

New York and New Jersey Offshore Wind
Environmental Justice Forums

DRAFT Participation Guidelines

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Overview

This document outlines the charge and operating protocols for the New York and New Jersey (NY&NJ) Offshore Wind Environmental Justice Forums (EJF). The purpose of this document is to clarify roles and responsibilities, meeting logistical information, and additional considerations for productive EJF meetings during the New York Bight Programmatic Environmental Impact Statement (PEIS) development process, so that participation is effective in achieving intended goals.

This document is intended to create shared expectations about how the EJF participants will work together to foster and reinforce constructive collaboration and meaningful engagement. Its intent is to emphasize:

- clear communication,
- a commitment to collaborative principles,
- trust and relationship building,
- respect for diverse views, creative thinking, the pursuit of mutual gains, incorporation of local knowledge,
- use of best available information.

These guidelines are a living document that is shaped by EJF participant input and that can evolve with the EJF. The EJF can reconsider and revise this document if EJF participants come to a consensus that modifications are needed or that the guidelines no longer serves their intended purpose.

Introduction and Background

Offshore Wind Energy near NY & NJ

On January 12, 2022, Secretary of the Interior Deb Haaland announced that BOEM would hold an auction to lease areas within the New York Bight region for offshore wind energy development. The auction was held on February 23, 2022. The lease sale offered six lease areas totaling 488,000 acres in the New York Bight for potential wind energy development and drew winning bids from six companies, totaling approximately \$4.37 billion.

In July 2022, BOEM published a Notice of Intent to prepare a draft PEIS for the New York Bight lease areas. BOEM asked stakeholders, organizations, federal agencies, and Tribal, state, and local governments to submit comments on the scope of the draft PEIS, including potential alternatives and draft mitigation measures. The scoping period included three virtual public meetings and a 45-day comment period, as well as a dedicated environmental justice and underserved community engagement effort.

In June 2022, BOEM hosted three preparatory meetings – with state agencies (June 22), federal agencies (June 23), and community members (June 30) – to identify coordinated actions related to environmental justice issues across agencies; understand priorities, needs, and issues to address through BOEM’s New York Bight environmental review process; share information on BOEM and current equity-related efforts; develop the list of environmental justice and underserved community organizations to engage; and identify priority topics for a roundtable convening.

The three preparatory meetings led to a July 21, 2022, NY&NJ Environmental Justice Roundtable Convening on offshore wind with state and federal agencies and community members. The convening goals were to:

- Further develop the network of organizations, communities and Tribes, and individuals to engage in the NY&NJ region.
- Learn how best to conduct outreach and engagement to advance ideals of equitable participation.
- Understand the equity-related efforts of partners and understand where collaborative opportunities exist.
- Improve community access to and input in environmental review processes to capture all potential impacts.
- Develop a model for meaningful community engagement that could be replicated for other BOEM-regulated activities.

During the convening, BOEM heard the need for a regularly held, well-defined, adaptive, coordinated, and responsive BOEM-led engagement with environmental justice and underserved communities and Tribes regarding offshore wind in the NY&NJ region and as the PEIS is drafted. In response to this input, BOEM is hosting quarterly EJF meetings over the course of the draft PEIS development.

The EJF strives to advance meaningful engagement and outreach to reduce barriers to participation, increase access to environmental reviews, and create better-informed decisions. The desire is to grow long-term relationships between impacted communities and Tribes, and federal and state agencies that are founded on mutual respect, understanding, and collaboration; improve coordination between community-based organizations and agencies; and provide greater clarity to communities and Tribes on whether and how their input has affected federal and state decision-making process.

These draft principles and objectives were developed in October 2022 prior to the first quarterly EJF meeting on October 26, 2022. The participants at the first quarterly meeting reviewed and provided feedback on the draft.

Goals

EJF meetings will serve to bring together community organizations and members, states, and federal agencies to:

- Advance the principles of meaningful engagement and outreach that reduce barriers to participation, increase access to environmental reviews, and create better-informed decisions.
- Grow long-term relationships with impacted communities and Tribes in the region that are founded on mutual respect, understanding, and collaboration.
- Continue to expand outreach to as many members of environmental justice and underserved communities and Tribes in the region as possible.
- Improve coordination with other federal agencies, state and local governments, and community-based organizations to reduce fatigue and streamline information sharing.
- Close the information feedback loop by providing greater clarity to communities and Tribes on whether and how their input has affected the decision-making process.

Charge and Responsibilities

The EJF will meet throughout the duration of the PEIS development, which is expected to be completed in 2024.

There are no requirements for participation or membership, although consistent participation helps meet the goals of continued collaboration and engagement. The EJF meeting dates through July 2024 are outlined on page 9. If desired, the EJF may discuss changes to the schedule, and the facilitator will briefly check in with participants at each EJF meeting to ensure that the timing for the next meeting works (including the time of day that the meeting is scheduled). Participants may contact BOEM EJF points of contact for any reason who will help facilitate any follow-on discussions needed in between EJF meetings. Between meetings, participants will be invited to collaborate on and review materials, comment on specific topics, and identify potential priorities. BOEM or the facilitation team may also reach out to participants periodically to check-in on how the process is going, whether the forums are meeting participants' needs, and if any adjustments are needed. Participation in these conversations is completely voluntary and not a requirement of participation.

Participants are invited to provide input, ideas, comments, and feedback that incorporate local expertise, knowledge, resources, and understanding of the experience of underserved and environmental justice communities and Tribes. Specific information about topics like important environmental resources, geographic areas, or cultural practices that could be impacted by offshore wind activities would greatly improve BOEM's environmental analyses and enhance consideration of environmental justice issues in decision-making.

The EJF meetings will be multilateral information-sharing sessions, whereby BOEM staff will receive input that informs the environmental review process and community members will receive information on how their input has been interpreted, adopted, and/or shared with relevant partners. It will be a collaborative space to discuss issues affecting environmental justice communities and Tribes with relevance to offshore wind development. Federal agencies, lessees, and state governments may also use this space to share information on developments, opportunities, and other engagement processes that are underway and that are relevant to EJF participants.

Please note: Any decisions related to the PEIS will remain the responsibility of BOEM, consistent with [BOEM's Regulatory Framework and Guidelines](#). BOEM will keep stakeholders informed, listen to concerns, and provide feedback on how input influenced decisions.

Participation

BOEM is the convener of the EJF. The invitation list was developed by BOEM with input from existing contacts at other Federal or State offices working on similar issues, as well as by reaching out to community-based organizations and asking for further contacts. Participation can continuously expand to include as many participants of environmental justice and underserved communities and Tribes with ties to the region as would find the EJF useful.

An example list of groups, organizations, and individuals invited to participate in the October 2022 EJF is included in Appendix A. This is not an exhaustive list and is continuously expanded upon. If you have recommendations for additional contacts to invite, please send them to the points of contact at the end of this document.

Environmental Justice and Underserved Communities and Tribes Participation As part of its goal to grow long-term, respectful, and collaborative relationships with impacted communities and Tribes that hold ties to the New York and New Jersey area, the EJFs welcome and encourage environmental justice and

underserved communities and Tribes potentially impacted by offshore wind energy development to participate. This includes communities and Tribes that identify as disadvantaged or overburdened, and Indigenous Peoples.

BOEM will conduct Tribal engagement and Government-to-Government Consultation process with Tribal Nations regarding the New York Bight PEIS. These consultations are independent of the EJFs.

Lessee Participation

Lessees are invited to designate two representatives per lessee to join the virtual EJF meeting as passive observers. Participants could decide if and when it would be necessary or informative to involve lessees in a more active and directly participatory fashion. For example, should there be questions at a Forum that lessees are best equipped to answer, participants may opt to add a lessee presentation to the agenda for the next EJF.

To maintain the focus on environmental justice and underserved communities and Tribes, lessees will adhere to the following guidelines for their participation, except during pre-planned lessee participation sessions:

- Lessee participants will be allowed to observe, but not provide comment nor answer questions, during all portions of the meeting (including breakout rooms).
- Lessee participants will be asked to insert “(Observer)” at the end of their name in the Zoom meeting room.
- Lessee participants will not be permitted to directly engage in the EJF meeting with other group members and will be muted.
- Observers may opt to have BOEM provide their contact information as part of the follow-up materials so that participants can reach out outside of the EJF space.

Non-Member Participation

Additional individuals may be invited by BOEM to present information and serve as a resource to the group. Participants are invited to provide input on additional invitees to present at a Forum, so long as the invitation recommendation is relevant to the goals and scope of the EJF.

Continuity in Participation

The quarterly EJF meetings will build on each other, with discussions in one meeting shaping and informing the discussions at the next meeting. Continuity between each meeting is enhanced by consistency in attendance and participation. Because of this, BOEM encourages consistency in participation in meetings wherever possible. BOEM recognizes that, as participation is voluntary, the capacity for any individual to regularly participate may be limited. Capacity-building will continue to be a topic of conversation throughout the EJF. In the meantime, participants are welcome to ask others from their organization or agency to attend in their stead should they not be able to make an EJF meeting.

Process Facilitation

Facilitation will be led by impartial facilitators from Kearns & West. The facilitator will:

- Guide meeting discussions and manage time per the agenda.
- Gently enforce the “meeting principles” (see below).
- Maintain an impartial position during discussions.
- Work to ensure that all participants can participate as effectively as possible.

- Facilitate dialogue that allows for multiple methods of participation and productive outcomes.
- Help the group fulfill its purpose in a balanced and fair manner.
- Track actions, next steps, and deadlines.
- Schedule and coordinate meeting logistics.
- Offer process expertise to support constructive, collaborative, and productive dialogue.

Meeting Principles

All participants 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.
- Whenever possible, have one's video on to encourage meaningful communication and collaboration.
- When sharing reports of discussions, not attributing discussions to any individual member to protect opportunities for open discussion.

Meeting Logistics

Logistics for meetings and communications are established as follows. Adjustments are possible to implement process improvements. If a participant requires accommodations to participate in the meeting, they are encouraged to submit their accommodation needs to BOEM prior to each EIJ meeting.

Meeting Schedule

The NY&NJ EIJ meetings are intended to be scheduled on the same day and time, for two hours, every quarter. This is currently set as the last Wednesday of every third month, from 10:30 a.m. to 12:30 p.m. ET. There is an optional and informal 30 minute informal gathering time slot held directly following the conclusion of each meeting. Informal gathering time is not recorded in the meeting summary, and is meant to provide space for casual connection and follow up.

Meeting Location

Meetings will primarily be conducted virtually and in-person meetings will be considered based on participant interest and input and BOEM's capacity.

Agendas and Meeting Materials

The agenda for the EIJ meeting will be circulated at least two weeks ahead of the meeting date to gather input from agencies, states, community-based organizations, BOEM, and the PEIS team on items affecting the region. This could include:

- Other engagement processes underway.
- Capacity-building efforts partners and cooperating agencies have created.
- Offshore wind development status updates.

Input on Meeting Materials

The primary opportunity for providing input on the development of the PEIS will be at the meetings. If participants have comments or wish to solicit input from their constituents and other community members before or after meetings, they are also able to provide feedback to BOEM throughout the course of the PEIS development process and outside of an established EIJ meeting time.

Please note that BOEM's ability to address or incorporate feedback may depend on the PEIS status. BOEM will communicate what information is most useful at what stages to influence PEIS analyses or other decisions as part of the Input Status Report shared at each Forum.

Meeting Summaries

The facilitation team will prepare meeting summaries capturing key discussion points and action items. Meeting summaries will not be transcripts of the meeting, nor will statements be attributed to specific participants. Draft summaries will be circulated to EIJ participants for review and comment.

The facilitation team will incorporate comments as appropriate into the final summaries, which will be disseminated to participants, lessee observers, and the PEIS team (including the contractor for the draft PEIS). Meeting summaries and materials will be made available to non-member participants upon request. They will also be posted to the planned Environmental Justice webpage on BOEM's website.

Pre-Meeting Actions

Regular action items leading up to the NY&NJ EIJ include:

1. Identify invitees to participate.
2. Send a save the date for the EIJ meeting to participants (federal agencies, states, community-based organizations, lessees, PEIS contractor).
3. Advertise the EIJ through all possible channels (including through BOEM's Environmental Justice webpage).
4. Circulate the draft agenda to all participants for feedback.
5. Develop the input status report received during the prior EIJ, that will cover:
 - a. What input BOEM is incorporating into the PEIS, including potential impacts and mitigation measures.
 - b. What input BOEM has passed along internally at BOEM to those working on other environmental reviews such as project-specific Construction and Operation Plans.
 - c. What input has been passed along internally at BOEM to another office or function outside of environmental reviews.
 - d. What input BOEM has passed along to partners and cooperating agencies.
 - e. Why input was processed in the manner it was (what falls within BOEM's jurisdiction and what does not).
 - f. All demonstrable cases of how the input affects decisions.
6. Revise the agenda based on participant feedback and share with participants.

Regular Meeting Actions

1. Review the agenda.
2. Share the input status report from the previous convening.
3. Share the results of any discussions from prior meetings.
4. Touch base on the status and relevance of the document.
5. Check in on the EJV process.

Post-Meeting Actions

1. BOEM sends a follow up email with a draft meeting summary (with request for review) and solicitation of feedback on the EJV (items to change, recommendations for next meeting).
2. Participants provide EJV and summary feedback and any additional information needed in between meetings.
3. BOEM disseminates the final meeting summary to participants, lessee observers, and the PEIS team (including the contractor for the draft PEIS). As part of this dissemination, BOEM will:
 - a. Report back to the environmental justice PEIS lead on resource-specific impact and mitigation information gathered during the EJV.
 - b. Provide support in giving guidance to the PEIS development contractor on interpretation of the feedback and identification of communities and Tribes, impacts, and possible mitigation measures.
4. BOEM develops an input status report prior to the next EJV meeting.

Engagement Wrap Up

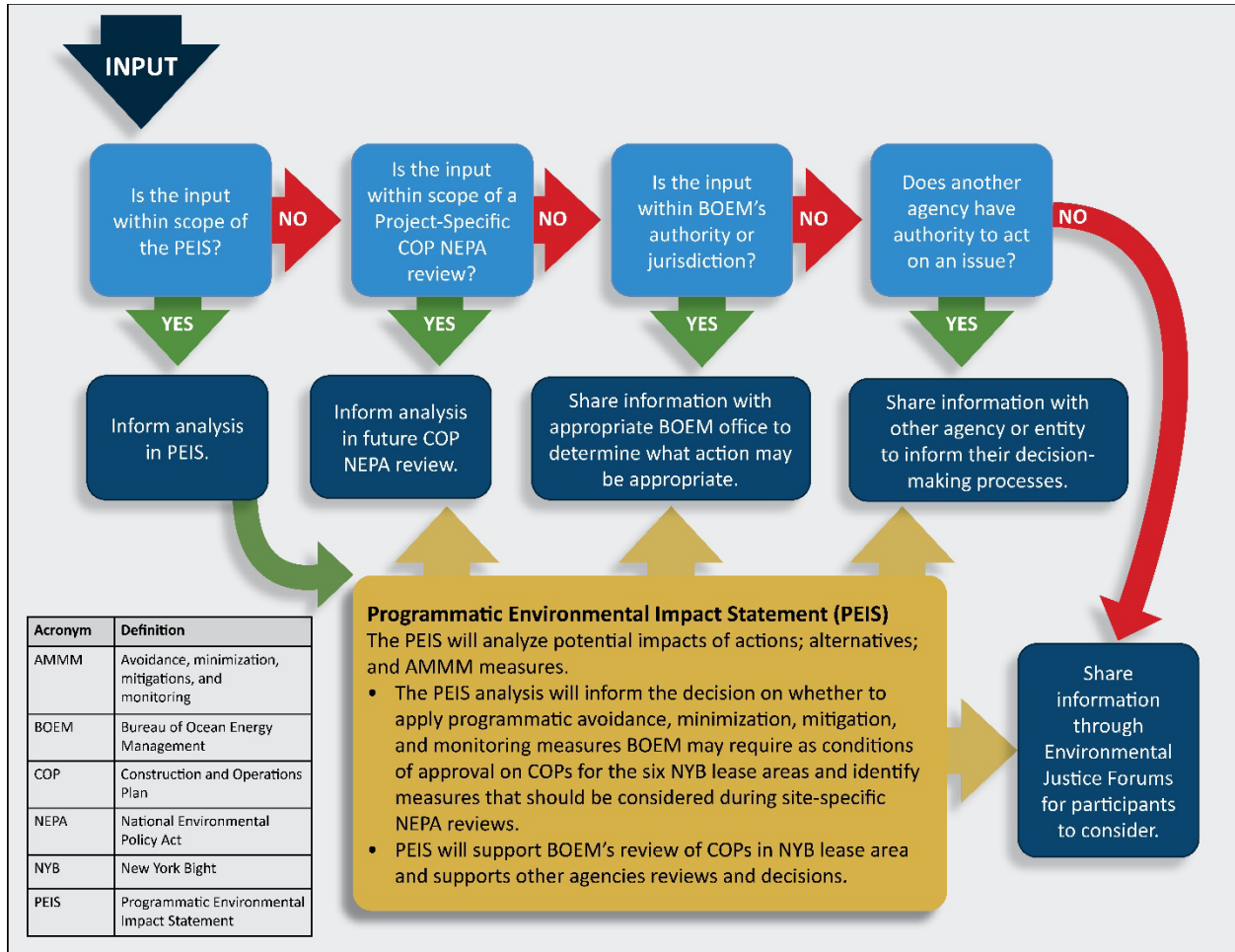
BOEM intends to host productive and meaningful discussions with EJV participants. The group can, periodically, reevaluate the purpose of the EJV and the frequency of engagement to ensure that meetings have clear objectives and goals.

At the beginning of the EJV process, EJV meetings are tied to the two-year development of the draft PEIS and serve the purpose of a regularly held and iterative coordinated information exchange between BOEM, state agencies, other federal agencies, lessees, and community members. If this engagement is better suited to a different format, BOEM will consult with all participants on a more logical path forward.

Given the timeline of the draft PEIS development, the EJV is currently scoped to regularly occur from Fall 2022 through to Summer 2024. However, based on what is accomplished during the first year of meetings, the participants can revisit this timeline in Fall 2023 to evaluate potential next steps. For example, the framework could be the first stage of a longer-term process as the lessee's Construction and Operations Plans (COPs) are developed.

Information Flow

The EJV effort intends to shed light on how input from environmental justice and underserved communities is processed for incorporation into the PEIS, incorporation into a COP EIS at a later stage, or shared with other entities.



Environmental Justice Forum Schedule

Date	Time	Milestone
10/26/2022	10:30 a.m. - 12:30 p.m. ET	First NY&NJ Environmental Justice Forum
01/25/2023	10:30 a.m. - 12:30 p.m. ET	NY&NJ Environmental Justice Forum
04/26/2023	10:30 a.m. - 12:30 p.m. ET	NY&NJ Environmental Justice Forum
07/26/2023	10:30 a.m. - 12:30 p.m. ET	NY&NJ Environmental Justice Forum
10/25/2023	10:30 a.m. - 12:30 p.m. ET	NY&NJ Environmental Justice Forum. Next steps post-July 2024 discussion.
01/24/2024	10:30 a.m. - 12:30 p.m. ET	NY&NJ Environmental Justice Forum
04/24/2024	10:30 a.m. - 12:30 p.m. ET	NY&NJ Environmental Justice Forum
07/31/2024	10:30 a.m. - 12:30 p.m. ET	Last scoped NY&NJ Environmental Justice Forum

Points of Contact

You can reach BOEM's team working on engagement with underserved communities and Tribes and environmental justice populations at Environmental.justice@boem.gov. Questions, concerns, suggestions, requests to meet, etc. are all welcome, the team looks forward to hearing from you.

For additional background and materials specifically related to New York and New Jersey and the Environmental Justice Forum, you can also visit <https://www.boem.gov/renewable-energy/state-activities/new-york-new-jersey-offshore-wind-environmental-justice-forums>.

The established individual points of contact for participant questions, suggestions, and input are:

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Appendix A – Organizations Invited to July 2022 Roundtable

Below are the initial organizations invited to the July Roundtable to kickoff the Environmental Justice Forum process. As outlined in the Guidelines, BOEM seeks an inclusive list of organizations to invite to the Environmental Justice Forum. This list has evolved since July 2022. If there are organizations that would be interested in receiving an invitation to join the forums, please send your recommendations to environmental.justice@boem.gov and we will be sure to reach out.

Organization Name
Advisory Council on Historic Preservation (ACHP)
Alliance for New Jersey Environmental Education
Alternatives for Community and Environment (ACE)
Asian American Federation
Asian Americans for Equality
Association for Energy Affordability
Association of New Jersey Environmental Commissions (ANJEC)
Barneget Bay Partnership
Bronx Council for Environmental Quality
Bureau of Ocean Energy Management (BOEM)
Bureau of Safety and Environmental Enforcement (BSEE)
Buzzards Bay Coalition
Catskill Mountainkeeper
Center for Economic Growth
Círculo de la Hispanidad, Inc.
Citizen Action of New York
Citizens Campaign for the Environment
Clean Air Coalition of Western New York
Clean Water Action - Coalition for Healthy Ports NJ/ NY
Climate Justice Alliance
Coalition for Healthy Ports NY NJ, Clean Water Action
Collective for Community, Culture and Environment
Collective Force
Coming Clean
Community League of the Heights
Concerned Citizens of Long Branch
Conservation Law Foundation
Dejus Center Inc.
Department of Energy (DOE)
Department of Energy, Office of Energy Justice (OEJ)
Department of the Interior (DOI)
ElectrifyNY
Empire Justice Center
Empire State Development

Organization Name
Energy Efficiency for All
Environmental League of Massachusetts
Environmental Protection Administration (EPA)
Friends of Cape May Wildlife Refuge
Greater Newark Conservancy
Green Faith
Green Map System
Green Worker Cooperative
Groundwork Southcoast
Hester Street Collaborative
Hispanic Federation, New York
Ironbound Community Corporation
Jersey City Environmental Commission
Jersey Coast Anglers Association
Local Spokes
Long-Term Recovery Group of the Lower East Side of Manhattan (LES Ready!)
Make the Road New York
Mass Climate Action Network (MCAN)
Massachusetts Conservation Voters
Massachusetts Sierra Club
Moving Forward Network
NAACP New York
National Oceanic and Atmospheric Administration (NOAA)
National Parks Service (NPS)
National Wildlife Federation
Natural Resources Defense Council
Nature Conservancy, South Cape May Meadows Preserve
New England Environmental Justice Research Network
New Jersey Board of Public Utilities
New Jersey Department of Environmental Protection (NJDEP)
New Jersey Department of Transportation
New Jersey Economic Development Authority
New Jersey Environmental Justice Advisory Council
New Jersey Environmental Justice Alliance
New Jersey Environmental Lobby
New Jersey Sea Grant Consortium
New Jersey Work Environment Council
New School
New York City Environmental Justice Alliance

Organization Name
New York Community Colleges Energy Equity Consortium
New York Department of Transportation
New York League of Conservation Voters
New York Offshore Wind Alliance
New York Renews
New York Sea Grant
New York State Department of Environmental Conservation (NYSDEC)
New York State Energy Research and Development Authority (NYSERDA)
NOAA Fisheries, Northeast Fisheries Science Center (NEFSC)
NOAA Sea Grant
Northeastern Environmental Justice Collaborative
NY Offshore Wind Alliance
NY Renews
NYC Environmental Justice Alliance
NYSERDA Climate Action Council
Ocean County College
Office of Economic Impact and Diversity
Office of Energy Efficiency and Renewable Energy
People United for Sustainable Housing Buffalo
Port Authority of New York and New Jersey
Pratt Center for Community Development
Rethink Energy New Jersey
Rockaway Initiative for Sustainability & Equity
Social Science Environmental Health Research Institute
Solar One
Southwest Brooklyn Industrial Development Corporation (SBIDC)
Staten Island Economic Development Corporation (SIEDC)
Surfrider Foundation, Jersey Shore Chapter
The Center for Popular Democracy
The College of New Jersey, Sustainability Institute
The Nature Conservancy, New Jersey
The New England Environmental Justice Forum (NEEJF)
Tishman Environment and Design Center
TREEage
US Department of Homeland Security (DHS)
US Department of Transportation (DOT)
Unitarian Universalist FaithAction of New Jersey
United States Maritime Administration

Organization Name
United Way of New Bedford
University of Rhode Island Coastal Resources Center (URI CRC), RI Sea Grant
UPROSE
Urban Coast Institute, Monmouth University
US Army Corps of Engineers (USACE)
US Coast Guard (USCG)
US Department of Justice (DOJ), Office of Environmental Justice
US Maritime Administration (MARAD)
WEACT for Environmental Justice
White House Environmental Justice Interagency Council
Wind Energy Technologies Office
Wind Institute Development at New Jersey Economic Development Authority (NJEDA)
Workforce Development Institute

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