



Renewable Energy Leasing and Permitting on the Pacific Outer Continental Shelf (OCS)

Sponsor Briefing for the National Academies of Science, Engineering and Medicine Committee Study: Impacts on Shipping and Commercial, Tribal, and Recreational Fisheries from Development of Renewable Energy on the West Coast

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NDAA FY 2023 SEC. 11319. Study on Impacts on Shipping and Commercial, Tribal, and Recreational Fisheries From Development of Renewable Energy on the West Coast

• (a) STUDY.—National Academy of Sciences, Engineering, and Medicine shall carry out a study to—

(1) identify, document, and analyze-

- (A) historic and current, as of the date of the study, Tribal, commercial, and recreational fishing grounds, as well as areas where fish stocks are likely to shift in the future in all covered waters;
- (B) usual and accustomed fishing areas in all covered waters;
- (C) historic, current, and potential future shipping lanes, based on projected growth in shipping traffic in all covered waters;
- (D) current and expected Coast Guard operations relevant to commercial fishing activities, including search and rescue, radar, navigation, communications, and safety within and near renewable energy sites; and (E) key types of data needed to properly site renewable energy sites on the West Coast, with regard to assessing and mitigating conflicts;

(2) analyze—

- (A) methods used to manage fishing, shipping, and other maritime activities;
- (B) potential future interactions between such activities and the placement of renewable energy infrastructure and the associated construction, maintenance, and operation of such infrastructure, including potential benefits and methods of mitigating adverse impacts; and

(3) review the current decision-making process for offshore wind in covered waters, and outline recommendations for governmental consideration of all impacted coastal communities, particularly Tribal governments and fisheries communities, in the decision-making process for offshore wind in covered waters, including recommendations for—

- (A) ensuring the appropriate governmental consideration of potential benefits of offshore wind in covered waters; and
- (B) risk reduction and mitigation of adverse impacts on Coast Guard operations relevant to commercial fishing activities.

BOEM Overview: Mission

To manage the development of U.S. Outer Continental Shelf (OCS) energy, mineral, and geological resources in an environmentally and economically responsible way.

BOEM manages almost 3.2 billion acres of the U.S. Outer Continental Shelf

BOEM is one of the 11 Bureaus of the U.S. Department of Interior (DOI) Managing responsible development of America's offshore energy and mineral resources

Management

BOEM.gov

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BOEM Overview: Key Legislation and OCS Jurisdiction

OCS Lands Act (OCSLA): "...OCS is a vital national resource...should be made available for expeditious and orderly development, subject to environmental safeguards..."
OCS typically extends 3-200 nautical miles off the coast

Key OCSLA Amendments

1. Energy Policy Act of 2005 "... energy from sources other than oil and gas ..."

- Excludes from leasing National Marine Sanctuaries, National Monuments, National Wildlife Refuges, and National Parks
- Citation: 43 U.SC § 1337
- 2. Inflation Reduction Act
- Expands renewables jurisdiction to the territories





President Trump's January 2025 Wind Leasing Memorandum

Presidential Memo: Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects

- Sec. 1. Temporary Withdrawal of Areas. "This withdrawal temporarily prevents consideration of any area in the OCS for any new or renewed wind energy leasing for the purposes of generation of electricity or any other such use derived from the use of wind."
- Sec. 2. Temporary Cessation and Immediate Review of Federal Wind Leasing and Permitting Practices. "Secretary of the Interior...shall not issue new or renewed approvals, rights of way, permits, leases, or loans for onshore or offshore wind projects pending the completion of a comprehensive assessment and review of Federal wind leasing and permitting practices."

Full memo available: <u>https://www.whitehouse.gov/presidential-actions/2025/01/temporary-withdrawal-of-all-areas-on-the-outer-continental-shelf-from-offshore-wind-leasing-and-review-of-the-federal-governments-leasing-and-permitting-practices-for-wind-projects/</u>



Existing West Coast Activities: 5 California Offshore Wind Leases

Completed and Ongoing Activities

- Offshore surveys for geotechnical and geophysical data; benthic, biological and archaeological resources
- Meteorological and metocean buoys



Possible Future Activities (pending outcome of Presidential Memo assessments and future permitting decisions)

- Offshore wind farms with floating foundations
- Suspended inter-array cables
- Variety of ultradeep mooring designs possible
- Export cable(s) to shore





Existing West Coast Activities: PACWAVE Marine Hydrokinetic Project



NOTE: Grid-connected MHK on the OCS requires a BOEM lease and FERC permit. No permit is issued by BOEM for grid-connected MHK facilities.

Project Description:

- U.S. Department of Energy, the State of Oregon, Oregon State University (OSU) and local stakeholder partnership.
- Open ocean test site with four berths occupying two square nautical miles of ocean with a cable route to shore of approximately 12 miles in length.
- Permitted for the testing of up to 20 wave energy converters, allowing different technologies to be tested at the same time, with a maximum power output of up to 20MW.
- Each berth will have a dedicated, 5MWcapable power and data cable connection.





BCEM BUREAU OF OCEAN ENERGY MANAGEMENT

Multiple Opportunities for Deconfliction, Reductions in Impacts, and Public Comments

BOEM's historical multistep process for leasing and potential project development includes the following *formal* opportunities (public comment periods) for input to inform avoidance, minimization, and mitigation of impacts to environmental and cultural resources, as well as other uses of the marine environment and seabed:

- $\circ~$ Prior to leasing:
 - Call for Information and Nominations
 - Draft Wind Energy Areas
 - Proposed Sale Notice and Environmental Assessment for leasing
- After leasing:
 - Programmatic Environmental Impact Statement (optional)
 - Project-specific Environmental Impact Statement
 - Example: In response to comments BOEM may select an alternative in the Record of Decision that caps the total # of positions available for wind turbine generators and proscribes a limited subset of the proposed layouts to reduce potential impacts.
- Note: Future processes could be updated pending the outcome of required assessment



Example: Oregon Area Identification

BOEM's Partnership with NOAA NCCOS informed Oregon Area Identification and Leasing Process

1. Avoiding Sensitive seafloor habitats



2. Avoiding overlap with NOAA Scientific Surveys





Example: Oregon Area Identification





Suggested Sources of Additional Information

- Renewable Energy | Bureau of Ocean Energy Management: <u>https://www.boem.gov/renewable-energy</u>
- BOEM Regulations: 30 CFR § 585
- Recent Leasing Area Identification Memos
 - Oregon <u>https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/Oregon%20Area%20ID%20Memo.pdf</u>
 - Gulf of Maine <u>https://www.boem.gov/sites/default/files/documents/renewable-energy/Gulf%20of%20Maine%20Area%20ID%20Memo_03142024.pdf</u>
- Recent Programmatic Environmental Impact Statements:
 - NY Bight https://www.boem.gov/renewable-energy/state-activities/new-york-bight-final-programmatic-environmental-impact-statement
 - Central California <u>https://www.boem.gov/renewable-energy/state-activities/california-offshore-wind-draft-programmatic-environmental-impact</u>
- NREL Investigation of the Challenges of Offshore Wind in Ultradeep Water: <u>https://www.nrel.gov/docs/fy25osti/90849.pdf</u>





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