

Advocacy Comments on BOEM's Guidance for Mitigating the Impacts of Offshore Wind Energy Development

On June 7, 2022, the U.S. Department of the Interior's Bureau of Ocean Energy Management (BOEM) published a proposed guidance for mitigating the impacts of offshore wind energy on fisheries.¹ On August 22, 2022, Advocacy filed public comments on the proposal. While Advocacy appreciates BOEM's attempts to ensure that offshore wind developers are mitigating the impacts of their actions on small businesses, the guidance lacks specificity, and adequate data regarding the actual impacts of these activities. Advocacy therefore provides the following comments on BOEM's guidance:

- **BOEM must conduct a Regulatory Flexibility Act analysis in its draft Environmental Assessments and Environmental Impact Statements. This will ensure that the agency and developers are properly considering the impacts of offshore wind development projects on small businesses.**
 - BOEM should look to additional sources to gather data on the potential impacts of offshore wind development projects.
 - Small businesses are significantly impacted by offshore wind development projects. BOEM must thoroughly analyze these impacts.
- **BOEM must commit to updating its guidance on a regular basis.**
 - BOEM should commit to a timeline for review and updates to its guidance as new impact data becomes available.
- **BOEM must find ways to incentivize mitigation measures for developers.**
 - BOEM should consider bidding credits and other methods to incentivize developers to engage in proper mitigation efforts.

For more information, please contact Assistant Chief Counsel Prianka Sharma by [email](#) or at (202) 205-6938.

¹ U.S. Dep't of the Interior, Bureau of Ocean Energy Mgmt., *Guidelines for Mitigating Impacts to Commercial and Recreational Fisheries on the Outer Continental Shelf Pursuant to 30 CFR Part 585* (June 23, 2022), https://www.boem.gov/sites/default/files/documents/renewable-energy/DRAFT%20Fisheries%20Mitigation%20Guidance%2006232022_0.pdf