



Cape and Islands Municipal Leaders Association, Inc.

<https://cimla.org/>
Representing 22 Municipalities & 105 Elected Officials

P.O. Box 306
Sagamore Beach, MA 02562-0306

July 22, 2024

Submitted electronically to <https://www.regulations.gov>

Secretary Deb Haaland
United States Department of the Interior
Bureau of Ocean Energy Management
Office of Renewable Energy Programs
45600 Woodland Road, Mailstop: VAM-OREP
Sterling, VA 20166

Re: Gulf of Maine Offshore Wind Energy Area (WEA)
Draft Environmental Assessment Comments (BOEM-2024-0030)

Dear Secretary Haaland:

The Cape and Islands Municipal Leaders Association, Inc. (CIMLA), membership of 105 elected officials, represents the twenty-two municipalities of Cape Cod, Martha's Vineyard and Nantucket. On June 25, 2024, we provided comments on the Gulf of Maine offshore wind proposed sale notice (see attachment).

CIMLA appreciates the opportunity to provide additional comments here on the draft Environmental Assessment (EA) and applauds BOEM, the states of Massachusetts, New Hampshire and Maine's commitment to decarbonizing and developing renewable energy resources.

Our comments on the EA, as further described herein, are as follows:

1. Issuance of a Final Environmental Assessment must be done prior to any lease sale including the requirement that a Programmatic Environmental Impact Statement (PIES) be conducted for the Gulf of Maine WEA.
2. We strongly request a socio-economic impact study, along with biophysical impact, be completed in advance of leasing any Gulf of Maine projects.
3. Given the extensive comments provided in the PSN and community interest in the Gulf of Maine Offshore Wind Energy Area based on the attendance at the BOEM information session held in Eastham, MA on July 17, 2024, with limited opportunities to be heard, we request a 90-day extension of the draft EA comment period.

In support of the above:

- 1. We request that a Programmatic Environmental Impact Statement (PIES) be conducted for the Gulf of Maine WEA before the sale of any leases.**

The draft Environmental Assessment for the Gulf of Maine WEA is limited to the activities associated with surveying and site characterization, and as such, the impacts are minimal. The majority of any environmental impacts will occur during construction, post-construction operations, and decommissioning. Considering the sensitivity of the environment included in the WEA, the employment of floating technology, and the variable water depth of the WEA, a PIES is warranted prior to the sale of the proposed leases.

In the Gulf of Maine Task Force meetings and public presentations in 2024, BOEM has stated that they can only assess the environmental impact after a developer has submitted a COP, and the Gantt chart of the Gulf of Maine WEA does not incorporate a PIES (BOEM, 2024b). However, BOEM is conducting PIESs for the New York Blight WEA and the California Offshore Wind WEA. The New York Blight encompasses 488,201 acres (BOEM, n.d.-b) and is in shallow water where fixed foundations can be used. The CA Offshore Wind WEA totals 373,267 acres (U.S. Department of the Interior, 2022) in very deep water, requiring floating technology. The Leases included in the Gulf of Maine PNS are twice the size of either of the WEAs where PIES are being conducted. The NMFS has commented on the Gulf of Maine PSN on the importance of additional environmental review before the sale of any leases in the Gulf of Maine due to the importance of the habitat to the critically endangered North Atlantic Right Whale, saying:

We have recommended that, prior to commercial leasing and issuance of the Final Sale Notice (FSN) in the GOM, BOEM develop a comprehensive plan for how to avoid, minimize, and mitigate effects of commercial development on the physical and biological features of this critical habitat. (NMFS, 2024)

Conducting a PIES assists BOEM in “the identification of programmatic mitigation measures [1] to lessen environmental impacts of wind energy development in the lease areas.” A PIES will simplify decision-making regarding the Gulf of Maine WEA's development and provide a greater degree of certainty for developers, enabling a greater return on any sale. In the CA WEA PIES the potential impacts being assessed are (BOEM, 2024a):

Potential impacts to resources may include adverse or beneficial impacts on air quality, bats, benthic habitat, birds, essential fish habitat, invertebrates, finfish, marine mammals, terrestrial and coastal habitats and fauna, sea turtles, wetlands and other waters of the United States, commercial fisheries and recreational fishing, cultural resources, demographics, employment, economics, environmental justice, land use and coastal infrastructure, navigation and vessel traffic, other marine uses, recreation and tourism, and

scenic and visual resources. These potential impacts will be analyzed in the draft and final PEIS.

These are all areas of concern for the Cape and Islands. The Cape and Islands region's experience with offshore wind is with the leases in the Rhode Island and Massachusetts WEA. In the RI and MA WEA, a Draft Programmatic Environmental Impact Statement was conducted before the lease areas were included in a proposed notice of sale (BOEM, n.d.). The Gulf of Maine WEA incorporates 969,999 acres, in addition to the footprint of transmission systems, and those routes will be determined at a future date. Floating technology has yet to be employed at scale and has a larger physical footprint than monopiles used in shallow water. We strongly encourage BOEM to develop a Programmatic Environmental Impact Statement under the process required by NEPA to better understand and mitigate impacts associated with developing the Gulf of Maine WEA before any of the leases are sold.

- 2. We strongly request a socio-economic impact study, along with biophysical impact, be completed in advance of leasing any Gulf of Maine projects to safeguard the interest of our Cape Cod communities and onshore environment.**

The lessons learned from the Vineyard Wind blade incident of July 13, 2024 and the closing of Nantucket beaches highlight the importance of thorough planning, risk assessment, and stakeholder engagement to ensure the success and sustainability of any offshore wind projects.

The loss of a turbine blade and subsequent beach closures in Nantucket highlight the potential for unforeseen incidents that can have immediate and significant impacts on local communities and economies. These impacts underscore the necessity of understanding and mitigating such risks before they occur.

Engaging with local communities, stakeholders, and industries that may be affected by offshore wind development is critical for building trust, addressing concerns, and ensuring that development proceeds in a manner that considers the needs and priorities of those most impacted.

Conducting a thorough impact study demonstrates a commitment to transparency and accountability, ensuring that all potential risks and benefits are carefully considered and communicated to the public.

The Vineyard Wind incident raises concerns about public health and safety ([Link](#)). Ensuring that such incidents are minimized through thorough impact assessments and preventive measures is essential for the well-being of coastal communities.

An aftermath clean-up fund doesn't satisfy or address risks. Cape Cod communities are heavily dependent on tourism and recreational activities. Any disruptions, such as those caused by offshore wind incidents, could have a substantial economic impact on these industries and our towns.

The Gulf of Maine is also home to a significant fishing industry. Offshore wind development could affect fishing grounds, navigation routes, and overall marine ecosystems, potentially impacting the livelihoods of local fishermen.

Other offshore wind energy projects may have undergone similar studies as part of regulatory requirements or best practices. Ensuring that the Gulf of Maine project meets or exceeds these standards can help avoid legal challenges and ensure regulatory compliance.

Identifying potential socio-economic impacts in advance allows for the development of effective mitigation strategies, reducing the likelihood of adverse outcomes and ensuring that any negative impacts are managed proactively.

Thank you for considering these comments along with our prior stated concerns, we request an extension of the comment period on the draft EA by and additional 90-days to provide a more adequate time for review and opportunity for more detailed comments.

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Respectfully submitted,



Douglas C. Brown

President, Cape & Islands Municipal Leaders Association, Inc. and
Select Board Member, Town of Falmouth, Massachusetts

Attachment

cc: Governor Maura Healey
Lieutenant Governor Kim Driscoll
Secretary Rebecca Tepper, EEA
Senator Ed Markey
Senator Elizabeth Warren
Representative Bill Keating
Senator Julian Cyr
Senator Susan L. Moran
Senator Bruce Tarr
Representative Sarah K. Peake
Daniel McKiernan, Director Mass Division of Marine Fisheries
CIMLA membership

References

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