APPPENDIX E

Public Comments and Bureau of Ocean Energy Management Responses

1 Introduction

BOEM solicited comments from the public on the Humboldt Wind Energy Area (WEA) Environmental Assessment (EA) during two distinct periods: (1) a 45-day public scoping period from July 30 to September 13, 2021, and (2) a 30-day public comment on the Draft Humboldt WEA EA from January 11 to February 12, 2022.

1.1 Public Scoping to Inform Development of the Humboldt WEA EA

BOEM hosted two virtual public scoping meetings to outline its formal environmental review process under National Environmental Policy Act (NEPA) and to solicit public input on issues to be considered in the EA. BOEM and State of California representatives met in-person with small groups of commercial fishing interested people on November 3 and 4, 2021, in Crescent City, Eureka, and in Fort Bragg, California. BOEM received 52 comments from the public, agencies, and other interested groups and stakeholders. This included written comments from 28 sources, 23 public meeting comments, and one phone call. Two comments were received after the close of the scoping period.

1.2 Public Comment on the Draft Humboldt WEA EA

BOEM issued a news release on January 11, 2021, announcing the availability of the Draft EA and providing the public the opportunity to submit comments on regulations.gov. In addition, BOEM hosted two virtual public meetings to explain the wind energy leasing and environmental analysis process, communicate key points in the EA, and allow the public and other interested parties to ask questions and then provide oral testimony. State of California representatives met in-person (with BOEM attending virtually) with small commercial fishing focused groups of people on March 16 and 17, 2022, in Crescent City and Eureka. Numerous virtual meetings and email correspondence occurred with other interested stakeholder individuals and groups. BOEM received a total of 36 public comment submissions in Docket BOEM-2021-0085 and seven public comments from the two public meetings.

2 Public Comments

2.1 Proposed Action and Alternatives

Comment Summary

Many commenters expressed support for the Proposed Action, stating that the effects of climate change require clean energy solutions. Multiple other commenters expressed opposition to wind energy development due to concerns about impact to commercial fishing, marine navigation, biological resources, and viewsheds. Some commenters urged BOEM to conduct a Programmatic Environmental Impact Statement (EIS) for leasing or to halt all leasing until a full EIS evaluating all impacts of siting, construction, and operation of wind towers is completed. Other commenters expressed support of the current process, noting that BOEM regulations state that the appropriate time to conduct NEPA analysis of the buildout of a lease is when the Bureau has received a Construction and Operations Plan (COP) from the lessee. A commenter suggested BOEM consider an alternative that evaluates a reduced project size that removes overlapping critical habitats and protected areas from development. Other alternatives mentioned by commentors included requests to consider other forms of power such as

nuclear or solar, or to conduct a comparison of wind energy production in the Humboldt WEA with onshore oil and gas and/or other forms of power.

BOEM Response to Comments

As noted in Section 2.1 of the EA, the Proposed Action for this EA is the issuance of commercial wind energy leases and associated easements within the WEA that BOEM designated on the Outer Continental Shelf (OCS) in the vicinity of Humboldt County, California. BOEM does not consider the issuance of a lease to constitute an irreversible and irretrievable commitment of agency resources; therefore, this analysis does not consider the impacts associated with the siting, construction, and operation of any commercial wind power facilities. BOEM's renewable energy program occurs in four distinct phases: planning, leasing, site assessment, and construction and operations. The identification of WEAs for environmental analysis and leasing consideration does not constitute a final leasing decision. Comments expressing support of and opposition to the development of offshore wind are noted.

The Purpose and Need of the Proposed Action—to facilitate the assessment of the environmental characteristics and wind energy potential of areas of the OCS of the Humboldt WEA through the issuance of commercial leases—is described in Section 2 of the EA. The alternatives for a NEPA analysis are shaped by the Purpose and Need for the Proposed Action. Alternatives that do not meet the Purpose and Need are not considered in a NEPA analysis; thus, alternate methods of combating climate change (i.e., improvements in energy efficiency and reducing energy use) are not evaluated in this EA. BOEM did not identify any action alternatives that would result in meaningful differences in impacts to the various resources analyzed in the EA, and public comments did not suggest new alternatives that met the Purpose and Need (such as analyzing a nuclear or solar project; considering only the No Action alternative; or analyzing the impacts of siting, construction, and operation or wind towers).

Protected areas and those identified as critical habitat will undergo further review during the consultation and subsequent NEPA processes (included in BOEM’s four step renewable energy process) to ensure avoidance and/or mitigation of site-specific impacts.

2.2 Environmental Resources

Comment Summary

Several commenters discussed the effects of the Proposed Action on air and water quality. Some commenters stated that the Draft EA has insufficient detail on the affected environment and analysis of impacts of future leasing activities, particularly as it relates to seafloor mapping, benthic habitats, and associated species. A few commenters recommended that BOEM avoid or minimize site assessment and characterization activities that could damage methane seep sites and underlying methane hydrates.

Several comments expressed concerns about protection of mammal species. Comments covered individual species analysis, collision, entanglement, and displacement. Several commenters expressed concern regarding potential impacts of vessel traffic to marine mammals, including the risk of injury or mortality from vessel collisions. A few commenters urged BOEM to incorporate a 10-knot vessel speed limit for project-related vessels. Another commenter expressed a need for accurate mapping of

cetacean migratory patterns through the WEA and nearby the Oregon Call Area before BOEM considers any leases. One commenter said that negative impacts to sea turtles have not been thoroughly evaluated.

Several commenters discussed the effects of the Proposed Action on coastal and marine birds. Commenters expressed concern about the collision risk from wind turbines in the Humboldt WEA to bird species. A commenter expressed concern regarding potential impacts to marine mammals and coastal and marine birds from noise generation. Bird species mentioned by commenters include the black brant, whimbrel, marbled godwit, western snowy plovers, albatross, pelicans, California condors, bald eagles, and golden eagles. Some commenters stated that more data must be gathered to better understand the migratory routes of bird species in the Humboldt WEA and inform project planning.

BOEM Response to Comments

The scope of the NEPA analysis in the Humboldt EA is limited to only the impacts of site assessment and site characterization activities; activities associated with siting, construction, and operation of wind towers will be considered in subsequent NEPA analysis. Impacts to marine mammals, sea turtles, and marine and coastal birds from site assessment and characterization, including impacts from noise and vessel traffic, are described in Sections 3.5 and 3.6 of the EA. BOEM, in cooperation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service (USFWS), has also developed Standard Operating Conditions to minimize or eliminate potential impacts to protected species, including Endangered Species Act (ESA)-listed species of marine mammals and sea turtles (see Appendix D).

2.3 Commercial Fishing

Comment Summary

Commenters expressed concern that the Humboldt WEA would negatively impact the local commercial fishing industry. Some commenters recommended that BOEM consider impacts to fishermen when analyzing potential impacts from the Humboldt WEA. There was a request to extend exclusions zones into the future. A commenter noted potential interaction between site assessment survey vessels and commercial and recreational fishing vessels, stating that these interactions can be minimized with careful advanced planning and communication. Some commenters expressed concern regarding potential economic consequences for the fishing industry that exists in the Humboldt WEA. Commenters requested meaningful participation and more involvement in the general offshore wind process. Groups and individual fishermen highlighted different impacts to the fishing industry and their livelihood. One commentor suggests that BOEM assist in finding other areas for the fishing industry to replace the economic loss from the Humboldt WEA.

BOEM Response to Comments

Impacts to commercial fishing from site assessment and site characterization activities are described in Section 3.7.2 of the EA, which notes that while space-use conflicts are possible, the area of effect would, for most fisheries, be confined to a small portion of the total area available for fishing. The EA analysis also notes and that potential impacts to commercial fishing from the Proposed Action are expected to be temporary in duration (5 years or less).

2.4 Compliance and Monitoring

Comment Summary

Commenters requested to see plans to ensure that lessees are limiting their activities to approved guidelines or requirements, and how the region is protected against lessee non-compliance (e.g., use of equipment that create unacceptable noise levels underwater). Other commenters asked for robust monitoring and adaptive management for floating offshore wind energy projects to minimize harm to local ecosystems and move smoothly through the permitting process. A commenter stated that BOEM should require lessees to conduct ongoing monitoring for impacts from site characterization and assessment, including changes to species diversity and density, and ecosystem disruption. Another commenter asked that BOEM and future lessees work with local fishermen and the National Oceanic and Atmospheric Administration's Northwest and Southwest Fisheries Science Centers to find suitable locations for buoys.

BOEM Response to Comments

Appendix D of the EA lists typical mitigation measures and Best Management Practices (BMPs) operators follow when conducting activities on or near the OCS. Section 3.7.2 of the EA also notes that BMPs to reduce space-use conflicts center on avoidance and procedures to increase navigation safety. To further enhance safety, compliance, and environmental stewardship, lessees will develop a Site Assessment Plan that will include site-specific mitigation measures.

2.5 Comments Noted but Outside of the Scope of the Proposed Action

Comment Summary

Many commenters had concerns about how wind energy leasing would impact the local area, including concerns about the impacts of vessel traffic associated with the buildout and operations of wind turbines, wind turbine technologies, and wind towers on the viewshed of coastal areas. Other comments included general requests for additional analysis or data acquisition relating to the resources considered in the EA. One commenter expressed concern about the impacts of future development on marine navigation.

BOEM Response to Comments

As noted in Section 1.1 of the EA, BOEM does not consider siting, construction, and operation of any commercial wind power facilities a reasonably foreseeable outcome of lease issuance, and therefore these activities are not included in the analysis of the EA but rather will be considered at the time that a COP is submitted. BOEM considered additional relevant documentation and/or scientific information provided in the public scoping and Draft EA comment processes to improve the EA. BOEM is currently working with the U.S Coast Guard on its "Pacific Port Access Route Study" to evaluate safe access routes for the movement of vessel traffic along the western seaboard.