

118TH CONGRESS
1ST SESSION

H. R. 4284

To prohibit commercial offshore wind energy development in Lobster Management Area 1 in the Gulf of Maine, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2023

Mr. GOLDEN of Maine introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To prohibit commercial offshore wind energy development in Lobster Management Area 1 in the Gulf of Maine, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northeast Fisheries
5 Heritage Protection Act”.

6 **SEC. 2. PROHIBITION ON COMMERCIAL OFFSHORE WIND**

7 **ENERGY DEVELOPMENT IN LOBSTER MAN-**
8 **AGEMENT AREA 1.**

9 (a) FINDINGS.—Congress finds the following:

1 (1) The New England fishing industry has been
2 an integral part of the history, culture, and economy
3 of the region for over 400 years.

4 (2) In 2021, New England commercial fisheries
5 landed an estimated 501,143,142 pounds of catch,
6 valued at \$1,968,086,375, which supports thousands
7 of fishermen, their families, and communities that
8 depend on these ocean resources.

9 (3) The United States lobster fishery, with
10 Maine and Massachusetts producing 93 percent of
11 the lobster harvest, is one of the most valuable fish-
12 eries in the country with commercial landings total-
13 ing 134,700,000 pounds valued at \$925,000,000.

14 (4) Lobster Management Area 1 in the Gulf of
15 Maine is a critical and highly productive fishing
16 ground for halibut, tuna, flounder, redfish, black sea
17 bass, monkfish, mackerel, rock and sand crab, mus-
18 sels, hardshell and softshell clams, oysters, scallops,
19 conchs, squid, and lobster.

20 (5) The Bureau of Ocean Energy Management
21 recently published “Commercial Leasing for Wind
22 Power Development on the Gulf of Maine Outer
23 Continental Shelf (OCS)–Call for Information and
24 Nominations” (88 Fed. Reg. 25427; published April
25 26, 2023), which invites public comment on potential

1 commercial wind energy development in the Gulf of
2 Maine.

3 (6) The Call identifies approximately 9,800,000
4 million acres to site potential commercial offshore
5 wind projects in the Gulf of Maine, including Lob-
6 ster Management Areas 1 and 3 and other areas
7 that are closed to fishing either permanently or sea-
8 sonally in an effort to protect the endangered North
9 Atlantic right whale.

10 (7) Siting offshore wind development outside of
11 Lobster Management Area 1 would avoid conflict
12 with the New England commercial and recreational
13 fishing industries and preserve a vital fishing ground
14 for future generations.

15 (b) PROHIBITION ON COMMERCIAL OFFSHORE WIND
16 DEVELOPMENT IN LOBSTER MANAGEMENT AREA 1.—
17 Notwithstanding section 8 of the Outer Continental Shelf
18 Lands Act (43 U.S.C. 1337), no lease, license, permit, or
19 other authorization may be issued for the development of
20 commercial offshore wind energy in Lobster Management
21 Area 1.

22 (c) GULF OF MAINE OFFSHORE WIND PROJECT EN-
23 VIRONMENTAL REVIEW PROCESS STUDY.—

24 (1) IN GENERAL.—Not later than 120 days
25 after the date of the enactment of this section, the

1 Comptroller General shall conduct a study to assess
2 the sufficiency of the environmental review processes
3 of the national Marine Fisheries Service, the Bureau
4 of Ocean Energy Management, and any other rel-
5 evant Federal agency for offshore wind projects in
6 the Gulf of Maine in place as of the date of enact-
7 ment of this section.

8 (2) CONTENTS.—The study required under
9 paragraph (1) shall include consideration of the fol-
10 lowing:

11 (A) The impacts of offshore wind projects
12 in the Gulf of Maine on—

13 (i) marine mammals, including
14 whales;

15 (ii) finfish;

16 (iii) benthic resources;

17 (iv) the commercial and recreational
18 fishing industries, including marine equip-
19 ment retailers, onshore processors, fish
20 markets, and other shoreside businesses;

21 (v) air quality and greenhouse gas
22 emissions;

23 (vi) cultural, historical, and Tribal re-
24 sources;

25 (vii) marine invertebrates;

1 (viii) essential fish habitat (as that
2 term is defined in section 3 of the Magnu-
3 son-Stevens Fishery Conservation and
4 Management Act (16 U.S.C. 1802));

5 (ix) plankton abundance and distribu-
6 tion;

7 (x) recreation and tourism; and

8 (xi) fisheries-dependent communities.

9 (B) How each agency described in para-
10 graph (1) determines which stakeholders to con-
11 sult with regard to offshore wind projects in the
12 Gulf of Maine and if a timely, comprehensive
13 comment period is provided for local representa-
14 tives and interested parties with regard to such
15 offshore wind projects.

16 (d) LOBSTER MANAGEMENT AREA 1 DEFINED.—In
17 this section, the term “Lobster Management Area 1” has
18 the meaning given the term “EEZ Nearshore Manage-
19 ment Area 1” in section 697.18 of title 50, Code of Fed-
20 eral Regulations (or a successor regulation).

○