

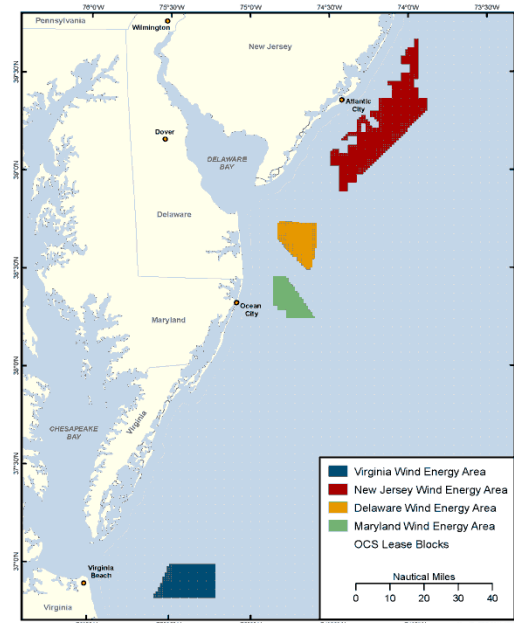
# Overview of Environmental Stipulations and Next Steps for Environmental Review of Plans for Offshore New Jersey

**Jennifer Kilanski**  
**Environmental Protection Specialist**  
**Bureau of Ocean Energy Management,**  
**Office of Renewable Energy Programs**

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# New Jersey Environmental Assessment (EA)

- \* February 3, 2012- Final EA covering New Jersey, Delaware, Maryland, and Virginia and Finding of No Significant Impact published
- \* EA analyzed:
  - Lease issuance
  - Site characterization surveys
  - Site assessment (meteorological towers and buoys)
- \* EA did not analyze wind energy facilities



# Consultations

- \* Coastal Zone Management Act
- \* Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat)
- \* Endangered Species Act +
- \* National Historic Preservation Act (NHPA) +

+ Resulted in lease stipulations

# Addendum C: Environmental Lease Stipulations

- \* Addendum C stipulations were developed through the environmental review process and consultations
- \* Lease Addendum C only addresses activities from lease issuance to the submittal of a plan
- \* Additional construction and/or operation stipulations will be included as terms and conditions of plan approval

# Environmental Lease Stipulations: Vessel Strike Avoidance Measures

- \* Section 4.2 of Addendum C
- \* All vessels conducting activities in support of plan (i.e. a SAP and/or COP) submittal must :
  - Maintain a vigilant watch for protected species
  - Restrict speed to 10 knots in any Dynamic Management Area (DMA)
  - Restrict speed of vessels 65 feet or greater to 10 knots from November 1 – July 31



Source: [www.windcatworkboats.com](http://www.windcatworkboats.com)

# Environmental Lease Stipulations: Vessel Strike Avoidance Measures

- \* Section 4.2.6 – 4.2.9 of Addendum C covers separation distances:
  - \* 500m from North Atlantic Right Whales
  - \* 100m from all other non-delphinoid cetacean(s) (e.g. whales)
  - \* 50m from all sea turtles
  - \* Instructions on what to do if a protected species is sighted in a vessel's path or within separation distance

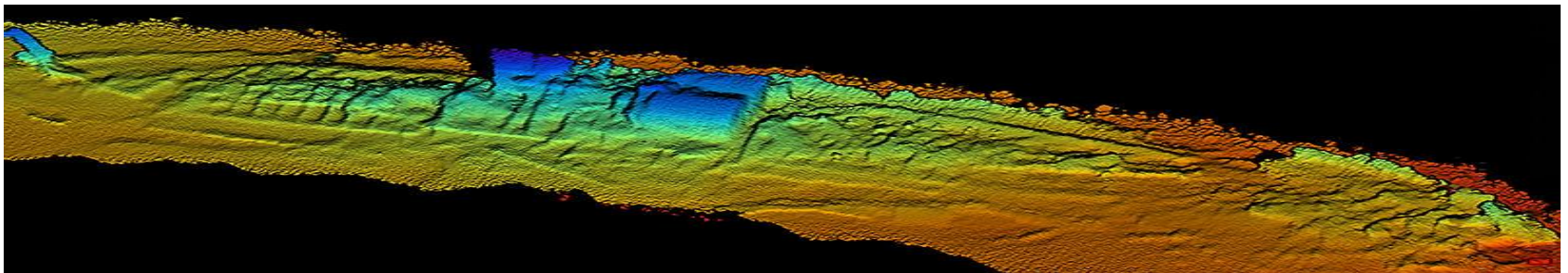


# Environmental Lease Stipulations: Archeological Survey Requirements

- \* Section 4.3 of Addendum C
- \* Lessee must provide the results of an archaeological survey with its SAP and COP
- \* Tribal pre-survey meeting
  - Must be held at least 30-days prior to survey activities
  - Lessee must invite the Narragansett Indian Tribe, the Shinnecock Nation, and the Lenape Tribe of Delaware at least 45 days prior to survey activities
  - Lessee and the Lessee's Qualified Marine Archaeologist will discuss the Lessee's Survey Plan and consider tribal requests to monitor or participate in portions of the archaeological survey; geotechnical exploration; or other activities

# Environmental Lease Stipulations: Archeological Survey Requirements

- \* Post-review discovery clause (Section 4.3.7)
  - If a potential archaeological resource is discovered, the Lessee must: halt all seafloor/bottom disturbing activities in the area; notify the lessor within 24 hours; and keep the location confidential
  - BOEM will direct the Lessee to conduct additional investigations and may also be required to conduct additional consultations under NHPA





# Environmental Lease Stipulations: Geological and Geophysical Survey Requirements

- \* Section 4.4 of Addendum C of the Leases
- \* For all vessels conducting activities in support of a plan (i.e., a SAP and/or COP):
  - Visibility requirements
  - 200m exclusion zone for cetaceans, pinnipeds, and sea turtles will be monitored by a protected species observer
  - 500m separation distance for North Atlantic Right Whales
  - Electromechanical survey equipment ramp-up
  - Shutdown requirements for protected species entering exclusion zone

# Environmental Lease Stipulations: Reporting Requirements



- \* Section 4.5 of Addendum C
- \* Report injured or dead protected species (Appendix A)
- \* Report observed impacts to protected species
- \* Final report of G&G survey activities and observations
- \* Protected species observer reports (Appendix B)

# Next Steps: Site Assessment Plans (SAPs)

- \* BOEM will determine if Mid-Atlantic EA and consultations adequately consider the proposed activities
- \* Unless effects are significantly different, no additional NEPA required
- \* BOEM will conduct Section 106 review of the SAP



# Next Steps: Construction and Operations Plans (COPs)

- \* Typically submitted after SAP
- \* BOEM will conduct a site/project specific environmental review, most likely an Environmental Impact Statement, and consultations
- \* Additional opportunities for public comment
- \* Main factors influencing timing: scale and complexity of the proposed facility and activities; level of public controversy; and number of environmental and socioeconomic issues



# Questions?

Jennifer Kilanski

Environmental Protection Specialist

Office of Renewable Energy Programs, Environment Branch

Bureau of Ocean Energy Management

Office (703) 787-1311

[jennifer.kilanski@boem.gov](mailto:jennifer.kilanski@boem.gov)