



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1201 NE Lloyd Boulevard, Suite 1100
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September 10, 2021

Via Electronic Mail

Ms. Jean Thurston
Bureau of Ocean Energy Management
Pacific Region Office of Strategic Resources
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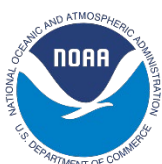
Re: Comments on the Bureau of Ocean Energy Management's Federal Register Notice, Commercial Leasing for Wind Power Development on the Outer Continental Shelf (OCS) Offshore Morro Bay, California, East and West Extensions - Call for Information and Nominations (Call or Notice) (Docket No. BOEM-2021-0044) (86 FR 40869, July 29, 2021) and Designation of the Humboldt Bay Call Area as a Wind Energy Area.

Dear Ms. Thurston:

On October 19, 2018, the Bureau of Ocean Energy Management (BOEM) filed a Federal Register (FR) Notice (83 FR 53096, October 19, 2018) initiating the Outer Continental Shelf (OCS) Leasing Process for three distinct Call Areas offshore of the California coast that may encompass wind power development leases: Humboldt (North Coast), Morro Bay, and Diablo Canyon (Central Coast). Consequently, the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries), and the Office of National Marine Sanctuaries provided a joint letter (NOAA 2019) that provided comments regarding how offshore wind (OSW) development within the three call areas may affect each agency's trust resources (species and habitats). Our comments also highlighted potential effects of OSW projects on overlapping uses, as well as associated sociological and economic issues.

On July 29, 2021, BOEM filed a FR Notice (86 FR 40869, July 29, 2021) consolidating the original Morro Bay Call Area, adding two new areas to the eastern and western sides of the Morro Bay Call Area, (West and East Extensions), and designating this single central coast Call Area as the Morro Bay 399 Call Area.

NOAA Fisheries has reviewed the 2021 FR Notice and considered the two new West and East Extensions of the Morro Bay 399 Call Area. NMFS does not find the new West and East Extensions to be materially different from the previous areas within the Morro Bay 399 area, as described in our earlier comments for the previous Morro Bay Call Area (NOAA 2019). Thus, our previous comments are incorporated herein by reference (NOAA 2019).



In addition to Noticing the West and East Extensions, BOEM also designated the Humboldt Bay Call Area as a “Wind Energy Area (WEA).” We support this administrative step in the BOEM licensing process because it allows BOEM to initiate site characterization (e.g., bathymetric survey activities and core samples) and site assessment activities (e.g., installation of meteorological buoys) associated with issuing wind energy leases in the WEA. Data will be used by BOEM to develop an environmental assessment (EA) of the WEA. However, until BOEM issues an EA, there is no new or additional information available for NOAA Fisheries to review, and the nature of the WEA has not changed since NMFS’ previous comments on the Call Area. Thus, we again refer you to our prior submitted comments regarding the potential effects of OSW development in the three Call Areas (NOAA 2019)

Finally, NOAA Fisheries’ West Coast Region Protected Resources Division provides some additional updated comments regarding both the East and West Extensions of the Morro Bay 399 Call Area, and the Humboldt Bay WEA in Enclosure A.

If you have questions regarding these comments, please contact Mr. William Foster, NMFS, at (916) 930-3617 or William.Foster@noaa.gov

Sincerely,



Scott M. Rumsey, Ph.D.
Deputy Regional Administrator

ENCLOSURE A

NOAA Fisheries West Coast Region Protected Resources Division's Comments on the Bureau of Ocean Energy Management's (BOEM) California Offshore Wind (OSW) Project: Morro Bay 399 East and West Extensions Call Area and Humboldt Bay Wind Energy Area (WEA).

Endangered Species Act (ESA) Listed Species Critical Habitat

We suggest that BOEM also address the newly designated critical habitat for the endangered Central America (CAM) Distinct Population Segment (DPS) of humpback whales (*Megaptera novaeangliae*), and the threatened Mexico (MEX) DPS of humpback whales, pursuant to Section 4 of the Endangered Species Act (ESA) (86 FR 21082; April 21, 2021).

The critical habitat designated for the CAM DPS includes approximately 48,521 nautical miles (nmi²) of marine habitat in the North Pacific Ocean along the Washington, Oregon, and the California coasts, and the California Current Ecosystem. This area extends from the U.S. and Canada border south to Port Hueneme, Ventura County, and encompasses all the Northern Channel Islands. Critical habitat for the MEX DPS includes approximately 116,098 nmi² of marine habitat in the North Pacific Ocean, including areas within portions of the eastern Bering Sea, Gulf of Alaska, and California Current Ecosystem. The Humboldt WEA appears to be within the critical habitat for both the CAM and MEX humpback whale DPSs.

Additionally, important feeding areas for both DPSs of humpback whales – where they forage for krill and schooling fishes – have been identified that overlap the project areas (https://www.aquaticmammalsjournal.org/index.php?option=com_content&view=article&id=721:biologically-important-areas-for-cetaceans-within-u-s-waters-a-special-issue&catid=58&Itemid=157). We suggest that the Becker et al. (2020) reference and associated data sets also be included as the best available science in the upcoming analyses, as well updated densities likely to occur within the project areas for these two DPSs of humpback whales and other ESA-listed large whale species (Calambokidis et al. 2015).

References

Becker, Elizabeth A. Karin A. Forney, David L. Miller, Paul C. Fiedler, Jay Barlow, and Jeff E. Moore. 2020. Habitat-based density estimates for cetaceans in the California Current Ecosystem based on 1991-2018 survey data, U.S. Department of Commerce, NOAA Technical Memorandum NMFS-SWFSC-638. <https://doi.org/10.25923/3znq-yx13>

Calambokidis, J., Steiger, G. H., Curtice, C., Harrison, J., Ferguson, M., Becker, E., and Van Parijs, S. M. (2015). Biologically Important Areas for selected cetaceans within U.S. waters – West coast region. In S. M. Van Parijs, C. Curtice, & M. C. Ferguson (Eds.), *Biologically Important Areas for cetaceans within U.S. waters* (pp. 39-53). *Aquatic Mammals (Special Issue)*, 41(1). 128 pp.

Federal Register. (86 FR 21082; April 21, 2021). Endangered and Threatened Wildlife and Plants: Designating Critical Habitat for the Central America, Mexico, and Western North Pacific Distinct Population Segments of Humpback Whales. Final Rule.