

## Environmental Studies Program: Studies Development Plan | FY 2024–2025

Field	Study Information
Title	Assessing the Effectiveness of Offshore Wind Lease Sale Stipulations on Improving Engagement
Administered by	Office of Environmental Programs
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Procurement Type(s)	Contract, Cooperative Agreement
Performance Period	2024-2029
Final Report Due	TBD
Date Revised	May 15, 2023
Problem	There is a lack of understanding on the effect of policy mechanisms BOEM has implemented to make engagement with those potentially affected by BOEM activities more meaningful and less burdensome for all parties.
Intervention	Evaluate the effect of lease sale stipulations on improving meaningful engagement.
Comparison	The study will develop an understanding of perceptions about meaningful engagement and the effect of enhanced engagement activities, specifically due to lease sale stipulations, over time.
Outcome	A better understanding of the effect of engagement-related lease sale stipulations on achieving more meaningful and less burdensome engagement, and recommendations on how to improve future stipulations to meet the needs of affected groups, environmental reviews, and projects.
Context	One area without an enhanced engagement lease stipulation compared with an area with a recent lease stipulation requiring enhanced lessee engagement.

**BOEM Information Need(s):** There is a robust body of literature evaluating the role of meaningful engagement in identifying and mitigating impacts (Ottinger 2013), assessing the value of meaningful engagement in decision-making (Bidwell 2016; Elmallah & Rand 2022), and providing recommendations on methods of engagement to yield meaningful outcomes (Firestone et al. 2018; Klain et al. 2017). However, there is a lack of understanding on the effect of policy mechanisms BOEM has implemented (as well as those it could implement) to make engagement more meaningful and less burdensome for all parties.

BOEM’s recent inclusion of lease stipulations requiring that offshore wind lessees submit progress reports to BOEM on their engagement activities is a step BOEM took to advance equity goals, and a study would be required in order to gauge effectiveness. Specifically, a longitudinal study starting with the collection of regional baseline data is essential to develop an assessment of the effect of lease stipulations on engagement. This is of particular importance as BOEM ramps up its offshore wind leasing activities to meet ambitious federal targets and continually revisits and refines lease stipulations in advance of upcoming lease sales.

**Background:** In January 2022, BOEM included a first-of-its-kind stipulation in the Final Sale Notice for Atlantic Wind Lease Sale 8 for Commercial Leasing for Wind Power on the Outer Continental Shelf (OCS) in the New York Bight. The new stipulation is an effort to require early and regular engagement with Tribes and ocean users, underserved communities, and other stakeholders (collectively “Tribes and parties”) that may be potentially affected by the project activities on the OCS. The stipulation requires lessees to submit a semi-annual progress report to BOEM including 1) identification of those potentially affected by proposed activities; 2) updates on engagement activities; 3) identification of impacts or benefits due to proposed activities; 4) how, if at all, a project has been informed or altered to address those challenges or benefits; and 5) planned engagement activities during the next reporting period. The stipulation also requires to the maximum extent practicable, that Lessees coordinate with one another on engagement activities with specific recognition of the intent to reduce engagement burden on Tribes and parties. This stipulation also linked and incorporated a separate lease requirement for the development of communication plans for fisheries (Fisheries Communication Plan (FCP)), Tribes (Native American Tribes Communication Plan), and agencies (Agency Communication Plan), which serve to guide engagement activities with those groups.

After inclusion in the New York Bight lease sale, this stipulation has been included in following offshore wind lease sales including Carolina Long Bay, California, and Gulf of Mexico. It is essential that the efforts to meet these stipulations are evaluated to assess whether they are meeting intended goals and determine next steps to maximize coordination, communication, and meaningful engagement while reducing engagement burdens on all parties. Reduction of engagement burden, specifically highlighted as a goal of the lease stipulation, refers to the burden communities face when asked to engage on multiple processes and by multiple entities. For example, the same few individuals in a given community (Tribe, underserved community, commercial fishing group) are often asked to provide input on multiple projects within their area of interest. This generates a burden on individuals' time and capacity, and often is requested on top of their main job or responsibilities. Furthermore, communities may have varying levels of capacity to engage on BOEM's processes, which can generate higher burdens and lead to barriers for engagement for some groups such as tribes and underserved communities. Assessments of the effect of stipulations requiring lessees enhance engagement will help BOEM ensure intended goals are achieved and develop more equitable approaches through improved stipulations or implementation guidance.

**Objectives:** The objectives of this study are to:

- Gain an understanding of how lessee engagement activities and reporting, required by BOEM lease sale stipulations, affects underserved communities.
- Determine whether engagement-related lease sale stipulations improve meaningful engagement or reduce burdens as intended.
- Develop recommendations for future lease stipulations or improved practices for implementation.

**Methods:** The study will be a longitudinal assessment conducted in two phases. It will be based on a targeted literature review and utilize both iterative survey and interview methodologies. In phase one, the study team will first conduct a targeted literature review on engagement related to energy planning, leasing, development on federal lands and waters; offshore decision making; and industrial-scale resource development projects. This literature review will answer questions such as: What are the main critiques or common problems of engagement activities and their effectiveness? What worked and what didn't, and why? This literature review will help inform questions for phase one focus groups in an area

with existing engagement activities before enhanced engagement stipulations have been introduced. After the research garners a basic understanding of perceptions of engagement without activities associated with lease sale stipulations around enhanced engagement, the study will move to phase two.

During phase two, surveys will be conducted in an area where an enhanced engagement lease stipulation applies. The surveys will be conducted yearly following a lease sale for three years. Following the initial survey, quarterly focus groups will be held in the same area over the same time period. The questions asked during surveys and focus groups will be centered around gathering information that would help determine the level of effectiveness of the enhanced engagement lease stipulation on improving previously identified problems or critiques of engagement. The interview methodology for the focus groups will be semi-structured. The study team will work with BOEM to determine and prioritize what types and level of information is most helpful, and the study team will design questions that are open-ended and unstructured though delivered in a way where the researcher controls the line of questions in order to maximize usefulness to the research. The number of participants in each focus group shall be more than four and less than ten. The information gathered from focus groups should be representative of different perspectives. The number of focus groups required shall reflect the context of the geographic area and diversity in perspectives. BOEM assumes between one and six focus groups would be sufficient, with the final number dependent on final methodology, area chosen, complexity of the socio-cultural context, and scope of the proposed activity.

Survey and focus group results will be summarized and provided to BOEM in interim reports as results are available, and a final report on the longitudinal study will describe any changes in perceptions over time. Finally, this report will evaluate whether there are indications of improvements in meaningful engagement or reductions in engagement burdens due to lease stipulation related activities. The report will also provide recommendations for future lease stipulations and identify any practices to improve implementation of current lease stipulations.

**Specific Research Question(s):**

1. What is the effect of engagement-related lease stipulations on perceptions of process fairness and meaningfulness, inclusiveness in decision-making processes, and trust in processes or projects?
2. Are engagement-related lease sale stipulations and associated activities decreasing burdens and increasing efficiencies?
3. What effect do engagement-related lease stipulations have on perceptions of potential impacts and opportunities from offshore wind development over time?
4. Are there any improvements BOEM can make to lease sale stipulations to better achieve intended goals?
5. Are enhanced engagement requirements in offshore wind lease stipulations relevant to other BOEM-authorized or related activities such as oil and gas, marine minerals, carbon sequestration, or hydrogen?

**Current Status:** N/A

**Publications Completed:** N/A

**Affiliated WWW Sites:** N/A

## References:

- Bidwell D. 2016. Thinking through participation in renewable energy decisions. *Nature Energy*. 1:16051. <https://doi.org/10.1038/nenergy.2016.51>.
- Firestone J, Hoen B, Rand J, Elliott D, Hübner G, Pohl J. 2018. Reconsidering barriers to wind power projects: community engagement, developer transparency and place. *Journal of Environmental Policy Planning*. 20:370–386. <https://doi.org/10.1080/1523908X.2017.1418656>.
- Elmallah S, Rand J. 2022. ‘After the leases are signed, it’s a done deal’: exploring procedural injustices for utility-scale wind energy planning in the United States. *Energy Research & Social Science*. 89:102549. <https://doi.org/10.1016/j.erss.2022.102549>.
- Klain SC, Satterfield T, MacDonald S, Battista N, Chan KMA. 2017. Will communities “open-up” to offshore wind? Lessons learned from New England islands in the United States. *Energy Research & Social Science*. 34:13–26. <https://doi.org/10.1016/j.erss.2017.05.009>.
- Ottinger G. 2013. Changing knowledge, local knowledge, and knowledge gaps: STS insights into procedural justice. *Science, Technology, and Human Values*. 38:250–270. <https://doi.org/10.1177/0162243912469669>