



MARINE MAMMAL COMMISSION

2 September 2022

Ms. Tershara Matthews, Chief
Office of Emerging Programs
Bureau of Ocean Energy Management
1201 Elmwood Park Boulevard
New Orleans, Louisiana 70123

Dear Ms. Matthews:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the Bureau of Ocean Energy Management's (BOEM) 20 July 2022 Area ID memorandum with proposed wind energy areas (WEAs) for commercial wind energy leasing in the Gulf of Mexico (GOM)¹.

BOEM identified suitable WEAs within the GOM Call Area² using the following criteria: 40,000 to 80,000 acres, greater than 37 km from shore, and a maximum water depth of 400 meters. The Area ID memorandum identified 13 potential WEAs in the GOM Call Area and proposed that two of those areas be considered for BOEM's first lease sale in the GOM, tentatively scheduled for 2023—

- The Galveston Preliminary WEA (Option I): an area covering 546,645 acres, located approximately 45 km off the coast of Galveston, Texas, in waters ranging in depth³ from 16 to 47 m; and
- The Lake Charles Preliminary WEA (Option M): an area covering 188,023 acres, located approximately 104 km off the coast of Lake Charles, Louisiana, in waters ranging in depth from 10 to 25 m.

The Area ID memorandum indicated in several sections that the data and methods used in BOEM's evaluation of potential WEAs within the larger Call Area were described in more detail in the "Gulf of Mexico Wind Energy Area Modeling Report." However, that report is not available on the BOEM Gulf of Mexico renewable energy website and could not be located after a thorough search of the internet. Therefore, it is not clear whether that report contains additional information that would allow for a more thorough understanding of how BOEM selected its 13 potential WEAs, and the characteristics of each of those WEAs (e.g., size, distance from shore, depth range)⁴. BOEM also did not include shape files on its website for all 13 of the potential WEAs evaluated. The

¹ Available at:

<https://www.boem.gov/sites/default/files/documents//Draft%20Area%20ID%20Memo%20GOM%20508.pdf>

² <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/ReN-Call-Map.pdf>

³ The Area ID memorandum states that the maximum depth for the Galveston preliminary WEA is 253 m. The Commission reviewed the shape files for that WEA and determined that the maximum depth for this WEA is actually closer to 47 m, as indicated above. The Commission noted a number of other apparent errors and omissions in the Area ID memorandum that should be corrected.

⁴ For example, the Area ID memorandum does not explain why the two potential WEAs greatly exceed the specified area criteria of 40,000 to 80,000 acres.

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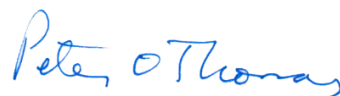
Commission recommends that BOEM make publicly available on its website the document referred to in the Area ID memorandum as the “Gulf of Mexico Wind Energy Area Modeling Report,” as well as complete shapefiles⁵ for each of the 13 potential WEAs, in order to provide more detailed information regarding the data and methods used by BOEM to evaluate them and the characteristics of each.

Exclusion of potential Rice’s whale habitat from proposed WEAs

The Commission is pleased to see that the options for WEAs in the Gulf of Mexico, as identified in the Area I memorandum, do not overlap with potential Rice’s whale habitat in the Call Area. In its analysis of Aquaculture Opportunity Areas in the GOM, the National Marine Fisheries Service determined that all waters in the Gulf of Mexico that lie within the 100 to 400-m depth range represent potential habitat for Rice’s whales (Riley et al. 2021). This includes waters of the western GOM, where there have been at least one confirmed visual sighting and several acoustic detections of Rice’s whales in the 100 to 400-m depth range (Soldevilla et al. 2022). Given the precarious conservation status of Rice’s whales, with an estimated total species abundance of not more than 100 individuals, and their confirmed presence in the western Gulf, the Commission continues to believe it would be prudent to limit new wind energy activities in this depth range throughout the Call Area⁶. Based on BOEM’s stated intent to exclude from leasing any WEAs in potential Rice’s whale habitat (i.e., areas in water depths of 100 to 400 m), the Commission concurs with BOEM’s selection of the 13 potential WEAs in the GOM, and specifically the inclusion of the Galveston and Lake Charles preliminary WEAs in BOEM’s first wind energy lease sale for the GOM, tentatively scheduled for 2023.

The Commission hopes these comments will be helpful to BOEM in its assessment of wind energy areas in the GOM. Please let me know if you have any questions.

Sincerely,



Peter O. Thomas, Ph.D.,
Executive Director

cc: Mr. David Bernhart, NMFS, Southeast Regional Office
Dr. Mridula Srinivasan, NMFS Southeast Fisheries Science Center

⁵ One of the shapefiles on the BOEM website for the potential WEAs did not specify a coordinated reference system.

⁶ BOEM’s Call area for wind energy leasing in the Gulf extends to the 400-m depth contour.

References

- Riley K.L., L.C. Wickliffe, J.A. Jossart, J.K. MacKay, A.L. Randall, G.E. Bath, M.B. Balling, B.M. Jensen, and J.A. Morris, Jr. 2021. An Aquaculture Opportunity Area Atlas for the U.S. Gulf of Mexico. NOAA Technical Memorandum NOS NCCOS 299, 545 pages. <https://doi.org/10.25923/8cb3-3r66>
- Soldevilla, M., A.J. Debich, L.P. Garrison, J.A. Hildebrand, and S.M. Wiggins. 2022. Rice's whales in the northwestern Gulf of Mexico: call variation and occurrence beyond the known core habitat. *Endangered Species Research* 48:155–174. <https://www.int-res.com/abstracts/esr/v48/p155-174/>