



**ASPEN TECH
POLICY HUB**

POLICY



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Just Wind: Designing a More Equitable Offshore Wind Industry

Improving Engagement with Disadvantaged Communities

Commonly Used Acronyms:

Bureau of Ocean Energy Management: **BOEM**

Construction and operation plan: **COP**

Disadvantaged communities: **DACs**

Draft environmental impact statement: **DEIS**

Environmental assessment: **EA**

Environmental impact statement: **EIS**

Gigawatts: **GW**

Intergovernmental Renewable Energy Task Force: **IGRETF**

National Environmental Policy Act: **NEPA**

Offshore wind: **OSW**

Wind energy area: **WEA**

EXECUTIVE SUMMARY

The Bureau of Ocean Energy Management (BOEM) is responsible for leasing offshore wind energy areas to effectively deploy **30 gigawatts (GW) of energy by 2030**, following a commitment by the Biden-Harris Administration. This commitment is expected to pave the way for more than **\$12 billion of offshore wind investment annually**, much of it for supply chain and workforce development. BOEM has room to invest

in a more equity-oriented approach that centers disadvantaged communities¹ in the decision-making processes that inform how benefits from offshore wind development will be distributed. BOEM can do this by better engaging with disadvantaged community (DAC)² stakeholders and creating frameworks for transparency and accountability in the process.

BOEM therefore should:

1. Incorporate into the standard leasing timeline at least 2 DAC stakeholder roundtables that can inform developer investments;
2. Publish DAC stakeholder roundtable agendas, attendance rosters, and meeting minutes, and summarize agreed-on recommendations on BOEM's website;
3. Create an open docket on BOEM's website dedicated to collecting ongoing feedback from disadvantaged communities outside of the time-constrained comment periods;
4. Require developers to outline in their construction and operations plans (COPs) how they will track and report investments in workforce and supply chain development, and disclose the percentage going to disadvantaged communities; and
5. Create resources for engaged DAC stakeholders to effectively apply for Environmental and Climate Justice Block Grants, which were provisioned under the Inflation Reduction Act of 2022 to enable access to proper and fair compensation.

These recommendations would better integrate equity into the existing leasing process, and thus better align BOEM with the Biden-Harris Administration's national environmental and social justice goals.

BACKGROUND

In January 2021, the Biden-Harris Administration set the unprecedented goal of deploying **30 GW** of offshore wind energy by 2030. The National Renewable Energy Laboratory (NREL) estimates that a total of **2100 offshore turbines** and turbine foundations would be required to meet this national target. Work at this scale and rate requires a prompt and deep investment in a domestic workforce and infrastructure for building, transporting, and maintaining offshore turbines, which are **more labor- and resource-intensive** than onshore wind farms. The Biden Administration **estimated** that the sector will employ 44,000 work-

ers by 2030 and create nearly 33,000 additional jobs in communities supported by offshore wind activity. To meet this future demand, implementers are currently exploring investments in workforce training and apprenticeships, including in communities that offshore wind development is expected to impact.

Justice-Oriented Frameworks

In addition to expanding wind energy capacity, the Federal Government under the Biden-Harris Administration is seeking to bring clean energy benefits to disadvantaged communities. The Justice40 Initiative under [Executive Order 14008](#) commits to a goal that 40 percent of the overall benefits of federal investments in certain climate and environment programs flow to disadvantaged communities that are “historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care.” Similarly, under [Executive Order 13985](#), the administration seeks to meaningfully integrate the perspectives of historically underrepresented groups across federal agencies through evaluation, engagement, and investments. These orders, together with the Environmental Protection Agency’s [Environmental Justice](#) (EJ) framework, call for affected communities to be a part of decision-making processes.

The Role of BOEM

Under the [Outer Continental Shelf Lands Act](#) (43 U.S.C. Chapter 29) and the [Energy Policy Act of 2005](#), BOEM has the authority to grant approval for offshore wind (OSW) development, most commonly through competitive lease sales. In May 2022, BOEM demonstrated interest in exploring more equity-oriented approaches in the [proposed sale notice](#) for the wind energy areas off California’s shores. The notice asked for public recommendations on how BOEM could meaningfully engage underserved communities.

As part of its alignment with priorities outlined in the above Executive Orders, BOEM also hosted its first environmental justice convening in July 2022 with New York and New Jersey DAC stakeholders.³ The convening was BOEM’s response to DAC stakeholder requests for greater collaboration on the [New York Bight](#) leasing process. DAC stakeholders expressed a strong desire for BOEM to be more involved in seeking their input throughout the leasing process, from before the lease auction through the construction phase. This engagement was the first of its kind, and it remains unclear if it will be an ongoing engagement for every part of the leasing process. The conversation demonstrates that there

is great potential for BOEM to make strategic shifts in its approach to leasing that could impactfully address many of the larger concerns regularly expressed by DAC stakeholders.

The Importance of Incorporating DAC Stakeholder Input

BOEM's current leasing process is not designed to seek and incorporate the perspectives of DAC stakeholders, including social and environmental justice groups.

BOEM recognizes in its environmental assessments and environmental impact statements that offshore wind energy development has an impact on environmental justice. For instance, New Jersey's Draft [Environmental Impact Statement](#) for Ocean Wind 1 had 258 mentions of "environmental justice," and identified where EJ communities are located in all affected states. The Gulf of Mexico's [Environmental Assessment](#) assessed the relationship between environmental justice communities and the wind energy areas identified. Both efforts included holding consultations with potentially affected populations, such as federally recognized tribes and fishing communities, but neither included similar consultations that focused on soliciting inputs from EJ communities or other disadvantaged communities. Therefore, while there are mechanisms in place for community engagement, these are not being utilized to engage DAC stakeholders.

The current process potentially results in limited feedback from disadvantaged communities on challenges that could arise during the development process, which in turn can ultimately lead to an uneven distribution of benefits that would otherwise be equitably apportioned to these communities.

RECOMMENDATIONS

Based on a review of existing literature and public comments on open dockets, participation in key meetings and hearings, and interviews with key individuals, including DAC stakeholders, we have crafted the following recommendations to help BOEM improve DAC stakeholder engagement and better integrate equity into its approach to OSW development.

1. Incorporate into the standard leasing timeline at least 2 DAC stakeholder roundtables to inform developer plans and investments.

BOEM should incorporate into the standard leasing timeline at least 2 DAC-specific stakeholder roundtables: the first during the environmental assessment, before the proposed sale notice is published,

and the second before BOEM's approval of a developer's construction and operations plan (COP). Consulting DAC stakeholders during the environmental assessment process would give them the opportunity to voice any concerns early on in the leasing process. The second consultation would allow developers to demonstrate how raised concerns are being addressed and correct the course as required prior to initiating construction.

In accordance with National Environmental Policy Act (NEPA) regulations (40 CFR 1500-1508), BOEM prepares environmental assessments and environmental impact statements for proposed developments. An [environmental assessment](#) is conducted at the time of wind energy area (WEA) identification to analyze the potential environmental effects of the proposed development activities. The [environmental impact statement](#) is conducted when developers submit their COP in order to evaluate whether the developer is taking on the development option with the lowest risk to the environment, people, and systems. A standard timeline for the 2 reviews is found in Figure 1 in Appendix A.

NEPA's [EJ guiding principles](#) offer guidance for how to assess the direct, indirect, and cumulative impacts of a proposed project on disadvantaged communities, including impacts on human health. [Research shows](#) that industrial sites and spaces that might serve as manufacturing hubs for offshore wind facilities are often located in areas with greater concentrations of disadvantaged communities. The inequitable placement leaves disadvantaged communities disproportionately exposed to environmental health risks.

DAC stakeholders want BOEM to play a role in advocating for equitable distribution of jobs and a more inclusive approach to engagement.⁴ Through our research and interviews, we found that DAC stakeholders from New York and New Jersey — 2 states that have already begun to develop their offshore wind industries — desired earlier engagement by BOEM in the lease auction development process, and wanted more transparency and accountability for how the feedback would be incorporated into the development process.⁵

To better understand the relevant impacts on these populations overburdened by pollution, disadvantaged communities should be consulted as early on in the development of the environmental assessment and environmental impact statement. The challenges of later engagement are two-fold. Firstly, later engagement limits a DAC stakeholder's ability to provide valuable feedback because they have limited exposure to the process and thus may not understand the extent of offshore wind (OSW) development impacts on their communities. Secondly, feedback provided later in the process is more

difficult and/or costly for BOEM, states, and developers to incorporate. Late feedback may lead to development roadblocks that would not promote “expeditious and orderly development”⁶ on the Outer Continental Shelf.

The added engagements, specifically for disadvantaged communities, would ensure that BOEM is aligning with the directive to consult stakeholders as per [NEPA](#)⁷, with EPA’s approach for ensuring [environmental justice](#), and with executive orders on [advancing racial equity and support for underserved communities](#) and [Justice40](#).

Each DAC stakeholder meeting should be accompanied by a meeting agenda shared a reasonable amount of time prior to the meeting, and should result in post-meeting minutes and a summary of recommendations. Appendix A contains suggested guidance on how to identify the right DAC stakeholders for the consultations, and Appendix B contains sample DAC stakeholder consultation agendas for both consultations within a single wind energy development lease and operation timeline.

2. Publish DAC stakeholder roundtable agendas, attendance rosters, meeting minutes, and a summary of agreed-on recommendations on the BOEM website.

Community stakeholders that have taken part in consultations held by developers, BOEM, and state-level agencies have asked for greater transparency on discussions held with various stakeholders, and on how the subsequent feedback is disseminated and incorporated into the development process.⁸ This could potentially lead to greater trust between BOEM and communities affected by offshore wind development, and ideally bring accountability to BOEM’s engagement with disadvantaged communities under the Justice40 framework. As the offshore wind industry continues to develop rapidly, it is important that stakeholders feel that they have a say in key decisions that may affect their communities.

Publishing a meeting agenda would give DAC stakeholders guidance on the conversation and allow them to prepare in advance. Publishing meeting minutes and a written summary of DAC roundtable discussions and feedback would help address the transparency concerns raised by disadvantaged communities.

BOEM already engages in the practice of posting agendas and meeting summaries for Intergovernmental Renewable Energy Task Force (IGRETF) meetings and other key public hearings. For example, detailed agendas, summaries, and presentations can be found for the [Gulf of Mexico IGRETF meetings](#), and summaries and recordings of public hearings can be found for the [New York Bight](#). This process

has helped improve transparency around the decision-making process and has demonstrated BOEM's good-faith efforts in soliciting public feedback on offshore wind development. While offshore wind energy consultations started over a decade ago, the first stakeholder meeting specific to DAC stakeholders only took place in July 2022, when BOEM held an EJ-specific meeting. As of the publishing of this policy brief, the meeting agenda, recording, and summary have not yet been published publicly.

By posting DAC stakeholder roundtable agendas, attendance rosters, meeting summaries, and agreed-to recommendations on a public-facing website, BOEM would improve transparency and help DAC stakeholders learn from each other. This would also help DAC stakeholders hold agencies, developers, and other entities accountable for the concerns raised and recommendations provided during the roundtables.

3. Create an open docket on BOEM's website specifically for collecting ongoing feedback from disadvantaged communities outside of the time-constrained comment periods.

BOEM should publish 'open dockets' on its website and provide easy guidance for DAC stakeholders interested in participating and providing feedback. An "open docket" is a virtual place where comments from DAC stakeholders can be collected over an extended period of time. An example can be found on [Regulations.gov](https://www.regulations.gov), where various stakeholders can leave comments on notices, regulations, and other governmental proposals.

Opportunities for DAC stakeholders to engage with BOEM are currently limited. Yet disadvantaged communities experience an inequitable share of challenges arising from environmental harm, poverty, and lower access to key services. Disadvantaged communities are less likely to show up at public hearings and other stakeholder engagement events because they experience higher opportunity costs for prioritizing these engagements over personal and professional demands. Therefore, participatory approaches need to provide more flexibility in terms of time, location, and access to platforms collecting feedback from DAC stakeholders.

Appendix C provides further detail on the options for organizing the open docket and provides a visual example.

4. Require developers to outline in their construction and operations plans (COPs) how they will track and report investments in workforce and supply chain development, including the percentage of investments going to disadvantaged communities.

As part of the risk mitigation framework submitted by developers within the COPs for their respective lease areas, developers should be held responsible for tracking investments (i.e., workforce training) that have been provided to or accessed by disadvantaged communities.

In public comments submitted by various community and organizational representatives on previous lease and assessment notices, there have been frequent requests for greater transparency and monitoring of developer-led engagement of and investment in communities affected by offshore wind development.⁹ Requiring developers to monitor their workforce training and supply chain investments by type of community reached will (1) provide BOEM with necessary data to understand how disadvantaged communities are being affected by offshore wind development, and (2) encourage developers to more intentionally consider disadvantaged communities that could be affected by lease area development, both directly and indirectly.

Sample guidance for these investment monitoring benchmarks using New York State Energy Research & Development Authority's (NYSERDA's) 2022 Offshore Wind Solicitation, which outlines a system of accountability for developers, can be found in [Appendix C.1: Economic Benefits Claims and Verification](#). Developers applying for NYSERDA's solicitation must develop their own monitoring framework and ensure it is verified by a third party. The responsibility falls on the developer and ensures that there is a robust system of checks and balances through a third-party verifier. Appendix D provides further information on a monitoring and evaluation framework for developers.

5. Create resources for engaged DAC stakeholders to apply for Environmental and Climate Justice Block Grants provisioned under the Inflation Reduction Act of 2022.

BOEM should work with justice-oriented organizations and the Environmental Protection Agency (EPA), the agency responsible for administering the Environmental and Climate Justice Block Grant, to develop resources that DAC stakeholders can use to access compensation for their time and expertise.

In interviews, DAC representatives have frequently flagged the need for fair compensation, as they bring expertise and experience that benefits other parties. This request was echoed by California's state agencies, which submitted a comment on the proposed sale notice for Pacific Wind Lease Sale 1

(PACW-1) for Commercial Leasing for Wind Power on the Outer Continental Shelf in California. In a public comment submitted by the California Energy Commission on behalf of several California state agencies, the agencies stated:

*Co-development of communication plans for engagement with affected communities and Tribes that includes the following elements: ...Provisions for providing the resources necessary for community participation in activities and events, including: ...Compensation of environmental justice community members and tribal members for their travel and time participating is strongly encouraged.*¹⁰

The [Inflation Reduction Act of 2022](#) has specified funding under the Environmental and Climate Justice Block Grant (Sec. 60201) for compensation to disadvantaged communities for consultations. These [grants](#) are authorized for use by eligible entities for “facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.” In order to qualify for the [funds](#), eligible entities must include “a community-based nonprofit organization” and “a partnership of community-based nonprofit organizations.” The funds allow for compensating DAC stakeholders for their expertise.

Access to block grants can be potentially complicated and confusing for community-based organizations, and when resources exist, they may not know where to access them and how to use them effectively. These challenges have been [documented](#) for the administration of the Community Development Block Grant - Disaster Recovery (CDBG-DR), a block grant issued by the Department of Housing and Urban Development (HUD). To ameliorate the process, HUD subsequently released the [CDBG-DR Consolidated Notice Guidebook](#) and a complementary [CDBG-DR toolkit](#), which together provide foundational and accessible information for grant applicants.

BOEM should develop similar guidance as soon as is feasible. This guidance should be specific to the offshore wind energy leasing and development process and accessible to community-based organizations, including those representing disadvantaged communities. This guidance can be constructed

based on the protocols established by the EPA, the authorizing agency. In addition, BOEM should introduce and disseminate this guidance at all of its consultations with DAC stakeholders, including during the 2 roundtables proposed above.

BOEM should initiate this process after the EPA releases more information on the grant.

CONCLUSION

With the Biden–Harris Administration’s ambitious targets, the offshore wind development industry is on the cusp of driving an economic revolution. Offshore wind has the opportunity to “bolster local economies through job creation, local tax revenues, and reduced energy costs,” but long-standing social, economic, and environmental inequities for some communities can make it difficult for them to access these benefits.¹¹ As the federal leasing agent responsible for initiating the offshore wind process, BOEM has the responsibility to ensure that disadvantaged communities are thoroughly engaged throughout the leasing process. Through thorough engagement of DAC stakeholders, BOEM can ensure that the benefits from the burgeoning offshore wind industry are equitably distributed to underserved and disadvantaged communities most in need.

If BOEM is able to take the recommended steps expeditiously and apply them to all leasing processes going forward, it will have greater potential for driving long-term benefits to disadvantaged communities.



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We would like to acknowledge the generous time and expertise provided by the many passionate and dedicated stakeholders involved in the offshore wind industry or informing its development. We conducted over 2 dozen virtual interviews and follow-up conversations with stakeholders from government, private-sector development, trade associations, labor organizations, community-based organizations, and EJ groups. DAC stakeholders were provided with compensation for their time and expertise.

All perspectives and insights shared have been pivotal to the development of this brief. The following stakeholders have agreed to be publicly acknowledged:

- ▶ **Dr. Adewale Adesanya**, Founder/CEO, Havenergy Consulting Inc. and E2 Fellow
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- ▶ **Lauren Farnsworth**, Senior Offshore Wind Program Manager, Massachusetts Clean Energy Center
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- ▶ **Irene Gutierrez**, Senior Attorney, Nature Program, Natural Resources Defense Council
- ▶ **Laura Hastings**, Workforce Development & HSE Director, Business Network for Offshore Wind
- ▶ **Avalon Hoek Spaans**, Research and Policy Development Associate, Labor Leading on Climate Initiative, ILR School at Cornell University
- ▶ **Sam Jung**, Assistant Vice President, NYC Economic Development Corporation
- ▶ **Laura Mansfield**, Social Scientist, Bureau of Ocean Energy Management
- ▶ **Ryan Nielsen**, Political and Legislative Representative, Laborers' International Union of North America (LIUNA) Local 737
- ▶ **Sara Parkison**, Engagement Advisor for Underserved Communities

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- ▶ **Anita Raman**, Research and Policy Development Associate, Labor Leading on Climate Initiative, ILR School at Cornell University
- ▶ **Allison Rogers**, Climate Policy Advisor, Aspen Tech Policy Hub
- ▶ **Marcus Sibley**, Chairman, Environmental & Climate Justice Committee, NAACP New Jersey
- ▶ **Jesse Solomon**, Executive Director, Southwest Brooklyn Industrial Development Corporation
- ▶ **Sam Tirone**, Manager for Supply Chain Research, Business Network for Offshore Wind

Appendix A: Identification of DAC Stakeholders and Timeline for DAC Stakeholder Roundtables

BOEM should incorporate into the standard leasing timeline 2 DAC-specific stakeholder roundtables, the first before the draft sale notice is published and the second before BOEM's approval of the COP.

IDENTIFICATION OF DAC STAKEHOLDERS FOR CONSULTATIONS

To operationalize this recommendation, BOEM should first identify DAC stakeholders who may be affected by the development of the offshore wind industry. BOEM can use the [Climate and Economic Justice Screening Tool \(CEJST\)](#) to identify these stakeholders. The CEJST is a mapping tool created and updated by the Council on Environmental Quality (CEQ) that breaks down all US communities to the census tract level and visually highlights those defined as DACs. BOEM should codify the use of the [CEJST](#) for microtargeting DACs to aid in proper engagement.

BOEM can work together with state-level Intergovernmental Renewable Energy Task Forces (IGRETFs) to identify and invite key DAC stakeholders or representative organizations from communities within an agreed-upon radius of identified offshore wind energy areas. (Appendix B has guidelines on organizing the consultations themselves.)

DAC STAKEHOLDER CONSULTATIONS IN BOEM LEASING AND OPERATION TIMELINE

Figure 1 illustrates BOEM’s current leasing timeline. It indicates all stakeholder engagement points, which refer to public comment periods, virtual hearings with the general public, and some specific consultations with stakeholder groups, such as fishing communities.

The Renewable Energy Process: Leasing to Operations

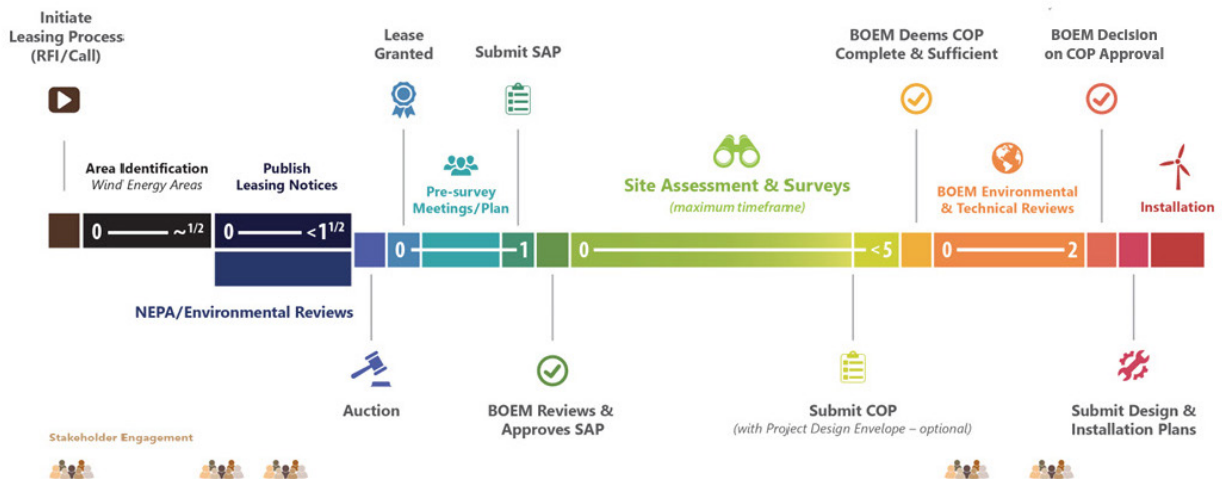


Figure 1

Current BOEM sample timeline for leasing and operation of an offshore wind energy project. (Free public use of image permitted by BOEM.)

Figure 2 illustrates an updated leasing timeline that incorporates the DAC stakeholder roundtables. We propose that the roundtables occur during the NEPA environmental review periods prior to publishing the proposed sale notice and prior to when BOEM approves draft COPs submitted by developers. Figure 2 illustrates these additions and the proposed approach for all leases going forward.

The Renewable Energy Process: Leasing to Operations

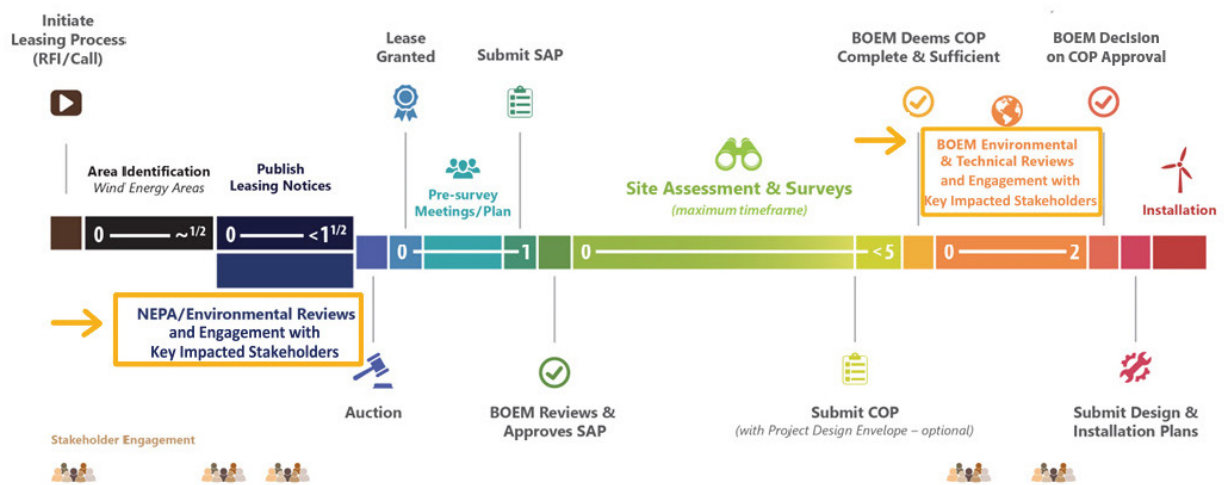


Figure 2

Modified BOEM leasing timeline to incorporate DAC stakeholder consultations as a key part of the process, with key updates in yellow boxes. (Free public use of image permitted by BOEM.)

Appendix B: Sample DAC Stakeholder Agenda

TENTATIVE INVITATION PROCESS AND AGENDA FOR A DAC ROUNDTABLE DURING ENVIRONMENTAL ASSESSMENT, WHICH SHOULD HAPPEN AT LEAST 90 DAYS PRIOR TO THE PUBLICATION OF A PROPOSED SALE NOTICE.

Invitation Process:

After identifying key DAC stakeholders using the process outlined in Appendix A, BOEM should email the shortlisted DAC stakeholders with the following information:

1. Introduction to the topic and objective of the DAC stakeholder roundtable;
2. Short description of the selection process, including the link to the CEJST;
3. Attached tentative agenda, including a statement on the potential for adjusting the schedule based on feedback;
4. Day, time, and location of the roundtable, and language support available;
5. Compensation process (more information under Recommendation 5 in the policy brief); and
6. Proposed alternatives for engagement if an invited stakeholder or organization is unable to attend (i.e., online “open docket,” as mentioned in Appendix C).

1st Roundtable Tentative Agenda

Time Period	Agenda Item	Details	Facilitator
20 min	Meet and Greet and Agenda Overview	<ul style="list-style-type: none"> ▶ Introductions ▶ Icebreakers 	BOEM
30 min	Overview of Lease and Justice40	<ul style="list-style-type: none"> ▶ Leasing process timeline 	BOEM
60 min	Open Roundtable Discussion	<ul style="list-style-type: none"> ▶ Goals ▶ Questions ▶ Open conversation ▶ Prioritization of key recommendations agreed upon by participants 	Nominated DAC Stakeholder or Consultant/BOEM-recruited external consultant
30 min	Summary of Key Recommendations	<ul style="list-style-type: none"> ▶ Final review of key recommendations ▶ Steps for integrating recommendations into key documents in the leasing process (environmental assessment, proposed sales notice, environmental impact assessment, construction and operations plan, etc.) 	BOEM
10 min	Next steps, Q&A	<ul style="list-style-type: none"> ▶ Action items 	BOEM

Following the DAC stakeholder consultation, BOEM should finalize: 1) the attendance roster information, 2) the key recommendations agreed upon by DAC stakeholders and the list of recommendations that were suggested but not prioritized, and 3) detailed meeting minutes. These should be shared with all relevant stakeholders who participated, with a request to provide feedback only if there is disagreement with the content. Afterwards, the documents can be placed online for soliciting comments through the open docket (Appendix C).

TENTATIVE INVITATION PROCESS AND AGENDA FOR A DAC ROUNDTABLE DURING THE ENVIRONMENTAL IMPACT PHASE, WHICH SHOULD OCCUR AT LEAST 90 DAYS PRIOR TO THE FINAL REVIEW AND APPROVAL OF SUBMITTED COPS.

Invitation Process

Key DAC stakeholders and/or representative organizations invited to the first roundtable should be prioritized for engagement during this initial roundtable. If the initial focal point is not available, an alternative should be requested, or an additional DAC stakeholder can be invited to join. The invitation email to this roundtable can include the following:

1. Introduction to the topic and objective of the DAC stakeholder roundtable;
2. Summary of first DAC stakeholder roundtable, recommendations, and updates since last convening;
3. Attached tentative agenda, including a statement on the potential for adjusting the schedule based on feedback;
4. Day, time, and location of the roundtable, and language support available;
5. Compensation process (more information under Recommendation 5 in the policy brief); and
6. Proposed alternatives for engagement if invited stakeholder or organization is unable to attend (i.e., online “open docket” in Appendix C).

2nd Roundtable Tentative Agenda

Time Period	Agenda Item	Details	Facilitator
20 min	Meet and Greet and Agenda Overview	<ul style="list-style-type: none"> ▶ Introductions ▶ Icebreakers 	BOEM
30 min	Debrief of First Roundtable	<ul style="list-style-type: none"> ▶ Summary of what has happened since last convening 	BOEM/DAC Stakeholder
60 min	Open Roundtable Discussion	<ul style="list-style-type: none"> ▶ Reflecting on key recommendations ▶ Identifying success/challenges ▶ Explanation of construction and operations plan, what is missing 	Nominated DAC stakeholder or consultant; BOEM-recruited external consultant
30 min	Summary of Key Recommendations	<ul style="list-style-type: none"> ▶ Prioritizing key recommendations to be shared publicly ▶ Steps for integrating recommendations into key documents in the leasing process (environmental assessment, proposed sales notice, environmental impact assessment, construction and operations plan, etc.) 	BOEM
10 min	Next steps, Q&A		BOEM

Following the DAC stakeholder consultation, BOEM should finalize: 1) the attendance roster, 2) the key recommendations agreed upon by DAC stakeholders for informing approval of the COPs submitted by developers, 3) meeting minutes, and 4) guidance for developers based on this and other consultations with key stakeholder groups. These should be shared with all relevant stakeholders who participated, with the request for providing feedback only if there is disagreement with the content. Afterwards, the documents can be placed online for soliciting comments through the open docket (see Appendix C).

Appendix C: DAC stakeholder Open Docket for BOEM's Website

OPTIONS FOR COMMENTING IN THE VIRTUAL OPEN DOCKET

BOEM should create an 'open docket' mechanism on its website. An open docket would allow for comments to be collected throughout the year. DAC stakeholders would have the flexibility to comment on any part of the OSW leasing process. They would also have a space to voice their concerns to BOEM directly outside of the DAC stakeholder roundtables, especially if they were not invited or were not able to attend. The open dockets would be made available per lease sale organized.

There are 2 options for how BOEM may choose to implement this recommendation:

Option 1 puts no short-term time limits or deadlines on when DAC stakeholders may submit comments on any particular lease that is likely to affect their communities. Therefore, this docket would be open from the time the wind energy area has been identified to when a proposed plan is approved by BOEM.

Option 2 sets a deadline for commenting on the docket to a time period that ends before the proposed sale notice is issued for public comments. The DAC stakeholder roundtables should be held at least 90 days before the posting of the proposed sale notice. The open docket period would take place 30 days after the roundtable agenda and summary are posted. The posted summary would serve as a reference for DAC stakeholders seeking to amplify or add to the recommendations.

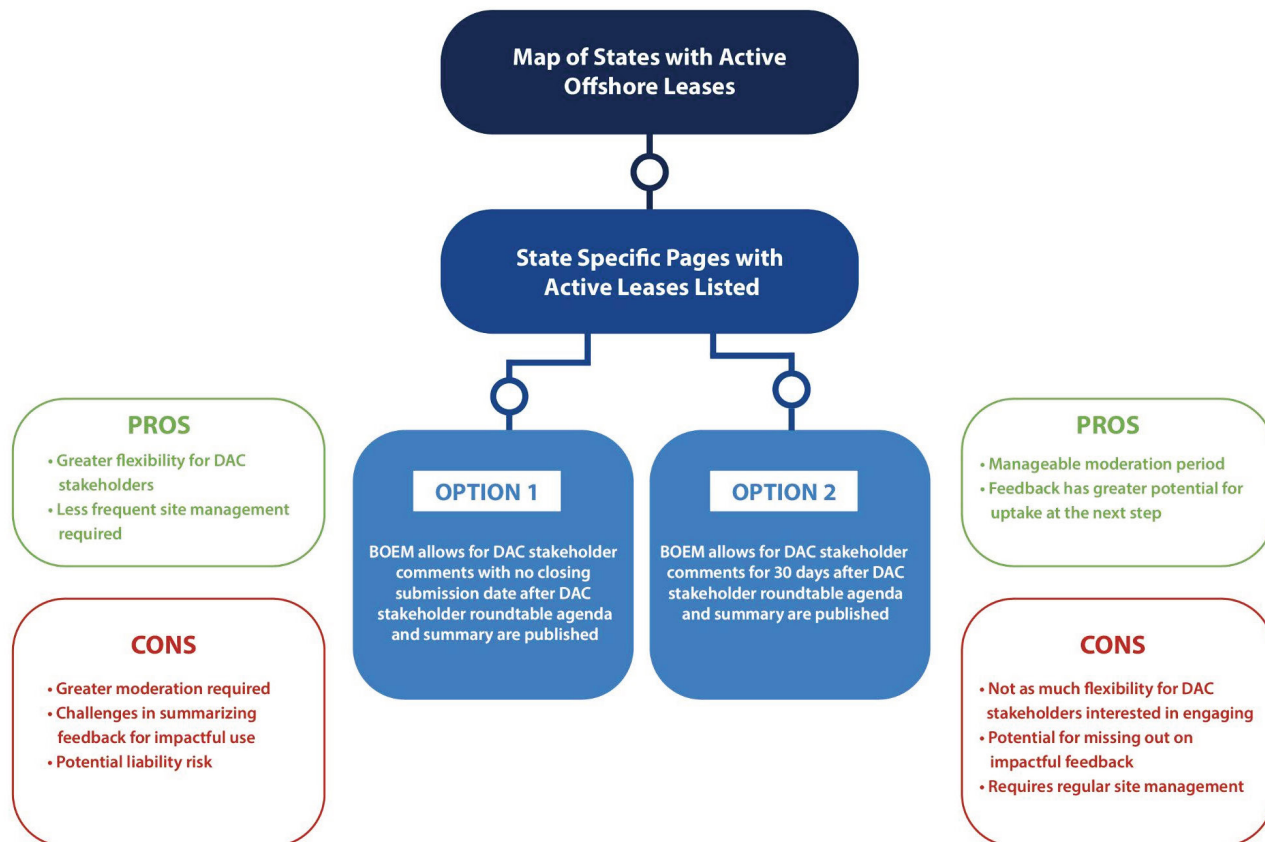


Figure 3:

Flowchart showing the two options available for how the virtual open docket can be set up for comments, and pros and cons of each.

STEP-BY-STEP WALKTHROUGH TO OPEN DOCKET

To host the open docket, BOEM should create additional web pages directing DAC stakeholders to the appropriate lease comment pages. On BOEM’s website, these should be hosted under: [BOEM main page](#) > ‘[Renewable Energy](#)’ > ‘[Stakeholder Engagement](#)’.

The following figures show mockups of how the open docket could be hosted on BOEM’s site.

Step 1:

The first page should be a tab on the existing ‘Stakeholder Engagement’ page. The Stakeholder Engagement main tab should add a description of DACs as a key stakeholder group and direct them to click on the “Stakeholder Comments” tab to contribute to the comments page. Figure 4 shows a mockup of the webpage that includes the new language pertaining to DAC engagement.

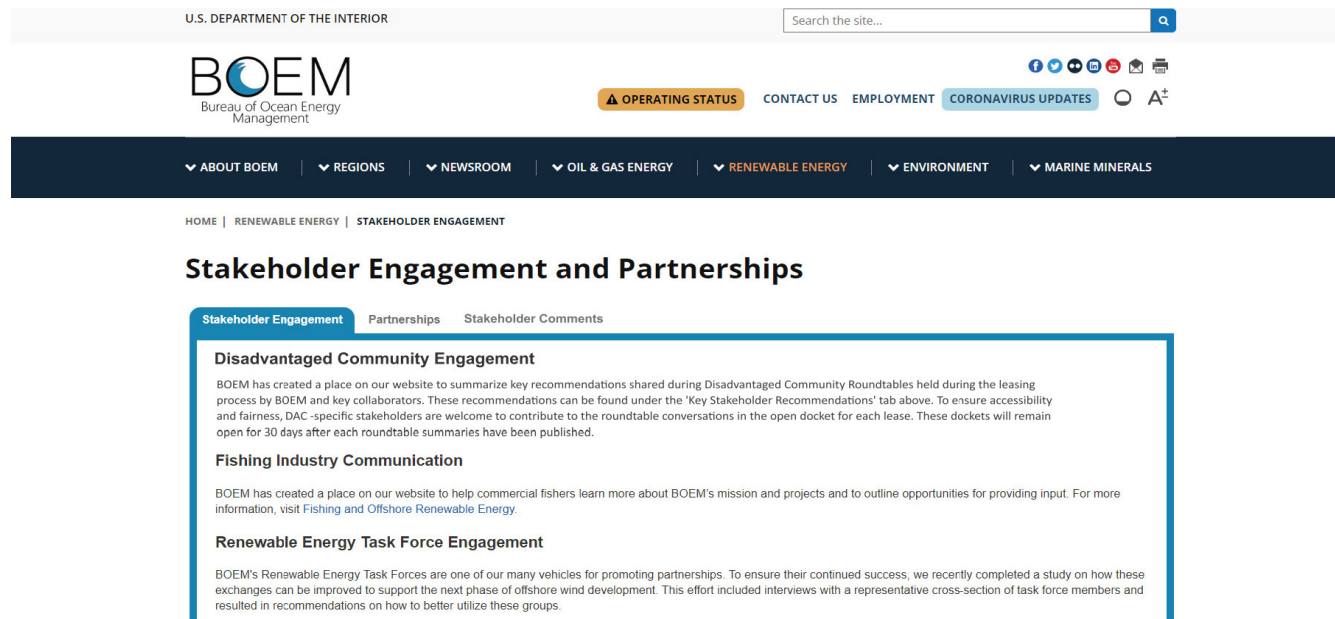


Figure 4:
Layout of homepage for soliciting DAC stakeholder comments.

Step 2:

The second page is the tab for “Stakeholder Comments.” This is the interim page before a user would get to the open docket. This page would describe the objective of the engagement opportunity (i.e., to provide a space for DAC stakeholders to engage in the offshore wind energy development process), and also clarify the eligibility for leaving a comment. Stakeholders can use the interactive map to identify which leases have the greatest potential to affect their communities. Figure 5 shows a mockup of this new tab.



Figure 5:
Map of states with active leases.

Step 3:

The third page is an example of a state-specific list of leases that DAC stakeholders would encounter once they select their respective state from the map. This page should show up under the “Key Stakeholder Recommendations” tab.

On this page, DAC stakeholders should be able to see which leases are actively being developed, at what stage of the leasing and construction process they are, and whether the comment period has been initiated or not (based on which open docket option BOEM chooses to implement).

The mockup below (Figure 6) shows Option 2, where a time limit and deadline are put in place for providing comments. Option 1 would not have deadlines included for the comment period.

The screenshot shows the BOEM website interface. At the top, there is a navigation bar with the BOEM logo and links for OPERATING STATUS, CONTACT US, EMPLOYMENT, and CORONAVIRUS UPDATES. Below this is a dark blue navigation menu with dropdowns for ABOUT BOEM, REGIONS, NEWSROOM, OIL & GAS ENERGY, RENEWABLE ENERGY, ENVIRONMENT, and MARINE MINERALS. The main content area is titled 'Stakeholder Engagement and Partnerships' and has three tabs: Stakeholder Engagement, Partnerships, and Stakeholder Comments (which is selected). Under the Stakeholder Comments tab, there is a section titled 'Offshore Wind Leases for New York'. This section contains introductory text about active leases and comment periods, followed by a table of lease details.

Lease Area	Leasing Process Step	DAC Stakeholder Roundtable Agenda	DAC Stakeholder Roundtable Recommendations	Open Comment Period
New York Bight [All six leases]	Preparation of Programmatic Environmental Impact Statement See Leasing History Here	To be shared by September 30 th , 2022	To be shared by September 30 th , 2022	Opens on October 1 st , 2022
Sunrise Wind Farm Project	Environmental Review See Leasing History Here	N/A	N/A	N/A
Empire Wind	Environmental Assessment See Leasing History Here	N/A	N/A	N/A

Figure 6:
List of state-level leases available to receive comments from relevant DAC stakeholders.

Step 4:

Once an active comment docket is selected, a page should open in a new browser that allows the DAC stakeholder to submit their comment for the selected lease, along with their name, contact information, and zip code. The following mockup (Figure 7) shows a comment page similar to that of regulations.gov that could be hosted on the BOEM website.

BOEM should also consider the possibility of including additional steps for verifying DAC stakeholder identities such as uploading self-attestation forms or sending an automated email to the associated email address for additional verification.

U.S. DEPARTMENT OF THE INTERIOR

BOEM
Bureau of Ocean Energy Management

OPERATING STATUS CONTACT US EMPLOYMENT CORONAVIRUS UPDATES A² Eng

ABOUT BOEM REGIONS NEWSROOM OIL & GAS ENERGY RENEWABLE ENERGY ENVIRONMENT MARINE MINERALS

HOME | RENEWABLE ENERGY | STAKEHOLDER ENGAGEMENT

OPEN DOCKET Comment Period Ends: 5 Days

Lease: New York Bight [All Six Leases]
Assessment: Programmatic Environmental Impact Statement

WRITE A COMMENT

[Commenter's Checklist](#)

Comment*

Start typing comment here...

Attach Files

You can attach up to 20 files, but each file cannot exceed 10MB. Valid file types include bmp, docx, gif, jpeg, png, pptx, rtf, tiff, txt, wpd, xls, xlsx

Drop Files Here or [Browse Your Computer](#)

Email Address*

Type your email address here...

Tell us about yourself! I am...*

(select an identity below)

An individual from or representing a disadvantaged community that is likely to be impacted by this lease for offshore wind development
[Check the Screening Tool Here](#)

An organization from or representing a disadvantaged community that is likely to be impacted by this lease for offshore wind development
[Check the Screening Tool Here](#)

Your Contact Information

First Name of Commenter

Last Name

Name of Organization (leave blank if submitting as an individual)

City State Zip Country

Phone (include your area code)

reCAPTCHA*

I'm not a robot

Do not submit personally identifiable information through this form. Any personally identifiable information (e.g., name, address, phone number) included in the comment form or in an attachment may be publicly disclosed in a docket or on the Internet (via Regulations.gov, a Federal agency website, or a third-party non-government website with access to publicly-disclosed data on Regulations.gov). By submitting a comment, you agree to the terms of participation and privacy notice.

Figure 7:
Example layout of a comment submission page.

Step 5:

Submitted comments should be published by BOEM. For Option 1, BOEM should decide on when moderation should occur and how frequently, based on resources and time available. For Option 2, BOEM should moderate comments submitted during the agreed-upon period, until the comment period is closed. Those that pass the criteria for comments that can be shared (i.e., comments that do not violate [terms of participation](#) similar to those found on Regulations.gov) as per BOEM's decision for Step 6.

Step 6:

BOEM can choose to present the submitted and approved comments in 1 of 2 ways:

1. Comments are submitted to BOEM and kept internal until the end of the comment period. Afterward, BOEM compiles approved comments in a PDF document that is uploaded and linked to the page under Step 3, in the row with the relevant lease(s).
2. Alternatively, BOEM can have approved comments displayed in a public repository (i.e., a database) that is accessible during the entirety of the comment period, similar to the modality used by Regulations.gov. A mock-up of this option is shown below in Figure 8.

The screenshot displays the BOEM (Bureau of Ocean Energy Management) website interface. At the top, it features the U.S. Department of the Interior logo and a search bar. The BOEM logo is prominently displayed, along with navigation links for 'OPERATING STATUS', 'CONTACT US', 'EMPLOYMENT', and 'CORONAVIRUS UPDATES'. A dark navigation bar contains dropdown menus for 'ABOUT BOEM', 'REGIONS', 'NEWSROOM', 'OIL & GAS ENERGY', 'RENEWABLE ENERGY', 'ENVIRONMENT', and 'MARINE MINERALS'. Below this, a breadcrumb trail shows 'HOME | RENEWABLE ENERGY | STAKEHOLDER ENGAGEMENT'.

The main content area is titled 'REFINE COMMENTS RESULTS' and includes a 'COMMENTS' section with a search bar and a 'SORT BY Best Match' dropdown. A sidebar on the left lists filtering options under 'Posted': 'Last 7 Days (1)', 'Last 15 Days (2)', 'Last 30 Days (6)', 'Last 90 Days (6)', and 'Custom Dates'.

The central list of comments includes the following entries:

- Comment from Save Long Beach Island, Inc.**
Agency: Bureau of Ocean Energy Management | Posted: Aug 5, 2022 | ID: BOEM-2022-0034-0005
- Comment from Peterson, Jr., Mayor John A**
Agency: Bureau of Ocean Energy Management | Posted: Aug 5, 2022 | ID: BOEM-2022-0034-0004
- Comment from Dreher, Kimberly**
Agency: Bureau of Ocean Energy Management | Posted: Aug 15, 2022 | ID: BOEM-2022-0034-0008
- Comment from EPA**
Agency: Bureau of Ocean Energy Management | Posted: Aug 11, 2022 | ID: BOEM-2022-0034-0006
- Comment from Tyler, Jeffrey**
Agency: Bureau of Ocean Energy Management | Posted: Aug 5, 2022 | ID: BOEM-2022-0034-0003
- Comment from Binder, James**
Agency: Bureau of Ocean Energy Management | Posted: Aug 5, 2022 | ID: BOEM-2022-0034-0002

Figure 8:
Example layout of a public repository of submitted and approved comments.

ENDNOTES

1. Executive Order 14008 directs all Federal Agencies to make environmental justice a part of their missions through the [Justice40 Initiative](#), which defines disadvantaged communities as those that are “marginalized, underserved, and overburdened by pollution.”
2. This brief uses the fully spelled out term “disadvantaged communities” when discussing the communities as a collective, but for conciseness uses the acronym DAC when “disadvantaged community” is used as a descriptor for individuals, e.g., DAC stakeholders or DAC representatives.
3. This convening was attended by EJ stakeholders in the New York and New Jersey areas who were specifically invited to join, and the authors of this report attended as observers (invited by BOEM staff).
4. Environmental justice and disadvantaged community stakeholders, Personal interviews, June 2022.
5. *Id.*
6. Outer Continental Shelf Lands Act, U.S. Code 43, § 1332. See: <https://uscode.house.gov/view.xhtml?path=/prelim@title43/chapter29/subchapter3&edition=prelim>.
7. *Promising Practices for EJ Methodologies in NEPA Reviews: Report of the Federal Interagency Working Group on Environmental Justice & NEPA Committee*, NEPA Committee and Federal Interagency Working Group on Environmental Justice, March 2016, https://www.epa.gov/sites/default/files/2016-08/documents/nepa_promising_practices_document_2016.pdf.
8. Environmental justice and disadvantaged community stakeholders, Personal interviews, June 2022.
9. Edith Anh and Sarah Xu, “Comments in Response to the Bureau of Ocean Energy Management’s Atlantic Wind Lease Sale 8 (ATLW-8) for Commercial Leasing for Wind Power on the Outer Continental Shelf in the New York Bight-Proposed Sale Notice [Docket No: BOEM-2021-0033],” Brightline Defense Project, August 2021, <https://www.regulations.gov/comment/BOEM-2021-0033-0115>.
10. Kourtney Vaccaro et al., “Re: Pacific Wind Lease Sale 1 (PACW-1) for Commercial Leasing for Wind Power on the Outer Continental Shelf in California - Proposed Sale Notice,” August 2022: 13, <https://www.regulations.gov/comment/BOEM-2022-0017-0043>.
11. Evana Said, Jillian Neuberger, and Carla Walker, “The US Clean Energy Transition Isn’t Equitable - But It Could Be”, *World Resources Institute*, November 29, 2021, <https://www.wri.org/insights/achieving-equitable-us-clean-energy-transition>.



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