Meeting Summary

Bureau of Ocean Energy Management
Central Atlantic Intergovernmental Renewable Energy Task Force Meeting
Wednesday, February 16, 2022
9:00 a.m. – 5:00 p.m. ET

I. Introduction

The Bureau of Ocean Energy Management (BOEM) convened a Central Atlantic Intergovernmental Renewable Energy Task Force Meeting on February 16, 2022. The meeting was held remotely via webinar using the Zoom Webinar platform. Participants included representatives from federal and state agencies, tribal nations, and local governments. Participating members of the public included representatives from industry, academic and research institutions, and non-governmental organizations (NGOs). Approximately 250 individuals attended the meeting.

The meeting's objectives were to:

- Facilitate coordination, consultation, and information sharing among federal, state, local, and tribal governments regarding renewable energy leasing process on the Outer Continental Shelf (OCS) in states comprising North Carolina, Virginia, Maryland, and Delaware.
- Discuss next steps in the offshore wind (OSW) energy leasing process for the Central Atlantic states and share Task Force member feedback on the draft Call for Information and Nominations.
- Receive updates from other Task Force members, including individual states, various federal agencies, and tribal governments.
- Receive updates on latest scientific information and stakeholder engagement.
- Provide opportunities for public input on the topics being considered by the Task Force.

Recordings of the meeting proceedings along with each meeting presentation are available at the following link: Central Atlantic Activities | Bureau of Ocean Energy Management (boem.gov)

The meeting consisted of four main sections. The first involved a presentation by BOEM staff on the leasing process and the draft Call for Information and Nominations (Call). The second contained updates and feedback on the draft Call from the four Central Atlantic states (Delaware, Maryland, North Carolina, and Virginia), federal partners, and tribal and local government members. The third section included presentations from selected members on new data, information resources, and user engagement, and the fourth involved a public input opportunity and discussion. The meeting agenda is available in Appendix A.

This meeting summary document summarizes stakeholder presentations and synthesizes key outcomes and next steps from the meeting. Emphasis is placed on discussions and Task Force member input shared over the formal presentations made. It is not intended to be a detailed transcript. The meeting was facilitated by Kearns & West. A roster of Central Atlantic Task Force members is available here.

This meeting summary is organized into the following sections:

II. Discussion Highlights

A. Opening Remarks

1. Amanda Lefton, Director, BOEM

Director Lefton welcomed the meeting participants and thanked them for their attendance and participation in the meeting to discuss the development of OSW in the Central Atlantic. She reminded participants that the purpose of the Task Force is to address ocean, biological, physical, and cultural resource uses. Director Lefton noted the Biden/Harris administration's goal of establishing 30 gigawatts (GW) of OSW energy by 2030 and highlighted BOEM's role in approving the first two OSW energy projects in the OCS in 2021 and BOEM's intention to implement a new OSW energy leasing strategy that will expedite seven new OSW lease sales by 2025. Director Lefton emphasized the role the states play in getting OSW energy off the ground, mentioning Virginia's clean Energy Economy Act, North Carolina's OSW Energy Goals, and Maryland's updated energy goals as driving forces towards wind energy in each state.

2. Secretary Shawn M. Garvin, Delaware Department of Natural Resources and Environmental Control

Secretary Garvin restated Delaware's commitment to exploring renewable energy opportunities as the state pursues Governor Carney's goal of generating 40% of the state's energy coming from renewable sources by 2035. The state's Climate Action Plan outlines the pathway to transitioning to clean energy as a necessity given the state is low lying and subject to climate crises such as sea level rise. Secretary Garvin cautioned that the development of clean energy must come in measure given possible impacts to other existing industries.

3. Dr. Mary Beth Tung, Maryland Energy Administration

Dr. Tung described Maryland's renewable energy portfolio standard, which aims to source 50% of all electricity sales with renewable energy by 2030, and OSW will be the largest contributor to the clean energy sector. The state has already committed to developing more than 2,000 megawatts (MW) of capacity. Additional benefits of wind energy include diversification of the state economy and generation of thousands of jobs. Dr. Tung noted some concerns about citing and the lease areas, which have prompted the state to work with BOEM to identify new potential lease areas. The state has 11 miles of coastline, and the majority of that space is committed to tourism and fishery operations. The state hopes to have the lease area as far east as practical from Maryland's coastline to best protect existing industry.

4. Jeremy Tarr, Office of North Carolina Governor Roy Cooper

Mr. Tarr reiterated the state's commitment to the Biden/Harris energy goals with the governor signing bipartisan clean energy legislation requiring regulated electric utilities to reduce greenhouse gas emissions by 70% by 2030 and achieve carbon neutrality by 2050. OSW is an important part of the state's clean energy future, and the state has set OSW goals of 2.8 gigawatts (GW) by 2030 and 8 GW by 2040. The state would like to see BOEM identify energy area(s) sufficient to support 4 GW of OSW capacity, which would support the state's goal of 8 GW by 2050. The Biden/Harris OSW goals will involve more than 140 billion dollars in investment, and North Carolina will be competitive for a significant portion of that investment.

5. Erik Olson, Virginia Department of Energy

Mr. Olson noted the growing momentum of OSW in Virginia and highlighted three points on why the future of OSW in Virginia is promising. Firstly, Mr. Olson spoke about Virginia's robust infrastructure that is well suited to wind energy development with a suitable port, skilled workforce, and large naval base. Secondly, the state has a diverse and strong economy. Lastly, the state has demonstrated commitment to OSW energy development with a 5,200 MW project already codified into law and a new OSW energy division within the Virginia Department of Energy.

B. Task Force Leasing Overview, and Call for Information and Nominations Review

1. Task Force Overview and Roles, and Central Atlantic Regional Approach – Jim Bennett, BOEM

Mr. Bennett thanked the participants for attending the meeting and emphasized that success is contingent upon cooperation among multiple governmental entities. He noted that the Task Force is not a decision-making body; nor is it a formal advisory body under the Federal Advisory Committee Act. Hence, consensus is not necessary on key issues, but the Task Force is an appropriate forum for voicing concerns on key issues, especially as BOEM is looking to the Central Atlantic as an area of priority for future wind energy development.

2. Leasing Process Review and Call for Information and Nominations Review – Bridgette Duplantis, BOEM

Ms. Duplantis presented on the draft call area (see map in Appendix B) and how engagement opportunities and meetings resulted in a 31% reduction from the original planning area. Key topics raised by stakeholders in past engagement opportunities included coral protections, maritime traffic, areas of critical habitat, impacts to fisheries, and a National Aeronautics and Space Administration (NASA) exclusion zone. At this time, the proposed areas are awaiting Department of Defense compatibility assessment results. Bridgette invited individuals to reach out to her independently with any additional questions or comments by February 28th, 2022.

3. Task Force Clarifying Questions

- *Question:* What planning area is the proposed OSW area off Cape Fear part of?
    - *Response:* It is in the Carolina Long Bay Planning Area.
- *Question:* What do you mean by "recommending certain areas for removal"?
    - *Response:* The decision-making authority rests with the Secretary of the Interior. BOEM simply executes the process of collecting appropriate information to develop a recommendation to higher decision-making authorities.
- *Question:* There was thought taken when delineating the fairway for NC and Virginia from Atlantic Coast Port Access Route Study (ACPARS) and Port Access Route Study (PARS), but there does not appear to be a comparable level of consideration for the north when looking at Chesapeake Bay and Delaware Bay Eastern approaches for areas A and B. So, why have call areas been placed over the fairways?
    - *Response:* The call areas are still in draft form and are expected to change to address the concerns raised. BOEM is closely monitoring the PARS process and looking at what may be removed, but PARS has not been finalized yet. When it is finalized, BOEM will make a decision.
- *Question:* What is the rationale behind the 2,500-meter isobath offshore limit for lease areas 1 and 2?

  - *Response*: 2,500 meters isn't a meaningful number. It was simply the bathymetric contour that was used to draw the Eastern limit. If OSW were to be developed in this area, it would be floating technology, and further input would be needed from the renewable wind energy industry regarding feasibility at that depth or distance.
- *Question:* What additional information is needed regarding the surf clam and scallop activity in area 3, and what is the threshold for getting an area removed?
  - *Response*: BOEM has some information on surf clam and scallop in that area, but there is a need for more recent information if it exists. However, there is not enough information to remove the entire area currently. Smaller portions of area 3 might be suitable, but information is not granular enough at this time to make detailed decisions.
- *Question:* What metric was used to push back the distance from the slope on area 2, and why wasn't a similar practice used on area 1? Furthermore, what additional information is needed or what metrics and thresholds are used to determine if an area should be removed or not?
  - Response – The discussion on pushing back was in reference to area 3, and the rationale there is that area 3 follows the 60-meter contour until the area runs into the North Carolina boarder. Regarding the thresholds, there isn't a defined threshold that BOEM utilizes. Rather removal is contingent upon collecting as much data as possible and making the most informed decision given what is available.
- *Question:* Given the current wind turbine technology, do you know how much energy could be produced in the draft call area, and would it make sense to look at each state's OSW goal to further winnow down the call areas?
  - *Response:* Capacity, state goals, and federal goals are factors considered. Our current conservative calculation is three MW per square kilometer.

C. Task Force Member Updates and Feedback on the Call for Information

1. State Members

a) State of Delaware

In 2018, Governor Carney convened an OSW working group to examine the prospects for OSW development and produce recommendations on whether and when to proceed. At the time, a decision was made to not proceed with a solicitation given the high prices with the expectation that prices would decline, which they have. Currently, the state is working with the University of Delaware on an economics report on OSW, and within that report there will be recommendations for future options.

While Delaware is not engaged in procurement now, the state has an interest in how the industry proceeds--specifically in how transmission connects to land as developers U.S. Wind and Orsted plan to utilize land in Delaware. Pursuing a planned transmission approach would streamline the process for current and future projects, reducing costs and overall effort. The state has shared feedback on the draft call area in a letter issued to BOEM citing concerns over living, habitat, navigation, and cultural resources. There is still specific concern over site 13 and artificial reefs that inhabit waters nearby, and transmission line impacts on sand resources.

b) *State of Maryland*

Maryland has been a leading state in OSW development for more than a decade. At the center of this is Maryland's Renewable Portfolio Standard (RPS), which requires that 50% of all electricity sales come from renewable energy sources by 2030. Included within the RPS is an OSW Renewable Energy Credit program which has approved a total of 2,022.5 MW of OSW capacity to be built leveraging approximately $1.5 billion in state capital expenditures.

Maryland would prefer that three to five lease areas large enough to accommodate up to 2,000 MW be identified east of the existing lease areas off the Maryland and Delaware coast, and that up to three new research lease areas be identified as well. Each lease area should be up to 100,000 acres or more. When selecting lease areas, environmental features such as the shelf break and canyons are of great concern, as these areas support important marine life and upwelling processes. Furthermore, as BOEM continues to refine the call areas, Maryland encourages continued discussion with the fishing community to best align the interests of both industries through the development process.

c) *State of North Carolina*

North Carolina has mobilized to take advantage of OSW throughout Governor Cooper's administration. In October 2018, Executive Order 80 was signed, which supported the transition to a clean energy economy. A result of this transition is the formation of the Southeast and Mid-Atlantic Regional Transformative Partnership for OSW Energy Resources (SMART-POWER) memorandum of understanding signed by North Carolina, Virginia, and Maryland. In addition to the groundwork laid out for OSW described above, North Carolina has a competitive edge in manufacturing and existing expertise in clean energy market development. This is leveraged through Executive Order 218, which sets the development goal of constructing 2.8 GW of OSW power by 2030 and 8 GW by 2040, with at least $3.8 billion in net economic impact for the state.

The identification of additional call areas for OSW energy development is paramount in North Carolina's goal of developing 8 GW by 2040. To achieve this, there must be a transparent process between agencies that utilizes data-driven decision making to evaluate approximately 330,000 acres of new wind energy areas to support 4 GW of energy.

d) *State of Virginia*

The Virginia Clean Economy Act of 2020 establishes a mandatory renewable portfolio standard and energy efficiency standard while framing within the public interest the development of 5,200 MW of OSW and 2,700 MW of energy storage. The state additionally committed to the Grid Transformation and Security Act of 2018, which supports modernizing and securing the transmission and distribution system. There have been considerable investments within the state, including a Siemens Gamesa blade finishing facility and the Jones Act compliant jack up installation vessel. The commitment to renewable energy and OSW has only grown within the state with key projects like the Virginia OSW Landing, a collaborative space where interested companies can participate in the maritime network and can quickly engage with active stakeholders.

The state's feedback on the call area focuses on the suitability to assist in accomplishing Virginia's energy policy goals. Furthermore, the area should give careful consideration to the numerous ocean users while stimulating the state's economic development and regional partnerships.

2. Federal Partners

a) National Oceanic and Atmospheric Administration (NOAA)

NOAA presented on behalf of the National Marine Fisheries Service (NMFS), the National Ocean Service, and the National Weather Service. Due to the size and distribution of the call areas coordination was required across NOAA regions and sub-agencies. While cooperating agencies identified sensitive habitats within the call areas that BOEM removed, there are still vulnerable habitats, fishing, and coral areas adjacent to and within the draft call areas that merit further investigation, mapping, and site-specific data collection. NOAA recommends that a buffer zone of 10 nautical miles be established between future leases and areas of concern. Furthermore, NOAA believes that BOEM should also reevaluate the Gulf Stream North Wall as it does migrate over time and could overlap with call areas. In addition to habitat, most of the region's important commercial and recreational fisheries directly overlap with the proposed call areas, with the inshore area particularly threatened. NOAA suggests that BOEM engage with these fishing communities, as there will be a considerable cumulative socioeconomic impact from development in the draft call areas.

The operations of NOAA and it's cooperating agencies in the call areas will suffer as development in the call areas will inhibit the continuation of long time-series surveys, exclude sampling from wind energy areas, alter the statistical design of existing surveys, and directly alter habitat. If these impacts are not mitigated, there will be a loss in scientific understating within the region.

b) Department of Defense (DoD)

The Department of Defense supports the continued development of renewable energy infrastructure but must assure that there is no resulting radar interference or flight path obstruction. For radar interreference, there are existing mitigation strategies that include software or hardware improvements or curtailment agreements. Flight obstruction often involves cooperation with developers to alter siting plans. For offshore development, there are new maritime considerations to be investigated with BOEM, but the DoD has not yet barred any draft call areas from consideration.

c) U.S. Coast Guard (USCG)

The U.S. Coast Guard has identified six fairways that directly overlap with the draft call areas. Along the Dominion Project, there are two fairways that will expand and run into the draft call areas along with two more to the north near Maryland and Delaware Bay, which facilitates traffic across the Atlantic to ports in Africa and beyond. The last two fairways are further off the coast with the purpose of expediting passage to ports inshore. The Coast Guard concluded by reiterating its continued collaboration with BOEM as each agency focuses on finding an agreeable compromise between OSW development and maritime travel.

d) U.S. Fish and Wildlife Service (USFWS)

The U.S. Fish and Wildlife Service reiterated its role as a federal agency entrusted with enforcement and management of relevant acts such as the Migratory Bird Treaty Act, Endangered Species Act, and National Environmental Policy Act (NEPA). As BOEM looks to develop in coastal areas, it's important to consider impacts to seabirds in respect to the legislation above because of the significant losses seabirds have already sustained and the value seabirds have as an indicator species. When considering the available data on species

such as the Black-Capped Petrel and non-breeding diving birds, it is clear that the proposed call areas will directly overlap with valuable habitat and migration corridors. Furthermore, bats that inhabit islands often use offshore habitats, and while there is a limited understanding of OSW impacts on bat populations, the need exists to investigate the topic further.

To avoid conflict between the species described above and OSW infrastructure, USFWS recommends that BOEM avoid portions of the two easternmost planning areas along with the mouths of the Chesapeake and Delaware Bays (beyond 50 nautical miles) and key regions of the westernmost planning area. To better inform what regions of the draft call areas are of critical importance, the need exists for more bird tracking studies and expanded radio telemetry technology.

e) National Aeronautics and Space Administration (NASA)

The NASA Wallops Flight Facility oversees a diverse portfolio of orbital and sub-orbital exercises along with DoD tests. In response to the draft call areas, NASA has bound all the hazard areas for the various launch vehicles. The end result is two polygons that overlay the draft call areas. The first identifies the hazard area that is likely to experience debris impacts from vehicle launches. The other is the exclusion area, which hosts a Navy target exercise corridor where obstacles inside the corridor will be hit. The hazard area impact analysis shows that launch debris and lost launch opportunity collisions are of a high probability and therefore of concern for OSW infrastructure.

3. Tribal Nations

- Participants posed questions to BOEM, including: how is BOEM assessing economic effects on things like property values or tourism, and has BOEM considered a programmatic agreement approach for compliance with the National Historic Preservation Act?
    - *BOEM Response:* BOEM will be conducting an environmental assessment of site characterization activities, including a socioeconomic analysis. Support will come from subject matter experts who will assist under the NEPA review. In the past, there were programmatic agreements set up with states along the east coast, and there will likely be a similar arrangement set up for this effort.

4. Local Governments Discussion

- Participants asked BOEM: how will OSW development impact the labor/housing shortage, will there be a greater demand on roads, schools, and other infrastructure, and will there be a possibility of revenue sharing with coastal communities?
    - *BOEM Response:* It is anticipated that the OSW development will lead to job creation, which is generally a good thing, but revenue sharing is up to congress as BOEM does not have a determination on that topic. We recognize the stress that will be placed on infrastructure, and there is probably some capacity to initially deal with that demand and evaluate it through NEPA.

5. Task Force Discussion

- *Question:* Will fisheries be working with the National Centers for Coastal Ocean Science (NCCOS) on spatial planning analysis?

    - *Response:* NOAA has recommended that BOEM use spatial and ecosystem-based planning tools to evaluate areas using the best available science in addition to coordinating with NCCOS.
- *Question:* How will scientific data be used and models leveraged to produce the best decision making possible?
    - *Response:* BOEM is using the Mid-Atlantic Regional Council on the Ocean's online data portal and ArcGIS Online (AGOL) to look at spatial planning and utilize different layers to see how they interact with the draft call areas.
- *Question:* Is enough time and resources being devoted to spatial planning to avoid conflicts up front? It is hard to retroactively utilize these tools once the process is too far underway.
    - *Response:* The ecosystem-based management approach has been utilized, and there are emerging models that would support ecosystem-based analysis. NOAA has been working particularly hard on fisheries management for a while, and there is an opportunity to learn from their work.
- *Comment:* We encourage collaboration between BOEM and NCCOS on marine spatial planning because NCCOS has novel products that can be used ahead of time to evaluate user conflicts and conduct spatial, and opportunity analyses.
- *Comment:* The Nature Conservancy developed a wind siting tool that may be useful. It pulls data from the MARCO Ocean Data Portal and allows the user to draw a polygon that automatically calculates the impacts on natural resources in the highlighted region.
- *Comment:* There has been a lack of proper community outreach as organizations investigate the draft call areas on the water. A few local legislators received comments from their constituents that some energy companies, in the process of scoping potential development areas, have interfered with commercial fisherman, and this is starting the process off on the wrong foot.

D. Central Atlantic Data and Information Resources and User Engagement

1. Mid-Atlantic Ocean Data Portal

Staff from the Mid-Atlantic Ocean Data Portal presented an overview of the Portal's content and features. Map products include footprint impacts and visualization of changes over time for ocean activities and ecological resources. Built into the tool are instructional and educational resources for new users in addition to collaborative tools for users to share maps and work in groups. Pending data includes whale watching areas, SCUBA destinations, Right Whale data products, and more to help inform agency actions and proposed projects.

2. State of Maryland

The Maryland Energy Administration presented on the data that are available for informing and refining the draft call areas. Examples of data features shared included information on horseshoe crab habitat and waters used by the local fishing industry. Both areas were identified as regions that Maryland would like to see left out of the draft call areas given their impact on state and local economies.

3. State of Virginia

Dominion Energy of Virginia presented on the Coastal Virginia OSW (CVOW) pilot project. Nascent technologies employed in the project include deployment of a bubble curtain that effectively reduces noise produced by pile driving by 10dB. CVOW also makes use of an extensive foundation monitoring program collecting images at regular intervals to track marine growth on the

monopile. Furthermore, an extended cable survey program is underway monitoring the cable burial depth at a time interval of every two years for the next eight years to track geologic impacts on submerged infrastructure. Lastly, CVOW incorporates an avian and bat monitoring system that supports USFWS and NGO long-term research. Dominion Energy closed by advocating for cooperation among stakeholders to normalize survey protocols, data collection, and sharing of information to enhance OSW development.

The Virginia Marine Resources Commission presented on new information regarding Virginia commercial fishing data utilizing map layers to indicate regions intensive in scallop, gillnet, and pot trap fishery operations that overlap with the draft call areas. Using MARCO's data, draft call area A has the biggest interaction with commercial fishing with draft call area B containing the second largest set of interactions between fishing and OSW.

4. Task Force Discussion

- *Question:* Does the MARCO Portal have the U.S. Army Corps of Engineers borrow areas used for beach replenishments?
    - *Response:* Yes
- *Question:* How similar is MARCO to the NOAA Ocean Reports associated with the Marine Cadastre interactive tool? Does the NOAA tool extend into the MARCO area?
    - *Response:* The NOAA tool does extend into the MARCO area, and Ocean Reports is an extension of the Marine Cadastre. MARCO's portal will contain more regionally specific information.
- *Question:* Does the MARCO portal have NASA operational and warning areas?
    - *Response:* Yes
- *Question:* Is it true that the bubble nets have no effect on low frequency sounds?
    - *Response:* Bubble nets are not as effective on low frequency sounds, but there is still some sound reduction.
- *Comment:* It is important to consider cumulative impacts on fisheries. The surf clam fishery in particular has been impacted by the New York Bight wind energy area and the existing leases off of New Jersey. Any OSW development would remove addition fishable waters from being fished.
- *Question:* Will Dominion Energy be engaged in any whale monitoring?
    - *Response:* There is no whale monitoring active right now, but Dominion is talking to the aquarium about a monitoring program.

E. Process Next Steps and Action Items

Bridgette Duplantis reviewed the process timeline for the Central Atlantic, which includes publishing the call for information and nominations in Q2 2022 followed by a 45-day comment period. The wind energy areas will be identified in Q3 2022 with the proposed sale notice published in Q1 2023. The final sale notice will follow in Q2 2023, with the auction being held in the last quarter of 2023. Ms. Duplantis invited participants to reach out via email until February 28th with any additional comments and questions not expressed during the meeting.

F. Public Input Opportunity and Discussion

Comments and questions shared during the public input opportunity generally fell under the categories of environment and climate, design and process, data gathering and monitoring, infrastructure, and fisheries impacts. These comments and questions are summarized below.

Environment and Climate

- *Comment:* Climate has not been discussed much in the Task Force meeting, and further consideration should be given to environmental justice issues. Biologically significant effects need to be considered for bird and bat populations within the proposed OSW area. Furthermore, accommodations need to be made for tugs, fairways, and large commercial vessels, which will have substantial net economic benefits (Samoteskul et al, 2014). Fisheries should follow Europe's example and differentiate between sessile and mobile species. If no action is taken, climate change will push fish populations north. Lastly, it appears that BOEM should take a hard look at the coral reef protection concerns that were raised.
- *Comment:* The Mid-Atlantic Fishery Management Council would recommend removal of all of the Frank R. Lautenberg deep sea coral protection areas from further consideration for these call areas.
- *Comment:* There has been a fair amount of talk around OSW impacts on fishing communities, but we need to consider that climate change will make these waters uninhabitable for fish if we do nothing. As a representative for a coalition of organizations in support of an OSW project in Delaware, we encourage BOEM to look at designating new call areas off Delaware shores. An 80 MW project would provide up to 30% of the state's energy needs while stimulating the economy.
- *Comment:* The Bird-smart wind energy campaign would like to request that BOEM create setbacks from the shelf breaks and canyons as well as areas used by Black Caped Petrel and Bermuda Petrel. USFWS' presentation resonated with the stance we have on many topics related to birds, so we encourage BOEM to heed the advice presented within USFWS' presentation.
- *Question:* NOAA says that we face a rapid escalation in flood frequency with the exponential rise in sea levels, loss of coastal shores, etc. Has this been taken into account in the leasing and development of onshore and offshore wind projects?
    - *Response:* That is a difficult question to address. It is hard to say with a particular project or a series of projects how they will be impacted by sea level rise or vice versa. It is our objective to research topics so far as we can make meaningful connections, but some things are too tenuous to comment on.
- *Question:* Is there a report to demonstrate that wind energy development will effectively offset carbon output in the energy sector given the resources going into the construction of the projects?
    - *Response:* BOEM will be assessing this as part of the environmental analysis process.

Design and Process

- *Comment:* We thank BOEM for supporting projects that advance clean energy goals and strengthen local and state economies while investing in an industry that will be worth billions of dollars in the near future. It is uncertain how the sale and development of the call areas will unfold, but it would be easier for industry to make investments if each of these processes had stated targets and objectives. These objectives could be pegged to acreage, which would translate to a certain number of gigawatts based on reasonably anticipated technologies. These objectives need not be binding, and they should not undermine the

rigor with which BOEM analyzes potential user conflicts and sensitive ecological areas, but it would be logical for these objectives to be linked to state and federal clean energy needs. We would like call areas to be as robust as possible for two reasons. First, maximal call areas will maximize the amount of public and intergovernmental input BOEM receives for this area. We think it is vital to maximize the amount of early feedback from the Department of Defense. The DOD historically doesn't provide detailed comments, and paring down the areas prematurely would result in the loss of a full opportunity to receive DOD comments. Second, maximized call areas will preserve maximum BOEM flexibility with respect to deconfliction. This is particularly a problem if BOEM sets more specific objectives for this leasing process.

- *Comment/Question:* We have a concern over the Wilmington East proposed lease area that encompasses a lot of the live bottom and hard bottom that's fished by recreational anglers and also the charter boat industry. It is a key area for us, so we are concerned. As an association, we have not taken an official stance of being for or against OSW, but we've been in contact with other fishermen from the United Kingdom, and they've told us that OSW has had a significant negative impact on their fisheries, so that's concerning to us. This begs the question: why are we not doing environmental and economic impact studies regarding the fisheries, tourism, and real estate industries on the coast?
    - *Response:* BOEM has a very active monitoring program looking at impacts before and during installation of turbines.
- *Comment:* In response to the comments about when environmental impact statements are to be prepared for an SOW lease, by law, these are not required until after the construction and operations plan has been put out for comment. This may be many years down the line.
- *Comment:* It is important for BOEM to ensure that Task Force rosters remain current; this is complicated by the fact that some of the local government representatives may no longer be in office. I'm also concerned about the effectiveness of BOEM's approach to public engagement and environmental review. The current process does not provide community members with sufficient opportunity to comment on the impacts associated with OSW development, and BOEM needs to ensure that relevant data are available to the public. While BOEM is expected to make data open to the public, there is a lack of accountability assuring they do so. Finally, the timing for reviewing the environmental impacts takes place too late in the process.
- *Comment:* We believe that much of what we've heard today in our view supports moving forward designating future wind energy areas using a programmatic environmental impact statement (EIS) under NEPA. An environmental assessment (EA) will be prepared for leasing and site assessment activities, but that's a considerably curtailed document compared to an EIS. Preparing a programmatic EIS at the wind energy area designation stage would allow BOEM to comprehensively evaluate alternative locations and make alterations to the currently designated draft call areas in a rigorous and transparent way that involves the public and prevents people from feeling like they've been left out of the process. It would also allow BOEM to consider individually minor but collectively significant impacts of past, present, and reasonably foreseeable future actions both across geographic scope and across time. A Programmatic EIS would provide transparency in the process, it would inform the public early of areas that are proposed for leasing, and it would avoid creating the perception that outcomes could be biased by developers or other agencies or leaving other folks out of the process.
- *Question: How will future public comments be addressed in future public comment periods?*
    - *Response:* the formal comments that we receive from the call for information will be submitted to a docket. For the comments that we receive on this draft call area as

part of the task force meeting, we will post a meeting summary on our website. We will also post any comments that BOEM receives via email following this meeting.

- *Comment:* Conducting the first EIS after the lease is made to a developer seems too late in the process.

Data Gathering and Monitoring

- *Question:* Does BOEM plan to institute a standardized fisheries/ecosystem monitoring program, and can things such as biological pre-construction or baseline surveys be mandated? If the responsibility of biological surveys and monitoring is placed on the developer, who will oversee the implementation and execution of surveys and enforce performance and data protocols, and who will own the data, and will it be publicly available for managers and assessment scientists?
    - BOEM's regulations only require the submittal of information for biological surveys, so the regulations do not compel or require an entity to conduct the survey. The National Marine Fisheries Service and BOEM conduct a lot of surveys, but there may be data gaps that developers might need to fill. BOEM has guidelines for conducting surveys and filling those data gaps for consistency. There is a push to develop broader guidelines for more comprehensive survey development and execution. Within BOEM, there is a collaborative effort to fill in the data gaps to create a strong foundation for data earlier rather than later. Regarding information ownership, it depends on where the dollars came from to conduct the surveys. All federal surveys are publicly available, but private funded information can be kept out of the public domain until disclosed to BOEM.
- *Question:* For the data poor fisheries that are economically important, what is the next step to gathering those data to inform the wind energy area identification process?
    - *Response:* BOEM working with the Task Force and the state in particular to acquire that information on the fisheries will be important.
- *Question:* Can BOEM mandate lease area surveys to mitigate the data loss?
    - *Response:* BOEM can dictate the activities and information requirements that may come out of a proposed project, so the opportunity exists for setting information expectations. BOEM is also proactive in collaborating with other agencies like the Northeast Fisheries Science Center to fill data gaps.

Infrastructure

- *Question:* What are BOEMs plans for coordinating onshore transmission to minimize the impacts to the environment from transmission lines being aggregated into one corridor onshore, and will there be a public comment period for this topic? One example where there could have been aggregation of transmission lines coming onshore is the Dominion project and Kitty Hawk projects. It shows a lack of efficiency and coordination.
    - *Response:* There has been feedback about incorporating transmission into the planning process, and that is something we will look into moving forward. Once a lease is issued and organizations have gone through the planning process, the lease allows for an easement to the shore for transmission. It is up to the developer to conduct additional surveys and propose the landfall corridor at that point in the development process. Then the appropriate NEPA reviews would look at the proposed corridor to inform approval of construction. BOEM will open this topic up during future engagement opportunities.

Fisheries

- *Comment:* I was pleasantly surprised to see how much information was captured in today's call regarding the overlap of scallop fishing and the draft call areas. Fundamentally, scallop fishing and windfarms are not compatible, and the only way to deconflict them is by not putting them on top of each other. BOEM has proposed a two-and-a-half-mile buffer between scallop hotspots and OSW, but it is worth noting that the community asked for a five-mile buffer because that is scientifically justified. Looking forward, we would like to see a five-mile buffer around any other scallop aggregations like the Elephant Trunk area. Lastly, while over 60% of the original draft call area has been removed, many of the areas retained are regions with high use conflict. It is frustrating to have a lack of transparency in the development of the maps.
- *Comment:* I ask that the lease areas be modified to not overlap with known scalloped grounds. Scallop fisheries are the most valuable in the U.S., with those on the East Coast being of particular importance. By removing scallop fishing grounds in the call areas, there is an impact to all scallop fishermen on the East Coast because fishing allocation is based on the total resource available. There also needs to be a baseline study conducted to underpin where the scallop population is now and better understand how OSW will impact this valuable resource.
- *Comment:* With the development of wind areas, there will be a reduction in seafood landings that will impact food security nationwide. An additional issue is that cables, transfer stations, and other parts of the infrastructure are not presented at this point in the process. Lastly, a mitigation process needs to be developed, and the American Farm Bureau could be a valuable third party in negotiating a mitigation framework given their existing work with the fishing/aquaculture and inland wind projects.

III. Appendices

A. Agenda

Agenda

Central Atlantic Intergovernmental Renewable Energy Task Force Meeting
February 16, 2022
9:00 AM – 5:00 PM ET

Webinar Information (Zoom)
URL: https://kearnswest.zoom.us/s/84034755262?pwd=VXhldFZ6OExRRkF0M3FvSUoyNVJBQT09
Webinar ID: 840 3475 5262
Passcode: 398256

**Registration is required to attend the Task Force meeting*
Members of the public can register here: https://forms.office.com/r/v84DSFh5yi

Meeting Purpose and Objectives

- Facilitate coordination, consultation, and information sharing among federal, state, local, and tribal governments regarding renewable energy leasing process on the Outer Continental Shelf (OCS) in states comprising North Carolina, Virginia, Maryland, and Delaware.
- Discuss next steps in the OSW energy leasing process for the Central Atlantic states and share Task Force member feedback on the draft Call for Information and Nominations.
- Receive updates from other Task Force members, including individual states, various federal agencies, and tribal governments.
- Receive updates on latest scientific information and stakeholder engagement.
- Provide opportunities for public input on the topics being considered by the Task Force.

Agenda

Time (ET)	Item	
8:45 a.m.	***Join the Webinar***	

9:00 a.m.	**Welcome & Opening Remarks**	• Amanda Lefton, Director, *BOEM*
		• Governors/State Representatives
		  ○ Secretary Shawn M. Garvin, *Delaware Department of Natural Resources and Environmental Control*
		  ○ Dr. Mary Beth Tung, *Maryland Energy Administration*
		  ○ Jeremy Tarr, *Office of North Carolina Governor Roy Cooper*
		  ○ Erik Olson, *Virginia Department of Energy*

9:25 a.m.	**Task Force Meeting Overview**	• Eric Poncelet, Facilitator, *Kearns & West (K&W)*
9:40 a.m.	**Task Force and Leasing Process Overview, and Call for Information and Nominations Review**	• Task Force Overview and Roles, and Central Atlantic Regional Approach – Jim Bennett, *BOEM* • Leasing Process Review & Call for Information and Nominations Review – Bridgette Duplantis, *BOEM* • Clarifying Questions

10:10 a.m.	***Break***	
10:25 a.m.	**State of the States - Task Force Reports and Feedback on Draft Call**	• State of Delaware – Thomas Noye and Kimberly Cole, *Delaware Department of Natural Resources and Environmental Control* • State of Maryland – Eric Coffman, Samuel Beirne, and Catherine McCall, *Maryland Energy Administration* • State of North Carolina – Jennifer Mundt, *North Carolina Department of Commerce* • State of Virginia – Erik Olson, *Virginia Department of Energy* • Task Force Discussion
11:15 a.m.	**Panel – Federal Partners Feedback on Draft Call**	• National Oceanic and Atmospheric Administration – Mike Pentony • Department of Defense – Steven Sample • U.S. Coast Guard – George Detweiler and Maureen Kallgren • U.S. Fish and Wildlife Service – John Stanton and Caleb Spiegel • National Aeronautics and Space Administration – Kyle McAllen • Task Force Discussion
12:20 p.m.	***Lunch***	
1:20 p.m.	**Open Discussion on Draft Call Area**	• Tribal Governments • Local Governments • Task Force Membership Discussion
2:30 p.m.	***Break***	
2:45 p.m.	**Panel – Central Atlantic Data and Information Resources and User Engagement**	• Mid-Atlantic Ocean Data Portal – Nick Napoli • State of Maryland – Catherine McCall, *Maryland Energy Administration* • State of Virginia – G.T. Hollett and Scott Lawton, *Dominion Energy;* Rachael Peabody-*Virginia Marine Resources Commission* • Task Force Discussion
3:30 p.m.	**Process Next Steps**	• Bridgette Duplantis, *BOEM*
3:35 p.m.	***Break***	
3:45 p.m.	**Public Input Opportunity and Discussion**	
4:55 p.m.	**Overview of Action Items, Closing Remarks**	• Eric Poncelet, Facilitator, *K&W* • Dave MacDuffee, *BOEM*
5:00 p.m.	***Adjourn***	

B. Draft Call Area