



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

New England Field Office  
70 Commercial Street, Suite 300  
Concord, NH 03301-5087

<https://www.fws.gov/office/new-england-ecological-services>

August 2, 2024

David Diamond  
Deputy Chief for Operations  
Atlantic Outer Continental Shelf  
Office of Renewable Energy Programs  
Bureau of Ocean Energy Management  
45600 Woodland Road, VAM-OREP  
Sterling, VA 20166

RE: Emergency Consultation, Wind Turbine Generator (WTG) AW-38 blade failure incident, Vineyard Wind 1 LLC OCS-A 0501 response and clean up

Dear David Diamond:

We are responding to your request, signed July 31, 2024, and received in our office on the same date, for emergency consultation regarding completed and ongoing activities to recover debris from a damaged turbine blade in the Vineyard Wind offshore wind project. The Bureau of Ocean Energy Management's (BOEM) request, and our response, are made pursuant to section 7 of the Endangered Species Act (ESA) and the implementing regulations for emergency consultation at 50 CFR 402.05. We understand that BOEM is the lead Federal agency for the response and Endangered Species Act (ESA) purposes, Bureau of Safety and Environmental Enforcement (BSEE) is responsible for a coordinated federal response, and Vineyard Wind is taking a leading role in logistics and on-the-ground actions.

BSEE coordinated early with, and received guidance from, the Massachusetts Division of Fisheries and Wildlife regarding avoiding or minimizing impacts to wildlife while undertaking response activities. Subsequently, biological monitors have been in place to monitor natural resources and advise response crews.

We are writing to provide additional recommendations on behalf of the Service. We used our [Information for Planning and Consultation website](#) to determine ESA-listed species that may occur in coastal and adjacent upland habitats on the mainland and islands of southern Cape Cod, where numerous personnel have been conducting debris collection activities on foot and by vehicle. These are measures that BOEM, BSEE, or responding personnel could implement

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during ongoing debris cleanup to avoid or minimize effects on listed species that may occur in the response area. Our office will be available if you determine more specific avoidance and minimization measures would be helpful.

***These measures should be implemented only if they do not affect safety or hinder emergency response activities to secure human life and property. Any suggested measures for avoidance and minimization of impacts to listed species during the emergency response should be taken only when doing so does not delay or impede the emergency response.***

For all species

1. Use existing access routes and previously disturbed areas to move and stage equipment. Avoid or minimize ground disturbance in undisturbed/undeveloped habitat.
2. Document the area(s) affected by emergency response activities and effects on listed species and their habitat. This will be important information to inform post-response consultation, if it is necessary.

Piping plover, red knot, and roseate tern

1. Where and when possible, avoid work in coastal habitats including sandy or gravelly beaches, intertidal zones, and mudflats between April 1 and September 30.
2. If work must occur during this time window, minimize vehicles and machinery in these habitats and maintain speeds of 5 miles per hour or lower.
3. Employ qualified individuals to monitor bird behavior and impacts, identify nesting areas, and direct work vehicles and crews around nests/broods.
4. Erect symbolic fencing around active piping plover nests to alert responders on foot and in vehicles to off-limits areas. The ideal buffer distance for fencing in the presence of foot traffic is 50 meters. Fencing when vehicles are present and unfledged chicks are on the beach should be at least 200 meters. If these distances are infeasible, the fencing should be the maximum distance from a nest while still allowing necessary emergency response actions. Additional details and guidance are available in the "[Guidelines for Managing Recreational Activities in Piping Plover Breeding Habitat on the U.S. Atlantic Coast to Avoid Take Under Section 9 of the Endangered Species Act.](#)"
5. Avoid or minimize sand fencing in coastal habitats between April 1 and September 30.
6. Avoid large flocks of birds and repeatedly causing them to fly away.

Northeastern beach tiger beetle

Avoid ground disturbance between the mean high tide line and the dune vegetation line on beaches on southern Cape Cod islands.

American burying beetle

On Nantucket, Massachusetts, use existing access routes and previously disturbed areas to move and stage equipment. Avoid ground disturbance in unforested, undeveloped, upland habitat.

American chaffseed, sandplain gerardia, seabeach amaranth, and northeastern bulrush

Employ a qualified individual(s) to survey for these species prior to ground disturbance, mark occurrences of the species, and direct work vehicles and crews around occurrences.

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These measures are meant to provide guidance during the emergency response and before the emergency is under control.

50 CFR 402.05(b) and 50 CFR 402.14(c)(1) describe the timing and information that should be provided to the Service for formal and informal consultations after an emergency action.

Thank you for your coordination to-date. We remain available to assist with biological, technical, regulatory, and communication expertise. Please let me know if you have any questions or concerns at [audrey\\_mayer@fws.gov](mailto:audrey_mayer@fws.gov) or 603-496-5181.

Sincerely yours,

Audrey Mayer  
Supervisor  
New England Field Office

cc: David Diamond via email [david.diamond@boem.gov](mailto:david.diamond@boem.gov)  
David Bigger via email [david.bigger@boem.gov](mailto:david.bigger@boem.gov)  
Brian Hooker via email [brian.hooker@boem.gov](mailto:brian.hooker@boem.gov)  
Lisa Landers via email [lisa.landern@boem.gov](mailto:lisa.landern@boem.gov)  
Nicole Turner via email [Nicole.turner@boem.gov](mailto:Nicole.turner@boem.gov)  
Tamara Arzt via email [tamara.arzt@bsee.gov](mailto:tamara.arzt@bsee.gov)  
Graham Tuttle via email [graham.tuttle@bsee.gov](mailto:graham.tuttle@bsee.gov)  
Cheri Hunter via email [cheri.hunter@bsee.gov](mailto:cheri.hunter@bsee.gov)  
David Simmons via email [david\\_simmons@fws.gov](mailto:david_simmons@fws.gov)  
Kaisha Morse via email [kaisha\\_morse@fws.gov](mailto:kaisha_morse@fws.gov)  
Stephanie Vail-Muse via email [stephanie\\_vail-muse@fws.gov](mailto:stephanie_vail-muse@fws.gov)  
Spencer Simon via email [spencer\\_simon@fws.gov](mailto:spencer_simon@fws.gov)  
Sharon Marino via email [sharon\\_marino@fws.gov](mailto:sharon_marino@fws.gov)  
Kyla Hastie via email [kyla\\_hastie@fws.gov](mailto:kyla_hastie@fws.gov)  
Wendi Weber via email [wendi\\_weber@fws.gov](mailto:wendi_weber@fws.gov)