Responsible Development of Offshore Wind: Wildlife, Coasts and Marine Mammals

New York's offshore wind developers, manufacturers, unions, port operators, neighborhood advocates, and state policymakers are determined and committed to put people and communities first, on and off the coast, working together, as partners to create opportunities that power our future. New York, with the largest offshore wind pipeline in the United States, intends to build 9 gigawatts of offshore wind capacity by 2035, or enough to meet about 30 percent of the state's total electricity needs of millions of households.[i]

NOAA Fisheries aiding a Humpback whale off the coast of New York [vii]

Marine and Wildlife Habits

As with all infrastructure, offshore wind energy development can impact the environment around it; however, it will also help reduce the long-term effects of climate change on New York's marine ecosystems. For offshore wind, this means potential impacts of development and ongoing operations on wildlife from birds, to bats to sea turtles, fish, coastal wildlife, and marine mammals along the coast and in the sea.

By weighing the global benefits of carbon emissions reductions and the potential environmental risks associated with offshore development, **New York State and offshore wind developers are committed to developing offshore wind in a responsible manner** that considers environmental impacts and seeks to avoid and mitigate impacts to marine wildlife and critical habitat

Specifically, New York State is:

- Identifying **best management practices** to reduce the amount and extent of impacts on wildlife caused by offshore wind development.
- **Working with and requiring developers** to create, follow, and adjust **environmental mitigation plans** that outline strategies to minimize the environmental impacts of their projects and become part of their contracts.
- Creating a **database that provides a publicly accessible, searchable tool** for wildlife and fisheries mitigation and monitoring practices, drawing from offshore and onshore wind, as well as other marine industries.
- **Advising on research priorities** to support environmentally responsible development of offshore wind.
- **Organizing 'State of the Science' workshops** to bring together the broader environmental community to discuss environmental studies, research gaps, and ways to use findings to inform responsible offshore wind development.
- Developing a **regional coordination framework** to conduct and fund critical research and mitigation efforts that are best addressed at a regional scale.

Environmental stakeholders, including subject experts and non-governmental organizations, actively participate as formal advisors in New York's offshore wind planning and development. Through modeling, research, and knowledge-sharing, these stakeholders are helping New York understand and account for cumulative impacts to species and habitats and how timing and sequencing of construction activities may affect their populations and behaviors.

Reviews are also conducted at the federal level to ensure developers **comply with the relevant federal laws and regulations** promulgated to protect sea life, the coasts and marine mammals. For instance, the U. S. Bureau of Ocean Energy Management (BOEM) requires evaluating the impact of proposed activities on physical, biological, and socioeconomic resources as well as the seafloor and subseafloor conditions which could be affected by the construction, installation, and operation of meteorological towers, buoys, cables, wind turbines, and supporting structures to satisfy the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA), among other statutory and regulatory requirements. [ii]

In addition to submitting detailed plans and engaging stakeholders throughout the process for consultation and alignment, developers also **enter research and funding agreements for third party verification and monitoring of their plans and activities.** New York requires developers to commit a minimum of $10,000/MW towards regional monitoring of wildlife and fish and invertebrates to better understand how the development of offshore wind potentially effects the distribution and abundance of sensitive species. Developers are also **forming agreements** with leading environmental organizations to protect wildlife, our oceans and coasts.

For instance, Equinor Wind entered into a funding agreement related to a grant with the Wildlife Conservation Society (WCS) and Woods Hole Oceanographic Institute (WHOI) over 3-years, which will consist of two more "Blue York" style real-time acoustic whale monitoring buoys spaced appropriately in the lease area to add to the existing buoy on the eastern edge of the lease area off Long Island. [iii]

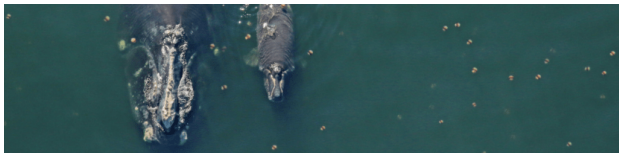

Image of a Right whale and her calf. Credit: Florida Fish and Wildlife Conservation Commission, taken under NOAA permit 20556-01 [vi]

Similarly, South Fork Wind, a joint venture offshore wind project developed by Ørsted and Eversource, announced an agreement with leading environmental organizations -- the National Wildlife Federation (NWF), NRDC (Natural Resources Defense Council), and Conservation Law Foundation (CLF) -- to further enhance measures designed to protect the North Atlantic right whale during construction and operation of their offshore wind farm off the coast of Long Island.[iv]

Importantly, **New York is staying engaged throughout the operations of the offshore wind development and projects**. New York State will continue to support ongoing marine wildlife surveys and other research to monitor the environmental impacts of offshore wind farms to ensure the approaches in the developers' environmental mitigation plans reflect best practices and are updated based on new data as it becomes available. For instance, Ørsted is engaged in a project, ReCoral which will try to discover wether offshore wind turbine foundations could provide a new safe haven where corals can potentially provide new environments for coral reefs, marine life and fish to flourish. [v]

In sum, the offshore wind industry, in close consultation with **federal, state and local** authorities are **committed to pursuing renewable energy development responsibly across the board** and including protecting our coastal and marine wildlife and coasts. New York is using a range of strategies to accomplish this goal. The New York State Energy Research and Development Authority (NYSERDA) has significant resources with data and its policies for interested parties and stakeholders can be found on the Environmental Technical Working Group (E-TWG) website with further information.

[i] Maria Gallucci, "New York Take Early Lead as Large-Scale Offshore Wind Starts Rolling in the US" Canary Media, 2022
[ii] https://www.boem.gov/sites/default/files/renewable-energy-program/Regulatory-Information/BOEM-Marine-Mammals-and-Sea-Turtles-Guidelines.pdf
[iii] Page 14, equinor-empire-wind-project-environmental-mitigation-plan.pdf
[iv] https://southforkwind.com/news/2022/06/north-atlantic-right-whale
[v] Coral reefs https://orsted.com/en/sustainability/our-priorities/nature/recoral
[vi] https://blog.nwf.org/2019/03/a-big-deal-for-right-whales/
[vii] https://www.fisheries.noaa.gov/feature-story/humpback-whale-disentangled-new-york-all-thanks-team-effort