



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
Office of National Marine Sanctuaries  
Stellwagen Bank National Marine Sanctuary  
175 Edward Foster Rd Scituate, Massachusetts 02066

October 28, 2022

To Whom It May Concern-

It has come to our attention that the New England states are embarking on a Regional Transmission Initiative to plan for changes and upgrades to the regional electric transmission system needed to integrate renewable energy resources such as offshore wind energy, into the New England bulk electric system. According to the Modular Offshore Wind Integration Plan consideration is being given to a major HVDC trunk line extending from the wind lease areas south of Martha's Vineyard, around Cape Cod, and into Boston. This trunk line has the potential to pass through the Stellwagen Bank National Marine Sanctuary; hence, the reason for this letter.

We would like you to be aware of the existence of the Stellwagen Bank National Marine Sanctuary (SBNMS) and request that you incorporate consideration of this marine protected area into the planning for future transmission cables. Designated by Congress in November 1992 (Pub.L 102-587), SBNMS is one of 15 national marine sanctuaries around the country that are managed by the National Oceanic and Atmospheric Administration (NOAA). The sanctuaries constitute a network of federally protected areas designed to conserve and protect the natural and cultural resources of this nation. SBNMS is approximately 638 square nautical miles in area, encompassing the waters at the mouth of Massachusetts Bay between Cape Ann and Cape Cod (Figure 1). It is an area of high primary and secondary productivity as well as biological diversity. It serves as critical habitat for a wide variety of marine mammals, seabirds, fish, and invertebrates, including humpback and the highly endangered North Atlantic right whales. In addition, there are a number of commercial and recreational uses that occur within the sanctuary that drive local economies, including boating, whale watching, and the highly productive commercial and recreational fishing industries.

NOAA's Office of National Marine Sanctuaries (ONMS) believes that offshore wind energy infrastructure is not inherently incompatible with all national marine sanctuaries and could be allowed in some national marine sanctuaries to the extent it is compatible with the National Marine Sanctuaries Act (NMSA) and sanctuary-specific regulations. SBNMS regulations can be found at 15 CFR Subpart N §§ 922.140 through 922.143. ONMS has the authority to permit a subsea cable in a sanctuary to the extent it is compatible with the NMSA and sanctuary-specific regulations.

While SBNMS is excluded from consideration for offshore wind development in BOEM's RFI process for the Gulf of Maine (Figure 2), SBNMS would consider any permit applications for an energy transmission cable in much the same manner as it has for subsea telecommunication cables. In making permitting decisions, SBNMS carefully evaluates, on a case-by-case basis, the potential impacts of installation, operation, and decommissioning of subsea cables on a sanctuary's specific resources and goals. In

issuing permits, SBNMS may stipulate terms and conditions to mitigate short- and long-term impacts to sanctuary resources. Please see <https://stellwagen.noaa.gov/management/permits.html> for additional information regarding this permitting process.

In addition, section 304(d) of the NMSA requires interagency consultation between ONMS and federal agencies proposing actions that are “likely to destroy, cause the loss of, or injure a sanctuary resource.” However, for SBNMS, the 1992 Oceans Act established a different threshold whereas federal agency actions that “may affect” the resources of SBNMS require that the agency engage in interagency consultation with the sanctuary. Section 304(d) applies to activities that are conducted outside of sanctuary boundaries if those activities may affect sanctuary resources inside the boundaries, such as noise or the discharge of pollutants.

Given the restrictions described above as well as its geographic location, we appreciate that SBNMS could present a barrier to energy transmission in the Gulf of Maine and beyond. However, we stand ready to work with interested parties to find a solution that protects sanctuary resources and enables the transition to a clean energy future.

Thank you for the opportunity to comment on the Regional Transmission Initiative. Please direct any questions or request for further information to Deputy Superintendent Ben Haskell at [ben.haskell@noaa.gov](mailto:ben.haskell@noaa.gov).

Sincerely,

Captain Peter DeCola  
U.S. Coast Guard (retired)  
Superintendent,  
Stellwagen Bank National Marine Sanctuary

cc:

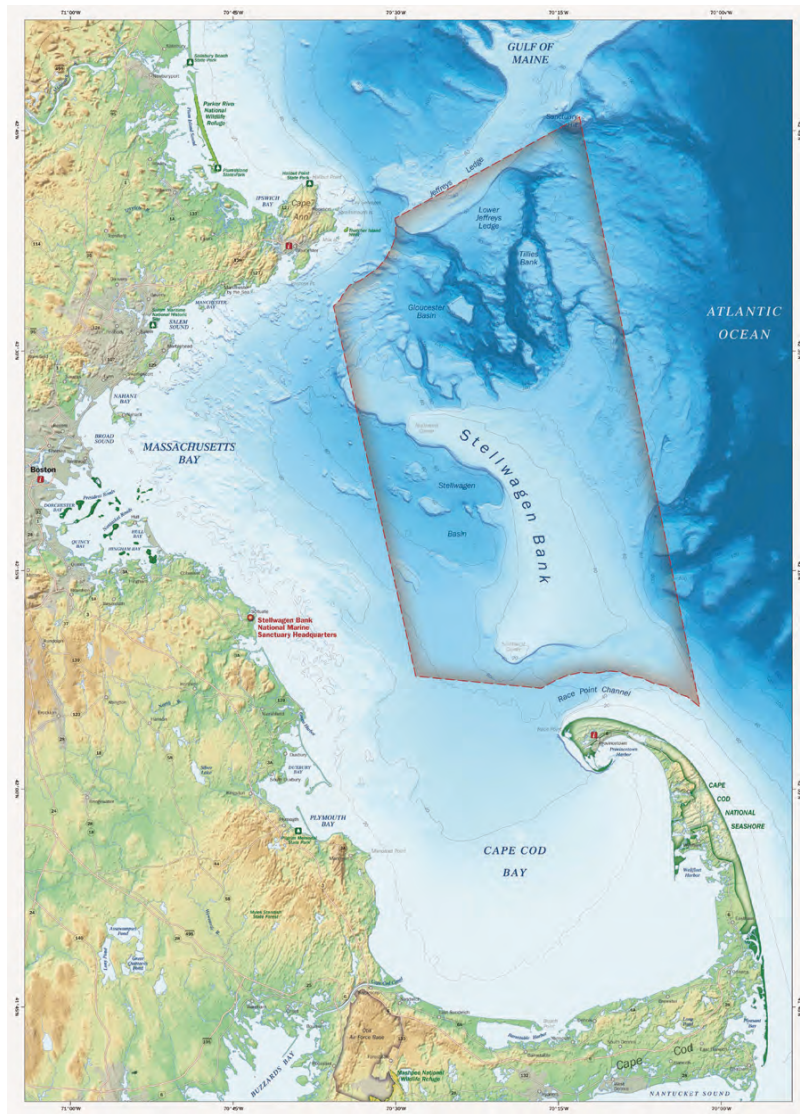


Figure 1. Stellwagen Bank National Marine Sanctuary and environs.

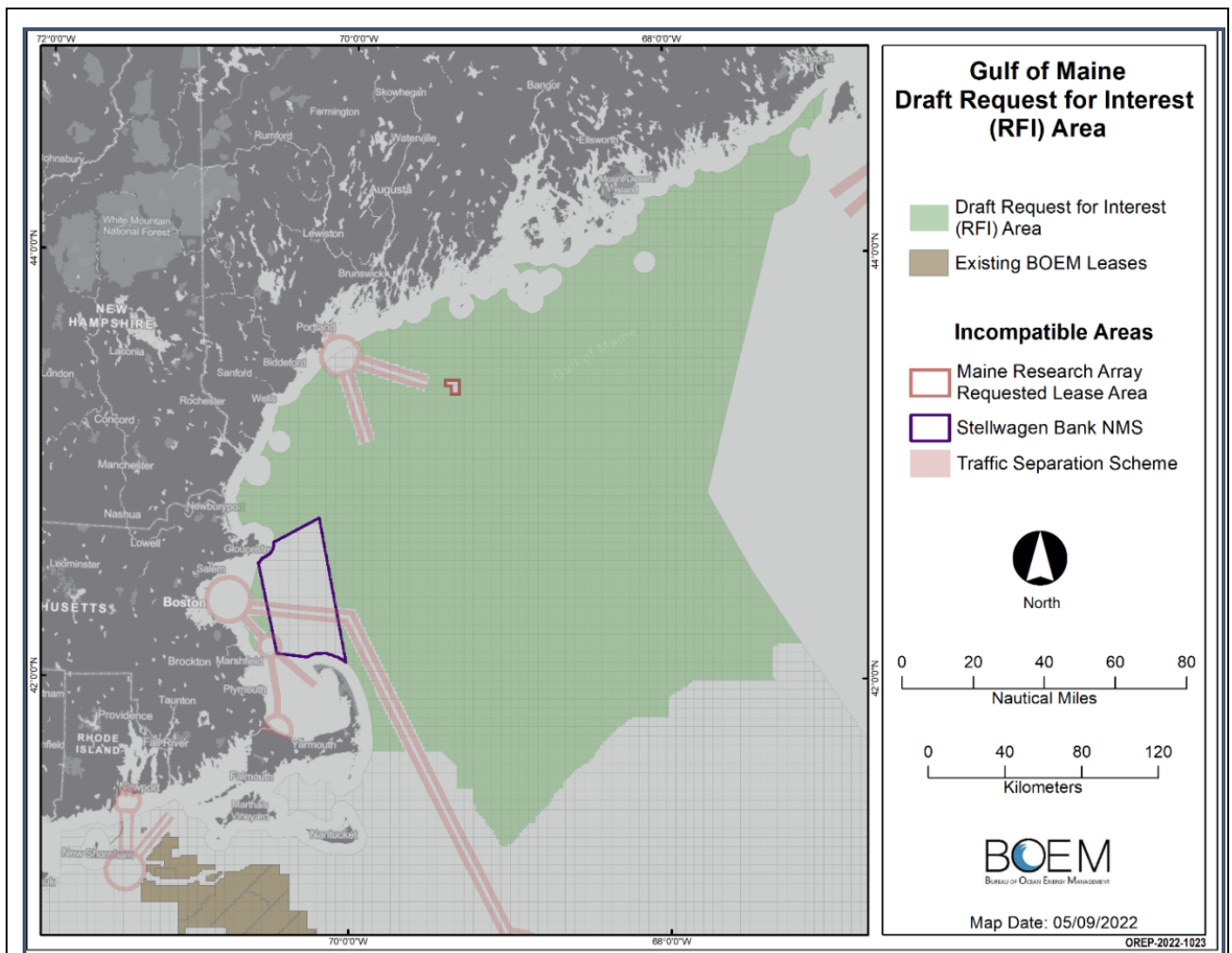


Figure 2. Areas in the Gulf of Maine incompatible with wind energy development. Image courtesy of BOEM

