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March 14, 2023

The Honorable Gina Raimondo
Secretary U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Richard W. Spinrad, Ph.D.
Under Secretary of Commerce for Oceans and Atmosphere & NOAA Administrator
1401 Constitution Ave, NW
Washington, DC 20230

Liz Klein
Director of the Bureau of Ocean Energy Management
1849 C St, NW
Washington, DC 20240

Secretary Raimondo, Dr. Spinrad, Director Klein:

On May 13, 2022, a letter¹ from the National Oceanic and Atmospheric Administration's (NOAA) Northeast Fisheries Science Center (NEFSC) was sent to the Bureau of Ocean Energy Management's (BOEM) Office of Renewable Energy Programs regarding North Atlantic right whale distribution in the southern New England region and its adjacency to offshore wind energy lease areas. As you are aware, the North Atlantic right whale is one of the most endangered animals in the world, with an estimated 350 whales remaining.² As you are also aware, offshore wind leases currently occupy more than 1.7 million acres of offshore land along the Atlantic coastline.³

¹ https://s3.amazonaws.com/windaction23/attachments/3866/UR1-2023-000009_10_17_2022%20Sean%20Hayes%20Letter.pdf

² <https://www.fisheries.noaa.gov/species/north-atlantic-right-whale#:~:text=Population%20Status,fewer%20than%2070%20breeding%20females>

³ <https://www.boem.gov/renewable-energy/lease-and-grant-information>

These lease areas will soon be construction zones with thousands of wind turbines, hundreds of miles of dredged sea floor for transmission cables, and increased boat traffic moving turbine parts and performing maintenance. According to the NEFSC letter, these activities will pose increased risks not just to right whales, but the zooplankton they prey upon and other marine species along the East Coast.

With that in mind, we request your response to the following questions by April 14, 2023:

- 1) Did BOEM or any other agency issue a response to the May 2022 letter? If yes, I request you provide a copy of such response.
- 2) Did that letter lead to any changes in policy regarding how and where offshore wind is leased?
- 3) The letter suggests a conservation buffer zone of 20 km to reduce risk to right whales. Was this zone considered when identifying lease areas?
- 4) Several current wind farm leases are well within 20 km of the coastline. How do you plan to mitigate the anticipated harm posed to right whales by the offshore wind turbine impacts that this letter identifies?

Offshore wind development and deployment stands to be a consequential national undertaking, which is why our approach should be done correctly the first time, with full consideration taken in order to mitigate negative impacts on marine species such as the North Atlantic right whale. We look forward to your timely response to these questions.

Sincerely,



Jeff Van Drew
Member of Congress



Andy Harris
Member of Congress



Jared Golden
Member of Congress



Chris Smith
Member of Congress