

Overview of BOEMRE Regulatory Framework, Leasing Process, and Environmental Compliance Process

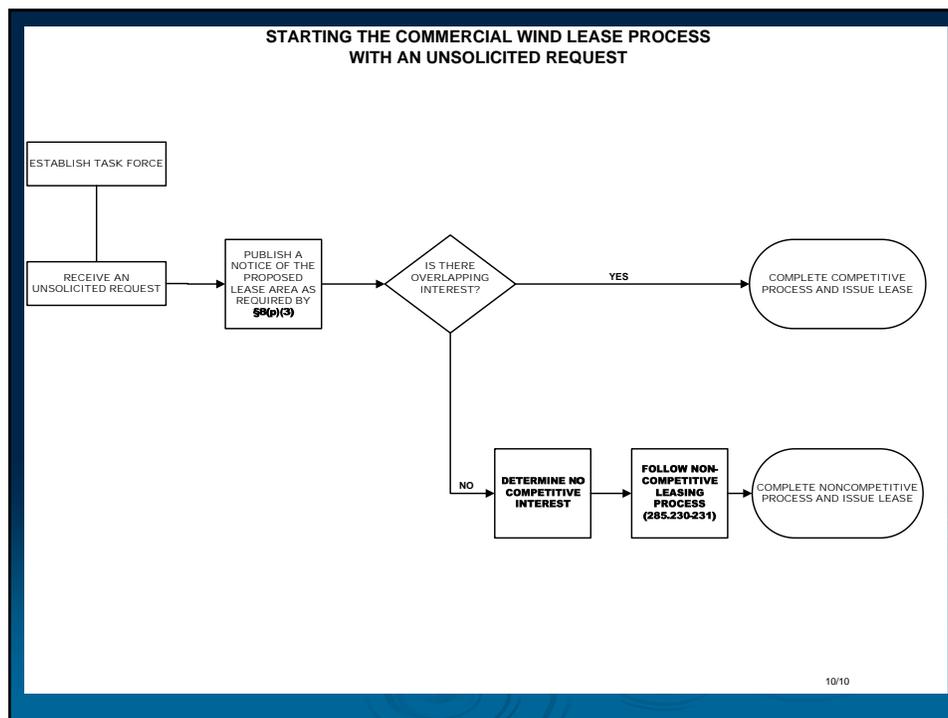
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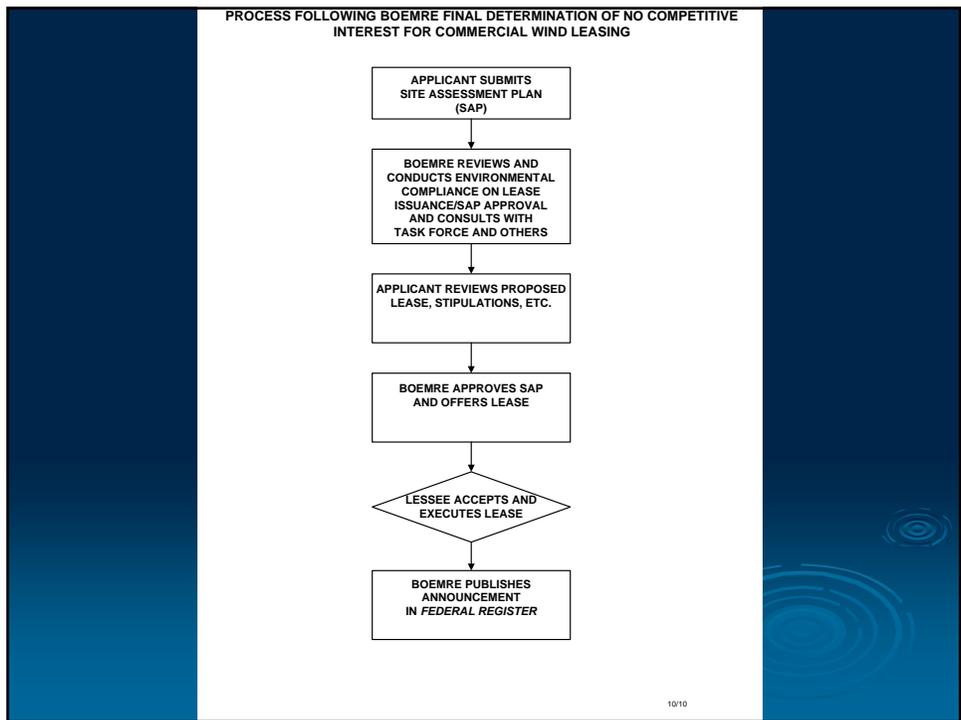
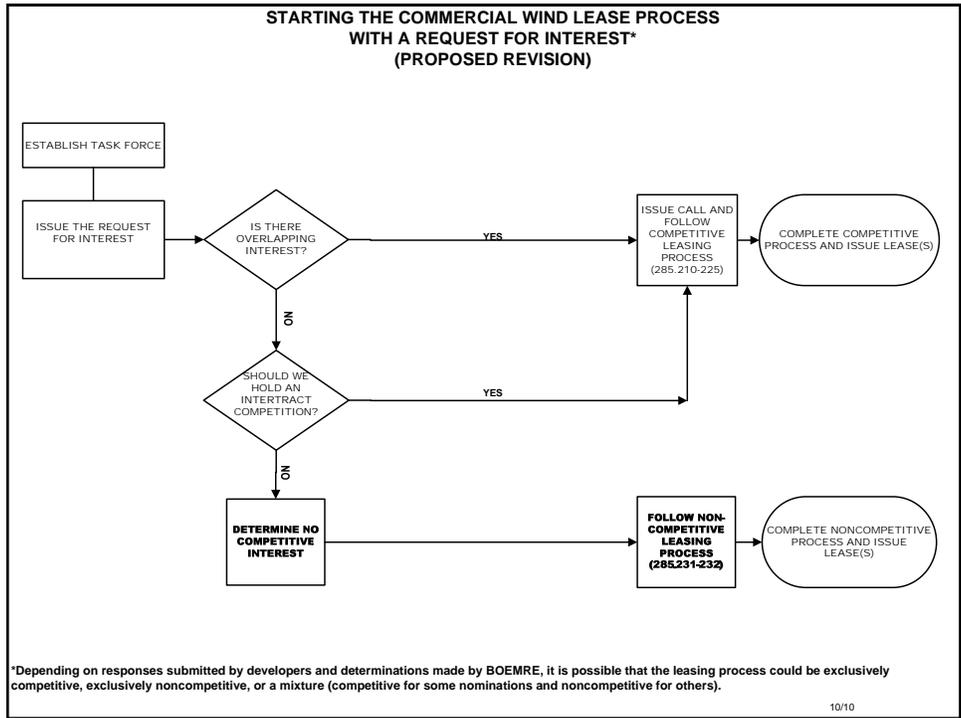
Overview

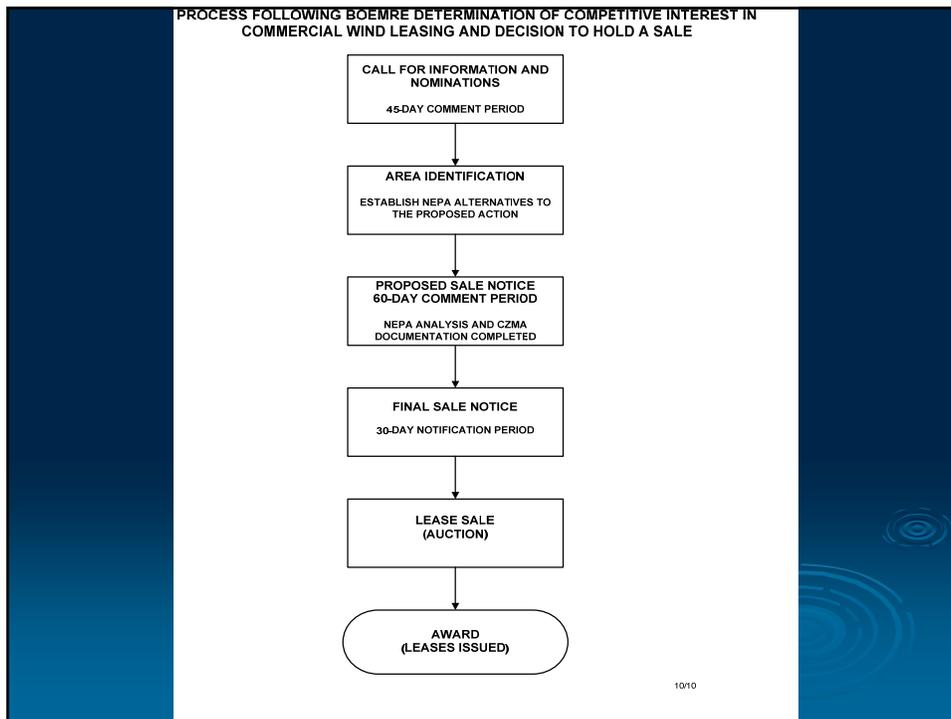
- Major Elements of the Regulatory Framework
- Options for Starting the Commercial Leasing Process
- Competitive and Noncompetitive Leasing Processes
- Environmental Review Process Overview
- Opportunities for Task Force and Stakeholder Engagement

Major Framework Elements

- Coordination (throughout rule)
 - Federal/State/Local Task Forces
- Leasing Process and Issuance (Subpart B)
 - Commercial & Limited Leases
 - Competitive & Noncompetitive Leasing
 - Research Activities
- Payments (Subpart E)
 - Bonding, Payments, Revenue Sharing
- Plans (Subpart F)
 - Site Assessment and Construction & Operations
 - General Activities
- Conduct of Approved Plan Activities (Subpart H)
 - Environmental & Safety Monitoring & Inspections
- Decommissioning (Subpart I)







Environmental Review Process

- Whether the leasing process is competitive or noncompetitive, it will include opportunities for the public to provide input and will be conducted in conformance with all applicable laws and regulations
- Environmental compliance reviews will be conducted under the National Environmental Policy Act (NEPA) for major actions:
 - Lease Issuance
 - Plan Approval (Site Assessment, Construction and Operation, or General Activities)
 - Decommissioning Activities

State, Tribal & Local Stakeholders Involved in OCS Activities for NY

- Local Governments
- Tribal Governments
- State Historic Preservation Offices
- Tribal Historic Preservation Offices
- Numerous New York State Agencies (Department of State, Department of Environmental Protection, Department of Environmental Conservation, Department of Public Service, etc)

Major Federal Agencies Involved in OCS Activities



Bureau of Ocean Energy Management, Regulation and Enforcement



U.S. Coast Guard



Environmental Protection Agency



U.S. Fish and Wildlife Service



National Marine Fisheries Service



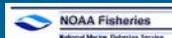
U.S. Army Corps of Engineers



Federal Aviation Administration



U.S. Geological Survey



Department of Defense

Environmental Consultation Processes

- Coastal Zone Management Act
- Magnuson-Stevens Fishery Conservation and Management Act (Essential Fish Habitat)
- National Historic Preservation Act (Section 106)
- Endangered Species Act (Section 7)
- Clean Air Act General Conformity Determination
- Migratory Birds Treaty Act/Executive Order Analysis

Run concurrently with NEPA process

Processes Required by Other Federal Agencies or Responsibility of Applicant

- U.S. Fish and Wildlife Service
- National Marine Fisheries Service
- Marine Mammal Protection Act
- Federal Aviation Act (out to 12 nautical mile)
- USCG Ports and Waterways Safety Act, Maritime Transportation Act
- U.S. Army Corps of Engineers permitting under Section 404, Clean Water Act, Section 10 Rivers and Harbors Act
- EPA NPDES/VGP Permitting
- FERC Licensing and Coordination
- DOD Coordination

Environmental and Socioeconomic Resources and Issues

- Air Quality
 - Water Quality
 - Marine Mammals
 - Sea Turtles
 - Birds
 - Bats
 - Seafloor Habitats
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- Physical Oceanography
 - Coastal Habitats
 - Socioeconomics
 - Cultural Resources
 - Fisheries
 - Multiple Use Conflicts

Mitigation Measures

- BOEMRE's primary mitigation strategy is avoidance
- Lease Stipulations
- Source of mitigation measures:
 - Task Force members
 - Consultations (with partner agencies)
 - Renewable Energy Regulatory Framework
 - Best Management Practices in the Record of Decision on the AEAU Programmatic EIS

Near Term Opportunities for Task Force Involvement

- Request for Interest
- Determination of Competitive Interest
- Call for Information and Nominations (if competitive)
- Scoping Meetings
- Draft EA/EIS
- Public Hearings
- FONSI/Final EIS
- Proposed Sale Notice (if competitive)
- Final Sale Notice (if competitive)
- Lease Terms and Conditions, Mitigation Measures

Future Opportunities for Task Force Involvement

- Identify data gaps and information needs to inform leasing decisions
- Development of Protocols for Monitoring, Environmental Studies, etc.
- Construction and Operations Plan Review Process
- Review of Decommissioning Plan

Point of Contact

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