, Oregon continues to work on the development of the Roadmap, which will not be completed until the fall of 2025. Allowing BOEM to lease the areas before the Roadmap is finalized completely undermines the Roadmap development process and its stated intent.

The Oregon Department of Lands Conservation and Development (DLCD) is leading the charge on the development of the Roadmap, which is "*intended to offer a comprehensive vision and practical guidelines for how Oregon might incorporate offshore wind with the environment, existing ocean*

[1] ORS 576.062, ORS 576.054

[2] https://www.federalregister.gov/documents/2024/05/01/2024-09391/pacific-wind-lease-sale-2-for-commercial-leasing-for-wind-power-development-on-the-oregon-outer

uses, cultures, and communities."[3] This monumental initiative was born out of the need for a more transparent and inclusive planning process for OSW than what BOEM has. BOEM's process is highly compartmentalized, lacks transparency, and does not allow impacted stakeholders an authentic seat at the table. At the request of representatives from various Oregon industries, including fishing, renewable energy, environmental groups, labor, and others, Oregon Consensus convened a diverse informal work group to identify the considerations that should be included in a Roadmap for floating offshore wind along Oregon's coast. Oregon House Bill 4080 incorporated the work group's considerations and directed DLCD to write the Roadmap.[4] HB4080 passed the Legislature and was signed into law in March 2024. Thank you for supporting this important work and recognizing that Oregon could do better than the inadequate BOEM process.

Fishing industry's perspective on BOEM's offshore wind development.

Our industry relies on areas BOEM plans to lease for fishing, bycatch avoidance, and fisheries ecosystem benefits (e.g., spawning grounds). Millions of pounds of wild sustainable seafood are caught in these areas. Due to the many impacts OSW development has on fishing and the marine environment, our industry is highly concerned with this development and BOEM's planning process. Many in our industry have been closely following BOEM's process since the first Oregon Task Force meeting in Portland in 2019. Since then, we have diligently participated, submitting comments at each step of the way. Together with the Midwater Trawlers Cooperative (MTC), we even helped BOEM host three public meetings on the Oregon coast in 2022 to facilitate formal oral public comment on the Oregon Call Areas. However, the hundreds of hours put into the process have not resulted in any authentic collaboration between fishermen, seafood processors, and BOEM.

Along with many others, our industry has been raising concerns for the past 4 years about the effects the industrial-scale OSW projects will have on the marine environment, fisheries, and Oregon's coastal communities that rely on living marine resources. No environmental studies have ever been performed to assess such effects on our region. The cold, nutrient-dense waters of the Pacific off the southern Oregon coast support diverse healthy fisheries, vibrant marine life, including many protected species, as well as various marine mammals and birds. The list of the environmental risks of OSW is long and continues to expand. From the effects of the Electro Magnetic Field (EMF) from subsea cables, which freezes brown crab[5] and deforms larvae of lobster[6] and haddock[7], reducing their ability to swim and, therefore, survive, to habitat alteration/destruction from cable laying and turbine anchoring, to wake vortices that are created downwind, altering currents and reducing wind speeds, to a possibility of disrupting the natural upwelling and primary marine productivity this region is known for. Specific to the EMF, we are concerned that Oregon's major commercial seafood species - Oregon Dungeness crab, pink shrimp, and groundfish - will be impacted by the EMF as well because they belong to the same family of species as those studied. We also have concerns with OSW impacts to protected species. The fishing industry is held to a very high standard when it comes to these species. BOEM's Oregon

[3] https://oregonconsensus.org/projects/oregon-offshore-wind-work-group/
[4] https://olis.oregonlegislature.gov/liz/2024R1/Measures/Overview/HB4080
[5] https://www.mdpi.com/2077-1312/9/7/776
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WEAs encompass critical habitat for endangered Humpback Whales and vast pristine ecosystems that support remarkable biodiversity, including various protected species. What will the 400-foot-long blades, moving at 200MPH speed[8], do to the ESA-listed Short-tailed Albatross? To illustrate the importance of this concern, please consider that if the West Coast fixed gear groundfish fishery encounters two Short-tailed Albatrosses, the fishery may be shut down for the remainder of the year.

What makes this development particularly concerning is its scale and magnitude. These projects will be built at never-seen-before scale and at unprecedented depths, using prototype-based floating technology. Hundreds of 1,000-foot-tall turbines will be towed vertically at sea and erected on floating platforms, connected with massive lines and chains to 18ftx18ftx18ft anchors, each weighing 50 tons.[9] 3-5 of these anchors will be embedded deep into the seabed to secure each floating turbine to the ocean floor at thousands of feet depth in very rough seas. These projects will also take up an immense amount of ocean habitats with the current Oregon areas being 8 times larger than Portland, Gresham, Hillsboro, and Beaverton combined, and more than 6 times the size of Crater Lake National Park. Again, no studies have ever been performed to assess what these monster projects will do to the fragile marine environment in our region.

The concern with the scale is further exacerbated by the fact that BOEM is pursuing multiple projects in multiple locations in the same region. In this same area, they have already committed or plan to commit the total of 320,000 acres with 60,000 acres off Coos Bay, 130,000 acres off Brookings, and another 130,000 acres off Eureka, CA, which is ~60 miles south from the Brookings WEA and includes two leases BOEM sold to explore and propose future OSW projects. Notably, the state of California is looking to propose (voluntarily) additional areas for BOEM's OSW considerations off Del Norte County, between Brookings and Eureka.[10] Critically, no cumulative impacts study has ever been performed to assess the impacts from multiple developments either. It is also highly distressing that the existing studies, many of which were done in Europe, are based on small-scale projects and not the scale of the Oregon development. It is likely that the environmental impacts from floating OSW projects off Oregon will be considerably larger than what BOEM wants to believe they will be based on the existing studies. Any industrial projects come with industrial scale unintended consequences. Hydroelectric dams on the West Coast brought us affordable energy, however, they also devastated Pacific salmon due to widespread habitat alteration. Billions of dollars have been spent on salmon recovery efforts with no end in sight. Some of these dams are now being torn down to protect what is left of the salmon habitats. The scale and magnitude of BOEM's projects will dwarf anything we have ever seen before, and it is possible, as seen with the dams, the impacts could be too large and too widespread to reverse.

It is also worth mentioning that at the recent meeting of the BOEM Oregon Task Force on May 23rd, we witnessed that BOEM does not fully acknowledge the impacts OSW activity will have on NOAA fisheries surveys and fisheries themselves. The stated impacts were downplayed, which was promptly caught and addressed by the National Marine Fisheries Service (NMFS) representative on the Task Force – Ms. J. Lilah Ise. As was noted by Ms. Ise, the West Coast Bottom Trawl Groundfish

[8] https://www.nrel.gov/docs/fy20osti/75698.pdf
[9] https://www.sdi.co.uk/media/l31f0f42/02-anchors-moorings.pdf
[10] https://wildrivers.lostcoastoutpost.com/2024/mar/4/finding-del-nortes-place-offshore-wind-energy-conv/

survey will be among the surveys disrupted by the proposed OSW activity in the Oregon WEAs. This scientific survey is a long-standing collaborative effort between Oregon's trawl fishermen and NOAA Fisheries. It provides the basis for our understanding of the multi-species groundfish fishery biology and the greater California Current Ecosystem along the West Coast. The information from this survey feeds into stock assessments which then support fishing quotas for all gear types and all fishermen both commercial and recreational. The survey also supports our general understanding of the environmental conditions in the ocean and the health of its critters, including many protected species. The Marine Stewardship Council (MSC) certification, which the trawl industry maintains on pacific whiting[11] and 17 individual West Coast groundfish species,[12] depends on the availability of stock assessments. If this survey is disrupted by OSW activity, which is expected, it will result in increased management uncertainty, reduced fishing quotas, reduced permit value, and a potential loss of the MSC certification.

In addition to claiming that no impacts would occur from the OSW activity to NOAA surveys, BOEM also considerably overstated their successful avoidance of impacts to 98% of fisheries. Millions of pounds of sustainable seafood are caught in the BOEM's Oregon WEAs. There are numerous productive fishing grounds contained in these areas, including for Pacific whiting and various groundfish, and even the spawning grounds for Dover sole lie within the Coos Bay WEA. BOEM did not avoid impacts to 98% of fisheries. Not all Oregon's fisheries were even considered in the area identification process (e.g., Albacore tuna, Pacific Halibut, and recreational fisheries). Thankfully, NMFS also caught and addressed this statement at length at the Task Force meeting. It is frustrating that with all public comment BOEM has collected, they continue to have a distorted understanding of the actual anticipated impacts from the proposed OSW activity, even with the NMFS's expert advice (much of which was ignored).

Eighteen of Oregon's coastal municipalities and ports passed resolutions regarding offshore wind due to concerns with impacts on the marine environment and communities that depend on it.[13] Collectively, the Pacific Council, Oregon Native Tribes, the fishing industry, local environmentalists, coastal legislators, and many others have been asking BOEM to slow down and study the environmental effects of OSW. Regardless of the countless unanswered questions, BOEM is continuing to push forward with their arbitrary timeline, as pointed out in the May 24th letter from the Oregon Tribes. With all due respect, what is the rush to industrialize the Oregon's outer continental shelf? Why does Oregon default back to BOEM's timeline instead of going with the Oregon Roadmap development timeline? We are aware of President Biden's agenda to deploy 30GW of OSW in the U.S. by 2030 in a global fight against climate change. Hence the rush to develop the U.S. outer continental shelf with large-scale experimental OSW projects. Meanwhile, China – the largest consumer of coal in the world (56%)[14] – currently has 243GW of coal power in their permitting and construction pipeline with an additional 150GW in the planning phase.[15] While the global climate agenda is important, pursuing it at the expense of the health of the most pristine marine region and the Oregon's sustainable seafood industry is unacceptable. The Roadmap will be

[11] https://fisheries.msc.org/en/fisheries/pacific-hake-mid-water-trawl/@@view
[12] https://fisheries.msc.org/en/fisheries/us-west-coast-limited-entry-groundfish-trawl/@@view
[13] https://www.protectusfishermen.org/communities-are-united-in-concerns-about-offshore-wind-farms/
[14] https://www.iea.org/reports/coal-information-overview/consumption
[15] https://energyandcleanair.org/publication/chinas-new-coal-power-spree-continues-as-more-provinces-jump-on-the-bandwagon/

completed in 2025, and it will be a valuable tool that will help pursue OSW in a deliberate, intentional manner with respect for the impacted local communities and natural environments**. We urge the Governor's Office to request that BOEM hold off with the lease auction in 2024 until the Roadmap is completed, and until the state has had a reasonable amount of time to complete any formal policy amendments that directly result from Roadmap recommendations.** Doing so is aligned with the requests from the Oregon's coastal communities. The Roadmap can make Oregon be the first state to claim the victory of pursuing offshore wind energy development the right way - the Oregon's Way, in which all impacted communities have an authentic seat at the table.

In conclusion, we would like to express our gratitude to many people who have been intricately involved in the OSW planning process, advocating tirelessly for fisheries and the health of the ocean. We thank the ODFW, the Pacific Council, its staff, its Marine Planning Committee, and other advisory bodies as well as the NMFS for their hard work and commitment to defend fisheries and the ocean. We also thank the DLCD for their work and for developing the OroWindMap tool. We appreciate members of the Coastal Caucus and Oregon's Congressional Delegation for their support. We thank the members of the fishing industry and others who have put a lot of work into the Roadmap effort, and we thank our fellow community members who continue to stay engaged on this important issue alongside the fishing industry.

We appreciate your consideration of our request and concerns. On behalf of the hundreds of fishermen we represent and the thousands of Oregon jobs related to sustainable seafood, we look forward to your favorable response to our request. It is the right thing to do at this time.

Sincerely,



Yelena Nowak
Executive Director,
Oregon Trawl Commission



Crystal Adams
Executive Director,
Oregon Dungeness Crab Commission



Ericka Carlson
Executive Director,
Oregon Albacore Commission
Oregon Salmon Commission

CC: Liz Klein, BOEM
Doug Boren, BOEM
Brenda Ortigoza Bateman, DLCD
Andy Lanier, DLCD
Jeff Burright, DLCD
Lisa Charpilloz Hanson, ODA
Jess Paulson, ODA
Karla Valness, ODA
Oregon Coastal Caucus
Oregon Congressional Delegation
BOEM Oregon Intergovernmental Task Force

From:	Chris Montgomery
To:	PERMITS coast * DLCD
Subject:	Support
Date:	Tuesday, June 11, 2024 9:22:57 AM
Attachments:	image001.png

You don't often get email from chris@iuoe701.com. Learn why this is important

To whom it may concern,

I support the BOEM's offshore wind lease proposal. Please count this as my support for this project.

Thank you,

Chris Montgomery – S. Business Agent
IUOE Local 701
503-807-5705

From: Cameron La Follette
To: BOEM-ITS-Wind-FC-PA-CO
Subject: Testimony on BOEM wind leasing & federal consistency
Date: Friday, June 14, 2024 3:22:37 PM
Attachments: FINAL to BOEM Wind Leasing Federal Consistency, June 2024.pdf

[You don't often get email from cameron@oregoncoastalliance.org. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Oregon Coastal Management Program,

Attached please find the testimony of Oregon Coast Alliance concerning the BOEM wind leasing federal consistency opportunity.

Thank you,

Cameron
—

Cameron La Follette
Executive Director
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url=http%3A%2F%2Fwww.oregoncoastalliance.org%2F&data=05%7C02%7Ccoast.permits%40dcatoforegon.mail.onmicrosoft.com%7C7fedac407e8b4d2a8f5b0fdcfcc07ccc%7Caa3f69326a7c47b4a0cea59fcad161cf%7C0%7C0%7C638546000556538407%7CUnknown%7CTWFpbGZzbb3dfeyJWIjoiMC4wLjAwMDAiLCJQIjoiV2lnMzIiLCJBTiI6Ik1hWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=AaUOBEjWoKfxSDRe%2BPv1A91%2Bbw1ebbPdUBgSzzcCLI%3D&reserved=0

June 14, 2024

Department of Land Conservation and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301

Re: BOEM Wind Energy Leasing Federal Consistency
Vis email: coast.permits@dlcd.oregon.gov

Dear DLCD, Oregon Coast Management Program,

These are the comments of Oregon Coast Alliance, a 501(c)(3) organization whose mission is protection of coastal natural resources and working with coastal residents to enhance community livability.

We submitted comments to the Bureau of Ocean Energy Management out of concern for the unorthodox way the federal agency is undertaking the NEPA process: doing only a sketchy Environmental Assessment prior to leasing the Wind Energy Areas for various testing activities. There has not been, and apparently will not be, an Environmental Impact Statement stepping back and looking at the full picture of whether wind leasing should be allowed at all in this region. Nor is there any assessment of cumulative impacts.

These are our recommendations for DLCD in determining whether federal consistency is warranted:

1. Require a programmatic EIS that does an analysis of be.st available science as to the cumulative impacts of these lease proposals to the sea, seafloor, nearshore and beach/dune environments. Since the Territorial Sea Plan requires an Effects Evaluation, that amounts to an EIS, and the state must not grant federal consistency without it.
2. A principal concern is the land use effects of these wind leases: submarine and onshore cables will be required to bring the energy ashore. After the debacle with Facebook's undersea cable in 2020, which Tillamook County allowed to be sited in the middle of a residential, unincorporated community, it is imperative that BOEM have enforceable protocols in place to ensure there are no accidents that litter the seafloor, sub-seafloor or land with industrial equipment, as happened with Facebook.

3. If the leases go ahead, BOEM must ensure that, even at a testing level, multiple cables will not be permitted. There must be one and one only cable from the project, both in the sea and on land, to minimize seafloor and onshore disturbance.
4. There will have to be increased energy infrastructure ashore in addition to cable landing sites. BOEM makes clear – though only in passing – in its documents that south coast communities will have to greatly increase their line capacity. There has been no discussion at all of powerlines in this region: a very rugged, mountainous area far from major even minor population centers, which additionally has fierce weather patterns. DLCD must address this 'foreseeable consequence' in its determination of consistency, all the more so since BOEM is focusing this consistency request with leasing only, which will lead to fairly minimal actions. BOEM is failing completely to undertake an EIS with a serious look at all the cumulative effects, so it is critical that Oregon address the majority of these.
5. BOEM has done nothing by way of meaningful consultation with local communities, natural resources agencies, tribes or other stakeholders, of whom there are many among nonprofit organizations.
6. This current consistency review is only for leasing and its associated activities; but it is obviously foreseeable that companies will lease these sites and seek to develop energy in the future. Since BOEM is not doing any analysis, we recommend not granting concurrence until this happens, and a serious analysis is done of the effects to coastal communities.
7. BOEM has done very little by way of analysis of effects on local ports. Oregon ports are small, not highly technologized, and likely to remain so. The effects on coastal infrastructure in the south coast-area ports will be major, and that is an aspect of concurrence that needs serious consideration.

As a result of these concerns, ranging from high-level failure to conduct a cumulative impacts analysis to failure to seriously communicate with natural resources agencies and coastal stakeholders, ORCA recommends the State of Oregon issue an Objection, that the proposed actions are not consistent with the policies of the coastal program.

Thank you for the opportunity to testify in this matter.

Sincerely,

/s/ Cameron La Follette

Cameron La Follette

Executive Director

P.O. Box 857 Astoria, OR 97103 (503) 391-0210 www.oregoncoastalliance.org

From:	Jena Carter
To:	PERMITS coast * DLCD
Cc:	LANIER Andy * DLCD; BURRIGHT Jeff D * DLCD
Subject:	TNC Comments on Federal Consistency
Date:	Friday, June 14, 2024 12:39:53 PM
Attachments:	TNC Comments - DLCD Federal Consistency 6-10-24 FINAL.pdf

You don't often get email from jcarter@tnc.org. Learn why this is important

Dear OCMP - Please accept TNC's comments on the DLCD's federal consistency review of BOEM's draft environmental assessment.

If you have any questions related to our document, please do not hesitate to reach out. Thank you - Jena

Please consider the environment before printing this email

Jena Carter
Oregon Marine & Coast Director
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(703) 863-2997 (Mobile)

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Protecting nature. Preserving life.™

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June 14, 2024

Jeff Burright
Coastal State-Federal Relations Coordinator
Oregon Coastal Management Program
Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

Re: Coastal Zone Management Act Consistency Determination for Leasing Wind Energy Areas Offshore Oregon

Dear Mr. Burright,

The Nature Conservancy (TNC-Oregon Chapter) is a science-based, non-partisan conservation organization dedicated to conserving the lands and waters on which all life depends. With the support of more than one million members globally, TNC has been working to conserve, protect, and restore coastal and marine habitats and species for over four decades. Our work in the ocean has focused on conserving habitats and protecting marine species, improving the science that enables solution-oriented decision-making, and mitigating climate impacts and biodiversity loss in the marine environment.

TNC's priorities focus on the dual, interdependent crises of accelerated climate change and unprecedented biodiversity loss. TNC is committed to helping Oregon reach its clean electricity and greenhouse gas emission reduction goals and deploy solutions that avoid, minimize, and mitigate impacts to communities, Tribes, other ocean users, and ocean ecosystems.

The Nature Conservancy has been a long-time proponent of the federal Coastal Zone Management Act (CZMA) and the opportunities it affords to participating states to manage their coastal zone. In addition to providing financial and technical resources to states, the CZMA has a powerful provision that requires all federal actions that are likely to have reasonably foreseeable effects on the uses or resources of a state's coastal zone be consistent with the enforceable policies of the state's coastal management program (CZMA § 307 (16 U.S. Code § 1456)). Enforceable policies are legally binding and comprised of constitutional provisions, laws, regulations, land use plans, ordinances, or judicial or administrative decisions (16 U.S. Code § 1453(6a)).

In Oregon, the CZMA is carried out by the Oregon Coastal Management Program (OCMP) and its networked program is comprised of 40 partners at the county and city level and 11 state agency partners. Together, this network establishes the enforceable policies that the OCMP uses

to manage coastal and ocean resources and to evaluate federal actions to make federal consistency determinations. The list of enforceable policies is long and complex. We want to express our appreciation to you and all the staff that carry out these enforceable policies. It is no easy task!

Due to the Bureau of Ocean Energy Management's (BOEM) Draft Environmental Assessment for Commercial Wind Lease Issuance and Site Assessment Activities, the OCMP will be applying its enforceable policies for the first time to offshore wind energy development. BOEM has acknowledged that impacts to marine life, habitats, ocean processes, and ocean users will occur if offshore development occurs off Oregon. Unavoidable direct and indirect adverse impacts to these resources from present and reasonably foreseeable development should be identified, analyzed, and addressed via state-imposed conditions to federal consistency.

A Precautionary Approach

The California Current Large Marine Ecosystem is renowned for its rich waters that support extraordinary biodiversity as well as world-famous sustainable fisheries. The full scope of impacts to the California Current Large Marine Ecosystem must be carefully considered. This is particularly prudent as BOEM seeks to anchor turbines at depths and sizes not previously attempted. This nascent infrastructure and its associated uncertainty merit precaution in each step from siting to the operation of the turbines. A precautionary approach should include, at a minimum:

- Proceeding with caution in the face of uncertainty,
- Exploring a wide range of alternatives to avoid, minimize, and mitigate impacts,
- Accounting for potential effects of climate change in development plans,
- Relying upon robust and funded science and monitoring coupled with adaptive management,
- Considering cumulative impacts locally and throughout the California Current,
- Tribal consultation and public participation in decision-making, and
- Transparent decision-making.

Adaptive Management

OCMP should require an adaptive management plan be submitted with the developer's Site Assessment Plan to outline what actions will occur due to lessons learned and species encountered as work is conducted. Additionally, data collected during the project should be made publicly available, integrated into existing data portals, used to inform study design (e.g., identification of control sites), and used to inform the technology, project design, layout and more. BOEM should also create a pathway to periodically revisit the adaptive management plan in a public manner to incorporate new learning to improve outcomes for the ecosystem and the environment.

Tribal Consultation

Tribes have stewarded the lands and waters of Oregon since time immemorial. Tribal consultation is essential to honor and respect Tribal sovereignty. Consultation is a formal, two-way, government-to-government dialogue between representatives of Tribes and the State of Oregon to discuss proposals before the agency makes decisions on those proposals. Tribal consultation is imperative. TNC has concerns that public statements and letters from Oregon's Tribes continue to indicate that BOEM's consultation efforts are significantly lacking. In fact, the Draft EA states a "minor and temporary" impact determination for Tribes and Tribal Resources with little justification. It is crucial that BOEM transparently demonstrate and articulate its Tribal engagement in reaching that determination and understand that Tribes may have priorities and other ways of knowing that BOEM will only learn via proper engagement.

In carrying out its federal consistency review, the OCMP should also engage in consultation that serves as a two-way exchange of information, provides adequate time for communication, ensuring that information obtained from Tribes is given meaningful consideration, and that mutually desired outcomes are achieved. TNC supports Oregon's Tribes, views consultation as essential and mandatory, and believes that offshore renewable energy projects in Oregon should not proceed until appropriate and meaningful consultation has occurred.

Protecting Common Species as well as Protected Species

The EA puts considerable focus on consideration of protected species, including marine mammals and protected seabirds, but it puts less focus on common and abundant species that form essential components in the ocean food web and often are targeted by commercial and recreational fisheries. For example, there are nearly half a million common murres that nest on the Oregon coast annually as well as tens of thousands of other seabirds that are not afforded listed status, and they play a central role in the nearshore ecosystem as top predators and key indicators of diversity. These more common species need to be tracked in the project area as their health may reflect broader ecosystem impacts; there are established protocols in place to track their populations by the USFWS.

Other Considerations

We ask the OCMP to pay special attention to the following issues:

- OCMP's review of EA should evaluate the full suite of enforceable policies and deploy applicable policies as necessary to ensure Oregon's goals, laws, regulations and the Territorial Sea Plan are addressed.

- OCMP should evaluate whether the Environmental Assessment (EA) is too narrowly defined in its consideration of the lease site assessment and characterization actions. Congressional intent of CZMA and subsequent court decisions require the OCMP reasonably review the full scope of foreseeable direct and indirect effects on coastal resources, including future impacts of development and operations of facilities associated with offshore wind energy production.

- The wide-reaching authorization to conduct site characterization activities anywhere that cable corridors and associated easements may occur is concerning. Moreover, BOEM mentions extending the corridors from the Outer Continental Shelf through state waters to the onshore energy grid but does not provide information about where or how this may occur. This omission may result in both direct and indirect effects and trigger enforceable policies (e.g., Territorial Sea Plan Part Three rocky habitats) as well as impact species and ocean users that are not currently identified in the EA or in the Appendices. OCMP should address this. In addition, OCMP could require that any future Lessee create comprehensive plans for coordinated siting actions to minimize the number of onshoring cable routes and facilities (including floating substations). This will take a step towards minimizing impacts associated with cables and onshoring development, thereby assuring alignment with the Territorial Sea Plan Part 4.

- Territorial Sea Plan Parts 2 and 5 outline requirements to evaluate cumulative impacts and to conduct a resource inventory and effects evaluations to understand the short- and long-term effects of proposed decisions. The resource inventory and effects evaluation should include the full geographic reach of the impacts and not be limited to just the developed WEAs and the ROW and RUEs.

- OCMP should require that the Lessee to consult with the Oregon Department of Fish and Wildlife to receive approval of their Site Assessment Plans. Moreover, OCMP should require the Lessee to coordinate its survey plan and SAP submissions with OCMP to ensure that the described activities minimize impacts to coastal resources and that the survey and assessment activities provide the data and information necessary for future consistency certifications, as appropriate.

- Lastly, TNC has written a comment letter to BOEM regarding its EA. Many of the topics in that letter are also applicable to the OCMP's federal consistency determination (e.g., best management practices). The letter is enclosed below.

In closing, TNC appreciates the urgency of the climate crisis and believes that immediate actions are needed to mitigate and adapt to climate change. We are also mindful that a rushed process may not result in durable outcomes. We appreciate that the OCMP is proceeding in a thoughtful manner and has already taken steps to increase the quantity and quality of stakeholder engagement on this issue. Thank you for considering our comments.

Sincerely,

Jena Carter
Oregon Coast and Marine Director
The Nature Conservancy
jcarter@tnc.org

ATTACHMENT: TNC COMMENTS TO BOEM

The Nature Conservancy
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June 13, 2024

Doug Boren
Bureau of Ocean Energy Management
Pacific Regional Office
760 Paseo Camarillo, Suite 102 (CM 102)
Camarillo California 90101

Submitted via the Federal eRulemaking Portal: http://www.regulations.gov

Re: Draft Environmental Assessment for Commercial Wind Lease Issuance and Site Assessment Activities on the Pacific Outer Continental Shelf Offshore of Oregon [Docket No. BOEM–2023–0065]

Dear Mr. Boren:

The Nature Conservancy (TNC-Oregon Chapter) is a science-based, non-partisan conservation organization dedicated to conserving the lands and waters on which all life depends. With the support of more than one million members globally, TNC has been working to conserve, protect, and restore coastal and marine habitats and species for over four decades. Our work in the ocean has focused on conserving habitats and protecting marine species, improving the science that enables solution-oriented decision-making, and mitigating climate impacts and biodiversity loss in the marine environment.

TNC's priorities focus on the dual, interdependent crises of accelerated climate change and unprecedented biodiversity loss. TNC is committed to helping Oregon reach its clean electricity and greenhouse gas emission reduction goals and deploy solutions that avoid, minimize, and mitigate impacts to communities, Tribes, other ocean users, and ocean ecosystems.

We are writing today to submit comments on the Draft Environmental Assessment for Commercial Wind Lease Issuance and Site Assessment Activities on the Pacific Outer Continental Shelf Offshore of Oregon [Docket No. BOEM–2024–0022].

Tribal Consultation

Tribal consultation is essential to honor and respect tribal sovereignty. Consultation is a formal, two-way, government-to-government dialogue between representatives of Tribes and BOEM to discuss proposals before the agency makes decisions on those proposals. Tribal consultation is

imperative. TNC has concerns that public statements and letters from Oregon's Tribes continue to indicate that BOEM's consultation efforts are significantly lacking.

Many documents exist to assist BOEM in understanding its statutory, regulatory, and moral imperatives to engage Oregon's Tribes. Among these documents, we point to the principles of Free, Prior, and Informed Consent (FPIC) recognized in the UN Declaration on the Rights of Indigenous Peoples as well as the Biden Administration's Memorandum on Uniform Standards of Tribal Consultation (Nov 2022). This memorandum notes that consultation is a two-way exchange of information, with adequate time to communication, and that "information obtained from Tribes be given meaningful considerations, and agencies should strive for consensus with Tribes or a mutually desired outcome" (emphasis added).

The Draft EA states a "minor and temporary" impact determination for Tribes and Tribal Resources with little justification. It is crucial that BOEM transparently demonstrate and articulate its Tribal engagement in reaching that determination.

The accelerated timeline of BOEM's leasing process is not an excuse for failing to do proper consultation. TNC supports Oregon's Tribes, views consultation as essential and mandatory, and believes that offshore renewable energy projects in Oregon should not proceed until appropriate and meaningful consultation has occurred.

Incorporate by Reference Letter Submitted by National Wildlife Federation et al.

As part of the Draft Environmental Assessment (EA) comment period, BOEM will receive a letter from the National Wildlife Federation and numerous other co-signing conservation organizations. The Nature Conservancy (Oregon chapter) has also signed that letter and incorporate it here by reference. As you review that letter, we would like to emphasize our support for comments made about the need to fully address cumulative impacts, better define impact determinations, use best scientific information, and use of best management practices and mitigation measures.

BOEM Should Address Comments Made During Scoping

In Section 2.4, BOEM identifies a list of information that was considered in developing the draft EA. It is notable that the agency did not include comments it received in response to the Notice of Intent to Prepare an Environmental Assessment. Incorporating the 144 comments could have improved this EA draft, leveraged best available scientific information, and led to a more efficient and inclusive process. Moreover, it is unclear why BOEM has not yet responded to comments made by stakeholders during the scoping of this EA. TNC requests that BOEM fully address and respond to the scoping comments as well as comments provided during any and all of the public meetings related to the draft EA.

Factoring Climate Change into Data Collection

The draft EA identifies potential characterization and site assessment activities that a prospective developer can undertake to better understand the site, ocean conditions, species, habitats and

more. The data collected are critical to understanding the site in its current condition as well as establishing a baseline to understand future impacts as site conditions change due to effects of a changing climate. Concerns about the baseline assessments and possible solutions include:

- One-time, seasonal, or short-term assessments are likely insufficient to characterize species and ocean conditions within the California Current Large Marine Ecosystem, which is currently undergoing rapid changes due to climate change impacts. Data collected may create an incorrect or incomplete perspective of site and its biological, chemical, and physical oceanographic parameters. We recommend that BOEM require developers to utilize the full five-years of data collection time and seek third party scientific input on methodologies to ensure that sufficient baseline information is captured and can reflect the breadth of varied ocean conditions.

- Decommissioning infrastructure at the end of five years may be a missed opportunity to collect an additional year or two of data while BOEM is evaluating the Construction and Operation Plan (COP). BOEM could consider scenarios that allows the data collection infrastructure to remain in-situ during the COP evaluation period.

- Require developers to collect data in a manner that captures different seasons and ecological regimes to understand the full range of conditions and to assess levels of uncertainty. These results can also be used to develop adaptive management strategies that can be deployed if certain conditions or parameters are reached.

- Require all collected data is made available to the public and merge it into regional ocean data portals. Site characterization surveys and data collected as in essence contributing to baseline monitoring of the site and will collect valuable information and data about baseline conditions as well as site geophysical and biological parameters. This can inform future studies that seek to detect change over time because of offshore development.

Geographic Scope of the EA

In Appendix B, BOEM sets the geographic boundary for the analysis area, which includes the Coos Bay and Brookings WEAs along with potential right-of-ways (ROW) and rights-of-use and easements (RUE). TNC believes the geographic scope assessed in the EA needs to be expanded beyond the boundaries identified to fully characterize the WEAs and potential impacts that may occur within them and the ROW and RUEs.

Areas adjacent to developed sites (WEAs, ROW, and RUEs) could have spillover impacts from offshore wind development, which could affect species distributions, species migration patterns and physical impacts, such as sedimentation, that may have more of an effect outside the WEAs due, for instance, to currents and benthic topography. Additionally, adjacent areas may become more important for certain species that are displaced during or as a result of development.

Expanding the EA geographic scope can also inform future locations for control or comparison studies and allow for better analysis of cumulative impacts.

Additionally, the geographic scope should further be expanded to the shoreline, where geotechnical surveys are likely to be conducted for cable corridors, and where survey vessels will be transiting to and from ports. Gathering baseline data from these areas is necessary to understand the impacts that may occur due to the assessment activities as well as subsequent development.

Require Identification of Comparison or Control Areas

In conducting site characterization and assessment activities, BOEM should require developers to identify areas for development as well as areas that are well-suited to serve as comparison or control areas. Good experimental study design requires control areas for comparison with experimental areas. This design is also known as a Before-After Control-Impact (BACI) design methodology. Comparison or control areas are an essential part of any monitoring program where development is anticipated.

Having comparison and control areas assessed will allow follow-up monitoring to detect changes in monitored parameters and compare against similar monitored parameters in the comparison areas. This allows detected changes to be analyzed and determine potential correlation to the wind development or broader environmental effects that are occurring across the regional ocean-scape. Without comparison areas, one cannot determine the cause of any detected changes within the development area. The need for comparison areas also applies to ROW and RUEs as they will be part of the project footprint during the life of the project.

Monitoring Comments

The draft EA focuses on site characterization and assessment of the WEAs that are based on surveys and review of existing data and information yet to be collected. These data will form the baseline that will be used to assess future changes that may occur due to development of the site. Hence the collection of information must be both comprehensive in nature and rigorous in application. Monitoring is addressed in Chapter 2 of the EA, Foreseeable Activities and Assumptions and within the Appendices B and D. A general concern about such activities is how BOEM will review monitoring activities that are proposed after the EA is finalized. Will there be regular updates to the public on new activities, and will there be comment periods for significant changes to expected activities?

A second concern about the surveys and monitoring activities is the lack of a schedule for repeat monitoring for various parameters. There is considerable seasonality in ocean conditions and in the presence of ocean life such that regular monitoring is necessary to develop a more complete baseline of conditions. While metocean buoys and ocean devices will be in place over a specified period, hopefully covering the full five years, it is unclear if monitoring of geophysical and

biological will also be afforded seasonal visits to better characterize the site. As noted previously, this baseline monitoring needs to include, at a minimum, the WEAs, ROW and RUEs, and comparison areas – and ideally a larger geography - to accurately address impacts due to development.

In addition to these general comments about monitoring, we offer the following specific concerns:

- Appendix D provides considerable detail for monitoring needs and collected data especially involving protected species and sensitive habitats (Appendix D-2 and D-5). However, some oceanographic parameters were missing and need to be included for both an accurate portrayal of site characterization and to inform baseline conditions for impact monitoring. We recommend adding the following parameters to geophysical surveys: temperature, pH to inform ocean acidification issues, dissolved oxygen, and other commonly measured oceanographic parameters.

- Site assessments should also seek to measure and monitor ocean current strength and directions, and upwelling phenomena. Upwelling is the primary driver of the incredible productivity of the California Current. Disruption of upwelling, even in localized areas, will have a significant impact on ocean species and habitats plus the coastal communities that derive their livelihood from the nearshore ocean. These additional parameters should be part of the regular monitoring and site characterization activities. Note that upwelling can be determined using sea surface temperature and other attributes that may be available from satellite datasets.

- While there is good detail for monitoring parameters of protected species in Appendix D-2, there is a lack of detail for more common species both in pelagic and benthic habitats that aren't afforded protected status. We recommend that measures of abundance of a short list of such species be added to Appendix D. ODFW includes a list of strategy species in the Oregon Nearshore Strategy (2016) that can provide an initial list of species. The list should also include species of concern that are identified by NMFS and the USFWS.

- Ocean productivity should be monitored with a commonly used parameter being chlorophyll A (chlA) that can be accessed via available satellite derived datasets.

- Monitoring of the above recommended parameters as well as many of those noted in the EA and its appendices should be conducted seasonally and at various depths to fully characterize the project area.

Protected Species Observers are part of the best management practices (Appendix D-2) for surveys that may encounter marine mammals. We commend this practice and recommend extending it to other monitoring surveys whether they involve listed species or not. Independent ocean observers play an important role in spotting risks, identifying presence of species, and

tracking trends in ocean activities. They can also be instrumental in documenting ocean conditions when other shipboard workers are focused on tasks at hand or are untrained on what to observe.

To develop a more complete site characterization, we suggest using one of the Regional Ocean Models (ROMS) that are currently in use by the National Oceanic and Atmospheric Administration (NOAA) and academic researchers. These models allow for projections of changing ocean conditions over time and can receive input of datasets such as those being developed for this project. The models can portray ocean species distributions and make predictions of ocean processes that may be important in assessing impacts from the offshore wind energy development. We recommend the developer reach out to NOAA to make use of these valuable tools to characterize the project area and to incorporate data gathered from site investigations into the model where possible.

Monitoring protocols are critical to have when collecting and maintaining data so that it can statistically be relevant in subsequent evaluations. Survey protocols are largely not specified in the EA or in the Appendices except for protected species (D-2) and where remote sensing from buoys or Autonomous Underwater Vehicles (Appendix F). Appendix D-2 does a good job spelling out data collection fields and notes that collected data needs to be organized into spreadsheet format and made available in regular reports to BOEM. Monitoring protocols should match those commonly used by NOAA, U.S. Fish and Wildlife Service (USFWS) and academic researchers so that datasets can be compared and combined for long-term use. Data should be uploaded to available data repositories such as the West Coast Ocean Data Portal (http://portal.westcoastoceans.org) and NOAA supported sites for the Ocean Observing Systems.

Protecting Sensitive Habitats

Sensitive habitats surveys are called for in the EA (Section 3.3) and further discussed regarding best management practices in Appendix D-5. We support these sensitive habitat surveys and appreciate that they include deep sea corals and sponges plus methane seep habitats. Habitat modeling will be insufficient to identify and avoid damaging these special habitats. TNC recommends that detailed seafloor mapping and non-intrusive methods, such as ROV optical surveys, be used to delineate these habitats. Additionally, utilizing ROVs and perfecting the map methodology during this phase will allow ROVs to be effectively deployed if needed during construction.

Protecting Common Species as well as Protected Species

The EA puts considerable focus on consideration of protected species, including marine mammals and protected seabirds, but it puts less focus on common and abundant species that form essential components in the ocean food web and often are targeted by commercial and recreational fisheries. For example, there are nearly half a million common murres that nest on the Oregon coast annually as well as tens of thousands of other seabirds that are not afforded

listed status yet play a central role in the nearshore ecosystem as top predators and key indicators of diversity. These more common species need to be tracked in the project area as their health may reflect broader ecosystem impacts; there are established protocols in place to track their populations by the USFWS.

Migratory Species

An important consideration for offshore wind development is impacts to migratory species. Annually there are thousands of marine mammals that migrate through the project area and tens of thousands of birds that transit the site. Both of these broad species groups are noted in separate papers that accompanied the EA and the information included is important for potential impacts that these groups may encounter. However, there is little mention of other migratory species in the project area that are important for both economic reasons and because they may play key roles in the ecosystem and beyond.

For example, there are many fish species that migrate through the project area, including great white sharks and green sturgeon. The green sturgeon is a listed species and along with the great white sharks have been identified in temporary acoustic arrays at Redfish Rocks Marine Reserve near Port Orford, Oregon (Tom Calvanese, OSU, personal communication). There are also pelagic species such as albacore tuna that regularly approach the continental shelf region off Oregon and could possibly be encountered by site characterization surveys and impacted by potential offshore wind energy development. These and other fish species need to be more completely identified in the final EA and included as survey targets for site characterization.

Lastly, one of the greatest migrations in the ocean occurs over the continental shelf within the project area and beyond. This migration occurs on a daily or diel basis and involves the vertical migration of countless numbers of organisms that migrate towards surface waters and the photic zone to feed before descending again with daybreak. These organisms transit between 660'-3300' (200m-1000m) depths, which encompass the depth range where the WEAs are located. This daily migration is done largely for the purposes of feeding by these organisms and occurs in the night to avoid predators. But this vertical migration also represents a huge transport of carbon from surface waters to the depths as carbon-based planktonic material is consumed. These vertically migrating organisms account for up to half of the 25% of carbon absorbed by the ocean annually. While the project area will only affect a small percent of the ocean area where this critical daily phenomenon is occurring, there could be localized impacts that are as yet unknown and should be part of the baseline site characterization process defined by the EA.

Minimize Conflicts with Fishermen

There is potential for conflict between the site characterization and assessment work and the ongoing operations of recreational and commercial fishermen. TNC hopes that BOEM will direct developers to work collaboratively to minimize conflicts and impacts to these important industries that are working in this area for their livelihoods and source of protein. Additionally,

developers may opt to hired local, willing fishermen where possible to assist in site characterization work. The ODFW marine reserves program is an example of successfully collaborating with recreational anglers to assist in scientific studies.

Closing

TNC appreciates the urgency of the climate crisis and believes that immediate actions are needed to mitigate and adapt to climate change. We are also mindful that an intentional and collaborative process is needed to create durable outcomes and thank you for considering our comments.

Sincerely,

Jena Carter
Oregon Coast and Marine Director
The Nature Conservancy
jcarter@tnc.org

From: Cindy Sunley
To: PERMITS coast * DLCD
Subject: URGENT SECURITY RISK!
Date: Saturday, June 15, 2024 7:06:48 AM

You don't often get email from sunleyvineyard@gmail.com. Learn why this is important

Wind Turbines disrupt high frequency radar! Oregon, thats our Tsunami Detection Warnings!!!

Cindy Sunley

From: Susan Chambers
To: PERMITS coast * DLCD
Cc: Lori Steele
Subject: WCSPA comments re: Oregon consistency review on offshore wind leasing
Date: Saturday, June 15, 2024 8:45:22 PM
Attachments: WCSPA_OR consistency review-all_final.pdf

You don't often get email from susan.wcseafood@gmail.com. Learn why this is important

Hello,

Please find, attached, comments from the West Coast Seafood Processors Association regarding the consistency review on offshore wind leasing.

Thank you,
Susan

Susan Chambers, Deputy Director
West Coast Seafood Processors Association

Headquarters: P.O. Box 1127

Astoria, OR 97103

Mobile: 541-297-2875
Email: susan.wcseafood@gmail.com

West Coast Seafood Processors Association
P.O. Box 1127
Astoria, OR 97103
(503) 227-5076

June 15, 2024

Oregon Coastal Management Program
Department of Land Conservation and development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540

Re: DLCD Federal Consistency Review on Offshore Wind Energy Leasing

Submitted via email to: *coast.permits@dlcd.oregon.gov*

To Whom it May Concern:

Thank you for the opportunity to comment on the Federal Consistency Review on Offshore Wind Energy Leasing off Oregon as part of the Bureau of Ocean Energy Management (BOEM) leasing process. I am submitting these comments on behalf of the West Coast Seafood Processors Association (WCSPA).

WCSPA, headquartered in Astoria, represents shoreside seafood processors in California, Oregon and Washington whose fishermen participate in almost every West Coast fishery, targeting a variety of species including Dungeness crab, several species of groundfish (including highly valuable species of rockfish, blackcod and Pacific hake or "whiting"), Pacific pink shrimp, salmon and albacore tuna, among others. Our member companies range from small "mom-and-pop" operations to the largest, vertically integrated processors on the West Coast. WCSPA members will be severely affected by establishing wind farms in the Coos Bay and Brookings Wind Energy Areas (WEAs) and, to a lesser extent, will suffer processing and market interruptions due to survey work and site characterization activities during the leasing process. Our processors in all three states depend on fish and shellfish that spend part of their lives in these areas, or for which we directly harvest from within or near the WEA boundaries.

Shoreside processors account for significant portions of coastal community employment, year-round, and contribute to the nation's food security by delivering nutritious, sustainable protein to the public. Oregon processors are, to a degree, dependent on seafood harvested withing a radius of each facility but also depend on vessels that travel significant distances to harvest and deliver their catches. Each company relies on individual proportions of harvestable products according to its proprietary business plan.

WCSPA understands the Federal consistency review process is important to ensure any offshore wind (OSW) activities are consistent with Oregon's enforceable policies and conditions applied by Oregon's Coastal Management Program (OCMP), based on those enforceable policies.

We have supplied comments to BOEM during public comment opportunities at various stages of the offshore wind (OSW) process off Oregon and include specific suggestions and requests of BOEM to protect our fisheries and the larger ocean ecosystem. One of these recommendations includes a cumulative impact study of all the areas off the West Coast. Only then will the public, Tribes and State

and Federal governments understand where OSW could be placed with the least impact to the ecosystem, habitats and fisheries. BOEM has insisted this is not necessary, and WCSPA understands doing this analysis may be outside the scope of the consistency review. However, we ask you to bear this in mind as you review BOEM's plans for OSW leasing, as Oregon has a history of being proactive in protecting its ocean space and maintaining sustainable fisheries. Development of OSW is advancing at a rapid pace with insufficient scientific analysis to determine it will not have long-lasting detrimental effects across the California Current Large Marine Ecosystem (CCLME). DLCD must direct BOEM to assess existing and proposed impacts from OSW areas off Oregon (at least) and the entire West Coast (if possible). This would be consistent with Oregon's Goal 19 Section 2(g) to "… take a precautionary approach to decisions about marine resources and uses when information is limited." In this case, information is severely limited, with very little modeling completed, about how floating OSW (and any corresponding transmission routes to shore) would affect Oregon's ocean resources.

Our recommendations for this consistency review are two-fold:

1. Consider our prior comments to BOEM on the Oregon OSW draft Wind Energy Areas (WEAs) and BOEM's draft Environmental Assessment (EA) that may apply to the consistency review (attached); and
2. Consider the following recommendations:
    - Require BOEM to make incorporation of Best Management Practices a *condition* for lessees to obtain a lease and begin site assessment work (instead of merely a suggestion) to minimize adverse effects to commercial *and recreational* fishing from a lessee's site assessment and characterization activities (See Page 95 of BOEM's Coastal Zone Management Act Consistency Determination For Leasing Wind Energy Areas Offshore Oregon);
    - Require complete removal of any metocean buoys and, more importantly, any anchors associated with such buoys. Anchors left on the ocean floor can create hazardous conditions for fishermen, especially trawlers; and
    - Require BOEM to do further, complete analyses of socioeconomic impacts of ports and counties on Oregon's South Coast that could be affected by vessel traffic or other site assessment activities. BOEM did not include in its EA the ports of Bandon, Umpqua and Siuslaw, presented incorrect facts about the ports of Brookings and Coos Bay, and left out both Lane and Douglas counties. All these entities could be subject to changes associated with any Site Assessment Plans (SAPs) or other site characterization activities.

Thank you for the opportunity to comment. Please contact me if you have any questions.

Sincerely,



Lori Steele
Executive Director

West Coast Seafood Processors Association
P.O. Box 1127
Astoria, OR 97103
(503) 227-5076

March 15, 2024

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

Submitted online to Docket No. BOEM-2023–0065 via http://regulations.gov

RE: Notice of Intent to Prepare an Environmental Assessment for Commercial Wind Leasing and Site Assessment Activities on the U.S. Outer Continental Shelf Offshore Oregon

Dear Mr. Boren:

Thank you for the opportunity to comment on the Notice of Intent (NOI) to prepare an Environmental Assessment (EA) of the Wind Energy Areas (WEAs) off Coos Bay and Brookings. To that end, the West Coast Seafood Processors Association (WCSPA) provides the following suggestions.

WCSPA represents shoreside seafood processors in California, Oregon and Washington whose fishermen participate in almost every West Coast fishery, targeting a variety of species including Dungeness crab, several species of groundfish (including highly valuable species of rockfish, black cod and Pacific hake or "whiting"), Pacific pink shrimp, salmon and albacore tuna, among others. Our member companies range from small "mom-and-pop" operations to the largest, vertically integrated processors on the West Coast. WCSPA members could be severely affected by establishing wind farms in the Coos Bay and Brookings Wind Energy Areas. Our processors in all three states depend on fish and shellfish that spend part of their lives in these areas or for which we directly harvest from within or near the WEA boundaries.

Shoreside Processing Operations

As we have noted in prior comments to BOEM, shoreside seafood processors consist of dockside structures, which cannot move. Our member companies provide family-wage jobs, employing thousands of workers. In some areas, fishing and processing account for up to 30 percent of the local employment. Fish harvested from the WEAs account for a major portion of the seafood processed by our members on Oregon's South Coast. Beyond providing year-round employment, processors provide essential services to fishermen such as gear storage, bait storage, loading/offloading services, ice and more.

The Ocean Ecosystem

The ocean ecosystem, in many ways, is like any land-based ecosystem: Specific areas and structures contain features that create habitat for various species. Some species move, others do not; some species are sensitive to industrial work in the areas, others are not. Oversimplifying the importance of the ocean space to a variety of species – even for comparatively minor site assessment activities and not

full offshore wind industrial buildouts – risks undermining years of recovery efforts for imperiled fish, marine mammals, reptiles and other taxa. For these reasons and more, **WCSPA continues to request BOEM and other Federal agencies rescind the current WEAs and pause the current process until a robust cumulative impacts study, including a socio-economic analysis that includes seafood processing's contributions to coastal communities, be completed for, at minimum, the Oregon Coast. In addition, BOEM should restart the planning process using the National Centers for Coastal Ocean Science (NCCOS) spatial suitability model covering the entire Oregon Coast seaward of the 12 nautical mile line, including areas deeper than 1,300 meters, excluding all offshore banks and seamounts and require an adequate buffer zone surrounding them.**[1]

It would behoove BOEM to complete this type of analysis for the entire West Coast to better identify the tradeoffs between states/regions and best placement for offshore wind within those areas. The analysis should include the potential tradeoffs of losing processing infrastructure and employment vs. *potential* offshore wind jobs. So far, BOEM's accounting of offshore wind job production does not include the potential job losses to the fishing and seafood industries.

The Oregon Employment Department's (OED) 2023 Seafood Processing Industry report ("Let Them Eat Hake – Oregon's Seafood Processing Industry") shows that processing capacity has been increasing since 2015, even though the COVID-19 pandemic demanded expedient changes for individual companies to retain market shares. Losing that momentum will decrease our Nation's food security and lead to increases in unemployment in coastal communities.

West Coast Fisheries and Operational Spaces

WCSPA acknowledges the WEAs are, for the most part, outside of the most productive pink shrimp and Dungeness crab grounds, as noted on maps contained in the OROWindMap Data Portal. However, groundfish, which represents more than 80 species of rockfish, flatfish and roundfish, keep our processing businesses operating year-round so they can purchase and process not only groundfish but also salmon, Dungeness crab, pink shrimp, albacore tuna and more. We discuss the importance of groundfish in greater detail in our October 31, 2023 (Docket number *BOEM-2023-0033)* letter regarding the *draft* WEAs and incorporate that letter by reference here. **Additionally, we support removing the aliquots deemed necessary for groundfish fisheries**, as detailed in the Pacific Fishery Management Council letter, dated Nov. 10, 2023, submitted as comments relating to the draft WEAs. Despite numerous comments about the importance of these areas, BOEM did not remove these aliquots from consideration. Reconsidering and removing these aliquots from future activities would enable groundfish fisheries more latitude to remain viable into the future.

Regarding the fisheries in the nearshore areas, such as Dungeness crab, salmon and pink shrimp, WCSPA remains concerned that corridors for transmission cables or other industrial access routes will pose potential problems for these fisheries. Therefore, we agree and incorporate by reference the Pacific Fishery Management Council letter, dated March 15, 2024, and included in this docket. It is unclear whether and to what degree the transmission cables may affect Dungeness crab, salmon or other species. Those potential effects need to be understood before any industrial development; that kind of information request should be included in a site assessment.

[1] This, in large part, mirrors the recommendation submitted by the Pacific Fishery Management Council (PFMC) in April 2023. See - https://www.pcouncil.org/documents/2023/04/april-2023-boem-offshore-wind-gov-kotek.pdf/

We agree with the PFMC that dock space may be limited in some ports for both commercial fishing and site assessment vessels and equipment. Commercial fishermen require off-site storage areas for various equipment that may be exchanged throughout the year, depending on the current fishing season. Site assessment vessels, too, may take up dock space or shoreside storage areas for equipment necessary for site characterization surveys. These should be managed with minimal impacts to commercial fishing activities.

Lastly, **BOEM should require any survey companies operating within the confines of the WEAs or in the shoreward areas of the WEAs fully remove any anchoring systems or survey equipment upon survey completion**. Anchors or other equipment left or discarded in the ocean can provide safety concerns for fishermen, particularly trawlers.

Specific Recommendations

With the idea of retaining healthy fisheries, productive seafood harvesting and viable seafood processing, **WCSPA recommends the following**:

1. Pause the Leasing Process and Commit to Doing a Full Programmatic Environmental Impact Statement (PEIS)

BOEM may be following the National Environmental Policy Act (NEPA) process to its advantage – that is, a no action alternative is not really viable once leases are made – but that is short-sighted. The Conservation Law Foundation, speaking to the Gulf of Maine offshore wind process in 2022, noted that doing a full Environmental Impact Statement *before* choosing areas is critical.

Furthermore, a full PEIS analysis will provide valuable information to potential developers looking to establish wind farms off the West Coast, showing where sensitive ecological places exist, which areas are most used by specific fisheries, etc. Several Oregon ports, counties and cities, along with multiple commenters, support doing a PEIS early in the process, certainly before leases.

Therefore, **we again urge BOEM to start over, do the studies, do the analyses and conduct a PEIS before moving ahead. As noted earlier, using the NCCOS suitability modeling, giving BOEM and NOAA the time they need for robust, comprehensive layers inclusion, would provide the structure needed for this kind of effort.**

2. Aliquot Removals

WCSPA supports removing aliquots deemed important to groundfish fisheries, as previously stated and also noted in comments regarding the *draft* WEAs.

3. Transmission Corridors

As part of the site assessment, determine to what extent transmission corridors may interrupt fishing activities in space shoreward of the WEAS. Furthermore, determine to what extent transmission cables may affect other species such as Dungeness crab, salmon species and pink shrimp and prevent those impacts to the extent possible.

4. Shoreside Dock Access and Storage

BOEM should remind **survey operators remain cognizant of limited shoreside space near docks and in ports for which fishermen depend to store seasonal gear and equipment**. Preference should be given to existing users of the port areas for fishing gear storage.

5. Anchoring Systems

Survey vessels deploying ocean buoys or other equipment anchored within the WEAs or in the areas shoreward of the WEAs should be required to fully remove that equipment, including buoys, anchorage chains/cables and anchors.

In Conclusion

WCSPA appreciates the opportunity to provide input and suggestions relating to the site assessment activities in the Oregon WEAs. As we and others have stated repeatedly, the overarching approach to offshore wind siting in waters off Oregon should be one of precaution.

Too many unanswered questions exist about the nature of fully industrialized offshore wind turbines' effects on fisheries, the seafood industry, marine mammals, seabirds, other protected species, benthic organisms, and the very marine environment renewable energy is supposed to protect. To that end, WCSPA offers the recommendations above to design WEAs and subsequent lease areas more accurately and intentionally *if* and when the appropriate studies, modeling and analyses are completed.

Please contact me if you have any questions.

Sincerely,



Lori Steele
Executive Director

West Coast Seafood Processors Association
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Astoria, OR 97103
(503) 227-5076

June 14, 2024

Lisa Gilbane, Chief
Environmental Analysis Section
Bureau of Ocean Energy Management
760 Paseo Camarillo, Ste. 102
Camarillo, CA 93010

Submitted Online via *regulations.gov:* *Notice of Availability of a Draft Environmental Assessments for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf, Oregon;* Docket No. BOEM - 2023-0065

Dear Ms. Gilbane:

Thank you for the opportunity to comment on the Draft Environmental Assessment (EA) for the wind energy areas (WEAs) off Coos Bay and Brookings. The West Coast Seafood Processors Association (WCSPA) provides these suggestions as part of the *Notice of Availability of a Draft Environmental Assessments for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf, Oregon* docket.

WCSPA represents shoreside seafood processors in California, Oregon and Washington whose fishermen participate in almost every West Coast fishery, targeting a variety of species including Dungeness crab, several species of groundfish (including highly valuable species of rockfish, black cod and Pacific hake or "whiting"), Pacific pink shrimp, salmon and albacore tuna, among others. Our member companies range from small "mom-and-pop" operations to the largest, vertically integrated seafood processors on the West Coast. WCSPA members could be severely affected by establishing wind farms in the Coos Bay and Brookings Wind Energy Areas (WEAs). Our processors in all three states depend on fish and shellfish that spend part of their lives in these areas or for which we directly harvest from within or near the WEA boundaries.

WCSPA submitted comments to BOEM numerous times before with background about shoreside seafood processing operations and the importance of our industry to Oregon's coastal communities (see WCSPA: Notice of Intent to Prepare an EA for Commercial Wind Leasing/March 15, 2024; WCPSA: Oregon Call Areas Call for Information and Request for Comments/June 28, 2022). We incorporate that information and those comments by reference here. In summary, shoreside processors account for significant portions of coastal community employment, year-round, and contribute to the nation's food security by delivering nutritious, sustainable protein to the public. Additionally, processors are somewhat dependent on seafood harvested withing a radius of each facility but also depend on vessels that travel significant distances to harvest and deliver their catches. Each company relies on individual proportions of harvestable products according to its proprietary business plan.

General Concerns Regarding Floating Offshore Wind

We, like many other stakeholders, are concerned BOEM's rapid push for developing offshore wind (OSW) off Oregon – and the West Coast – lacks the robust scientific analysis to demonstrate either site assessment plans/surveys or ultimate buildout of wind farms will not do irreversible harm to the ocean ecosystem, specifically the California Current Large Marine Ecosystem (CCLME). The rush to OSW development is politically-motivated, not scientifically-motivated or scientifically supported, and the risks to the current environment and coastal communities are far too great.

Many members of the public have compared the industrial development of OSW in the ocean to dams on rivers. The dams have had multigenerational impacts to the ecosystem, to users of the rivers for fishing and sustenance and to tribal cultures. By comparison, the same multigenerational aspect regarding offshore wind, if completed irresponsibly, will likely affect permanent changes to the ocean ecosystem and the coastal communities and cultures that depend on that productive environment, to a much, much larger degree than the dams on our rivers. In short, floating OSW may be renewable energy, but it is far from being considered clean energy.

Other State and Federal Agencies with which WCSPA work regularly, including the Oregon Department of Fish and Wildlife (ODFW), Pacific Fishery Management Council (PFMC), and National Marine Fisheries Service (NMFS), have submitted comments regarding offshore wind and the Draft EA under this docket. We fully support these comments and incorporate them by reference here. These Agencies are experts in understanding ocean processes and how changes directly affect coastal communities.

Additionally, Oregon is developing an Offshore Wind Roadmap with Exit Ramps (Roadmap) as part of its offshore wind planning process; we suggest BOEM not approve any site assessment plans (SAPs) or construction and operations plans (COPs) until the Roadmap is complete, in whatever timeframe that takes. Approving leases and site assessment plans before such time erodes any potential meaningful engagement with Oregonians and erodes the opportunity for transparency and trust with BOEM.

Draft EA Deficiencies

WCSPA is extremely dismayed by the multitude of incorrect statements presented as facts and the incorrect assumptions based on those statements contained in the EA. It is clear the Draft EA was rushed, and thorough reviews were not completed. BOEM must do more thorough reviews before finalizing this EA. Decisions made on faulty facts and missing information will only serve to compound the problems associated with any OSW development.

BOEM's assessment of ports off Oregon's South Coast (Section 3.6, including Figure 3-5) is obviously dependent on U.S. Army Corps of Engineers (USACE) website information, with statements about ports copied directly or paraphrased from the USACE, much of which is inaccurate. Equally disturbing is the lack of information regarding the Ports of Bandon, Umpqua and Siuslaw presented in the EA– ports that are important for both commercial and/or recreational fleets and seafood processing but that are not included on the USACE website. It is clear on any map or chart that these are ports near the WEAs; not including them, whether accidentally or intentionally, erodes any trust in BOEM to adequately protect the ocean and coastal communities from the effects of industrial offshore wind development. Appendix C must be corrected, updated and include the Ports of Bandon, Umpqua and Siuslaw.

Lane and Douglas counties, the two counties closest to the Coos Bay WEA, were not even included in Section 3.6.1.1 – counties that have ports and economies that may be affected by this action. This needs to be corrected in the Final EA.

Some parts of Section 3.7 of the Draft EA are an improvement over past efforts to characterize commercial fisheries. NMFS and ODFW data are more complete and show a better picture of fisheries over time than efforts to match vessel monitoring system (VMS) and automatic identification system (AIS) data from vessels with fish ticket data. This kind of information should more accurately identify areas of importance to fisheries and could be useful to determine meteorological buoy placements.

However, Tables 3-14 and 3-15 (fisheries descriptions) in the Draft EA demonstrate BOEM's complete lack of understanding of fisheries. Data regarding fisheries is incorrect, missing, or taken out of context. For example, both Oregon and Washington crab fleets fish for Dungeness crab in approximately the same habitats. The depths at which nearly all Oregon crabbers set their gear is nowhere near 700 fathoms. Again, this is another example of BOEM not doing adequate research or confirming the assumptions made in the Draft EA. BOEM must provide better in-depth characterizations of fishing operations in the Final EA. Consulting with the PFMC and/or NMFS staff or seafood industry leaders would demonstrate a willingness by BOEM to try to better understand the seafood industry and create more reliable data.

Moreover, the tables use only one year of data, 2020, the first year of the COVID-19 pandemic. Global seafood markets, fishing operations and processing operations were all significantly disrupted. These tables provide an inaccurate snapshot of how fishing and processing operations work. A more accurate picture would emerge using five or 10 years of data that shows trends in seafood fishing, landings and processing. Using trends outside of the pandemic years will provide better, more dependable information on which to make decisions.

As WCSPA has noted in the past, some fishing areas are important not only because of species being targeted, but also because of the opportunity to avoid bycatch of unmarketable/unwanted species. This should be accounted for in any Environmental Assessment or Environmental Impact Statement developed in the future.

A cumulative effects analysis, which has been requested numerous times by various fisheries and conservation stakeholders, would go a long way toward assessing the best areas for meteorological buoys, site surveys, future areas and eventual build-out of industrial wind farms. *Not* doing so now is short-sighted. For example, including current fisheries regulations in a cumulative effects analysis will provide valuable information about areas fishermen avoid (due to regulations or other actions), thereby providing some potential areas where monitoring buoys could be placed to avoid conflicts with fishing operations.

Fishermen delivering to WCSPA companies travel the entire West Coast to pursue different fisheries at various times of the year. Therefore, some fisherman may be impacted by both the site surveys taking place in the Oregon WEAs and in the five California lease areas. Appendix B in the Draft EA recognizes these activities but does not consider the potential impacts of simultaneous site assessment activities. A cumulative effects analysis would cover potential impacts to fishermen who may fish off Oregon and in the California lease areas.

Again, we urge BOEM to be proactive and conduct advanced scientific and socio-economic analyses and do the work necessary to protect the ocean, protect the fisheries and protect our fishing communities.

Marine Mammals

WCSPA is very concerned that site survey operations may interact with marine mammals and cause harm to populations that restrict fishing operations due to potential or actual entanglements. Additionally, ship survey activity could alter the migration patterns for some marine mammals and/or sea turtles. For example, the Dungeness crab and sablefish pot fisheries are subject to limited seasons or additional regulations due to entanglement risks. Further harm to some whale populations due to ship strikes or other activity may ultimately affect seafood harvesting operations. Therefore, we suggest limiting the speed at which OSW survey vessels operate, use accurate information about West Coast species (not East Coast, as is included in Appendix D) for protected species observers (PSOs), and add both populations of sea otters (northern and southern) and interactions with Southern Resident Orcas to the list of species potentially observed as part of survey operations. The Oregon Fish and Wildlife Commission approved listing Southern Resident Orcas as endangered under Oregon's Endangered Species Act (OESA) law in February 2024. This triggers additional guidelines to identify and protect this species.

While no sea otters have been seen in Oregon, that does not necessarily mean they do not exist here now or will not exist in the future. BOEM should add these to the list of marine mammals for inclusion in Appendix D in the Final EA.

Cable Routes and Converter Stations

WCSPA understands that after lease approval, lessees may also begin looking at areas outside of the WEAs for cable routes and, potentially, electricity conversion stations. These are most likely to include areas going through Oregon's Territorial Sea to shore. We continue to emphasize that it is important to minimize any site survey work in these areas, as they are some of the most productive fishing grounds and include sensitive habitats. Finding routes that afford cable burial will be important to ensure long-term access for fishing activity, particularly trawling.

Given the potential unknowns associated with converter stations that may be proposed for areas outside of the WEAs, the WCSPA suggests BOEM require the easements for those stations to be placed within the confines of the WEA, so as not to disrupt fishing activities outside and shoreward of the WEAs. Fishing activities shoreward of the WEAs could include commercially important species like salmon, Dungeness crab, market squid, hagfish, spot prawns, pink shrimp, groundfish and others.

Additionally, any socio-economic information associated with fisheries shoreward of the WEAs, in potential cable routes and easements, should be included in the Final EA, as these fisheries could be affected by ship survey operations and site characterization plans.

Developers placing meteorological buoys in the ocean as part of their site characterization activities should be required to remove the anchors. Anchors, such as railroad wheels, can be hazardous to ongoing fishing operations, especially to bottom trawling activity.

Conclusions Contained in the Draft EA

Many of the conclusions in the Draft EA related to survey and site characterization activities are considered "minor" or "negligible." In effect, the Draft EA finds no reason to not move forward with any site characterization plans. WCSPA questions whether the determinations would be considered "minor" or "negligible" if BOEM used accurate, recent and scientifically sound data for its analysis.

Furthermore, it is disingenuous to compare the action alternatives that eventually lead to the establishment of floating offshore wind to the "no action" alternatives that claim, "Impacts from urban development and increasing air, vessel, and onshore traffic will continue to contribute to climate change …" when the EA does not adequately provide any analysis to support this claim. The EA does not include any analysis of ongoing conservation measures to reduce impacts on climate change, nor does it include any comprehensive analysis of other forms of renewable energy that could reduce humanity's impact on climate change. This phrase is repeated several times in the EA and should *not* be included in the final EA unless and until BOEM has completed the analysis to prove otherwise.

Alternatively, industrial scale floating offshore wind, at the pace it is progressing to meet artificial political mandates, may exacerbate climate change due to its dependence on materials, infrastructure and vessels complicit in contributing to greenhouse gas emissions.

Summary and Conclusions

WCSPA suggests BOEM work more collaboratively with State and Federal Agencies to portray the effects of survey work and site characterization plans more accurately on existing entities and coastal communities. BOEM should dedicate the time necessary to do its work accurately, completely and thoroughly, consulting in a meaningful way with stakeholders, tribes and other Agencies about its work prior to issuing a Final EA. Basing decisions on faulty or missing information will only lead to decreased trust between stakeholders and BOEM.

Thank you for the opportunity to comment. Please contact me if you have any questions.

Sincerely,



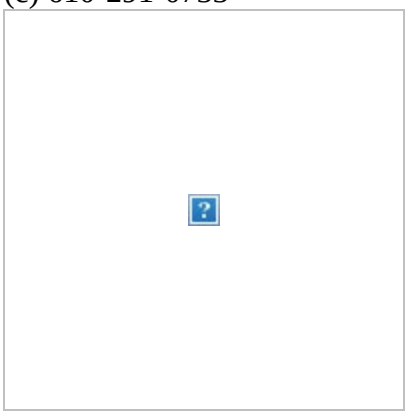
Lori Steele
Executive Director

From: Michael Fiore
To: PERMITS coast * DLCD
Subject: WEA comment
Date: Tuesday, May 7, 2024 9:31:54 AM

You don't often get email from michael@whatsatstake.io. Learn why this is important

I lend my voice in support of moving forward with leasing plans. As an Oregon citizen and business owner, we need both new energy sources and a more robust and integrated western grid. M

Michael Fiore | Project Management
Building world-class industrial operations
The Operations Group, Inc.
(c) 610-291-0733



Follow me on LinkedIn

From:	Mike Okoniewski
To:	PERMITS coast * DLCD
Subject:	West Coast Pelagic Conservation Group Consistency Review Commnets
Date:	Saturday, June 15, 2024 4:07:21 PM
Attachments:	WCP Consistency Review Comments_DCLD_Oregon_6.15.24.docx WCP Comments to BOEM 2023-0065 Oregon EA.pdf

You don't often get email from mokoniewski.consultant@pacificseafood.com. Learn why this is important

I put the contents of the MS WORD Doc directly onto the E-mail as the file might have an issue

Please note new e-mail address below
Mike Okoniewski
Fisheries Consultant to Pacific Seafood
MOkoniewski.consultant@pacificseafood.com
Phone: 360-619-2019

June 15, 2024

To: **Jeff Burright**
State-Federal Relations Coordinator
jeff.d.burright@dlcd.oregon.gov
Phone: (503) 991-8479

Andy Lanier
Marine Affairs Coordinator
Andy.Lanier@dlcd.oregon.gov
Phone:(503) 206-2291

Re: Consistency Determination for leasing the Wind Energy Areas (WEAs) offshore Oregon *(in compliance with Section 930.34 et seq. of the National Oceanic and Atmospheric Administration (NOAA) Federal Consistency Regulations Title 15 Code of Federal Regulations (CFR) part 930 Subpart C).*

Andy Lanier
Marine Affairs Coordinator
Andy.Lanier@dlcd.oregon.gov
Phone:(503) 206-2291

Dear Mr. Burright and Mr. Lanier

Thank you for the opportunity to comment: Please accept these comments on behalf of the West Coast Pelagic Conservation Group (WCP)

WCP's membership is composed of commercial fishermen and processors. Our organization is small and presently focuses on collaborative research with the Southwest Fisheries Science Center (SWFSC). Our members however, harvest, process, and market all major sustainable species from California, Oregon, Washington, and Alaska and distribute it across the U.S. and globally. Our processors service over one thousand fishermen and our fishermen and processors employ over 4000 people.

Offshore Wind (OSW) and Floating Offshore Wind (FOSW) (energy and development)

became a concern for WCP in 2018 when we first heard a presentation by Dr. John Hare in Portland Maine. We focused more on FOSW when we met with people in the California fishing industry. It became a larger concern when the Bureau of Ocean Energy (BOEM) launched their campaign into Oregon. At this point we began attending every BOEM meeting we could, both for Oregon and California. We also attended other State and Federal agency meetings that were beginning to interact with BOEM, or FOSW development. The California Energy Commission, (CEC), the Oregon Department of Fish and Wildlife, (ODFW), the Washington Marine Advisory Council, (WCMAC) and the Pacific Fishery Management Council (PFMC) are several.

We are not well versed in how Consistency regulations actually work but we believe we have some knowledge of what their purpose is and what some of the goals are. Most of what we have been exposed to is from Washington but as our largest West Coast fishery production comes from Oregon, we know we must catch up with what is developing in Oregon. To that end the Department of Land Conservation and Development (DLCD) has been a pleasure to work with.

From reading some of Washington's marine planning rules and guidelines it seems clear that they are prescribed to protect fishing, the marine and coastal environment, the shoreline and the estuaries, endangered and protected species, and essential habitat. Working with ODFW on several projects and at the PFMC, I know Oregon is serious about protecting the same listed items.

Our dealing with BOEM, like many Oregon fishermen, Tribes, and residents has been a struggle. We have never worked with an agency that is structured like they are. We have never seen the environmental review process administered as loosely, or sequentially reversed in application.

I have included our comments to BOEM on the Docket-BOEM-2023-0065 Oregon EA (All comments are in and can be found if you Google the above Docket number. I urge you to read the Confederated Tribes of Coos, Lower Umpqua and Siuslaw remarks, and those from the Makah Tribe. I am not sure if the Consistency Review includes review of the Tribal component but they have expressed a large amount of frustration trying to consult with BOEM.

We conclude by quoting from the Confederated Tribes of Coos, Lower Umpqua and Siuslaw (The Tribe) comments on the BOEM-2023-0065 Docket EA: ***The Tribe has consistently raised concern with BOEM moving forward with this approach without detailed understanding of how BOEM will address adverse impacts to fisheries, the environment, ecosystem health, cultural sites, traditional resources, religious practices, and uses. Thus far, BOEM has not provided avoidance or mitigation for these impacts. Accordingly, the Tribe specifically requests that the finalization of the EA be paused until more information about impacts is understood***.

Thank you, Respectfully, (You may contact me anytime, if I can be of help-Heather Mann and Susan Chambers are good friends)



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Mike Okoniewski
Secretary of West Coast Pelagic Conservation Group
Mokoniewski.consultant@pacificseafood.com Ph: 360-619-2019

C.c. Greg Shaughnessy, COO Ocean Gold Seafoods
Vice-President of West Coast Pelagic Conservation Group
gshaughnessy@oceancos.com; Ph: 360-310-0662

June 14, 2024
Lisa Gilbane,
Chief Environmental Analysis Section
Bureau of Ocean Energy Management
760 Paseo Camarillo, Ste. 102 Camarillo, CA 93010

C.c.
Secretary Deb Haaland
Department of the Interior
1849 C Street NW Washington, D.C. 20240

Director Elizabeth Klein
Bureau of Ocean Energy Management
1849 C Street NW Washington,
D.C. 20240 Dear Secretary and Director:

Submitted online via regulations.gov: Notice of Availability of a Draft Environmental Assessments for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf, Oregon; Docket No. BOEM -2023-0065:

Dear Mses. Gilbane, Secretary Halland, and Director Klein

Thank you for accepting these comments**.**

WCP: The West Coast Pelagic Conservation Group's (WCP's) membership is composed of commercial fishermen and processors. Our organization's present focus is collaborative research with the Southwest Fisheries Science Center (SWFSC). Our members however, harvest, process, and market all major sustainable species from California, Oregon, Washington, and Alaska and distribute it across the U.S. and globally. Our processors service over one thousand fishermen and our fishermen and processors employ over 4000 people.

Opening Comments: WCP incorporates and endorses by reference the draft letters and submitted comments sent to the Bureau of Ocean Energy Management (BOEM), by the Pacific Fishery Management Council, Mr. Larry Thevik, Washington Dungeness Crab Fishermen's Association (WDCFA), Oregon's Lincoln County Commissioners, the Oregon Fish & Wildlife Department (ODFW) and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

The coastal waters off Oregon are one of the most scenic, pristine, and biologically productive zones on the planet. This region plays a central role in Oregon's mystique,

coastal culture, biological diversity, and coastal economy. This could be lost forever with the advent of Floating Offshore Wind Energy (FOSW) Industrialization Projects slated for the future of Oregon and its adjacent marine area.

Today Friday June 15, 2024 the (Oregon) Ocean Policy Advisory Council (OPAC) by consensus agreed to write a letter to Governor Kotek asking her to request BOEM to halt any more action to move FOSW forward until the Oregon Roadmap team has done the work assigned to them regarding FOSW off Oregon. WCP believes this action is justified on the State's part as BOEM has failed to engage or listen to the advice of Oregon fishermen, the Pacific Fishery Management Council (PFMC), The Tribes, and other Oregon residents including twenty NGO's organizations, and the Oregon Department of Fish and Wildlife. We have submitted thousands of comments to BOEM along with PFMC letters that have been ignored and still await responses.

Over multiple years, many Tribes, Oregon Congressional representatives and Senators, the fishing industry, and the coastal communities have, with animated discourse, stated their objections over the BOEM's Industrial development plan for FOSW. More recently the Governor's office and local residents began an Oregon Road Map Plan (RoadMap) about the position FOSW should occupy (if any) in our Oregon Coastal waters.

As WCP understands the Road Map, the recommendations were to cautiously go forward once unbiased research to fill the large environmental and economic data gaps is completed and is followed by credible, transparent, public, and thorough environmental analysis. This needs to be conducted in a holistic and at a sufficient level, and then widely published. Moreover, it needs to comprehensively measure the effects of FOSW prior to Wind Energy Areas (WEA) formation and leasing. Research of the data gaps, full EIS, or Programmatic EIS could cover the many questions on impacts to Oregon's fishing industry, socio economic impacts to coastal communities, our marine environment and ecosystem, Tribal losses, all marine life from phytoplankton to whales and seabirds, and ocean metrological and hydrological dynamics that create upwelling and other physical drivers necessary to maintain robust life-supporting ecosystems. In addition, there is still no published number on the impacts to our nation's Gross National Product from the losses of hundreds of thousands of fish industry related jobs and sustainable seafood worth over 100 billion dollars. Plans to compensate these losses amount to pennies on the dollar.

Additionally, as WCP understood, and have asked BOEM on numerous occasions, questions about the benefits of FOSW development that have never been answered were to be addressed via the Road Map. These include the employment types and number of jobs, and their location. Will there be manufacturing and assembly in Oregon, or just maintenance on the coast? If not Oregon, where? Long Beach, CA, Puget Sound, WA, and Humboldt Bay are already on the docket for large scale future manufacturing, assembly build out areas with available heavy transport and large cranes. Puget Sound and Long Beach have stated they can handle the FOSW equipment demand for the entire Pacific Cost and also cover Alaska. They will have deep water and are in areas, that are already heavily industrialized and have minimal wildlife or essential habit.

Electricity retail costs to consumers is an unanswered question which has been asked many times especially after the breached wind energy contracts on the east coast, all of which experienced

large cost overruns[1]. What is the increase in amended Power Purchase Agreements (PPAs) to be paid to developers? We have read up to 50% higher electrical energy prices plus increases in subsidies on capital costs of machinery and construction. Articles are now circulating that predict that the goal of 30 Giga watts will be beyond achievement and that there is fierce competition for the raw metals and manufacturing infrastructure to deliver the wind turbines. In addition, China and India are ramping up their manufacturing and mining capacity.

Notice of Availability of a Draft Environmental Assessments for Commercial Wind Lease Issuance on the Pacific Outer Continental Shelf,

This type of environmental review, the Environmental Assessment (EA) is applied to cover only the Siting Assessment Plan (SAP) phase of FOSW project development and utilizes the least rigorous form of environmental review. It does not supply any analysis of environmental impacts except as related to SAP. This specific BOEM EA is neutral in grading, and only covers a short list of potential impacts. Though there are many pages to read it gives no research driven analysis blueprint to determine impacts during the Siting surveys.

WCP herein calls out the serious and obvious flaws in BOEM's rationale to avoid an EIS or a Programmatic EIS and thereby only produce a minimalistic environmental review through use of a weak EA.. The SAP is not part of a full scale FOSW environmental review which could cover the larger questions that require answers. What impacts to the marine environment, the Tribes, The California Current Large Marine Ecosystem, (CCLME) and our fishing dependent businesses will occur when these FOSW projects are fully built out with the maximum number of industrial FOSW projects?

BOEM states they cannot, and will not, conduct thorough EISs or Programmatic EISs that cover all aspects of FOSW impacts prior to selection of the WEAs, only after the Construction and Operations Plan is finalized. By this time developers could have over one billion dollars invested. Furthermore, it has been stated by BOEM that they cannot do large regional cumulative impact study to understand the effects of multiple projects on the entire CCLME. Instead, they use singular project by project impacts limited to the areas where each Industrialized Marine project is located. This short changes the entire environmental review process and leaves fishermen to only guess when to pull up stakes.

Additionally, there are large data gaps about the impacts FOSW will have on the eco-services the CCLME provides for baseline elemental ecosystem components such as upwelling and phytoplankton that are foundational of life for the marine environment. This same environmental review process is supposed to be applied to the socioeconomic welfare of our coastal communities that are often dependent on tourism and fishing. BOEM refuses to deal with the issue of what will happen to the CCLME, the fishing industry, and the coastal communities writ large. BOEM has expanded the verbiage on what they define to be an

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1. Energy company pulls the plug on two major offshore wind ...

environmental review but a corrected process needs to be in place before receiving any lease money and/or permitting of projects.

Leases are one variety of contracts. As such they have obligations. Although BOEM claims they can revoke a lease if a NEPA review produces data which is not acceptable for NEPA guidance. Given the fact that when the data gaps are as large as they are there is little chance any will be leases will be rescinded. To date we have never heard of a wind industrial project that was rejected for environmental reasons.

FOSW is nascent technology. It will industrialize spatial zones that have no previous exposure to fixed industrialization. It will extract energy from the wind that is vital to produce life in the ocean. "*upwelling brings up cold, nutrient-rich waters to the surface, which encourage seaweed growth and support blooms of phytoplankton*. *The phytoplankton blooms form the ultimate energy base for large animal populations higher in the food chain, including fish, marine mammals and seabirds"*.[2] There is no empirical data on FOSW effects to the marine or socioeconomic environment. To state that the best use of the National Environmental Protection Act (NEPA) process is to conduct an independent EA in the SAP phase and conduct an independent EISs after they see the Construction and Operations Plan, just prior to BOEM's final decision to approve the project is inappropriate at best and gross negligence at worst. It does nothing to protect the marine environment or the taxa that depend on a healthy ecosystem The cumulative effects of all the industrialized FOSW projects will be the total effect on the CCLME and our fisheries. There is not enough data to give an informed decision. We may presently know what factors and dynamics are necessary to maintain a healthy ecosystem but we know close to nothing about the effects of FOSW. Some state we cannot measure the harm to the marine environment that will happen with Climate Change. How can we tell it form that of FOSW? What happens if FOSW impacts are additive to those of Climate Change impacts, or if Climate Change reduces the wind speeds substantially. Rationalizing that we do not need to know the impacts of FOSW on the CCLME because we can't differentiate it from the impacts of Climate Change on the CCLME is a non sequitur.

Without identifying the data gaps and doing the research it is impossible to understand what the environmental outcomes will be. Modeling could help but only after there is an empirical data baseline that describes what the FOSW impacts are. Land based Wind projects are relatively easy to research compared to FOSW. Most of FOSW effects may be impossible to measure in less than several years. Failing to halt FOSW expansion without first establishing experimental wind projects to provide hard data to analyze the environmental resultant effect is a game of Russian Roulette .

The Columbia River hydroelectric development started out the same way and we have spent billions of dollars trying to get their salmon runs restored with little success. They too were confident of their mission and now they are speaking of dam removal and the tribes are still

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2

Effects of Upwelling - NOAA Ocean Exploration

litigating to get their promised fish back. Coincidently many tribes are dependent on the ocean in a similar manner and are outspoken about the way BOEM has treated them.

Potential Impacts of the SAP phase. Recently there were BOEM/NMFS published documents on Siting surveys and interaction with, and effects on endangered marine species. Five of these were Southern Population of Killer Whales, Central American and Mexican Humpbacks, Leatherback Turtles and Whales[3]. Using the National Centers for Coastal and Ocean Science (NCCOS) model the National Marine Fisheries Service (NMFS) scored all five species at zero and in need of constraining measures. "Constraint" as used in the NCCOS model means to avoid all interaction with those listed species. Furthermore, NMFS highlighted the Southern Population of Killer Whales and Leatherback Turtles *as "Species in the Spotlight"*. They are endangered to the point of potential extinction. BOEM regraded all five species so none were a constraining species.

When fishermen encounter mammalian species on the Endangered Species list they must move away from those animals. Fisheries are routinely shut down if any of above five species are reported in proximity to an active fishing area. BOEM plans minimal need for avoidance with their expected probability of non-signicant interference regardless of what level of endangerment level the species is. But these species move over large areas of the ocean to follow their food supply. Even the lowest score above zero (0.1) is not listed as cause to stop a surveyor for absolute avoidance. This is not to say there are not rules for survey ship avoidance[4]

Whale mortality rates in New England spiked last winter. BOEM and NMFS both decreed that it had nothing to do with the survey work. The problem is there is no definitive study that can prove the frequencies used for the acoustic work or small explosives to record bottom composition are harmful to whales. Other studies have theorized that whales and other marine mammals lose their echo sounding ability when they are exposed to certain frequencies[5]. If the animals are disoriented there is a higher chance they will be hit by a ship or strand on a beach. Again, without definitive study there is no way to know if the FOSW survey work itself will be a death sentence.

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[3] A Wind Energy Area Siting Analysis for the Oregon Call Areas

[4]

Fishery Survey Guidelines

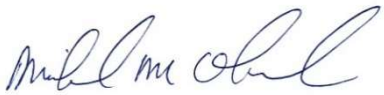
-[5] Wind Energy and Marine Mammals - WINDExchange

How many industrial projects does BOEM expect to build? What data will they use to understand impacts to upwelling, phytoplankton production, krill, ocean transport for larvae, seabirds, whales, wind wakes etc. Or will just call anything they have no data for as "not significant." In school that would be a F grade not an A. It is a long list of unknowns and outside of speculation no one can say with any confidence what the impacts will be because there is are no West Coast experimental Wind Farms, and no empirical data to base decisions

We conclude by quoting from the Confederated Tribes of Coos, Lower Umpqua and Siuslaw (The Tribe) comments on the BOEM-2023-0065 Docket EA: ***The Tribe has consistently raised concern with BOEM moving forward with this approach without detailed understanding of how BOEM will address adverse impacts to fisheries, the environment, ecosystem health, cultural sites, traditional resources, religious practices, and uses. Thus far, BOEM has not provided avoidance or mitigation for these impacts. Accordingly, the Tribe specifically requests that the finalization of the EA be paused until more information about impacts is understood***. WCP is in total agreement with the above listed Tribes' summation.

Thank you,

Respectfully.



Mike Okoniewski
Secretary of West Coast Pelagic Conservation Group
Mokoniewski.consultant@pacificseafood.com
Ph: 360-619-2019

C.c. Greg Shaughnessy, COO Ocean Gold Seafoods
Vice-President of West Coast Pelagic Conservation Group
gshaughnessy@oceancos.com;
360-310-0662

From: Stacey Fox
To: PERMITS coast * DLCD
Subject: Wind Project off Oregon Coast
Date: Wednesday, June 12, 2024 4:18:12 PM

> You don't often get email from lucky5@sonic.net. Learn why this is important

Dear permitter,

I forgot on my previous comment I also want to suggest you require a wildlife inspector onboard to assure they go slow and watch procedures to protect wildlife. When they are not watched, I don't trust the installers or surveyors or whoever as they will want to save money and get the job done. I care about our Oregon Waters and Marine life. If it is slower, so be it!

Thank you

--
Stacey Fox

From: olhippie2
To: PERMITS coast * DLCD
Subject: Wind turbines off the oregon coast
Date: Friday, May 24, 2024 8:21:00 AM

You don't often get email from olhippie2@protonmail.com. Learn why this is important

I DO NOT want any wind turbines placed in the ocean 18 miles or 118 miles from shore, the possibility to harm aquatic life is unknown and IMHO they are NOT cost effective
Bruce Grieve
Gold Beach Oregon

Sent with Proton Mail secure email.

From: Sue Craig
To: PERMITS coast * DLCD
Subject: Wind turbines/energy for offshore Oregon
Date: Friday, June 14, 2024 8:14:49 PM

You don't often get email from sueacraig@gmail.com. Learn why this is important

I have heard a presentation on the type of offshore wind turbines that would be planned for Oregon. I am totally in favor of wind energy. BUT, the need for these enormous turbines, because of the severe dropoff just off the Oregon Ocean shore seems to me to make this all prohibited.
One, they would be huge...larger than any other offshore wind turbines. To build them, install them, would be an expense that would not pay in the long run. Solar would be a much better option, even if you needed to bring it in from some other location.
Two, it would take years to build these, and we do not have that time.
Three, there most certainly, with the huge equipment necessary to build, install, and service these huge turbines, plus the cable to transmit the energy, would be damage to the ocean and wildlife, and fishing industry.
Four, the type of vessels....at least 3 or 4, to service this type of turbine array, hve not even been developed, let alone built.

Please let President Biden understand all of this, and don't spend any more time or energy on all this. We need, (NOW) other solutions.

Thank you. Sue Craig. Program Chair for Many Rivers (Lane County, and south) Sierra Club, Interfaith Earthkeepers, Eugene/Springfield member, President of Oregon Unitarian Universalist Voices for Justice. Member of 350 Eugene, and of Fossil Free Eugene.