FINDING OF NO SIGNIFICANT IMPACT

Commercial Wind Lease and Grant Issuance and Site Assessment Activities
in the Morro Bay Wind Energy Area on the Pacific Outer Continental Shelf

Introduction

In accordance with the National Environmental Policy Act (NEPA), 42 United States Code (USC) § 4261, *et seq.;* the Council on Environmental Quality regulations at 40 CFR § 1501, *et seq.;* Department of the Interior regulations implementing NEPA at 43 CFR Part 46; and Bureau of Ocean Energy Management (BOEM) policy, BOEM prepared an Environmental Assessment (EA) of the potential effects of the issuance of up to three commercial wind leases, the issuance of potential easements (rights-of-way [ROWs] and rights-of-use and easement [RUEs]) associated with each lease, and the issuance of grants for subsea cable corridors and associated offshore collector/converter platforms. The ROWs, RUEs, and potential easements would be located within the Morro Bay Wind Energy Area (WEA) located approximately 20 miles offshore San Luis Obispo County, California, and may include corridors that extend from the WEA through Federal waters to the onshore energy grid.

Issuance of the above referenced leases would only allow for the submittal of plans, including Site Assessment Plans (SAPs), for BOEM's consideration and approval. Therefore, BOEM's environmental analysis focused on reasonably foreseeable environmental consequences of activities expected to take place after issuance of commercial leases—specifically, site characterization (i.e., surveys of the lease area and potential cable routes) and site assessment activities (i.e., temporary placement of up to three meteorological (met) buoys on each lease) within the WEAs.

BOEM conducted a 60-day public scoping period from November 11, 2021, to January 11, 2022, to inform the development of an EA to consider site assessment activities. BOEM also hosted two virtual public scoping meetings on December 1, 2021, and January 5, 2022, to outline its formal environmental review process under NEPA and to solicit public input on issues to be considered. BOEM released the *Draft Environmental Assessment, Commercial Wind Lease and Grant Issuance and Site Assessment Activities on the Pacific Outer Continental Shelf, Morro Bay Wind Energy Area, California* on April 6, for a 40-day public comment period that ended May 16, 2022, and held two virtual public comment meetings on April 14 and 19, 2022.

BOEM prepared the EA to determine whether the Proposed Action and activities expected to take place after lease issuance (i.e., site characterization and assessment activities) may result in significant effects such that an environmental impact statement is required (40 CFR § 1501.3(a)) and to assist BOEM with planning and decision-making (40 CFR § 1501.5(b)). As issuance of leases does not constitute an irretrievable and irreversible commitment of resources, the EA includes an analysis of the potential for significant effects from site characterization and assessment activities on the human environment, which is interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment.

Environmental Assessment

The purpose of the Proposed Action is to issue commercial wind energy leases (as well as grant ROWs and RUEs) within the WEA to provide lessees the exclusive right to submit plans to assess the physical characteristics of areas within the Morro Bay WEA. BOEM's issuance of these leases and grants is needed to (1) confer the exclusive right to submit plans for BOEM's review and potential approval, so lessees commit to site characterization and site assessment activities necessary to determine the suitability of their leases and grants for commercial offshore wind production and/or transmission; and (2) to impose terms and conditions intended to ensure that site characterization and assessment activities are conducted in a safe and environmentally responsible manner.

BOEM evaluated the Proposed Action and a No Action alternative. Alternatives suggested through public comments—such as including analysis of the Diablo Canyon area in the EA, which has already been eliminated from consideration during the Area ID process; or any alternatives for the siting, construction, and operation of wind towers such as including water desalinization plants on wind tower platforms—did not meet the purpose and need of issuing up to three commercial renewable energy leases (as well as granting ROWs and RUEs) within the Morro Bay WEA.

No Action Alternative

Under this alternative, BOEM would not issue commercial leases within the WEA, meaning the Proposed Action would not occur. This alternative could potentially avoid impacts to the environment identified in the EA, but since off-lease site characterization surveys (e.g., biological surveys) and site assessment activities do not require BOEM approval, these activities could still occur under this alternative. Off-lease site characterization surveys are unlikely without a commercial wind energy lease or grant, but would result in the types of impacts described in the EA.

Proposed Action

Under this alternative, BOEM would issue up to three commercial leases (as well as grant ROWs and RUEs) within the Morro Bay WEA to provide lessees the exclusive right to submit plans to assess the physical characteristics of areas of the Outer Continental Shelf (OCS) within the WEA over a five-year timeframe after lease issuance. Site characterization activities would most likely include geophysical, geotechnical, and biological surveys in support of plan submittal. Site assessment activities most likely would include the temporary placement of met buoys and oceanographic devices.

Negligible to minor adverse effects to the environment from site characterization and assessment activities are expected to occur, depending on the specific environmental resource.

Anticipated Impacts of the Proposed Action and Site Characterization and Assessment Activities

Marine and Coastal Habitats and Associated Biotic Assemblages

Impacts to marine and coastal habitats and associated biotic assemblage are expected to be minor due to the small footprint and short duration of activities associated with the site characterization and assessment activities. Impacts include noise, crushing or smothering of organisms, and sediment suspension as a result of buoy anchor placement, equipment recovery (if necessary), and data collection activities. Data collection buoys and associated mooring systems may act as small artificial reefs situated within an area that may be spatially incompatible with nearby fishing operations, which may provide a benefit to local benthic and fish assemblages associated with hard substrate. Decommissioning of the buoy may create short-term sediment suspension and would remove the artificial reef effect. Impacts to benthic resources would be limited to the immediate footprint of the anchors or direct sampling. Sediment suspension would be temporary and short-term. Noise impacts from vessels to mammals and fishes are expected to be minimal and temporary in duration. The artificial reef effect may provide a local, short-term (less than 5 years) benefit to fish populations.

Commercial and Recreational Fishing

Impacts to commercial and recreational fisheries as a result of activities associated with the site characterization and assessment activities are expected to range from negligible to minor. Marine vessels mobilizing and transiting from ports to the WEA may reduce efficiency of fishing operations due to time delays associated with congestion, but the Morro Bay Port Complex and its nearshore waters hosts a variety of marine operations and hundreds of fishers, so the expected increase in activity from Project vessels would be small compared to the overall level of work. Potential effects to commercial fishing from the collection buoys are expected to be temporary in duration (5 years or less) and would be limited to a small area of the WEA (around the buoys), which constitutes a fraction of the total area available for fishing. Many of the region's important fishing grounds are in depths less than 900 m (2,953 ft), so a buoy within the WEA (900 m and 1,300 m (2,953 ft and 4,265 ft) depth) decreases conflict with the fishing industry due to its offshore location.

Marine Mammals and Sea Turtles

Due to the small footprint and short duration of the proposed activities, the impacts to critical habitat and protected marine mammal and sea turtle species from site assessment and site characterization activities are anticipated to range from negligible to minor. BOEM continues to work with lessees to reduce impacts to marine mammals and sea turtles and requires the use of the best available mooring systems to prevent or reduce to discountable levels any potential entanglement or entrainment of marine mammals and sea turtles. BOEM places stipulations in leases that protect the environment during proposed activities, including stipulations resulting from consultations required under other Federal statutes (Appendix D).

Other Resources Analyzed

The EA also analyzes the effects of site characterization and assessment activities on local geology; air and water quality; coastal and marine birds; bats; cultural, historical, and archaeological resources; recreation and tourism; and socioeconomics. The effects of site characterization and assessment activities on these resources are expected to be negligible.

Effects of the Action

I have considered the following in my evaluation of the degree of the effects 40 CFR § 1501.3(b)(2)) from the issuance of up to three commercial wind leases, the issuance of potential ROWs and RUEs associated with each lease, and the issuance of grants for subsea cable corridors and associated offshore collector/converter platforms:

Short- and Long-term Effects

The EA considered the Proposed Action's potential contribution to impacts when combined with other past, present, and reasonably foreseeable activities for the Morro Bay WEA offshore California. The EA effects analyses indicate that (1) the Proposed Action is not expected to constitute an irretrievable and irreversible commitment of resources, since the leases and grants considered do not authorize any activity on the OCS; and (2) activities expected to take place after lease issuance (e.g., site characterization and assessment activities) are not anticipated to produce significant impacts and are not anticipated to combine with the effects of other activities such that the incremental effects of the action result in significant impacts.

Beneficial and Adverse Effects

Potential adverse effects of site characterization and assessment activities to marine and coastal habitats and biotic assemblages, commercial and recreational fishing, marine mammals, and sea turtles are expected to occur at negligible to minor levels. Significant adverse effects are not anticipated for any resource. Therefore, the level of adverse and beneficial effects of site characterization and assessment activities does not render the potential impacts significant.

Effects on Public Health and Safety

Within its environmental analysis, BOEM considered the distance of site characterization and assessment activities from local communities, potential effects of anticipated discharges and emissions, and the potential for site characterization and assessment activities to interfere with subsistence activities. Due to the nature and location of the site characterization and assessment activities, they are expected to have little to no effect on public health or safety. Therefore, the degree to which the site characterization and assessment activities may affect public health or safety does not render the potential impacts significant.

Effects that Would Violate Federal, State, Tribal, or Local Law Protecting the Environment

Site characterization and assessment activities do not threaten violation of Federal, state, or local law or requirements imposed for the protection of the environment. No substantial disputes about the environmental consequences of such surveys are evident from scientific literature, past analyses of similar activities in the Morro Bay WEA, or the present EA. The effects of the site

characterization and assessment activities therefore are not highly controversial. Additionally, site characterization and assessment activities would require that lessees receive all appropriate Federal, state, and other permits. Therefore, site characterization and assessment activities do not threaten to violate Federal, state, or local law or requirements imposed for the protection of the environment.

Finding of No Significant Impact

BOEM has considered the evaluation of the potential effects of the Proposed Action and site characterization and assessment activities, and has determined that the Proposed Action and the site characterization and assessment activities expected to take place after lease issuance would not cause significant impacts. BOEM has determined that implementing the Proposed Action would not result in an irreversible and irretrievable commitment of resources and, therefore, the Proposed Action does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969.

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October 5, 2022

Date