FINDING OF NO SIGNIFICANT IMPACT
Commercial Wind Lease Issuance on the
Pacific Outer Continental Shelf, Offshore Oregon

Introduction

The Bureau of Ocean Energy Management (BOEM) prepared an environmental assessment (EA) to analyze the potential environmental impacts associated with commercial wind lease issuance on the Outer Continental Shelf (OCS) offshore Oregon. The EA aided BOEM in determining that commercial leasing activities in that region of the U.S. OCS (the Proposed Action) would not result in significant impacts to the environment; therefore, a more detailed analysis in an environmental impact statement is not required (40 Code of Federal Regulations [CFR] § 1501.3(a)). BOEM prepared the EA in accordance with the National Environmental Policy Act (NEPA), 42 United States Code (U.S.C.) §§ 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 BOEM policy.

A BOEM-issued lease and associated rights-of-way (ROWs) and rights-of-use-and-easement (RUEs) only allow the lessee the exclusive right to submit plans for BOEM's review and possible approval. The issuance of a lease, ROW, or RUE does not constitute an irreversible and irretrievable commitment of resources to any action with significant impacts. BOEM's EA focused on the types of activities that are likely to occur following lease issuance, such as site characterization (i.e., biological, archaeological, geological, and geophysical surveys) and site assessment activities (i.e., installation of meteorological buoys). The purpose of installing equipment and completing surveys is to collect information required for the future submission of a Construction and Operation Plan (COP) (30 CFR 585) as described in the Renewable Energy Modernization Rule, 89 FR 42602 (May 15, 2024).

On February 14, 2024, BOEM announced in the *Federal Register* its intent to prepare an EA analyzing the potential impacts from leasing activities on the OCS offshore Oregon (89 FR 11313). That announcement opened a 30-day public comment period. On May 1, 2024, BOEM announced the availability of the draft EA. See "Notice of Availability of a Draft Environmental Assessment for Commercial Wind Lease on the Pacific Outer Continental Shelf, Oregon," (89 FR 35220). That announcement opened another 30-day comment period, which BOEM later extended by two weeks in response to stakeholder requests. During the comment period, BOEM held a virtual inter-Tribal meeting, consulted with interested Tribes, and held two virtual public meetings to provide an overview of the EA, solicit public comments, and discuss next steps in the environmental review and leasing processes.

All public comments BOEM received can be viewed at www.regulations.gov by searching for docket BOEM-2023-0065. BOEM revised the EA to address public comments and comments from consultations and engagement with Federally recognized Tribes and Federal and state agencies. Appendix B of the final EA includes a summary of public comments and BOEM's responses from the draft EA. The finding set out in this document is accompanied by and refers to the EA and appendices available at https://www.boem.gov/oregonea.

Environmental Assessment

The EA accompanying this finding analyzed the potential effects from the Proposed Action on the human environment. The human environment is interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment. The Proposed Action's is defined in the EA as the possible issuance of up to two commercial wind leases within the Oregon wind energy areas (WEAs) and granting associated ROWs and RUEs. The issuance of a lease by BOEM to the lessee conveys no right to proceed with development of a wind energy facility; a BOEM-issued lease only confers to a lessee the exclusive right to submit plans for site characterization, site assessment, and project construction and operation. BOEM considers plans for construction and operations after public input and additional environmental analysis before deciding whether to approve the construction of any facility on the OCS.

BOEM evaluated the Proposed Action and a No Action alternative.

No Action Alternative
Under this alternative, BOEM would not pursue the Proposed Action or issue commercial leases within the WEAs offshore Oregon. This alternative avoids potential impacts on the environment identified in the EA. Some site characterization surveys (e.g., biological surveys) and off-lease site assessment activities do not require BOEM approval and could still be conducted under this alternative, but these activities likely would not occur without the possibility of a commercial wind energy lease, ROW, or RUE.

Proposed Action
Under the Proposed Action, BOEM would: (a) issue one commercial wind energy lease within the Coos Bay WEA and one lease within the Brookings WEA and associated easements for both leases; and (b) grant ROWs and RUEs to support wind energy development. These leases would provide lessees the exclusive right to submit COPs and to conduct preliminary site assessment and characterization activities. Site characterization activities would most likely include shallow hazard, geological, geophysical, geotechnical, archaeological, and biological surveys to obtain information required for COP submittal. Site assessment activities would most likely include the installation of no more than 12 meteorological buoys.

Effects on the environment from site characterization and assessment activities are expected to occur. The level of these impacts ranges from negligible to moderate, depending on the specific environmental resource and the best management practices (BMPs) that would be employed to reduce or mitigate any such impacts. Remedial actions are steps that are taken to mitigate potential impacts to resources and is inclusive of, for example, BMPs described in the EA. Negligible impact is defined as little to no effect or no measurable impacts on the resource.

Minor impact for biological and physical resources means that the impact would not disrupt the normal or routine functions of the affected resource, and if impacts occur, the affected resource would recover completely once the impacting agent is eliminated, without any remedial action. For socioeconomic resources, a minor impact would not disrupt the normal or routine functions of the affected activity or community and once the impacting agent is eliminated the affected

activity or community returns, without any remedial action, to a condition without lasting measurable effects.

Moderate impact means that the affected biological, physical, or socioeconomic resource would have to adjust in some measurable way to account for disruptions due to the Proposed Action or, once the impacting agent is eliminated, the affected resource, activity, or community would return to a condition with no measurable effects, but only if remedial action(s) were taken. A moderate impact determination also means that impacts on the affected resources, activity, or community are unavoidable although the viability of the affected resources are not threatened, and remedial actions would reduce impacts during the life of the Proposed Action.

Anticipated effects of the Proposed Action and subsequent leasing activities are summarized below:

- *Marine Mammals and Sea Turtles*

Effects from site assessment and site characterization activities on marine mammals and sea turtles are expected to be negligible to moderate depending on the activity being conducted. The potential impacts for marine mammals and sea turtles associated with the Proposed Action include noise from high-resolution geophysical (HRG) and geotechnical surveys, the potential for collision with project-related vessels, and potential entanglement in mooring systems associated with the installation of a meteorological buoy. Vessel strike and noise are two of the most important factors that may affect marine mammals and sea turtles.

BOEM requires lessees incorporate BMPs into site characterization and site assessment activities analyzed in the Proposed Action to minimize potential impacts. BOEM places stipulations in leases that protect the environment during the proposed activities, including stipulations resulting from consultations required under other Federal statutes. Due to these stipulations and the nature of the proposed activities, the impacts to critical habitat and protected marine mammal and sea turtle species from site assessment and site characterization activities related to noise from HRG and geotechnical surveys, collisions with project-related vessels, and entanglement in meteorological buoy moorings are anticipated to be negligible. Overall, impacts to marine mammals and sea turtles are expected to range from negligible to moderate due to the impacts being unavoidable, the viability of these biological resources is not threatened, and because remedial actions (i.e. BMPs) will be taken to ensure that affected marine mammal and sea turtle populations would recover completely. The main impact drivers stem from site characterization surveys, and installation, presence, and decommissioning of buoys, both of which will result in increases in vessel traffic and noise.

- *Coastal and Marine Birds*

Effects from site assessment and site characterization activities on marine and coastal birds are expected to range from negligible to moderate depending on the activity being conducted. The potential impacts from the Proposed Action for marine and coastal birds include: (1) active acoustic sound sources, (2) vessel and equipment noise and vessel traffic, (3) underwater noise, (4) vessel attraction, (5) disturbance to nesting or roosting, (6) disturbance to feeding or modified

prey abundance, (7) aircraft traffic and noise from surveys, (8) meteorological buoys, (9) trash and debris, and (10) accidental fuel spills. Overall, impacts on birds would be negligible. The construction, presence, and decommissioning of meteorological buoys would pose minimal threats to birds. Loss of water column habitat, benthic habitat, and associated prey abundance are expected to have negligible impacts because of the small area affected by buoys. Impacts on birds in coastal waters from vessel traffic are expected to be negligible due to the amount of existing vessel traffic. Impacts on birds from site characterization surveys are expected to be negligible. Impacts on birds from trash or debris releases and from accidental fuel spills would be moderate for species that have special-status designations and are susceptible to spills, but since it is an accidental impact and unlikely to happen, the impact on birds in general are expected to be negligible. Potential noise impacts from meteorological buoy deployment could have localized, short-term minor impacts on birds foraging near or migrating through the construction site, and noise impacts from decommissioning are expected to be negligible. The risk of collision with a meteorological buoy would be negligible because of buoy height and distance from shore.

Additionally, lessees operating on the OCS can reduce impacts to birds by following the BMPs. Overall impacts stem from site characterization surveys, and construction, presence, and decommissioning of buoys, both of which will result in increases in vessel traffic, noise, and artificial lighting. BOEM anticipates that the impacts associated with the Proposed Action and with ongoing and reasonably foreseeable planned actions would represent moderate impacts for birds in the geographic analysis area. This is because the impacts are unavoidable, the viability of the resource is not threatened, and remedial actions (i.e. BMPs) will be taken to ensure that affected birds would recover completely.

- *Marine And Coastal Habitats and Associated Biotic Assemblages*

Effects from site assessment and site characterization activities on marine and coastal habitats and their associated species are expected to range from negligible to minor. Impacts would be limited to the immediate footprint of seafloor contacts from anchors or direct sampling activities. Meteorological buoys deployed are estimated to be the largest disturbance to the seafloor, contacting a maximum of 2.3 m^2 (25 ft^2) of seafloor each, and up to six meteorological buoys per lease (12 total) could be installed as part of the Proposed Action. BOEM will require a lessee to incorporate avoidance measures for hardbottom communities and/or sensitive seafloor habitats before bottom disturbance activities occur. Sensitive seafloor habitats are areas that host rare, slow growing, or higher densities of species, and are typically associated with hard substrates. Examples include species targeted by Oregon's highest value fisheries, cold-water coral and sponge reefs, and chemosynthetic communities that are regionally rare and particularly sensitive to seafloor disturbance. Other impacts affecting this resource include noise from HRG surveys and project vessels, which could alter larval, juvenile, and adult fish behavior within the WEAs. Any effects would be temporary and only last the duration of the noise-producing activities. Impacts on benthic communities from non-routine events are limited to those associated with the recovery of equipment lost at sea and are expected to be negligible because clay substrates recover quickly without remedial or mitigating action. Overall, impacts to marine and coastal habitats and associated biotic assemblages are expected to range from negligible to minor due to the avoidance of sensitive habitats, temporary duration of the Proposed Action, and expectation

that impacted soft sediments and associated seafloor species will recover completely once the activities are complete.

- *Commercial Fishing*

Effects from site assessment and site characterization activities on commercial fisheries are expected to be minor and primarily associated with a spatial incompatibility around the data collection buoy(s) and interactions with project vessels. Minor impacts are based on multiple factors, including the small number of vessel trips associated with site characterization and site assessment activities relative to existing vessel traffic, the installation of only up to 12 meteorological buoys over a relatively large geographic area, and the limited duration and propagation of marine sound produced from site assessment and characterization activities. Lessees would develop a Fisheries Communications Plan with a designated liaison for coordination between a lessee and affected fishers to reduce the potential for conflict during vessel movement and meteorological buoy installation. The impact depends on the fishery and the activity, and any affected fishery is expected to recover completely without remedial or mitigating action.

- *Socioeconomics of Counties, Ports, and Recreation and Tourism*

The affected environment for recreation and tourism includes Coos, Curry, and Lincoln counties due to their proximity to the Oregon WEAs. In Coos and Lincoln counties, the Proposed Action would have beneficial, short-term, and therefore minor impacts on employment and wages if site characterization and assessment activities are conducted using locally based employees, pay employees state-average wages, and use the Port of Coos Bay facilities (e.g., fuel, repair, storage, docking).

The Port of Humboldt Bay, the Port of Newport, and the Port of Coos Bay have the highest likelihood of short-term and beneficial impacts on employment, labor, and wages from hosting and serving vessels for site assessment and characterization activities. The effect to these three ports from additional vessel activity would be minor as they would recover completely without any remedial action once the Proposed Action activities are complete. Of the three ports, impacts to the port economy would be most noticeable in the Port of Humboldt Bay due to its relatively smaller human capital and ability to support additional vessels coming in and out of the port. Most of the total ocean economy jobs in Coos, Curry, Lane, Douglas, and Lincoln counties are in the tourism and recreation sectors, which include eating and drinking establishments, hotels, marinas, boat dealers and charters, campsites and RV parks, scenic water tours, manufacture of sporting goods, amusement and recreation services, recreational fishing, zoos, and aquariums. Recreation and tourism bring outside money into the Coos, Curry, Douglas, Lane, and Lincoln counties' economy when visitors from more than 50 miles away come for recreation, overnight stays, to visit friends and family, and to conduct business. The Proposed Action could increase the amount of people visiting the affected counties and thereby increase economic activities such as restaurants and hotels, though it would be short-term and difficult to measure. Impacts on recreational fishing from the Proposed Action and from additional cumulative impacts to recreational fishing, specifically the albacore and tuna fisheries in Coos County or near the Coos Bay WEA, could be adversely and noticeably impacted intermittently over a five-year term but

would be expected to recover completely once the activities cease. The impacts from the Proposed Action on recreation and tourism would likely be short-term, beneficial, difficult to measure, and overall negligible to minor.

- *Tribes and Tribal Resources*

Tribal governments on numerous occasions have voiced concern about capacity and the administrative burden associated with government-to-government consultation and engagement related to offshore wind activities. In response to requests from Tribal governments to build their capacity to review offshore wind-related documents, BOEM contracted with an Indian-owned company to facilitate reviews from interested Tribal governments. Several Tribes, in response to this opportunity, have indicated that they prefer direct funding for staff time and for additional training to better understand technologies associated with offshore wind activities. The burden of consultation and engagement on Tribal governments is expected to continue intermittently throughout the duration of the Proposed Action, which will cause Tribes to continue to have to adjust priorities to respond to requests for engagement.

Overall, economic impacts on Tribes from the Proposed Action are expected to be minor. Economic impacts of commercial wind development in the WEAs, including economic impacts on Tribes, would be analyzed for any future COPs submitted, and BOEM will continue to consult with the federally recognized Tribes throughout the site assessment and site characterization activities as COPs are developed by lessees. Additionally, BOEM will invite potentially affected Tribes to participate as a Cooperating Tribal Nation in the environmental review for a COP.

- *Other Resources Analyzed*

This EA also analyzes the effects of the Proposed Action on geology, air quality, water quality, bats, environmental justice, and historic properties. BOEM determined that the effects of the Proposed Action on these resources are negligible.

Effects of the Action

As directed by 40 CFR § 1501.3(b)(2), I have considered the following in my evaluation of the degree of the effects from the Proposed Action:

1. Short- and Long-Term Effects

The EA considered the Proposed Action's potential contribution to effects when combined with other past, present, and reasonably foreseeable activities that overlap both spatially and temporally within the Oregon WEAs. The EA analysis indicated that the Proposed Action is not reasonably anticipated to produce significant effects either alone or when its incremental effects are combined with the effects of other activities.

2. Beneficial and Adverse Effects

Potential adverse effects of the Proposed Action to marine mammals and sea turtles, coastal and marine birds, marine and coastal habitats and associated biotic assemblages, commercial fishing, and socioeconomic related resources. Significant adverse effects are not anticipated for any resource. Therefore, the level of adverse and beneficial effects of the Proposed Action does not render the potential impacts significant.

3. Effects on Public Health and Safety

The EA considered the distance of the Proposed Action from local communities, the potential effects of anticipated discharges and emissions, and the potential for the Proposed Action to interfere with subsistence activities. Due to its limited nature and location, the Proposed Action is expected to have little to no effect on public health and safety. Therefore, the degree to which the Proposed Action could affect public health and safety or subsistence activities does not render the potential impacts of leasing activities significant.

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

The EA analysis indicated that the Proposed Action would not threaten a violation of Federal, state, or local law or any requirement imposed for the protection of the environment. Substantial disputes about the environmental consequences of the Proposed Action's surveys are not evident in either the scientific literature or past analyses of similar activities in waters offshore the Oregon coast. Additionally, any BOEM authorizations that result from the Proposed Action require that lessees receive all applicable Federal, state, and other permits. Therefore, the degree to which the Proposed Action threatens to violate Federal, state, or local law or requirements imposed for the protection of the environment does not render the potential impacts significant.

Finding of No Significant Impact

BOEM has considered the evaluation of the potential effects of the Proposed Action. BOEM has determined that the Proposed Action would not cause any significant effects and that 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 such that an environmental impact analysis would be required.

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