

Planning and Environmental Review Process for Competitive Commercial Wind Leasing Offshore New York

Bureau of Ocean Energy Management
NY Task Force Meeting

September 2013



Stage 1: Planning and Analysis

- Establish Task Force, engage stakeholders
- Publish Call for Information and Nominations (Call)*
- Announce Area Identification
- Publish Notice of Intent (NOI) and conduct environmental compliance reviews

What is a Call?

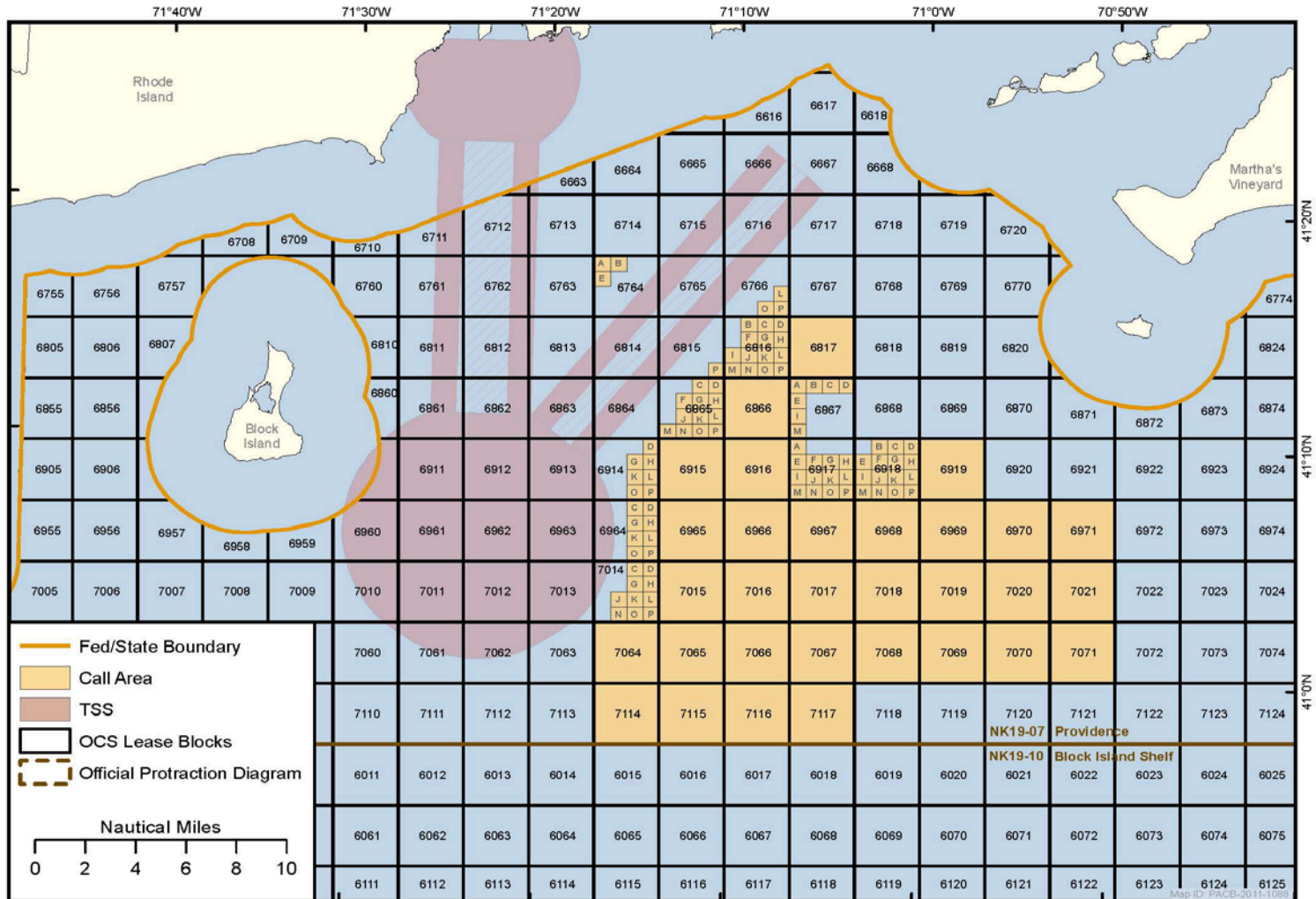
- Notice published in the *Federal Register* for 45-day comment period
 - BOEM has either determined that there is competitive interest, or anticipates that there will be competitive interest
- Requests information for BOEM to consider in the planning, analysis, and decision-making process
- Not a decision to lease

What is Area Identification?

- BOEM's process to identify a Wind Energy Area (WEA) – an area that appears to be suitable for commercial wind leasing and development
- Considers comments received in response to Call and other relevant information

Area Identification Example: RI/MA Call Area

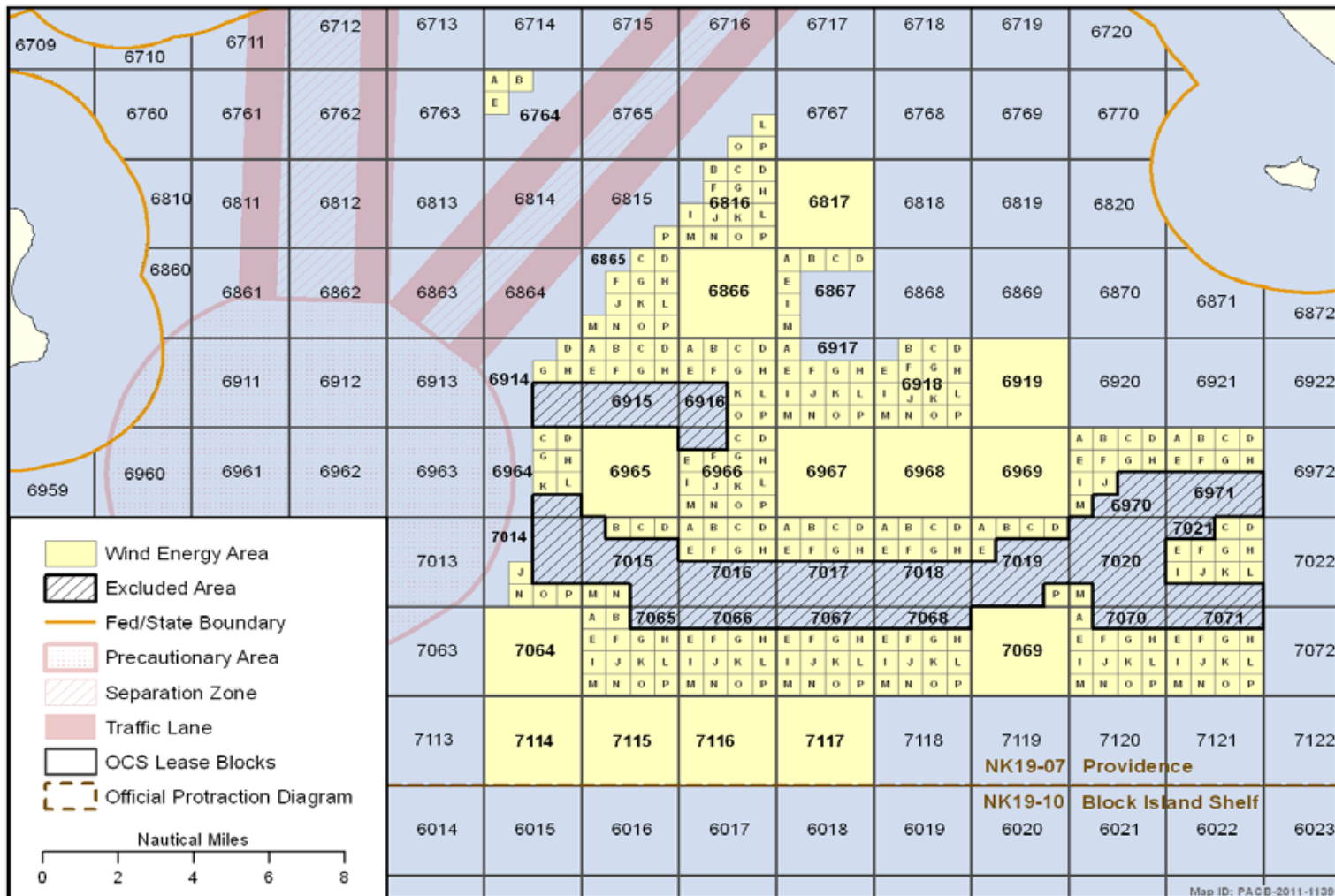
Rhode Island and Massachusetts Call Area



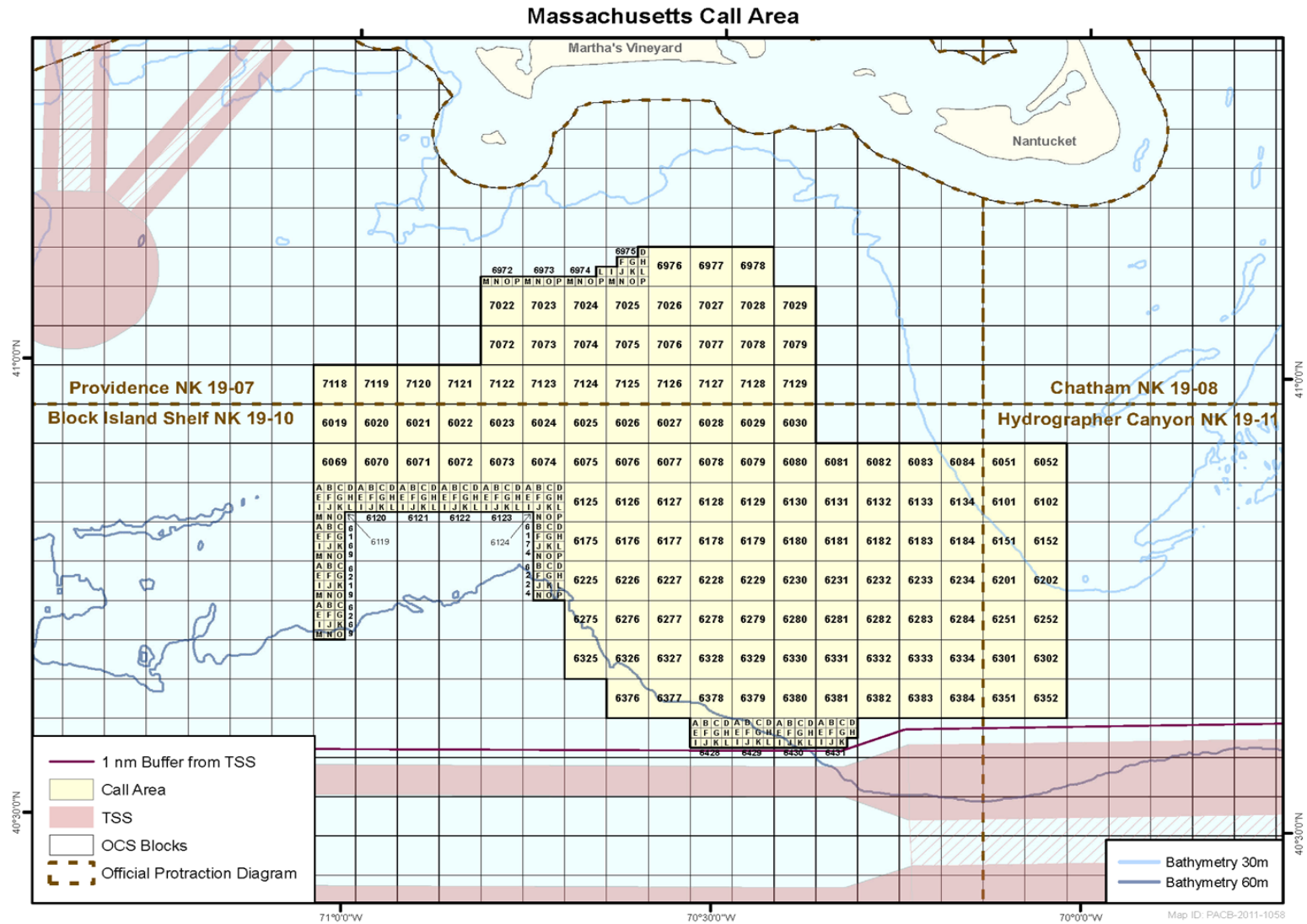
Area Identification Example: RI/MA

- Comments received from RI Fisheries Working Group recommended the exclusion of an area of importance to commercial fisheries (Cox's Ledge)
- BOEM accepted the RI Fisheries Working Group recommendation

Area Identification Example: RI/MA Wind Energy Area



Area Identification Example: MA Call Area

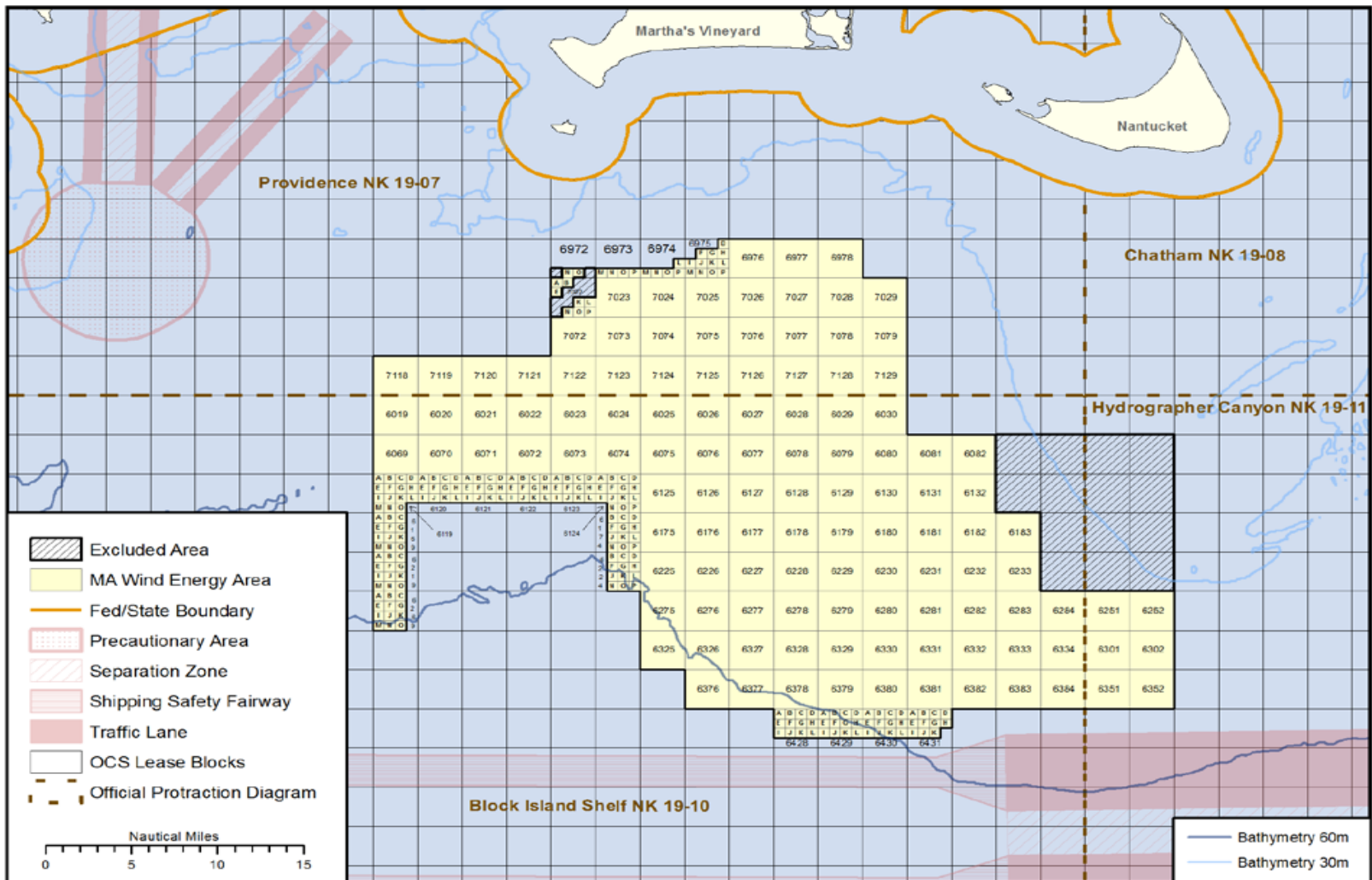


Area Identification Example:

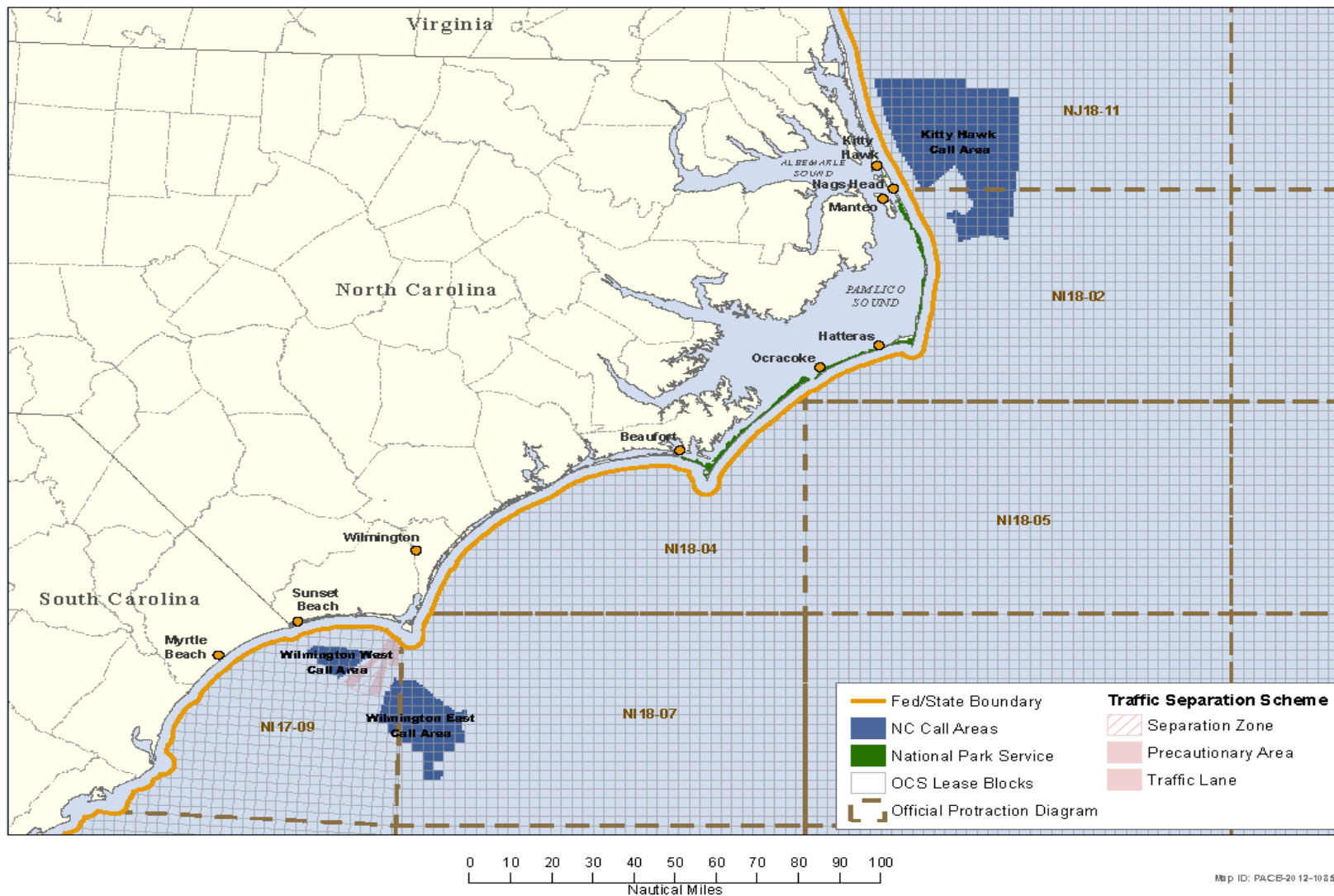
MA

- Cox's ledge extended into western portion of MA WEA
- Comments received identified an important habitat for sea ducks west of Nantucket Shoals
- BOEM excluded (1) blocks with greatest concentrations of sea ducks and (2) extension of Cox's ledge

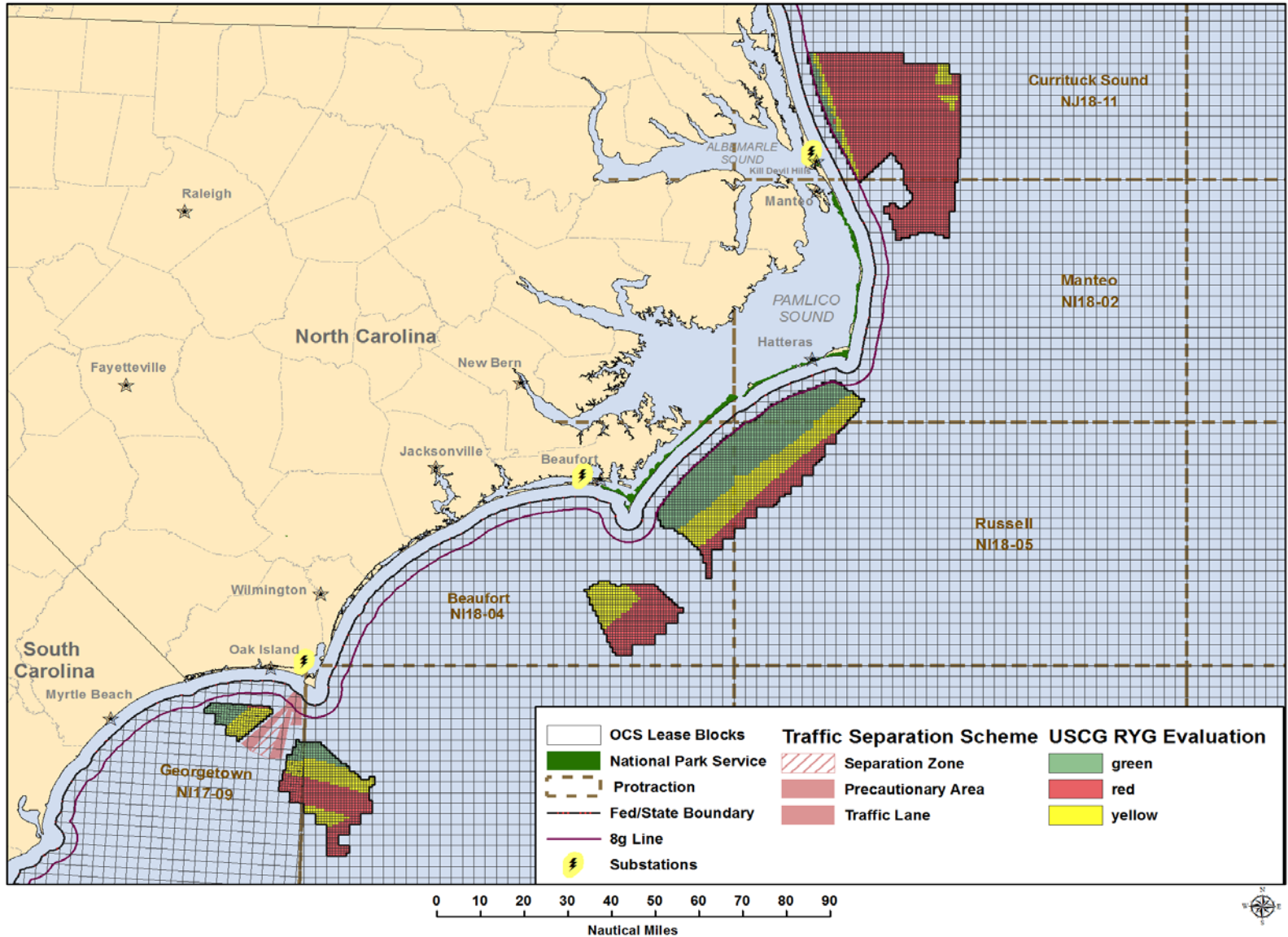
Area Identification Example: RI/MA Wind Energy Area



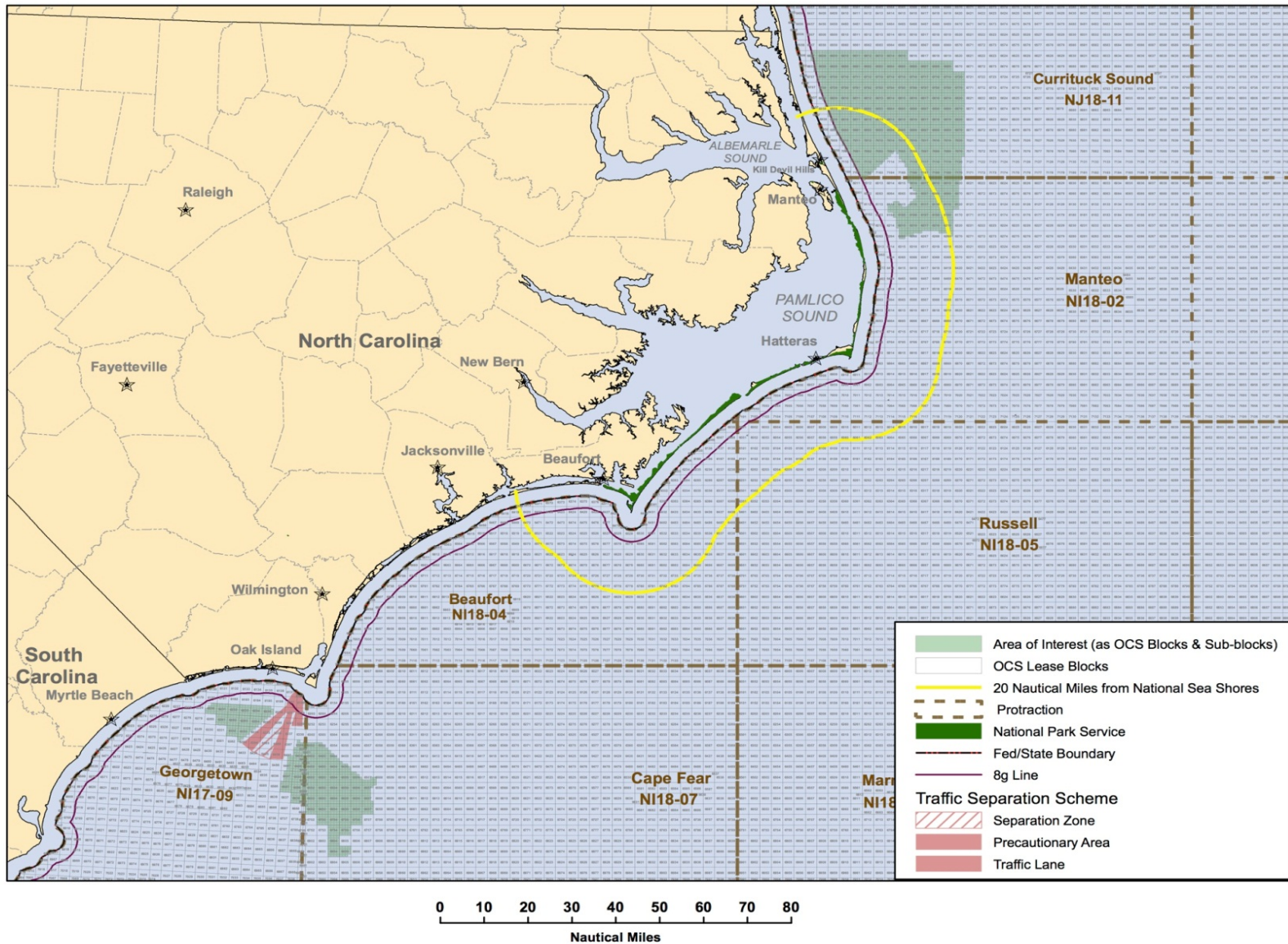
Area Identification Example: NC Call Areas



Vessel Traffic Concerns



National Park Service Concerns



Area Identification Example: North Carolina

- Performing outreach to resolve or mitigate conflicts with commercial wind development before establishing WEAs:
 - Joint outreach with USCG to vessel operators
 - Stakeholder meetings to get public feedback on potential visual impacts

Stage 2: Leasing

- Continue to engage stakeholders and consult through the task force
- Publish leasing notices after environmental reviews are complete
 - Proposed Sale Notice – 60-day comment period
 - Final Sale Notice – 30+ day waiting period
- Hold auction and award lease

Stage 2: Leasing

- Leases convey right to submit plans required to proceed to the next stages - site assessment and commercial development
- Lessee must receive BOEM's approval of each plan before conducting site assessment or construction and operations

Stage 3: Site Assessment & Characterization

- Lessee will conduct surveys on the leasehold (“site characterization”)
- If lessee intends to install a bottom-founded data collection facility (meteorological tower or buoy), it must submit a Site Assessment Plan (SAP) for review and approval by BOEM (“site assessment”)
- BOEM conducts environmental and technical reviews of the lessee’s SAP

Stage 3: Site Assessment & Characterization

- Lessee has a site assessment term of approximately 5 years
- If Lessee decides to proceed to commercial development, it must submit a Construction and Operations Plan (COP) to BOEM for review and approval

Stage 4: Commercial Development

- The Lessee's COP includes:
 - Results of site characterization surveys
 - Offshore and onshore support
 - Any proposed mitigation and monitoring and lease stipulation compliance
 - Design, fabrication, installation, and operations concepts
 - Decommissioning and site clearance concepts
 - Navigational Risk Assessment
- BOEM conducts necessary environmental and technical reviews and consultations

Stage 4: Commercial Development

- If BOEM approves the COP, the Lessee will have an approximate 25-year term in which to construct facilities and generate electricity
- After operations term ends, the lease expires and decommissioning is required unless a renewal is granted

Opportunity for Public Comment

- All four stages provide for stakeholder engagement and public comment
 - Stakeholder meetings
 - Intergovernmental task force meetings:
public Q&A sessions
 - NOI to prepare an EA or EIS
 - EA published for public comment
 - Scoping meetings for EISs
 - Hearings and comment periods for draft EISs

Environmental Assessment

- The WEA will form the basis for the proposed action to be analyzed in BOEM's EA
- BOEM will formulate and analyze reasonable alternatives to the proposed action
- BOEM also will complete consultations required by other laws

EA Scenario

- BOEM will develop a scenario consisting of routine and non-routine activities expected as a result of commercial wind lease issuance in the area
- Routine activities will include:
 - Site characterization surveys
 - Site assessment activities
- Non-routine activities will include:
 - Severe storms
 - Vessel collisions and allisions
 - Spills of oil or other pollutants

Analysis of Socioeconomic Conditions

- Commercial and recreational fishing activities
- Vessel Traffic
- Cultural resources
- Recreational resources
- Demographics and employment
- Environmental justice
- Land use and coastal infrastructure
- Other uses of the area

Analysis of Physical and Biological Resources

- Physical Resources
 - Air quality
 - Water quality
- Biological Resources
 - Fish and essential fish habitat (EFH)
 - Marine mammals
 - Birds and bats
 - Sea turtles
 - Benthic resources
 - Coastal habitats

Examples of Alternatives that May Be Analyzed

- Geographic Alternatives (i.e. buffers from land)
- Timing/Seasonal Alternatives
- Ship/Vessel Conflicts Alternatives
- No Action Alternative

Analysis of Cumulative Impacts

- Past, present, and reasonably foreseeable future actions:
 - Onshore development
 - Existing port and waterway usage
 - Maritime traffic
 - Other renewable energy activities
 - Other proposed project (e.g. Port Ambrose LNG project)

Consultations

- National Historic Preservation Act (NHPA)
- Government to Government Consultations
- Endangered Species Act (ESA)
- Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat)
- Coastal Zone Management Act (CZMA)

EA Findings

- If the EA finds that lease issuance and site characterization and assessment activities will have significant impacts, BOEM will undertake preparation of an EIS
- If the EA results in a Finding of No Significant Impact (FONSI), BOEM may issue commercial wind leases
- **Note:** When a Site Assessment Plan (SAP) is received by BOEM, the activities presented in the SAP will be compared to the range of activities analyzed in the EA and additional NEPA analysis will be prepared if necessary.

Public Involvement

- The Notice of Intent (NOI) requests interest and affected parties to identify:
 - Issues and alternatives to be considered in the EA
 - Potential mitigation measures
 - Sources of information relevant to the analysis
- BOEM will publish the Notice of Availability (NOA) of the EA for public comment
- **Note:** Site –specific EA or EIS for a Construction and Operations Plan (COP), with additional opportunity for public involvement.

Questions?

Thank you!

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