



U.S. Department of the Interior
Minerals Management Service

MMS

Overview of MMS Environmental Review Process

Michelle Morin, Environmental Protection Specialist
Branch of Environmental Assessment

MMS New Jersey Task Force
November 24, 2009

Multi-Step Environmental Review Process

Programmatic AEAU EIS

Competitive
Commercial

Lease Sale EIS

SAP EA/EIS

COP EA/EIS

Non Competitive
Commercial

Lease Issuance/
SAP EA/EIS

COP EA/EIS

Non Competitive
ROW/RUE

Grant Issuance/GAP
EA/EIS

Environmental Analysis



Environmental Studies

MMS Mandate:

Protect the environment and develop information necessary to assess and manage environmental impacts on the human, marine, and coastal environments.



The National Environmental Policy Act "NEPA"

- Disclose Plans
- Involve Public
- Identify and Evaluate Alternatives
- Avoid & Mitigate Negative Effects
- Integrate Environmental Analyses

Council on Environmental Quality
Executive Office of the President

REGULATIONS
For Implementing The Procedural Provisions Of The
NATIONAL
ENVIRONMENTAL
POLICY ACT



Reprint
40 CFR Parts 1500-1508
(as of July 1, 1986)

Environmental Impact Statement (EIS) or Environmental Assessment (EA)

Sections

- I Purpose and Need for Action
- II Alternatives Including the Proposed Action
- III Affected Environment
- IV Environmental Consequences
-- Cumulative Effects

Environmental Impact Statement (EIS)

Steps:

- Public Scoping Meetings and Comment Period
- Draft EIS
- Public Hearings and Comment Period
- Final EIS
- Record of Decision



Environmental and Socioeconomic Resources and Issues

- Air Quality
- Water Quality
- Marine Mammals
- Sea Turtles
- Marine and Coastal Birds
- Bats
- Seafloor Habitats



- Physical Oceanography
- Coastal Habitats
- Socioeconomics
- Cultural Resources
- Fisheries
- Multiple Use Conflicts

Impact Producing Factors

- Visual and aesthetic interference
- Vessel traffic
- Air emissions
- Bottom disturbance
- Discharges
- Infrastructure (emplacement and presence)
- Noise
- Lighting



Mitigation Measures

- MMS's primary mitigation strategy is avoidance
- Lease Stipulations
- Source of mitigation measures:
 - Subject matter experts through the NEPA process
 - Consultations
 - Renewable Energy Regulatory Framework
 - Best Management Practices in the Record of Decision on the AEAU Programmatic EIS
 - Applicable stipulations from OCS oil and gas leases

Major Federal Agencies Involved in OCS Activities



Minerals Management Service



U.S. Coast Guard



Environmental Protection Agency



Fish and Wildlife Service

National Marine Fisheries Service



Army Corps of Engineers



Federal Aviation Administration



U.S. Geological Survey



State & Local Stakeholders Involved in OCS Activities

- Tribal Governments
- State Historic Preservation Offices
- Coastal Commissions
- Departments of Fish and Wildlife
- Air Resources Boards
- Departments of Water Resources
- Departments of Conservation and Natural Resources
- Departments of Environmental Regulations
- Departments of Culture, Recreation, and Tourism

**Magnuson-Stevens
FCMA**

**E.O. 13186:
Protection of
Migratory Birds**

**Endangered
Species Act**

**E.O. 12898:
Environmental
Justice**

**NEPA
Analysis**

**National
Historic
Preservation
Act**

**Federal Water
Pollution
Control Act**

**Marine Mammal
Protection Act**

**Clean
Air Act**

**Coastal Zone
Management
Act**

Environmental Consultation Processes: Required for MMS Lease Issuance or Plan Approval

- Consultations:
 - Coastal Zone Management Act
 - Magnuson-Stevens Fishery Conservation and Management Act
 - National Historic Preservation Act (Section 106)
 - Endangered Species Act (Section 7)
- Clean Air Act General Conformity Determination
- Migratory Birds Treaty Act Analysis

Run concurrent with NEPA process

Other Environmental Processes: Required by Other Federal Agencies or Responsibility of Applicant

- Marine Mammal Protection Act
- Federal Aviation Act
- USCG Ports and Waterways Safety Act, Maritime Transportation Act
- U.S. Army Corps of Engineers permitting under Section 404, Clean Water Act, Section 10 Rivers and Harbors Act
- EPA NPDES/VGP Permitting
- FERC Licensing and Coordination
- DOD Coordination

**MMS Environmental
Review Process
for OCS Wind Energy
Offshore New Jersey**



When will the NEPA Analysis begin?

- MMS will coordinate closely with federal, state and local stakeholders in order to help states meet their goals and determine timelines for leasing.
- An important factor in determining the start of NEPA analysis is the issuance of the Request for Interest (RFI).
- MMS expects the NEPA analysis to begin within 6 to 12 months after an RFI is issued.

Multi-Step Environmental Review Process

- 1) Programmatic Lease Sale EIS and Consultations
 - Minimum 18-24 months
- 2) Site Specific EA and Consultations for Site Assessment Activities
 - Minimum 6 months
- 3) Site Specific EIS and Consultations for Construction and Operation Activities
 - Minimum 18-24 months

Environmental Review of Site Assessment Activities

- **Site Assessment Plan (SAP)**
 - Geological, geophysical and biological surveys
 - Construction and operation of data collection facilities (e.g., meteorological towers and buoys)
 - Up to 5 years
- **Initial Review of SAP**
 - Internal review by MMS's subject matter experts
 - Identification of additional information needed for environmental analysis and consultations
 - Information request sent to lessee
- **Environmental Assessment**
 - Minimum 6 months to prepare
 - Tiers from Lease Sale EIS
 - Prepared by 3rd Party, Funded by MMS
 - Finding of No Significant Impacts or Prepare an EIS

Environmental Review of Construction and Operation

- **Construction and Operation Plan (COP)**
 - Up to 25 years activities
- **Initial Review of COP**
 - Internal review by MMS's subject matter experts
 - Identification of additional information needed for environmental analysis and consultations
 - Information request sent to lessee
- **Environmental Impact Statement**
 - Minimum 18-24 months to prepare
 - Analyzes information collected during site assessment
 - Public meetings and comment period
 - Tiers from Lease Sale EIS and Site Assessment EA
 - Prepared by 3rd Party, Funded by Lessee
 - Record of Decision and Mitigation Measures

Multi-Step Environmental Review Process

Programmatic AEAU EIS

Competitive
Commercial

Lease Sale EIS

SAP EA/EIS

COP EA/EIS

Non Competitive
Commercial

Lease Issuance/
SAP EA/EIS

COP EA/EIS

Non Competitive
ROW/RUE

Grant Issuance/GAP
EA/EIS

More Information...

Michelle Morin

Branch of Environmental Assessment
Offshore Energy and Minerals Management (OEMM)
MMS Headquarters (Herndon, VA)

Ph. 703-787-1722

michelle.morin@mms.gov