

October 30, 2018

Walter Cruickshank, Director  
Bureau of Ocean Energy Management  
1849 C Street NW  
Washington, DC 20240

Dear Director Cruickshank:

I write to raise very serious concerns regarding the recent Bureau of Ocean Energy Management (Bureau) Final Sale Notice (FSN) for new leases off the coast of Massachusetts. Attached to the FSN was “Supplemental Information for Bidders - Potential Vessel Transit Corridors” which included a map (Proposed Map) outlining potential navigational safety corridors which, if implemented, would materially and adversely impact both the four existing New England leases and the proposed new leases.

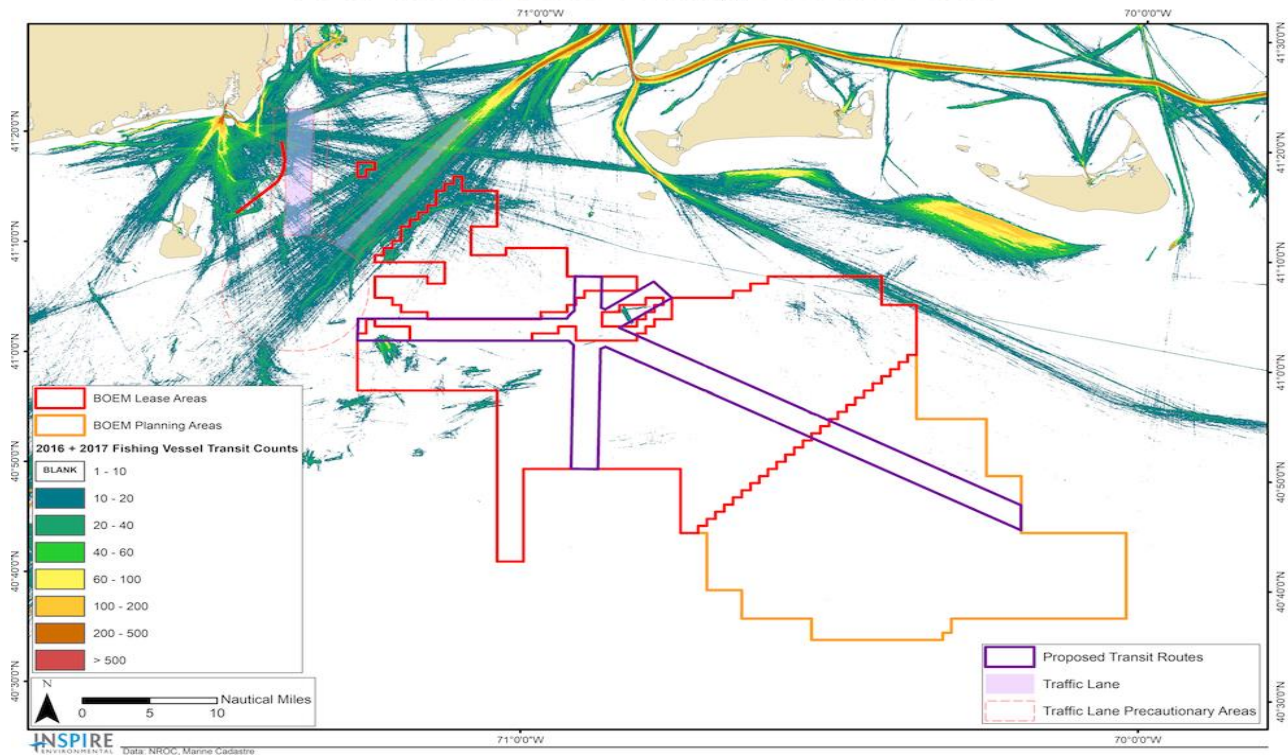
This is a very important topic—one that deserves the full attention of all stakeholders in the most transparent and fair process. We are committed to ensuring that commercial fishing and offshore wind thrive alongside one another. To that end, Deepwater Wind supports the establishment of navigational safety corridors.

We have been deeply engaged with both regulators and the commercial fishing industry for years to hammer out solutions that work for all parties. We know that our wind farms must have appropriate distances between turbines, consistent east-west and north-south alignment of turbines, and navigational corridors throughout the larger regional area. But these details should be based on evidence and an open process. The Proposed Map fails that test.

We understand that the map is not the work of the Bureau. Indeed, we know that the Proposed Map is the disputed result of a voluntary series of discussions held among certain invited stakeholders. The Proposed Map was first revealed at a September 20, 2018 meeting of those certain stakeholders. We urge that the Proposed Map is not an appropriate basis for any decisions to be made by the Bureau regarding the existing leases.

***First, the proposed corridors are not supported by the existing data on commercial fishing navigation.*** For example, we are unaware of any data source that can support the need for the west-east corridor between Deepwater Wind’s lease areas OCS-A 0486 (North Lease) and OCS-A 0487 (South Lease). Indeed, the best available sources of data (AIS fisheries data from 2016 and 2017), which are publicly available from several databases, support precisely the opposite: there is little to no vessel traffic currently in the proposed corridors. The image below starkly demonstrates the complete lack of evidentiary support for creating corridors in the configuration suggested by the Proposed Map.

## 2016 and 2017 AIS Fishing Vessel Counts



In fact, the data suggests that the Bureau was correct to configure the leases as they are now. Vessel traffic flows to the north of Deepwater Wind's North Lease, with little traffic inside the lease areas or in the space between our North and South lease areas. This is not surprising, because the Bureau deliberately deconflicted these lease areas prior to leasing these sites. The irregular contours of our lease areas are a testament to the careful and evidence-based process the Bureau followed. The corridors in the Proposed Map—supported by no reliable evidence—would do a great disservice to the hard work done over several years by many dedicated Bureau staff and concerned citizens.

***Second, the Proposed Map creates an unsafe offshore “rotary” where five corridors inexplicably converge.*** We are truly perplexed by this specific arrangement, which we believe may create unique and unsafe offshore conditions where multiple vessels sailing from different directions converge in one location. If safe navigation is truly the objective, this proposal would not seem to support that intention. Our own maritime and fisheries experts are unaware of a similar navigational scheme anywhere. We are also unaware of any navigational safety risk assessment that would rebut the obvious presumption that this layout is not safe.

***Third, the map is the result of a seriously flawed process.*** Deepwater Wind was surprised by the Proposed Map at the September 20 meeting because it bore no relation to the map that previously had been tentatively deemed the “consensus”.

A United States Coast Guard (USCG) email dated August 1, 2018 outlined an “*Option 1*” of proposed transit lanes that was supported by the USCG, the Rhode Island Coastal Resources Management Council, the Massachusetts Office of Coastal Zone Management, the New Bedford Port Authority, and Massachusetts Clean Energy Center. Deepwater Wind also supported these recommended corridors. That email and proposed map are attached here.

Something happened between August 1 and September 20 to dramatically change the “consensus” map, and that something did not include Deepwater Wind. The Proposed Map was revealed to us only at the last moment before the stakeholder meeting on September 20, providing us with less than a day to react. Deepwater Wind’s Fisheries Liaison—and also a member of the Massachusetts Fisheries Working Group—was not included in the discussions that must have resulted in the Proposed Map between August 1 and September 20. We can only conclude that the Proposed Map was the result of a series of behind the scenes discussions to which we, and presumably others, were not invited.

At the meeting on September 20, it was clear that the proponents of the Proposed Map had little interest in discussing its merits. Developers were informed that no substantive changes to proposed corridors would be considered. We were provided with no additional information that would lead us to conclude that the new map was supported by the data.

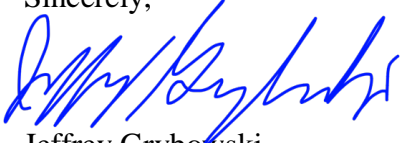
It goes without saying that the process that resulted in the Proposed Map lacked the indicia of a fair federal decision-making process. We are not aware of any publicly-available record that details the steps of this process, the invitees to the process, and the sources of data which were relied upon in crafting the Proposed Map. The lack of public notice of this process means that many were excluded—to say nothing of the fact that some of those invited to participate were actually excluded from the real decision-making.

Deepwater Wind takes very seriously our obligation to safety. We are proud of our track record. The Block Island Wind Farm recently won the 2018 National Ocean Industries Associations (NOIA) Safety in Seas award. Over the past several years, we have received input from hundreds of stakeholders from several states focused on windfarm layout and turbine spacing to ensure safe navigation and access for the fishing industry. Deepwater Wind remains committed to ensuring safe navigation in and around all of our offshore wind projects. We will continue to engage in a clear and transparent stakeholder engagement process.

We urge the Bureau to reconsider its support for the Proposed Map. We believe that the map proposed as “*Option 1*” in the attached August 1 email is the appropriate basis for a discussion about the need and possible location of corridors. We also urge the Bureau to take a lead role in convening stakeholders to resolve this issue.

As always, we stand ready to assist in any way that we can.

Sincerely,



Jeffrey Grybowski  
Chief Executive Officer

Attachment: August 1, 2018 email and associated map

cc:

Governor Charlie Baker  
Governor Gina Raimondo  
Bruce Carlisle, MA Office of Coastal Zone Management  
Grover Fugate, RI Coastal Zone Management Council  
Rear Admiral Andrew J. Tiongson, Commander, First Coast Guard District USCG  
Ed LeBlanc, Chief of Waterways, Sector Southeastern New England USCG

Attachment: August 1, 2018 email and associated map

**From:** LeBlanc, Edward G CIV <[Edward.G.LeBlanc@uscg.mil](mailto:Edward.G.LeBlanc@uscg.mil)>

**Sent:** Wednesday, August 1, 2018 09:18

**To:** Jack Arruda; Michael Evans; John O'Keeffe

**Cc:** Rachel Pachter; Beck, Ron; Edward Anthes-Washburn; Bill White; Grover Fugate; Dan Goulet; Dave Beutel; 'Carlisle, Bruce (ENV)'; Lewis, Julia J CIV; DesAutels, Michele E CIV; Erich Stephens; Baker, Arianna; [michelle.morin@boem.gov](mailto:michelle.morin@boem.gov)

**Subject:** COMMON NAVIGATION ROUTES THROUGH MA-RI WIND ENERGY AREAS SOUTH OF MARTHA'S VINEYARD

Good morning all,

Last week reps from the Coast Guard, RI CRMC, Mass Coastal Zone Management, New Bedford Port Authority, and Mass CEC met in an effort to collaborate on a common navigation route pattern that we could all support and promote among our respective constituencies. As you know there were several proposals forward by separate stakeholder groups; our goal was to merge the best of those proposals into one.

The attached graphic is the result of that meeting. (Note that a more detailed graphic is forthcoming to more easily discern axis of each route, lat/long, etc., but I want to get this out to you soonest.) Each route is two nautical miles wide.

Going forward our intent is to socialize this with proponents and stakeholders alike to gain their consensus as well. We have general agreement on this plan from at least one large segment of the commercial fishing community, and intend to enlist the consensus of others.

Keep in mind we believe this plan solves for many stakeholders--or goes a long way towards solving--the issue of safe navigation through the adjacent wind energy lease areas south of Martha's Vineyard. It does not address the issue of navigation within the respective wind farms; that's an ongoing conversation.

Standing by for your thoughts, questions, concerns.

Edward G. LeBlanc  
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