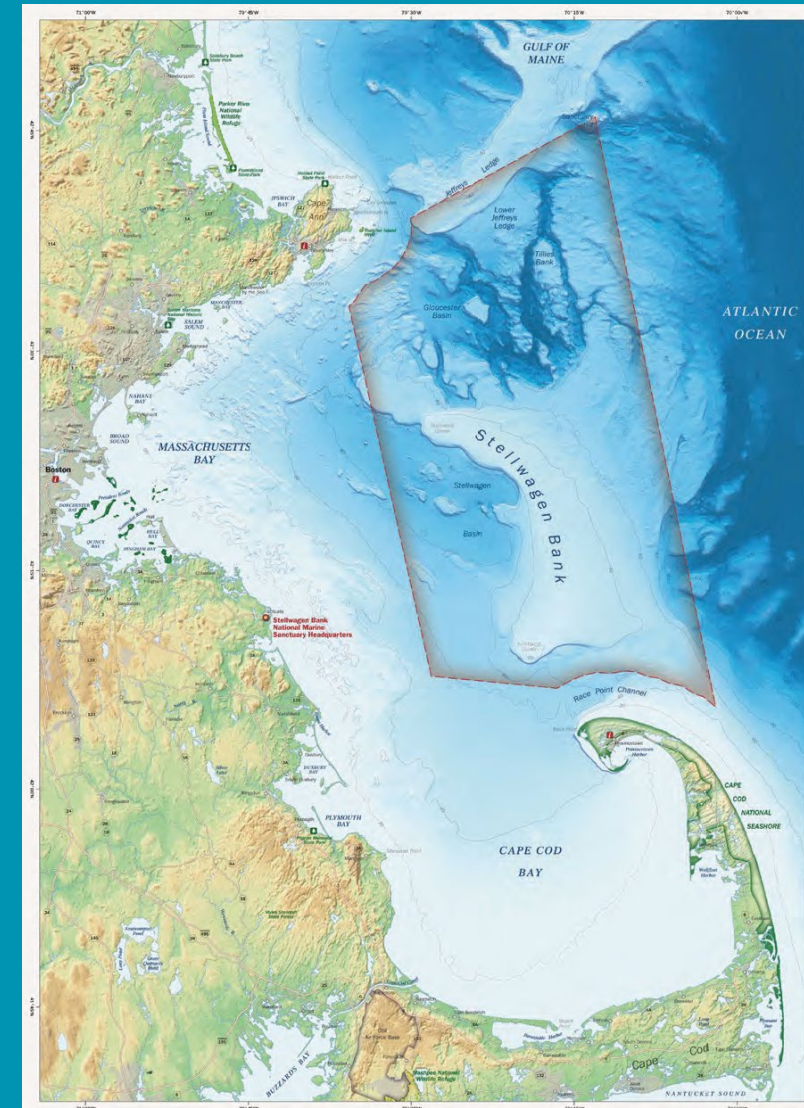




Stellwagen Bank National Marine Sanctuary and Offshore Wind

Gulf of Maine Renewable Energy Task Force Meeting May 31, 2024

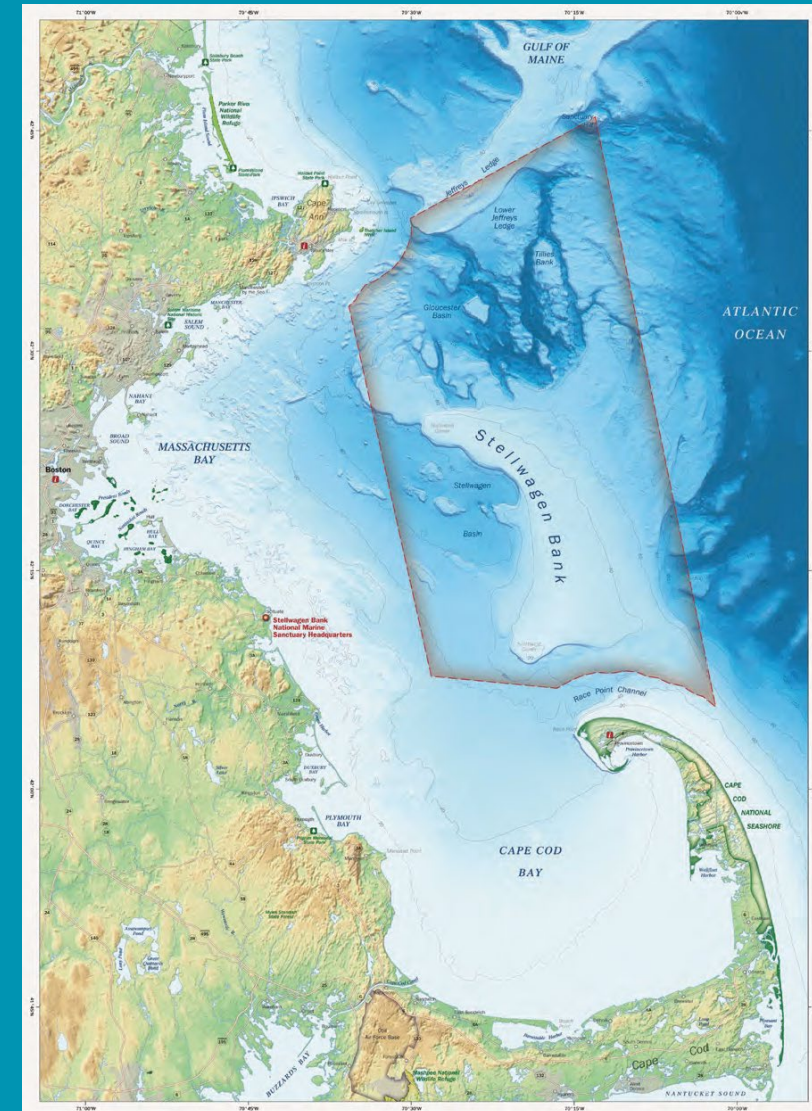
Alice Stratton
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Offshore Wind POC



National Marine Sanctuaries Act (NMSA)



- National Marine Sanctuaries Act passed in 1972
 - Designate as sanctuaries areas of special national significance
 - Facilitate to the extent compatible with the primary objective of resource protection, all public and private uses.
 - Managed by NOAA's Office of National Marine Sanctuaries
- Congress designated Stellwagen Bank National Marine Sanctuary in 1992 as part of NMSA reauthorization.
 - Underwater extension of Cape Cod
 - Lies entirely in federal waters



National Marine Sanctuary System

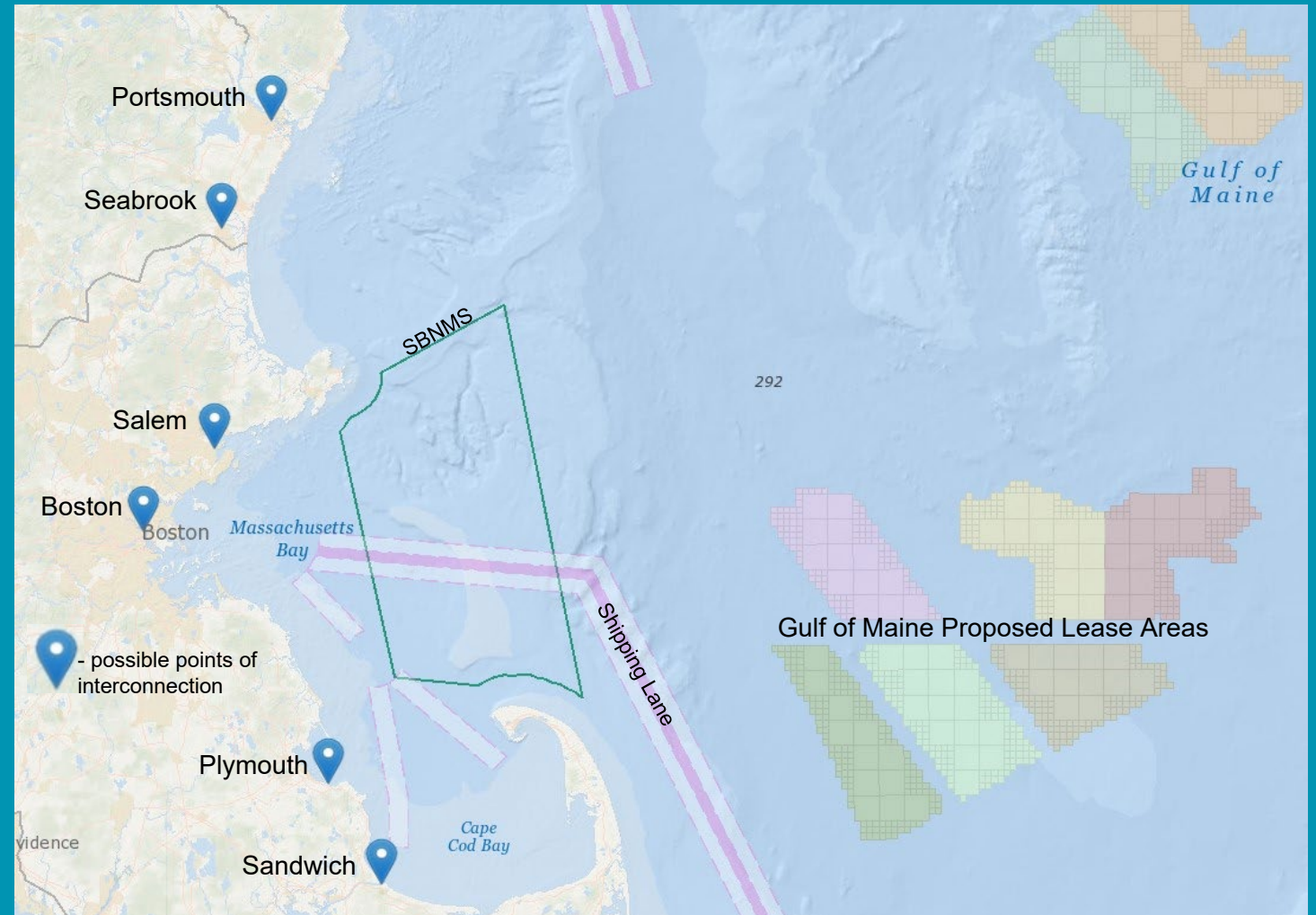


Stellwagen Bank National Marine Sanctuary (SBNMS)



Why we are here?

SBNMS is located between the Gulf of Maine proposed lease areas and the most likely shoreside points of interconnection.



Relevant Authorities



OCSLA or NMSA?

- The Outer Continental Shelf Lands Act (OCSLA) gives BOEM authority to manage offshore energy, but prohibits BOEM from issuing leases in certain areas, including national marine sanctuaries.
- The NMSA, however, provides several authorities to NOAA that could be used to allow activities related to renewable energy in sanctuaries.

Sanctuary Resource Protection



The Office of National Marine Sanctuaries (ONMS) recognizes that climate change is a significant threat to sanctuary resources and renewable energy mitigates that threat. ONMS supports the responsible development of offshore wind.

ONMS recognizes the challenges in implementing a shared transmission cable system but strongly supports its development in order to minimize impacts to sanctuary resources. We encourage stakeholders to collaborate to make it possible.

ONMS is working with NOAA's National Center for Coastal Ocean Sciences to proactively map sanctuary resources in order to avoid or minimize impacts.

- Currently mapping high priority areas

NMSA Permit Authorities



From the BOEM Proposed Sale Notice (issued May 1, 2024):

Stellwagen Bank National Marine Sanctuary: The Gulf of Maine WEA lies adjacent to the Stellwagen Bank National Marine Sanctuary. Should a lease be issued within the WEA, future offshore wind development may necessitate installation of energy transmission cables within the sanctuary boundaries in identified cable corridors. **NOAA has advised BOEM that they may consider authorizing installation of energy transmission cables within sanctuary boundaries under the authority of the National Marine Sanctuaries Act, through one or more of the following mechanisms—General Permits, Authorizations, Certifications, and Special Use Permits.**

Permits for Transmission Cables



For energy transmission cables in a sanctuary, there are two likely steps for NMSA permits and authorizations:

- Most cable project activities will require a Federal construction / installation permit
 - ONMS could authorize that permit for use within SBNMS and add relevant sanctuary-specific conditions.
- Post construction: issue a Special Use Permit for “the continued presence of commercial submarine cables on or within the submerged lands of any national marine sanctuary.”

NMSA Special Use Permit (SUP)



- Allows specific activities if necessary (1) to establish access to / use of any sanctuary resource or (2) to promote public use and understanding of a sanctuary resource.
- Only applies to categories of activities that have been noticed in the Federal Register, see <https://sanctuaries.noaa.gov/management/permits/special.html>
- Term and condition set by NMSA: Limited to 5 years, with option to renew.
- ONMS has authority to assess and collect fees associated with an SUP.

NMSA Permits in Leasing Phases



Site assessment and characterization, and monitoring:

- **Activity:** sediment sampling or placement of equipment on the seabed.
Prohibition: altering the seafloor or placing structure on the seabed
NMSA Tool: general permit
- **Activity:** Use of untethered equipment (e.g. AUVs)
Prohibition: discharge into sanctuary waters
NMSA Tool: general permit



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