

Learning from the Experts Webinar Series

Offshore Wind COP Review Process



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August 11, 2021

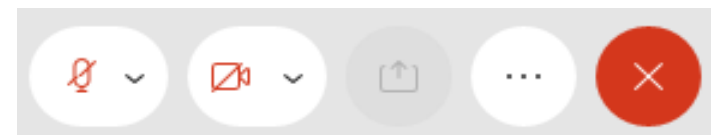
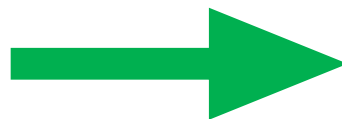
Meeting Procedures


Webinar recordings and presentations will be available at:

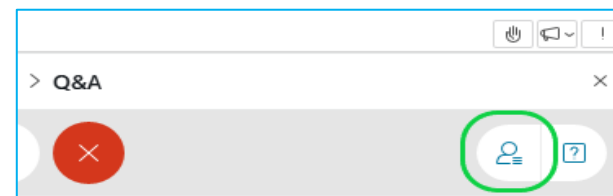
www.nyserda.ny.gov/osw-webinar-series

Participation for Members of the Public:

- > Members of the public will be muted upon entry.
- > Questions and comments may be submitted in writing through the Q&A feature at any time during the event.
- > If technical problems arise, please contact tricia.king@nyserda.ny.gov



You'll see  when your microphone is muted



Learning from the Experts

This webinar series is hosted by NYSERDA's offshore wind team and features experts in offshore wind technologies, development practices, and related research.

DISCLAIMER:

The views and opinions expressed in this presentation are those of the presenter and do not represent the views or opinions of NYSERDA or New York State.





Offshore Wind Construction and Operations Plan Review Process

NYSERDA Hosted Webinar

August 11, 2021

Michelle Morin, Chief, Environment Branch for Renewable Energy

Jessica Stromberg, Acting Chief, Engineering and Technical Review Branch

Office of Renewable Energy Programs



BOEM Offshore Renewable Energy Program

Mission: To facilitate the responsible development of renewable energy resources on the OCS through conscientious planning, stakeholder engagement, comprehensive environmental analysis, and sound technical review.



Wind



Wave



Ocean Current



Transmission

Renewable Energy Process Overview



Planning & Analysis

~ 2 YEARS

- Intergovernmental Task Force
- Request for Information or Call for Information and Nominations
- Area Identification
- Environmental Reviews



Leasing

~ 1-2 YEARS

- Publish Leasing Notices
- Conduct Auction or Negotiate Lease Terms
- Issue Lease(s)



Site Assessment

UP TO 5 YEARS

- Site Characterization
- Site Assessment Plan



Construction & Operations

~ 3 YEARS (+25)

- Construction & Operations Plan
- Facility Design Report and Fabrication & Installation Report
- Decommissioning
- Environmental and Technical Reviews

A Construction and Operation Plan Must Demonstrate

30 CFR 585.621

Conform to applicable laws, regulations, and lease provisions
30 CFR 585.621(a)



Does not unreasonably interfere with other uses of the OCS, including national security
30 CFR 585.621(c)



Uses best available and safest technology
30 CFR 585.621(e)



Uses properly trained personnel
30 CFR 585.621(g)



Safe
30 CFR 585.621(b)



Does not cause undue harm or damage to natural resources; life; property; the marine, coastal, or human environment
30 CFR 585.621(d)



Uses best management practices
30 CFR 585.621(f)

Contents of a Construction and Operations Plan

30 CFR 585.626 and 585.627

1

Project Information

Describes all planned facilities and proposed activities including onshore and support facilities and the construction, operations and the conceptual decommissioning plans including project easements.

2

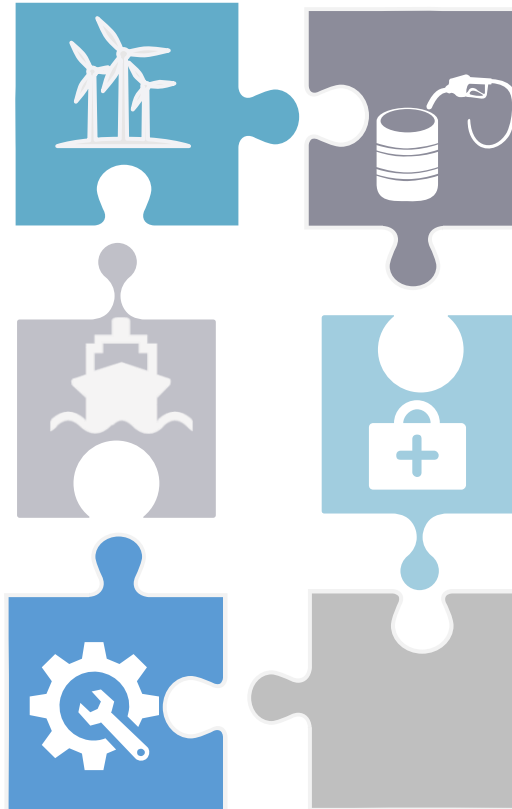
Survey Results

Results and data derived from site characterization surveys performed by the Lessee.

3

Certification Verification Agent (CVA) Nomination

For Reports required in 30 CFR 585 Subpart G.



4

Oil Spill Response Plan (OSRP)

As required by 30 CFR Part 254.

5

Safety Management System (SMS)

As required in 30 CFR 585.810.

6

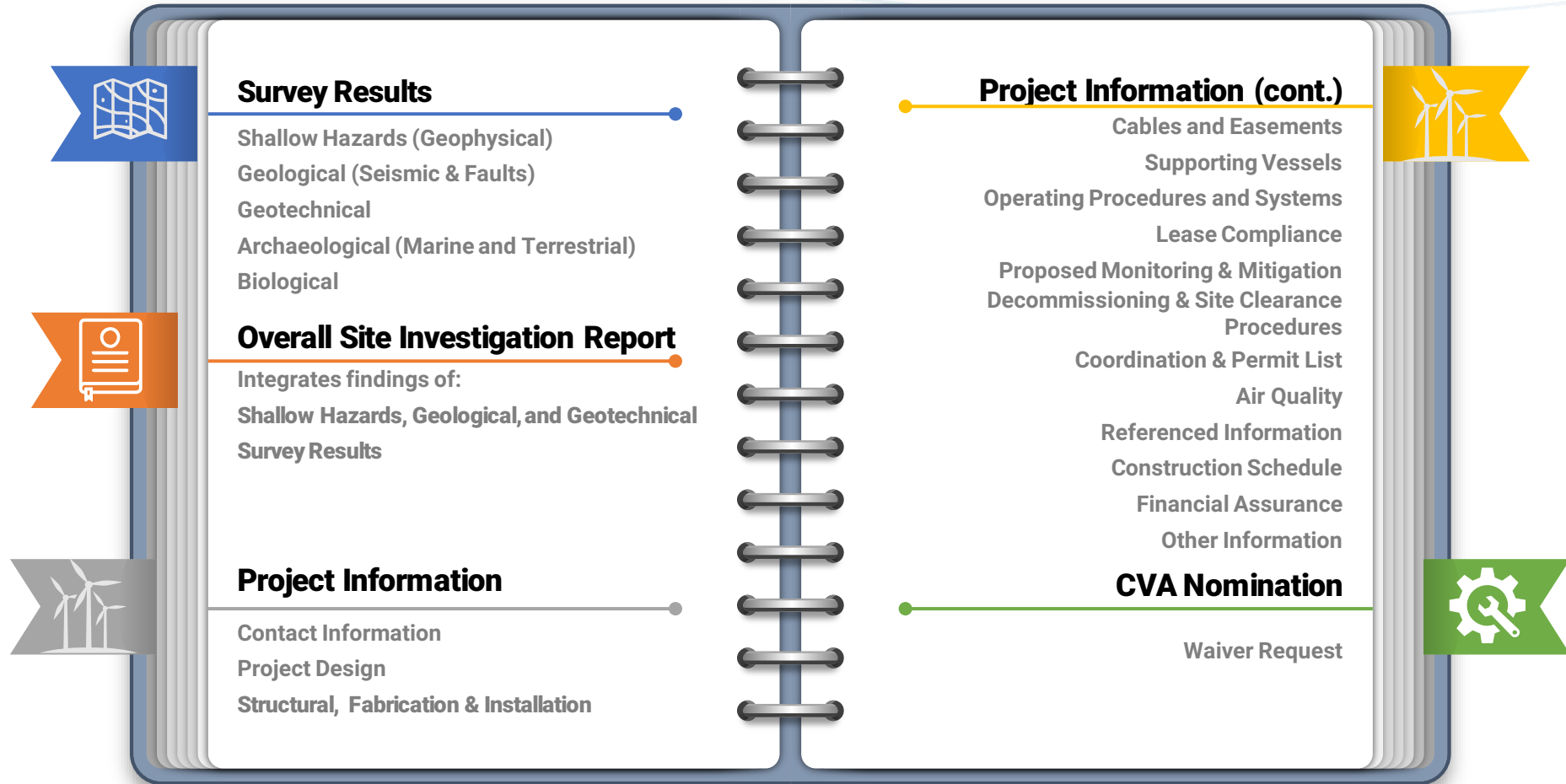
Other Information & Certifications

Information needed to conduct process for NEPA & other relevant laws.

Guidelines available: [www. https://www.boem.gov/renewable-energy/national-and-regional-guidelines-renewable-energy-activities](https://www.boem.gov/renewable-energy/national-and-regional-guidelines-renewable-energy-activities)

A Construction and Operations Plan must include:

30 CFR 585.626

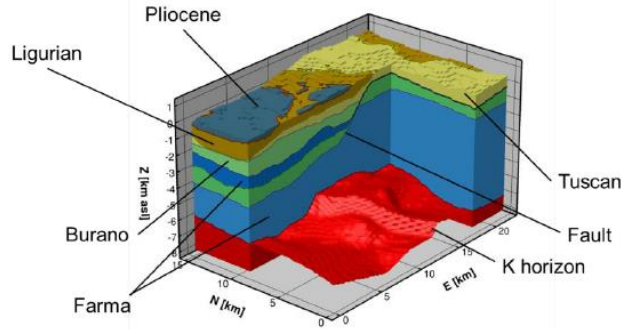


Results of Survey Data

30 CFR 585.626(a)

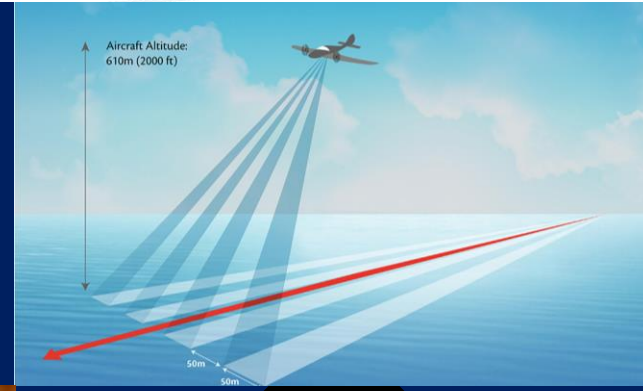
Geophysical & Geotechnical

Geological Conditions, In Situ Testing; Stratigraphic and Engineering Properties, Faults



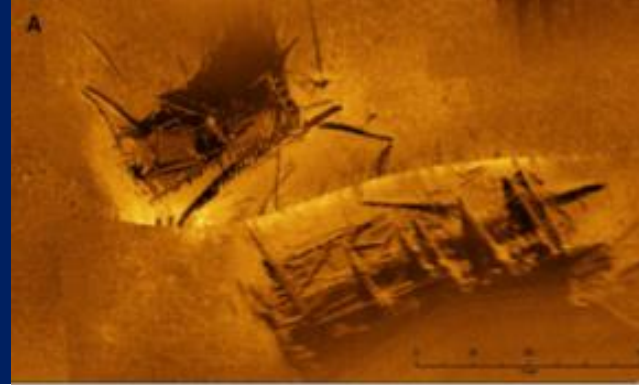
Archaeological Surveys

Marine and Terrestrial



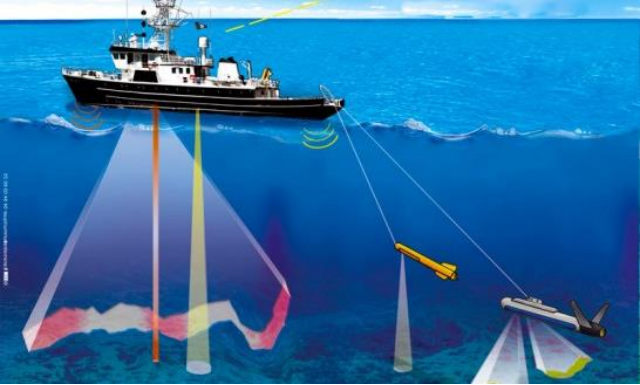
Overall Site Investigation

Integrates geophysical and geotechnical survey data including scour analysis.

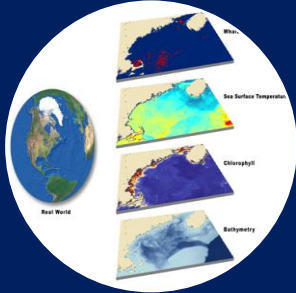


Biological Surveys

Topographic Features, Ocean Bottom Types, Fish, Marine Mammals, Sea Turtles, Avian



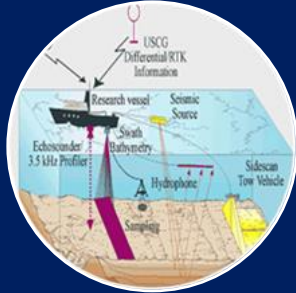
Survey Guidelines



Guidelines for Submission of Spatial Data for Site Characterization Surveys
(Feb. 2013)



Guidelines for Providing Avian Survey Information
(May 2017)



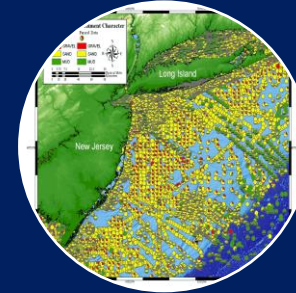
Guidelines for Providing Geological and Geophysical, Hazards Information
(July 2015)



Guidelines for Archaeological and Historical Property Identification Surveys
(March 2017)



Guidelines for Providing Information on Fisheries
(June 2019)



Guidelines for Providing Benthic Habitat Information
(June 2019)

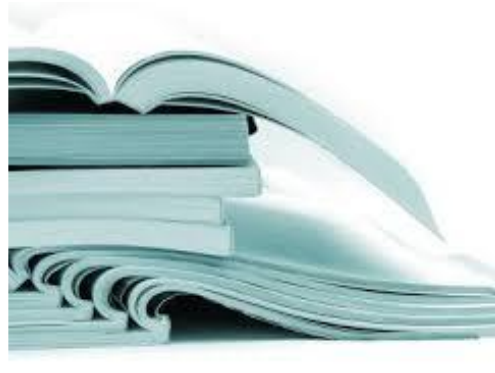
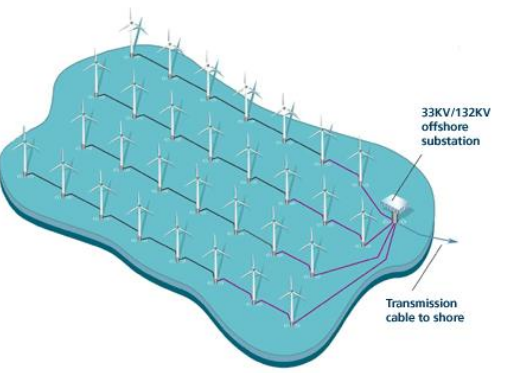


Guidelines for Providing Information on Marine Mammals and Sea Turtles
(June 2019)

Available at: [www. https://www.boem.gov/renewable-energy/survey-guidelines-renewable-energy-development](https://www.boem.gov/renewable-energy/survey-guidelines-renewable-energy-development)

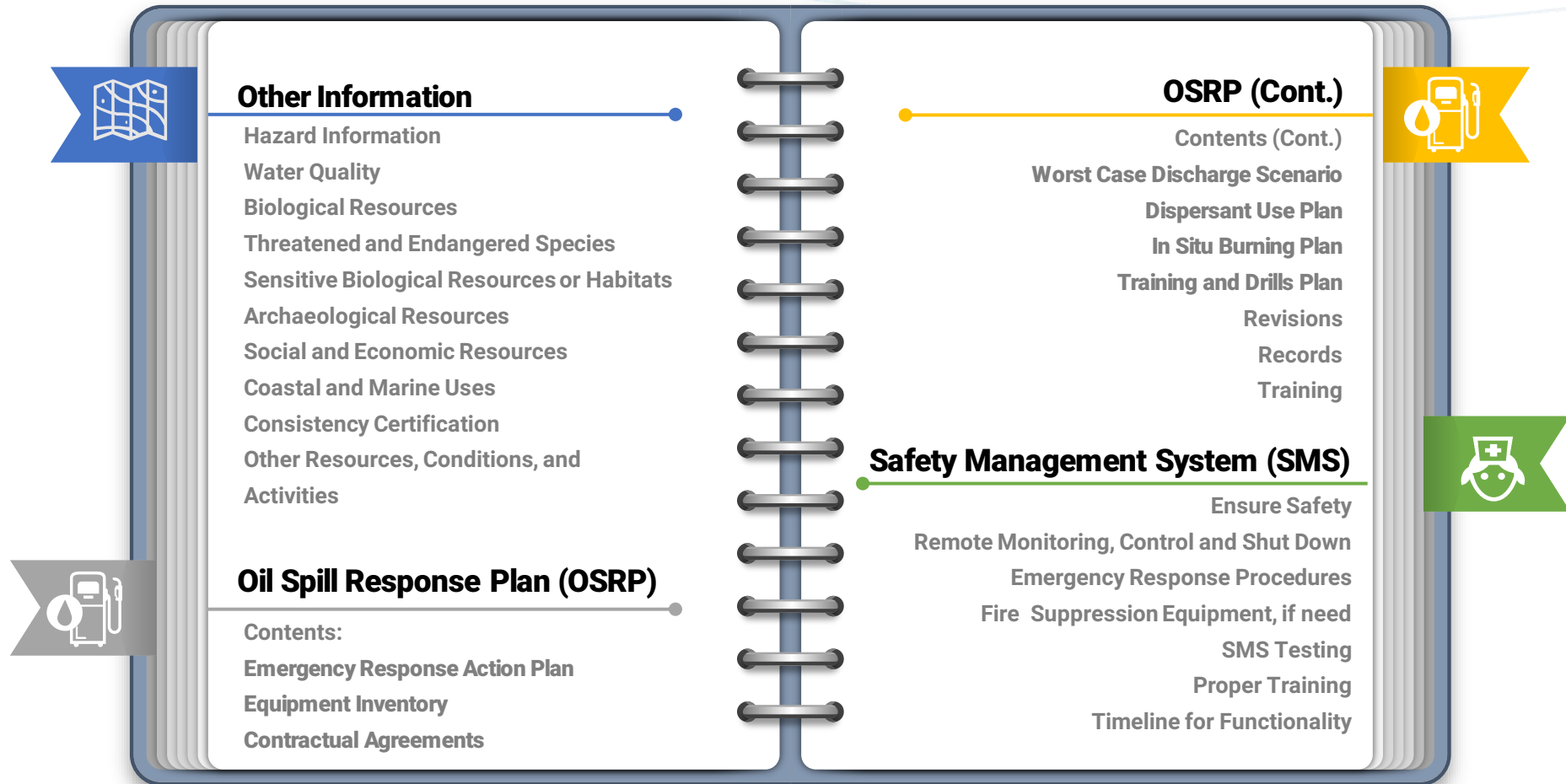
Project Information

30 CFR 585.626(b)

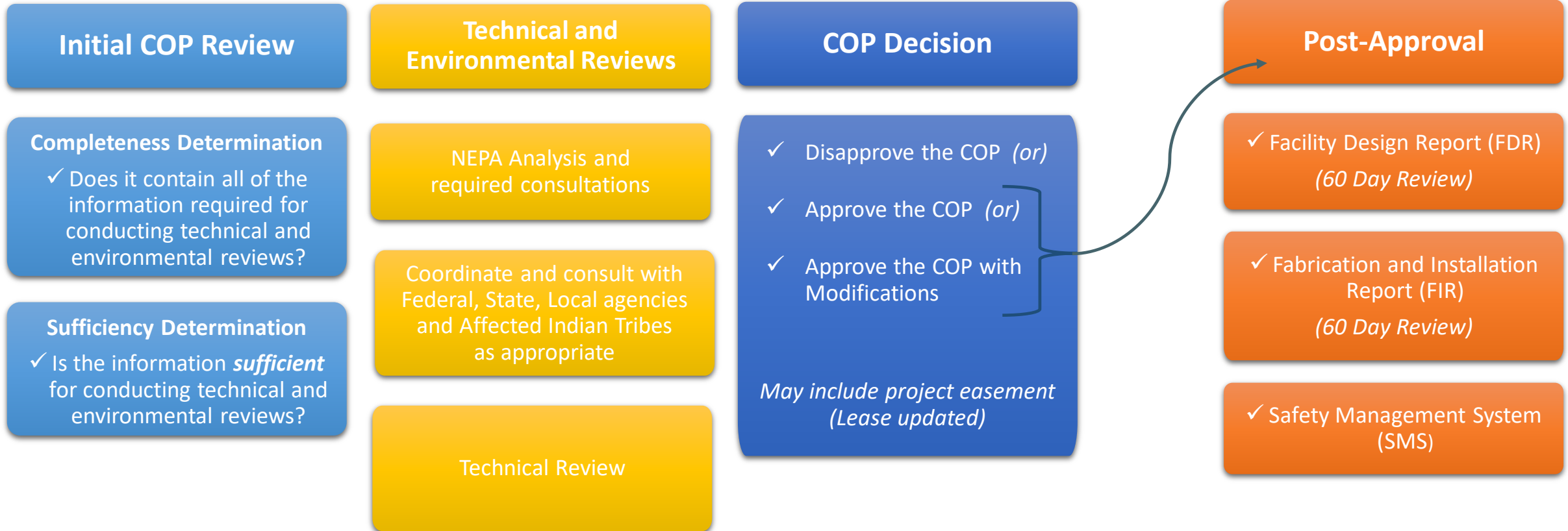


Information Submitted with a Construction & Operations Plan

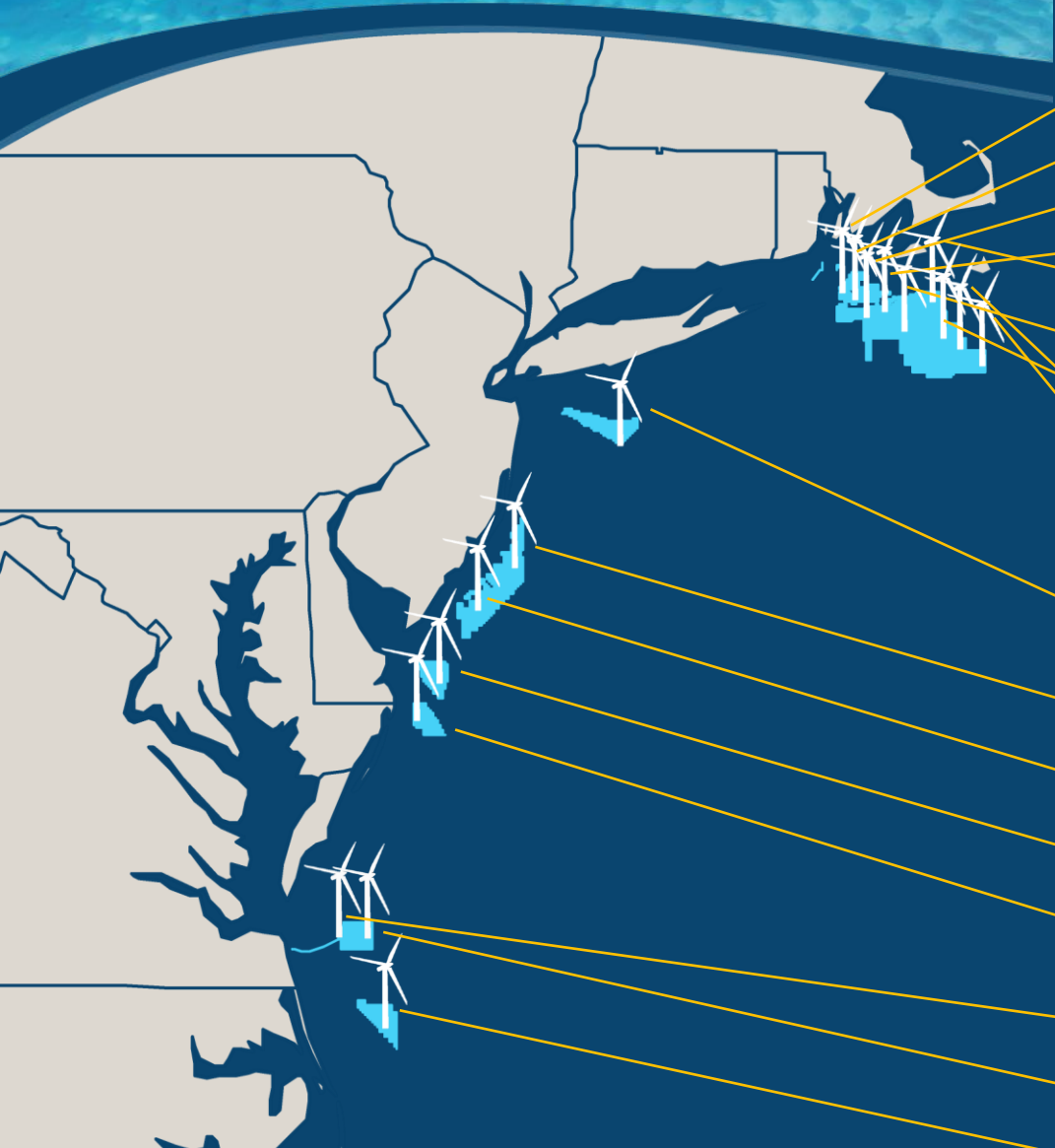
30 CFR 585.627



Renewable Energy Process: Overview and Post-Lease Activities



Atlantic OCS Renewable Energy: Projects North to South



Project	Company
Revolution Wind	Ørsted EVERSOURCE
South Fork	Ørsted EVERSOURCE
Sunrise Wind	Ørsted EVERSOURCE
Bay State Wind	Bay State Wind <small>An Ørsted & Eversource Initiative</small>
Vineyard Wind I	VINEYARD WIND
Vineyard Wind South (Park City)	PARK CITY WIND
Beacon Wind*	equinor
Mayflower Wind	MAYFLOWER WIND <small>A Shell and EDP Renewables Joint Venture</small>
Liberty Wind*	VINEYARD WIND
Empire Wind	equinor
Atlantic Shores	ATLANTIC SHORES <small>offshore wind</small>
Ocean Wind	Ørsted
Skipjack Windfarm	Ørsted
U.S. Wind	US Wind
Coastal Virginia Offshore Wind Pilot	Dominion Energy JMW Ørsted
Coastal Virginia Offshore Wind Commercial	Dominion Energy
Kitty Hawk	AVANGRID

Path Forward for Construction and Operations Plan (COP) Reviews

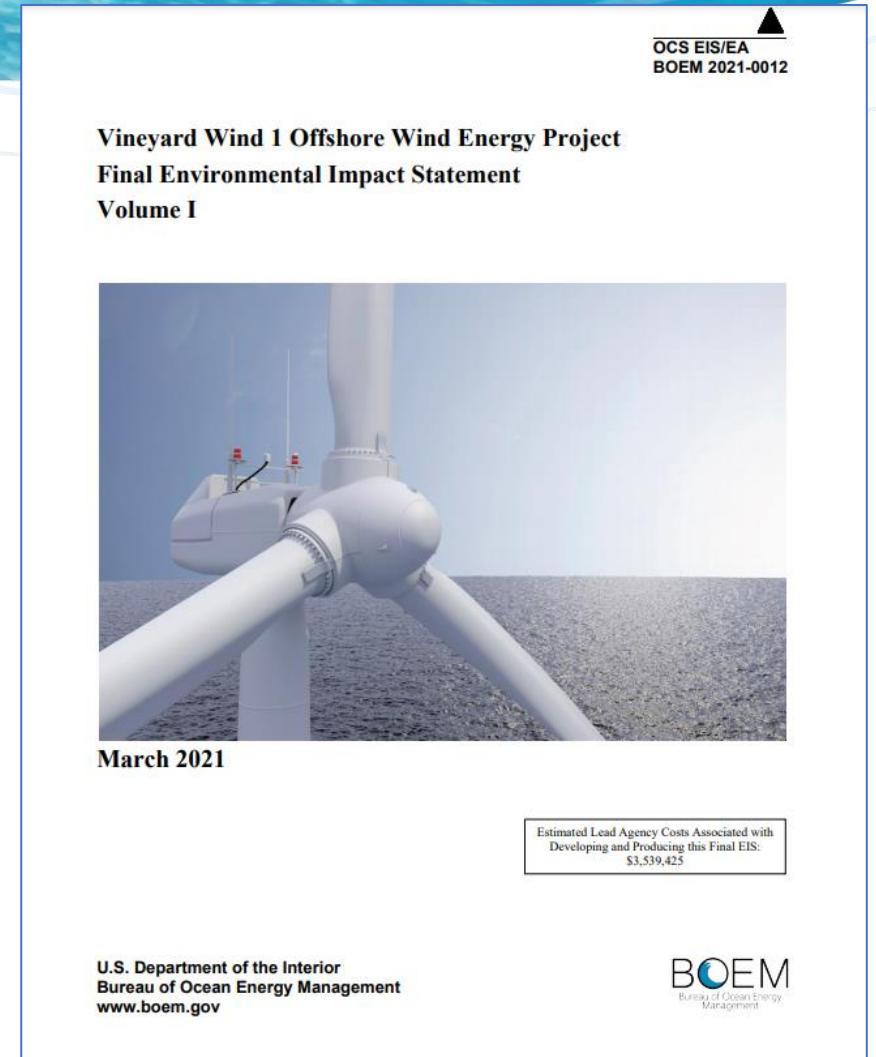
- In March 2021, the White House announced that BOEM “plans to advance new lease sales and **complete review of at least 16 COP by 2025**, representing more than 19 GW of new clean energy for our nation.”
- Since late 2017, **14 COPs** have been submitted to BOEM.
- **4 additional COPs** are anticipated to be submitted over the next 12 months.

Path Forward for COP Reviews (continued)

- Each COP will likely require consideration under an **Environmental Impact Statements (EISs)**.
- In May 2021, the **Vineyard Wind 1 EIS** process concluded with publication of a joint Record of Decision (ROD).
- In October 2021, the **South Fork EIS** process will be completed with issuance of a Record of Decision.
- In 2021, BOEM began **6 additional COP EISs** with 3 more later this year.
- The EIS process takes approximately **2 years**.

What is an Environmental Impact Statement (EIS)?

- **Proposed Action**
 - Action being analyzed.
- **Alternatives**
 - Provide reasonable alternatives which may reduce or eliminate impacts. At a minimum, proposed action and no action alternative.
- **Effects**
 - The description of the affected environment in the EIS will include reasonably foreseeable environmental trends and planned actions other than the Project.
 - Effects include beneficial and adverse.



Environmental Resources Considered in a COP EIS



Biological

- Marine Mammals
- Sea Turtles
- Fish and Essential Fish Habitat (EFH)
- Coastal Habitats
- Benthic Resources
- Avian and Bat Species



Socioeconomic

- Aesthetics and Visual Resources
- Commercial and Recreational Fishing
- Cultural Resources
- Military Uses
- Environmental Justice
- Land Use and Coastal Infrastructure
- Tourism and Recreation
- Demographics and Employment



Physical – Air and Water Quality

Federal Agencies - Cooperating, Participating, and Consulting



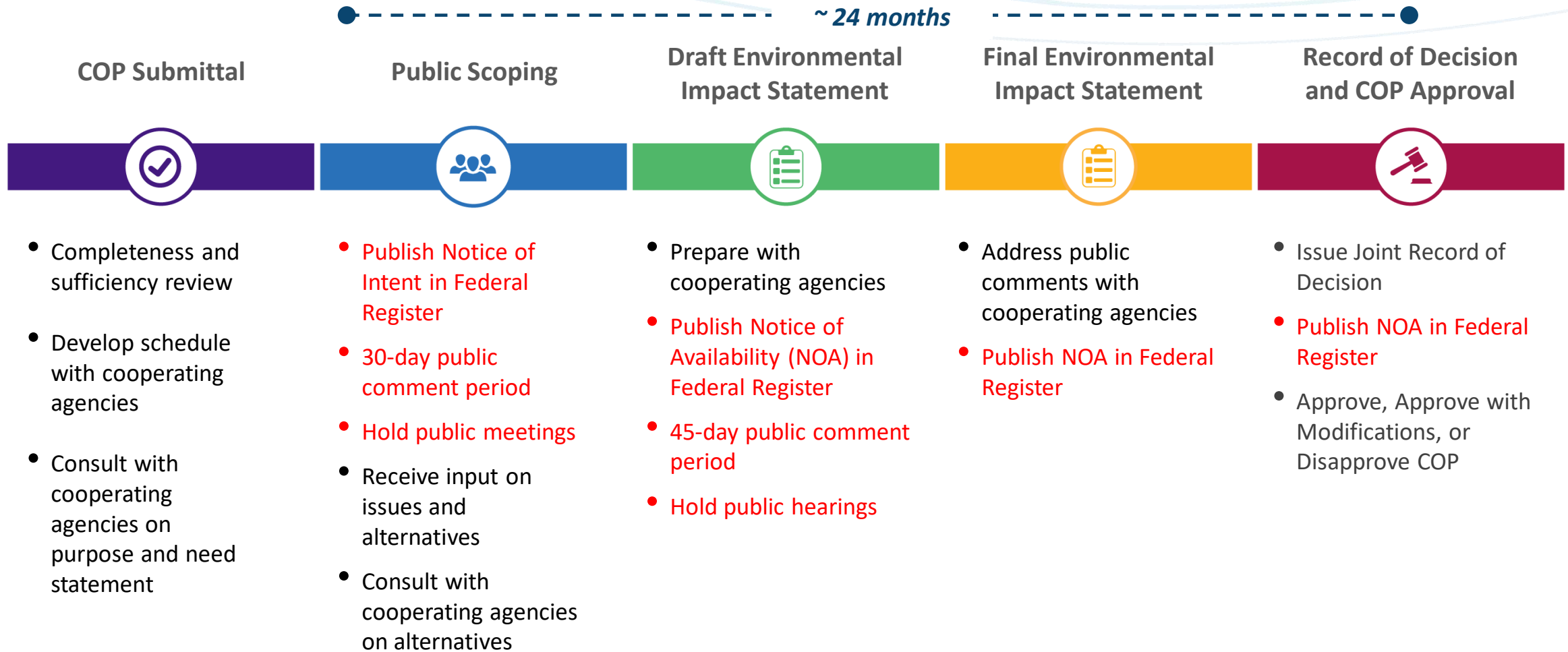
In addition, States and Tribes may be cooperating agencies under the National Environmental Policy Act.



Title 41 of the Fixing America's Surface Transportation Act (FAST-41)

- Optional for applicant
- Majority of COPs have been determined to be “**covered**” projects
- **All of government approach** - enhanced coordination, transparency, predictability, and accountability of the Federal environmental review and authorization process
- Development of **permitting timetable** with cooperating agency concurrence
- Identification of **lead, cooperating, and participating agencies**
- Oversight and dispute resolution mechanisms
- Online **permitting dashboard**
- Enhanced legal protection
- For more information: <https://www.permits.performance.gov/about/fast-41>

COP Review and Approval Process



Note: Consultations are conducted concurrently.

Public involvement and notification noted in red.

Consultations

National Historic Preservation Act

Coastal Zone Management Act

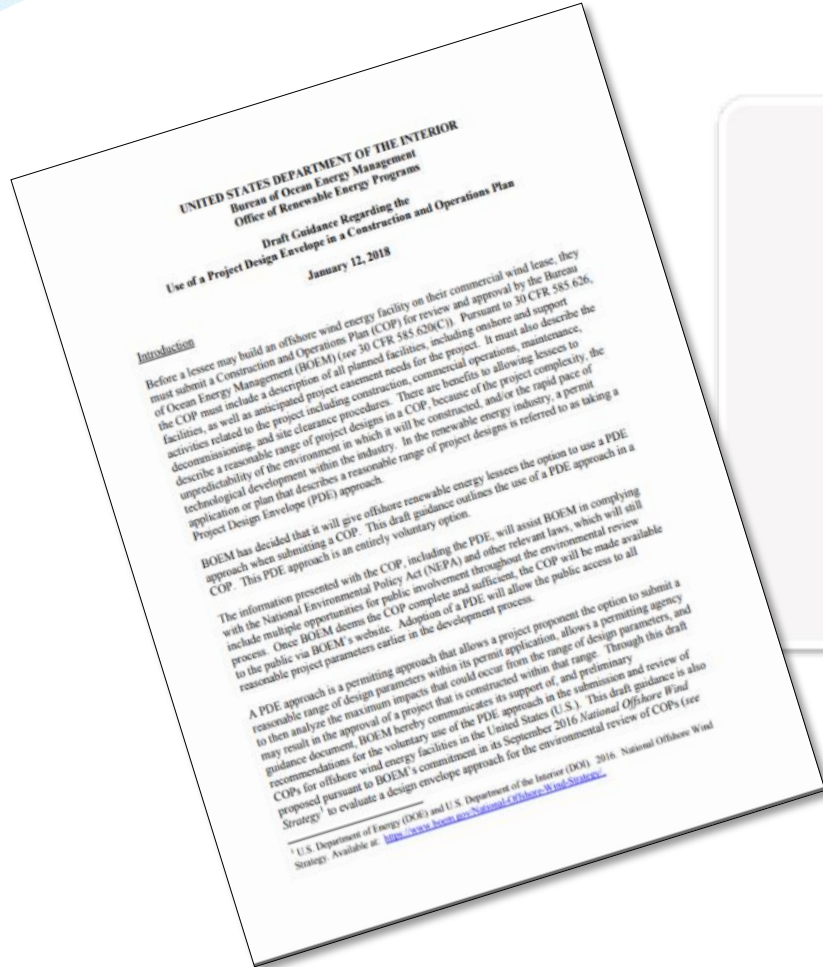
Endangered Species Act

Marine Mammal Protection Act

Magnuson-Stevens Fishery Conservation and
Management Act



Design Envelope



Draft guidance issued
January 2018

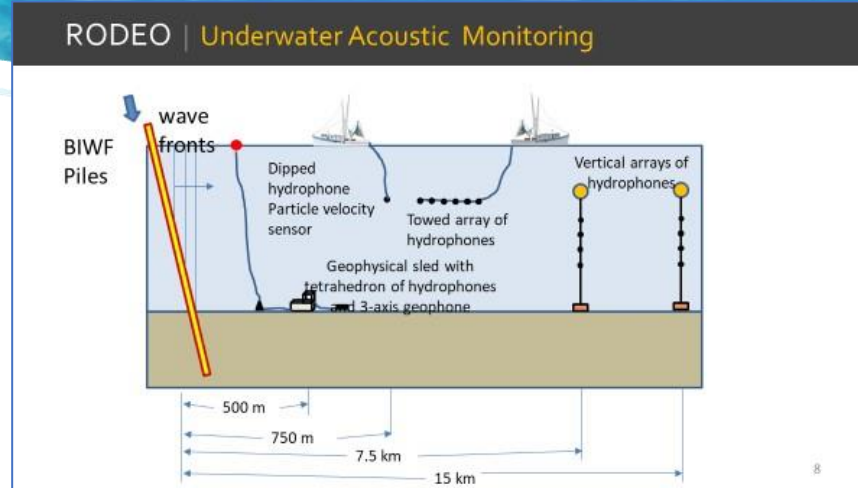
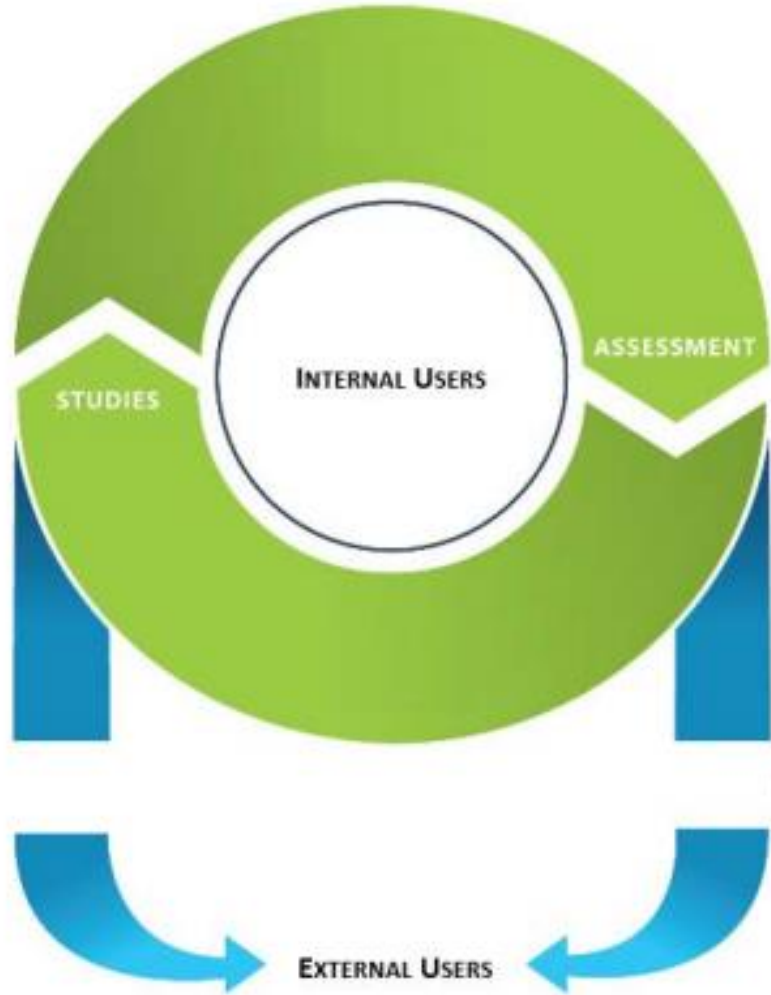


www.boem.gov/Draft-Design-Envelope-Guidance

Staffing and Resources

- Third party EIS contractors
- Contracting through Federal procurement
- Dozens of new staff members being brought on this year and next
- Redirecting resources from other BOEM program areas and offices

Environmental Studies Program



- For more information please visit: <https://www.boem.gov/environment/environmental-studies/renewable-energy-research>

For more information on the BOEM's renewable energy program, visit
www.boem.gov/Renewable-Energy



BOEM.gov



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Coming Next:

September 1, 1:00 p.m. ET
Environmental
Considerations for
Offshore Wind
Foundation
Technologies
Drew Carey, INSPIRE
Environmental

Visit wind.ny.gov to register

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