



BOEM Bureau of
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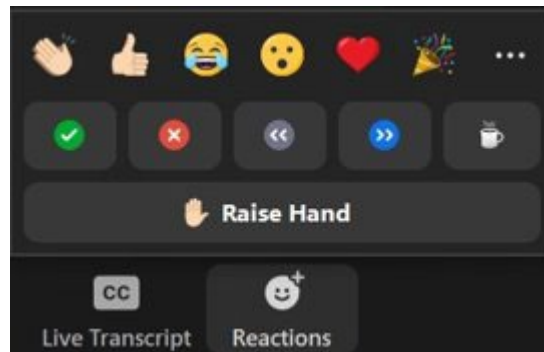
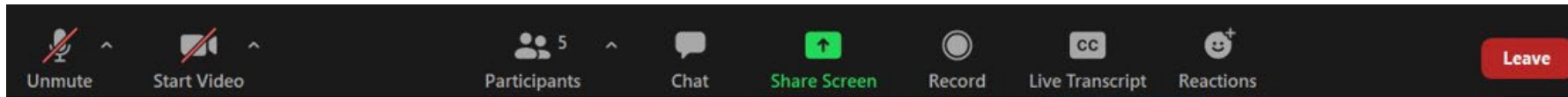
New York & New Jersey Offshore Wind Environmental Justice Forum

Wednesday, January 25, 2023
10:30 a.m. - 12:30 p.m. ET

Laura Mansfield, Meghan Cornelison, Holly Fowler, Sara Parkison | EJJF

Zoom Webinar Instructions – Technical Assistance

- If you encounter any technical issues today, please message Caisey Hoffman (Co-Host) through the CHAT. You may also email choffman@kearnswest.com or call/text Caisey at 210-906-9738.
- If you are participating by phone, raise your hand for help by dialing *9.



Environmental Justice Forum Goals

1. **Identify priorities, needs, and issues** to address through BOEM's draft New York Bight PEIS specific to environmental justice and underserved communities.
2. **Improve information-sharing and coordination** across agencies, governments, lessees, and community-based organizations
3. **Create greater accountability** by providing transparency to communities on whether and how their input has affected the decision-making process.
4. **Grow long-term relationships** with communities that are founded on mutual respect, understanding, and collaboration.
5. **Reduce barriers to participation**, increase access to environmental reviews, and create better-informed decisions.



Proposed Meeting Objectives

- Identify priorities, needs, and issues to address through BOEM's draft New York Bight (NYB) Programmatic Environmental Impact Statement (PEIS) specific to environmental justice and underserved communities.
- Continue to develop a shared understanding of challenges affecting and efforts to engage environmental justice populations and underserved communities on offshore wind issues across New York and New Jersey.
- Provide updates on how previous input is being processed for consideration in BOEM's and others' decision-making processes so far and invite feedback to continue refining next steps.
- Grow relationships and improve coordination across agencies, governments, lessees, and community-based organizations.



Agenda

- Introductions and Agenda Overview
- Discuss Forum Participation Guidelines
- Participant Announcements
- Present and Discuss Input Status Report
- Continued Discussion of Potential Impacts and Mitigation Measures
- Discuss Coordination, Engagement, and Process Improvements
- Next Steps and Adjourn
- *Optional Post-Meeting Get Together*



Process Guidelines

- Use the “raise hand” function to join the discussion queue.
- Facilitator will mind the queue.
- When you speak, provide your name and affiliation.
- Participants are muted when they enter the meeting but can adjust their audio and video functions.
- Lessees are joining the meeting as observers and will be muted throughout the meeting. If you have a question for a lessee, BOEM can facilitate introductions after the meeting.
- Use the chat function to ask questions, comment, or receive technical assistance.
- Whenever possible, have your video on to encourage meaningful communication and collaboration.



Poll Everywhere

THREE WAYS TO PARTICIPATE



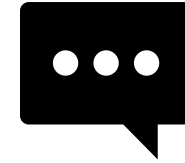
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BOEM Directorate Remarks – Political Advisor Marissa Knodel

BOEM Core NY & NJ Engagement Team Introductions

Introductions: Please insert your name, organization, and affiliation in the chat box



EJF Participation Guidelines Discussion

Meeting Principles

- All participants of in this effort will strive to be open, transparent, inclusive, and accountable in their actions. They will adhere to the highest ethical standards and are committed to using informed judgment and thoughtfulness in their participation. By agreeing to participate in the group, participants commit together to the following principles:
 - Interact respectfully with all other participants, valuing all perspectives.
 - Honor the agenda and time frames.
 - Participate in an active and focused manner – commit to the success of the process.
 - Provide balanced speaking time.
 - Provide explanations for views and interests.
 - Share perspectives and values.
 - Share relevant information.
 - Strive for transparency.
 - When sharing reports of discussions, not attributing discussions to any individual member to protect opportunities for open discussion.



The background features a light blue and white geometric pattern of overlapping rectangles and lines. A single orange rectangular sticky note is placed in the center-left area. The text "Participant Bulletin Announcements" is overlaid on the sticky note and the background.

Participant Bulletin Announcements

Bulletin Board Announcements

Space to **share information** on developments and activities **affecting environmental justice and underserved communities** related to offshore wind off the coast of NY & NJ.

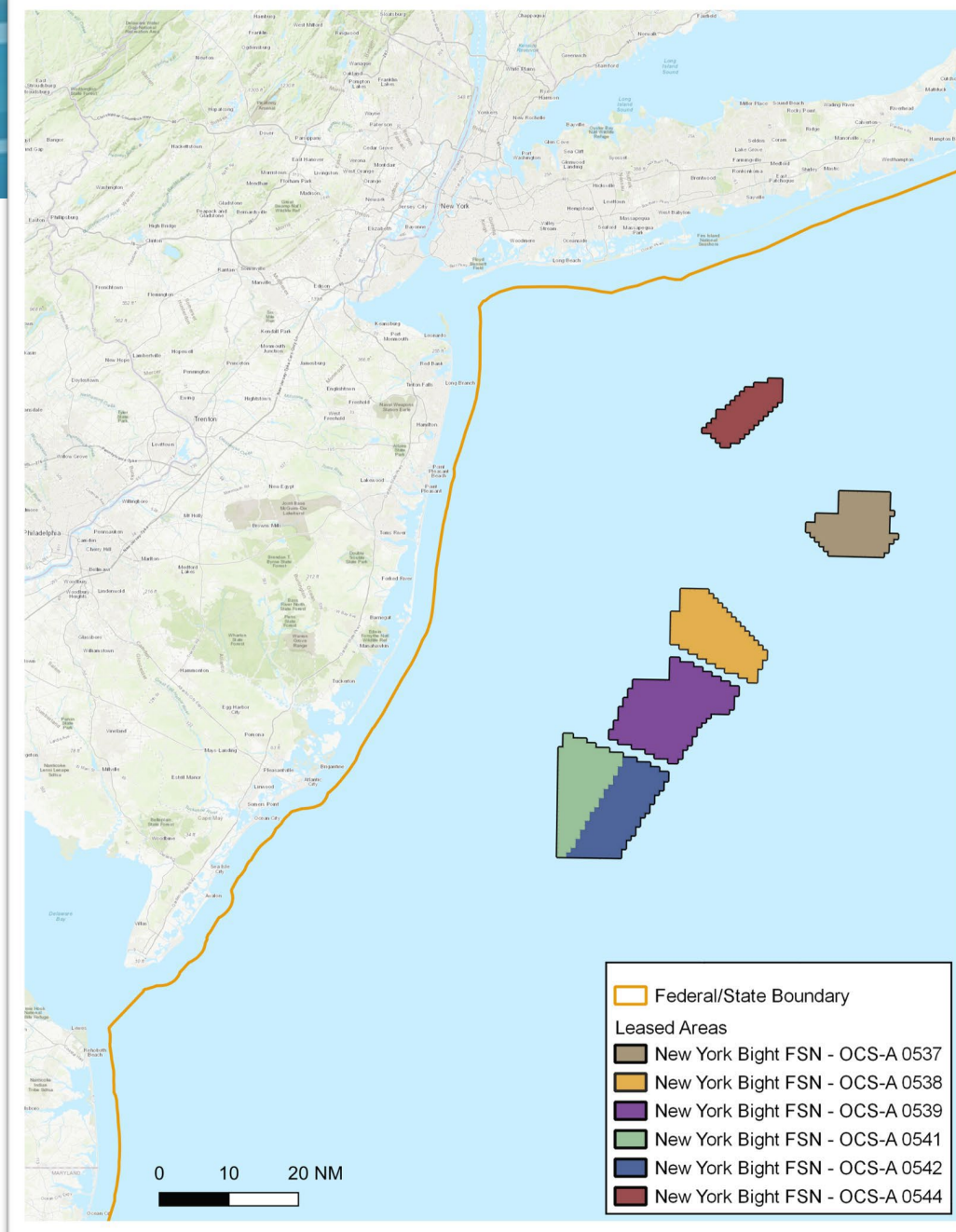
Announcements may include:

- Engagement processes underway
- Available opportunities
- Needed information or support



New York & New Jersey Lease Areas

- BOEM is drafting a Programmatic Environmental Impact Statement (PEIS) for the NY & NJ lease areas.
- 6 lease areas:
 - OCS-A-0537 - Blue Point (fmr Ocean Wind)
 - OCS-A-0538 - Attentive Energy LLC
 - OCS-A-0539 - Community Offshore Wind
 - OCS-A-0541 - Atlantic Shores Offshore Wind Bight, LLC
 - OCS-A-0542 - Invenergy Wind Offshore LLC
 - OCS-A-0544 - Vineyard Mid-Atlantic LLC



Objectives of the NY Bight PEIS



Analyze regional affected environment and environmental consequences



Conduct a focused, regional cumulative analysis



Establish a framework for tiering of project-specific environmental analyses



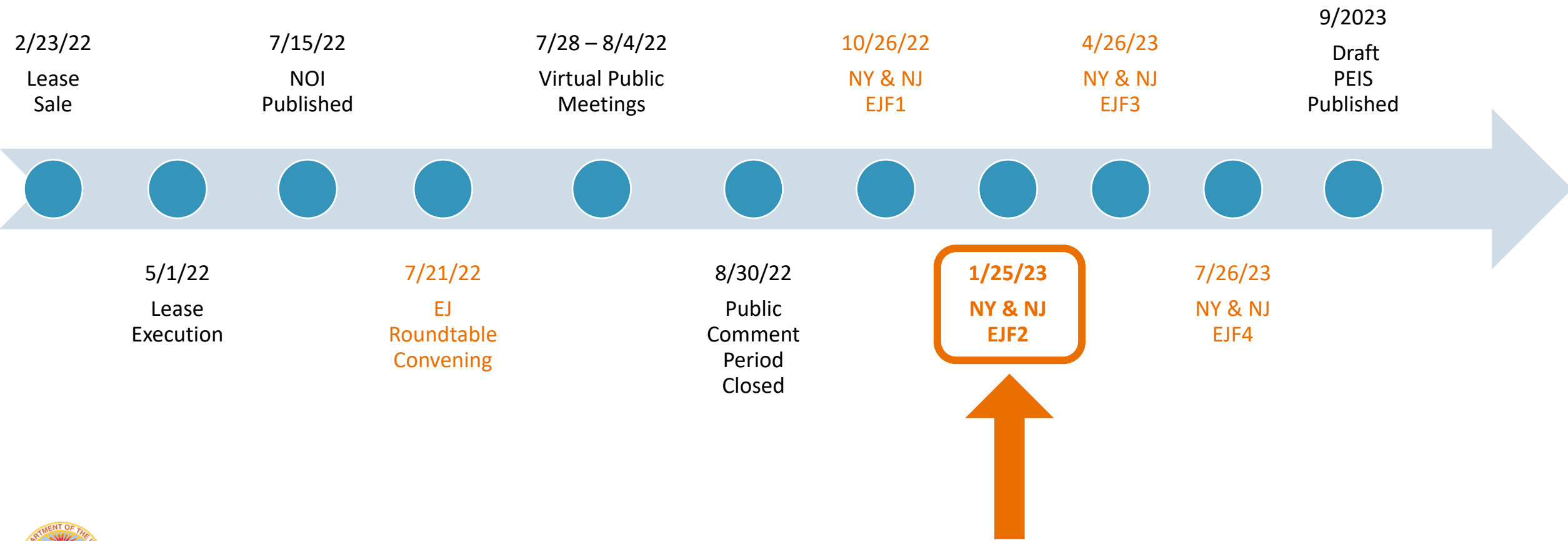
Identify, analyze, and adopt (if appropriate) programmatic avoidance, minimization, mitigation, and monitoring measures



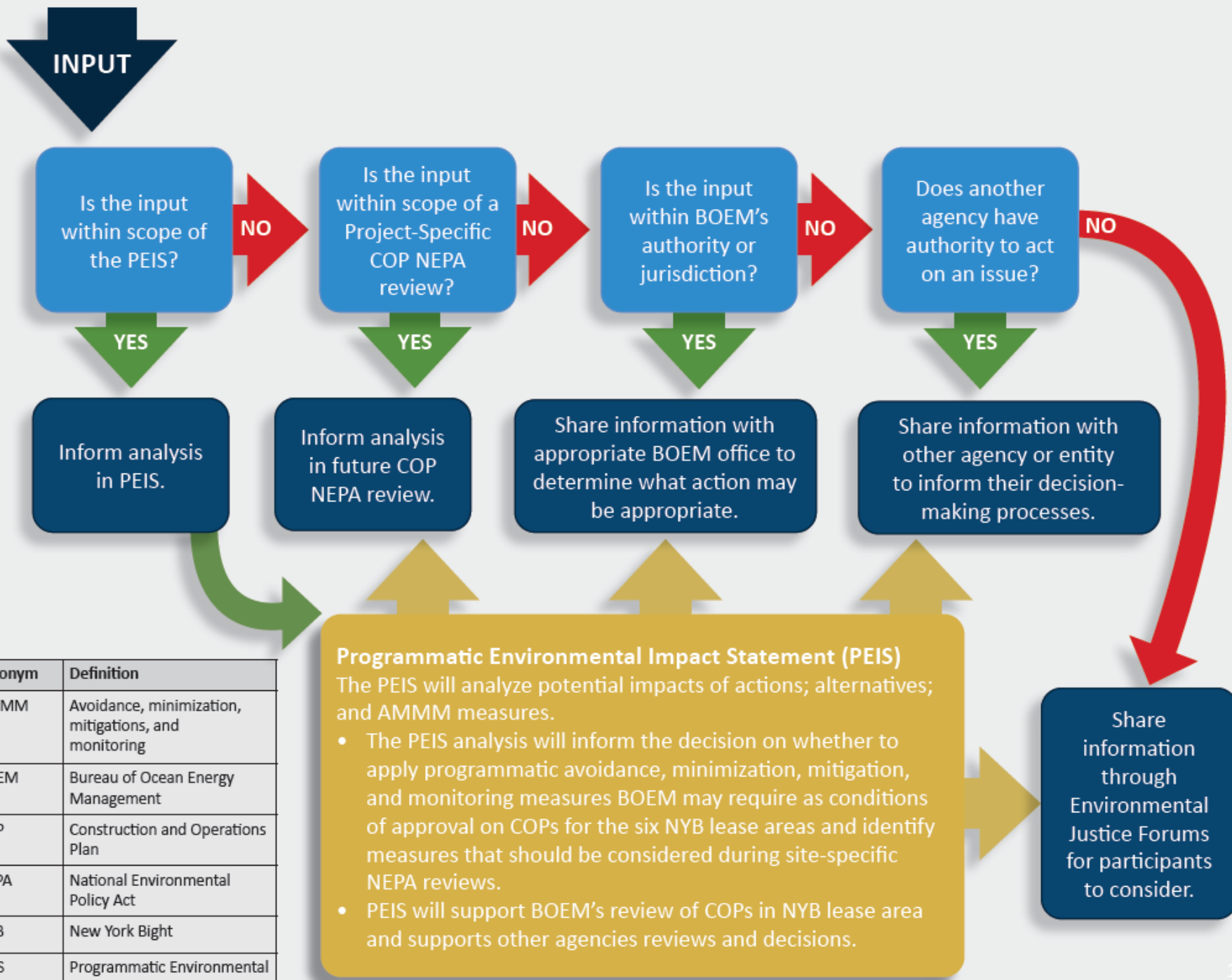
Provide predictability and consistency to cooperating agencies, partners, and developers



New York & New Jersey Lease Area Timeline



Input Status Report Discussion



Acronym	Definition
AMMM	Avoidance, minimization, mitigations, and monitoring
BOEM	Bureau of Ocean Energy Management
COP	Construction and Operations Plan
NEPA	National Environmental Policy Act
NYB	New York Bight
PEIS	Programmatic Environmental Impact Statement

Programmatic Environmental Impact Statement (PEIS)
 The PEIS will analyze potential impacts of actions; alternatives; and AMMM measures.

- The PEIS analysis will inform the decision on whether to apply programmatic avoidance, minimization, mitigation, and monitoring measures BOEM may require as conditions of approval on COPs for the six NYB lease areas and identify measures that should be considered during site-specific NEPA reviews.
- PEIS will support BOEM's review of COPs in NYB lease area and supports other agencies reviews and decisions.

Input Topic Areas for Discussion Today

1. Air Quality Analysis (A.03, A.04)
2. Expanding Inclusivity in Outreach and Engagement (B.01, B.03)
3. Exploring Pathways for Capacity-Building Mechanisms (Roundtable Summary)



Analyzing Impacts to Air Quality

EJF Input Status Report themes:

- Ensure that air quality is not negatively affected, with attention to emissions (A.03)
- Mitigate air pollution from development-related traffic (A.04)

(See page 4 of 12/08/2022 Input Status Report) →

Issue Code	Issue	Source	Progress	Applicable to	Status
Impacts and Benefits (A)					
A.01	Existing environmental stressors and legacy pollution and waste	October 2022 EJF	BOEM will discuss existing stressors (e.g., sewage, mold, flooding from hurricanes) and legacy hazardous waste, that could be compounded by impacts from development in the PEIS	PEIS	Draft PEIS in progress
A.02	Consider impacts to specific communities identified during EJF	October 2022 EJF	BOEM will include the identified communities and areas in the affected environment and discuss impacts in the PEIS, as applicable; more detailed analysis of specific communities may apply to COP NEPA reviews	PEIS; potentially COP NEPA	Draft PEIS in progress
A.03	Impacts of emissions on air quality	July 2022 Roundtable; October 2022 EJF	BOEM is analyzing impacts to EJ communities from emissions in the PEIS, relying on analysis of overall air quality impacts	PEIS	Draft PEIS in progress
A.04	Mitigate impacts on air quality from development-related traffic	October 2022 EJF	BOEM is exploring mitigation measures related to impacts from development. BOEM will share information with other federal, state, and local authorities with jurisdiction over traffic management.	PEIS; other partners	Draft PEIS in progress
A.05	Impacts on commercial fishing; Impacts to communities from effects on commercial fishing	July 2022 Roundtable	BOEM is: <ul style="list-style-type: none"> ▪ analyzing impacts on commercial fishing, and ▪ exploring data sources and methods to analyze impacts on fishing communities in the PEIS 	PEIS	Draft PEIS in progress
A.06	Coastal access, public use of coastal land, specific uses such as subsistence fishing	October 2022 EJF	The PEIS will include discussion of coastal access and public use of coastal lands, including consideration of access issues from climate change. BOEM is exploring mitigation measures related to coastal access.	PEIS	Draft PEIS in progress
A.07	Equitable energy distribution	July 2022 Roundtable	BOEM will explore other partners and agencies with responsibilities or program areas that address energy distribution and will share the findings at a future NY/NJ EJF.	Other state and federal agencies; outside of BOEM's jurisdiction.	Exploring



Air Quality Overview

BOEM's Authority for Renewables on the OCS (Energy Policy Act of 2005)

- **The Energy Policy Act of 2005 (EPAct)** (Public Law 109-58) addresses energy production in the United States, including: (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) Tribal energy; (6) nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (8) hydrogen; (9) electricity; (10) energy tax incentives; (11) hydropower and geothermal energy; and (12) climate change technology.
- **Section 388 of the EPAct** amends the Outer Continental Shelf Lands Act, giving the Secretary of the Interior, via the Bureau of Ocean Energy Management (BOEM), authority to issue leases, easements, or rights-of-way on the outer continental shelf (OCS) for activities including those that “produce or support production, transportation, or transmission of energy from sources other than oil and gas.” Leases should be issued on a competitive basis where there is demand unless it is determined there is no competitive interest.

[Energy Policy Act of 2005](#)



Pieces of Activity (Construction, Operations and Maintenance, Decommissioning)

- Construction- moderate impacts while remaining below the National Ambient Air Quality Standards (NAAQS).
- Operations and Maintenance: Minor and intermittent impacts associated with planned and unplanned maintenance.
- Decommissioning: Minor and temporary impacts due to advancing technologies.



Air Quality Pollutants Considered

- National Ambient Air Quality Standards (NAAQS)
 - Particulate Matter (PM) 2.5
 - PM10
 - Ozone (Volatile Organic Compounds, Nitrogen Oxides)
 - Nitrogen Dioxide (NO₂)
 - Carbon Monoxide (CO)
 - Lead (Pb)
 - Sulfur Dioxide (SO₂)
- Greenhouse Gases (GHGs)
 - Carbon Dioxide (CO₂)
 - Nitrous oxide (N₂O)
 - Methane (CH₄)
 - Sulfur Hexafluoride (SF₆)
 - Hydrofluorocarbons (HFCs)
 - Perfluorochemicals (PFCs)
 - Nitrogen Trifluoride (NF₃)
- Updated: NEPA Guidance on Consideration of Greenhouse Gas Emissions and Climate Change.
- Includes the social cost of greenhouse gases through the lifetime of the project.

[EPA NAAQS Table](#)

[EPA Overview of Greenhouse Gases](#)

[88 FR 1196 - National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change](#)



AVERT Tool

- The AVOIDed Emissions and geneRATION Tool (AVERT) evaluates how energy policies and programs such as energy efficiency (EE) and renewable energy (RE) lead to changes in emissions of particulate matter (PM_{2.5}), nitrogen oxides (NO_x), sulfur dioxide (SO₂), carbon dioxide (CO₂), volatile organic compounds (VOCs), and ammonia (NH₃) from electric power plants at a county, state, or regional level.
- AVERT is designed to meet the needs of state air quality planners, energy officials, public utility commission staff, environmental agency staff, professionals in the clean energy field, people working on climate planning, and other interested stakeholders.

[EPA AVERT Tool](#)



COBRA Tool

- EPA's CO–Benefits Risk Assessment (COBRA) screening model is a free tool that helps state and local governments:
 - Explore how changes in air pollution from clean energy policies and programs, including energy efficiency and renewable energy, can affect human health at the county, state, regional, or national levels.
 - Estimate the economic value of the health benefits associated with clean energy policies and programs to compare against program costs.
 - Map and visually represent the air quality, human health, and health-related economic benefits from reductions in emissions of particulate matter (PM_{2.5}), sulfur dioxide (SO₂), nitrogen oxides (NO_x), ammonia (NH₃), and volatile organic compounds (VOCs) that result from clean energy policies and programs.

[EPA COBRA Tool](#)



How Alternatives are Compared/Contrasted and the ‘No-Action’

- Air quality may be affected by emissions from sources involved in the construction or maintenance of the proposed project.
- Consider the maximum-case scenario within the Project Design Envelope approach with a focus on the following parameters that can affect air quality:
 - Emission ratings of construction equipment and vehicle engines
 - Location of construction laydown areas
 - Choice of cable-laying locations and pathways
 - Choice of marine traffic routes to and from the Wind Farm Area and offshore export cable routes
 - Soil characteristics at excavation areas, which may affect fugitive emissions
 - Emission control strategy for fugitive emissions due to excavation and hauling operations
- When analyzing the impacts of the No Action Alternative on air quality, BOEM considers the impacts of past and ongoing trends and activities, including ongoing offshore wind activities on the baseline conditions for air quality.



Mitigation Measures and GHGs

- Mitigation measures such as:
 - Nitrogen Dioxide (NO₂) and Volatile Organic Compound (VOC) emission reduction credits
 - Tier III NO₂ standards
 - Ultra-low-sulfur diesel (ULSD) fuel used
 - Low-sulfur diesel (LSD) fuel used
 - Comply with EPA emission standards
- The impact of GHG emissions and criteria pollutants produced are greatest near their source while the benefits from a shifting power grid can be regional with an overall reduction in emissions of GHG and criteria pollutants.



Questions

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Jacob Wolf | Jacob.Wolf@boem.gov | 707-787-1227



Expanding Inclusivity in Outreach and Engagement

Expanding Inclusivity in Outreach and Engagement

EJF Input Status Report themes:

- Increase inclusivity of local communities in public comment opportunities (B.01)
- Provide information about existing outreach activities, such as Tribal consultation (B.03)

(See pages 5-6 of 12/08/2022 Input Status Report) →

Issue Code	Issue	Source	Progress	Applicable to	Status
B.01	Inclusivity of local communities	July 2022 Roundtable	BOEM is exploring and seeking collaboration on methods to increase engagement for future public comment periods.	BOEM; federal agencies; state agencies; community organizations	Continual
B.02	Multi-language communications	October 2022 EJF	BOEM is continuing to develop engagement strategies and materials including language access considerations.	BOEM	Continual
B.03	Information about existing outreach activities	October 2022 EJF	BOEM will continue to provide space for announcements of other engagement activities at the EJFs and supporting materials. This space is welcome to all who identify as or support EJ or underserved communities.	All EJF participants	Continual
B.04	Coordination and communication among federal and state agencies	October 2022 EJF	BOEM is exploring ways to promote inter-agency coordination and communication around environmental justice and underserved community issues, including through the EJF, the New York & New Jersey Working Groups, and the All-of-Government Offshore Wind Workplan.	Federal and state agencies	Continual
B.05	Enforcement of CBAs and PLAs	October 2022 EJF	BOEM is exploring mitigation measures around community benefits and workforce equity. BOEM does not have enforcement authority in this space but will share information with states and lessees and collaborate to advance this item. BOEM is exploring working with BSEE to provide information about mitigation enforcement. BOEM is also considering this as an agenda item at a future EJF.	BOEM; other federal agencies; state agencies; lessees	In progress
B.06	Increase accountability and transparency from developers	October 2022 EJF	BOEM will share this concern with lessees and think about discussion questions to ask at a future EJF that will help BOEM and lessees better understand community expectations around accountability and transparency, potentially through the coordinated engagement reporting requirement for lessees. BOEM is exploring inviting lessees to more actively participate in a future EJF on this topic.	BOEM and lessees	In progress



Outreach and Engagement Expansion

- Developed targeted approach
 - Expanded outreach to organizations & individuals serving Indigenous communities.
- Requested recommendations from community organizations, state partners, and federal agencies
 - Contacts received included on outreach listserv for New York & New Jersey EJFs.
 - Continuously expanding contact list, recommendations always welcome.
- Government-to-Government consultation process for Draft PEIS forthcoming



Questions

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Hillary Renick | Hillary.Renick@boem.gov | 703-787-1445



Exploring Pathways for Capacity-Building Mechanisms

Engagement Capacity-Building Mechanisms

Comments from Roundtable Summary:

- “Long-term CBO positions make sense and are an incredible option to meet people where they are.”
- “All the options listed are valuable tools that we should be using, especially providing financial compensation for people’s time.”
- “Different communities have different needs, so it would be worthwhile to leave it open to allow flexibility and use multiple strategies.”

(See pages 9-10; 15 of 08/18/2022 Roundtable Summary)



Goal #7: Develop long-term, deep relationships with groups beyond the life of a particular project and the capacity to sustain those meaningful relationships.

Lead	Action	Status
BOEM	Foster diverse/equitable hiring within BOEM.	Underway (BOEM’s Justice, Equity, Diversity, and Inclusion team oversees this effort)
Partnership	Address capacity within BOEM to effectively communicate with EJ communities and carryout engagement efforts with a long-term outlook.	Exploring
	Develop capacity-building and compensation mechanisms to support community member engagement efforts.	Exploring (BOEM is actively investigating this action item, which requires partnership commitment for implementation)
	Develop creative partnerships to fund and implement compensation mechanisms.	Exploring



Exploring Pathways for Capacity-Building Mechanisms

- Continuing to explore options for capacity-building
 - Including through possible partnerships with other federal agencies
- Three priority options continuing to be explored based on capacity and viability within BOEM:
 - Long-term CBO positions
 - Discrete compensation
 - **Student-led engagement**

Student-led engagement

Stipends/Fellowships at higher education institutions for students to carryout local community engagement.

Long-term CBO positions

Grants to support long-term positions dedicated to engagement within community organizations

Discrete compensation

Compensation in exchange for discrete efforts provided in response to engagement events (\$/hr)

Community liaison network

Create regional community liaison positions through existing efforts (e.g., Sea Grant)

EJ Strategy Group

Funding for group of community members nominated for year-long engagement service position



Student-led Engagement Mechanism through ORISE

Early stages of setting up a contracting arrangement with DOE & ORISE to launch an ORISE Research Participation Program at BOEM.

Title of Fellowship: Engagement Advisor for Underserved Communities

Main Responsibilities:

- Improve BOEM’s understanding of underserved community perspectives
- Deliver recommendations about how to improve meaningful engagement
- Determine how best to integrate underserved community perspectives in the offshore wind processes
- Develop and grow relationships with underserved communities

BOEM seeks feedback on this approach and role design.

Are there thoughts/suggestions on ways to advance other capacity-building mechanisms listed or new mechanisms to explore?



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“ORISE connects the most talented and diverse college students, recent graduates, postdocs, and faculty to STEM internship and fellowship programs closely aligned with the interests of a variety of research facilities, including those managed for the U.S. Department of Energy and more than a dozen other federal agencies. These STEM internship and fellowship programs are key to the recruitment and preparation of the next generation of our nation’s scientific workforce.”



Questions

Laura Mansfield | Laura.Mansfield@boem.gov | 703-787-1132



When poll is active, respond at pollev.com/kwpoll2

Text **KWPOLL2** to **22333** once to join

Does the Input Status Report meet the objective of letting everyone know how previous input has been used or considered?

Yes.

Mostly, it needs minor changes.

Neutral or unsure.

Not really, it needs major changes.

No.

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Continued Discussion of Potential Impacts and Mitigation Measures

Overview for Breakout Room Discussions

- Four breakout rooms will be held until 12:15 p.m. ET, for federal, state, community-based organizations, and lessees.
- Breakout rooms are a space to reflect on:
 - Potential impacts from offshore wind activities on outer continental shelf (OCS).
 - Potential Avoidance, Minimization, and Mitigation Measures (AMMMs) for impacts from OCS activities.
- We won't report out from breakout rooms.
- Please be sure to introduce yourself when speaking.

Roundtable Activity: Identifying potential regional impacts and affected areas



Participants asked about potential impacts from lease development activity
Potential impacts identified fell into following general categories:

- Air quality
- Commercial fishing
- Equitable energy distribution
- Impacts to port communities
- Inclusivity of local communities
- Increased emissions
- Labor & workforce
- Recreational fishing and boating
- Visual impacts

PEIS Mitigation Measures Overview - "AMMMs"

AMMMs = Avoidance, Minimization, Mitigation, and Monitoring Measures

Mitigation = “Measures that avoid, minimize, or compensate for effects caused by a proposed action or alternatives as described in an environmental document or record of decision and that have a nexus to those effects. While NEPA requires consideration of mitigation, it does not mandate the form or adoption of any mitigation.

Mitigation includes:

- (1) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (3) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- (4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (5) Compensating for the impact by replacing or providing substitute resources or environments.”

(40 CFR § 1508.1(s))



Potential Mitigation Measures to Analyze in PEIS

○ **Communications Plan During Construction and Operations**

- Demonstrate how lessees will communicate with underserved communities about when and where construction and operations activities will take place and who may be affected by Outer Continental Shelf (OCS) offshore wind activities.

○ **Mitigations Resources Plan**

- Outline approach for lessees to provide households affected by offshore wind construction and operation with mitigation resources related to the OCS impact.

○ **Compensatory Mitigation Fund**

- Establish a third-party managed fund to provide grants to households, businesses, and/or community-based organizations directly impacted by OCS activities and offset impacts through improvement of households, community welfare, and community access to coastal environments.

NOTE: Potential impacts and mitigations are still being explored. BOEM is looking for feedback in this early brainstorming phase.



Breakout Rooms

Federal Agencies

State Agencies

Community Members and Indigenous Peoples

Lessees

Impacts to Address in PEIS

- **Local and regional issues** and information for EJ populations in New York and New Jersey to inform how the PEIS approaches **community identification and characterization**.
- **Potential impacts** of offshore wind activities, including both benefits and burdens to environmental justice populations.



Potential Mitigation Measures to Analyze in PEIS

○ **Communications Plan during Construction and Operations**

- Demonstrate how lessees will communicate with underserved communities about when and where construction and operations activities will take place and who may be affected by Outer Continental Shelf (OCS) offshore wind activities.

○ **Mitigations Resources Plan**

- Outline approach for lessees to provide households affected by offshore wind construction and operation with mitigation resources related to the OCS impact.

○ **Compensatory Mitigation Fund**

- Establish third-party managed fund to provide grants to households, businesses, and/or community-based organizations directly impacted by OCS activities and offset impacts through improvement of households, community welfare, and community access to coastal environments.

NOTE: Potential impacts and mitigations are still being explored. BOEM is looking for feedback in this early brainstorming phase.



Potential Mitigation Measures – Discussion Questions

What mitigation measures should be analyzed in the PEIS?

- What are your thoughts on the concepts BOEM is exploring?
- Do you think these would be effective at mitigating potential impacts?
- Is there anything you would change?
- Is there any duplication with other efforts (e.g., State procurement, other Federal activities)?
- What coordination would be needed to ensure effectiveness?
- How could they be enforced or monitored?

NOTE: Potential impacts and mitigations are still being explored. BOEM is looking for feedback in this early brainstorming phase.



EJF Engagement, Coordination, and Process Check-in

Process Improvements

The next EJF is April 26, 2023, from 10:30 a.m. – 12:30 p.m. ET

Are there suggested modifications ahead of the next Forum?

Consider the following:

1. The EJF format.
2. Pre- and post-EJF activities.
3. Distributing materials.
4. Meeting the intention of the EJF and stated goals.
5. Agenda topics for future EJFs and parking lot items.
6. Other items?



Do you have any recommendations for additional community-based organizations to include?

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Are there items you would like to have discussed today that we didn't?

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Was this meeting a good use of your time?

Yes

Yes, mostly

Somewhat

Mostly no

No

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Contact Information

For further input and discussion: environmental.justice@boem.gov

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Thank you to Sara Parkison for her service!



Thank you!

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