



March 12, 2020

The Honorable Timothy C. Gallaudet  
Assistant Secretary of Commerce for Oceans and Atmosphere  
Deputy NOAA Administrator  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230

The Honorable Brock Eckel  
Ocean Policy Analyst  
White House Office of Science and Technology Policy  
1650 Pennsylvania Avenue, NW  
Washington, DC 20504

Re: Request for Information on Efficient Permitting of Ocean Research, Mapping and Characterizing Activities, Docket RTID-0648-XV176

Submitted electronically via: [oceanresearch@ostp.eop.gov](mailto:oceanresearch@ostp.eop.gov)

Dear Assistant Secretary Gallaudet and Mr. Eckel:

In response to the request for input on how to improve the efficiency of the permitting process for ocean research, mapping, and characterization activities, the American Wind Energy Association<sup>1</sup> (“AWEA”) is pleased to provide these comments. It is our hope that these comments will inform the Ocean Policy Committee as it works with Federal agencies and other stakeholders to increase the efficiency of the permitting and authorization processes for ocean mapping and characterization activities across agencies, especially with respect to the geophysical and geotechnical surveys conducted by our members in support of offshore wind development in the Outer Continental Shelf (“OCS”).

The Energy Policy Act of 2005 (“EPAAct”) authorizes the Bureau of Ocean Energy Management (“BOEM”) to issue offshore leases, easements and rights of way to allow for renewable energy development on the OCS. EPAAct requires BOEM to coordinate with relevant Federal agencies and affected state and local governments to ensure that renewable energy development is conducted in a safe and environmentally responsible manner. In 2009, the Department of Interior finalized regulations governing the BOEM OCS Renewable Energy Program (30 CFR 585) that provide a structure to ensure that BOEM meets its statutory obligations and provides certainty and flexibility for nascent energy industry. Since 2009, that program has grown rapidly, and that has contributed to the fact

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<sup>1</sup> AWEA is a national trade association representing a broad range of entities with a common interest in encouraging the expansion and utilization of land-based and offshore wind energy resources in the United States. AWEA’s more than 1,000 member companies include wind turbine manufacturers, component suppliers, project developers, project owners and operators, financiers, researchers, utilities, marketers, customers, and others.

that the U.S. offshore wind industry is poised for explosive growth over the next several years.

The nation's first commercial offshore wind project, the Block Island Wind Farm, came online in December 2016. Developed by Deepwater Wind, the Block Island Wind Farm is a 30-megawatt ("MW") project with five turbines located three miles off the coast of Block Island, Rhode Island. Several projects are now in various stages of development across 15 offshore wind energy leases issued by BOEM. In a December 2018 offshore wind lease auction, three separate wind energy leases each sold for a record \$135 million, underscoring robust competition and market interest. In total, offshore wind lease auctions to date have generated more than \$472 million in revenue to the United States Treasury. BOEM is now in the planning stages of the leasing process for areas off California, Hawaii, New York, and South Carolina.

States along the East Coast are driving demand for offshore wind. Connecticut, Maryland, Massachusetts, New Jersey, New York, and Virginia have established targets to procure a total of 25,400 MW of offshore wind by at least 2035 and have selected over 6,000 MW of projects as of February 2020 to help meet these goals. California has a legislatively mandated goal of 100% zero carbon energy by 2045. All told, offshore wind in the U.S. will support tens of thousands of jobs and billions of dollars of investment across the country. Major port infrastructure funding is already being committed on both the East and West coasts to meet the upcoming demands.

Conducting geophysical and geotechnical ("G&G") surveys is a significant requirement of the offshore renewable energy leasing process, see 30 CFR 585, and underpins the information requirements for Construction and Operations Plan ("COP") for renewable energy activities on the COS, pursuant to the Outer Continental Shelf Lands Act (OSCLA), National Environmental Policy Act (NEPA), and other applicable laws and regulations.

For offshore wind developers, G&G surveys (high-resolution mapping and characterization) are a fundamental activity for characterizing offshore wind lease areas and informing appropriate project siting and transmission routing, as well as facilitating co-location with other marine users. In addition, these surveys inform project design decisions and engineering activities to ensure safe construction and the operation of offshore wind farms. They also can be used to help conserve natural resources and marine habitats in areas where offshore wind development is being considered.

AWEA's recommendations below highlight opportunities that are aligned with ongoing Administration actions to streamline and improve decision-making within and across BOEM and coordinating agencies: the National Oceanic Atmospheric Administration ("NOAA"), the Environmental Protection Agency ("EPA"), the U.S. Army Corps of Engineers ("USACE"), U.S. Fish and Wildlife Service and several others in addition to associated state and local permitting and authorizing agencies. With eleven federal agencies, and an equally high number of state agencies, involved with the permitting of any one wind farm, coordination is essential for successful development, construction and operation, and these surveys can help facilitate a more seamless coordination process.

AWEA's comments are structured on four main points:

- Amount of survey activity for offshore wind development;
- Intra- and Interagency coordination;
- Integration of new technology and tools for surveys and for the permitting framework; and
- Realignment of government resources to support growing demand of survey efforts from growth of the offshore wind industry.

In the following comments, AWEA describes the challenges, opportunities, and proposed solutions for these points in responses to the specific questions outlined in the request for information.

**1. Please describe any challenges related to identifying and obtaining the necessary information, permits, and authorizations required to conduct ocean research, mapping, and characterization activities in the U.S. EEZ, particularly with respect to applicable regulations and agency policies.**

Under the National Historic Preservation Act (“NHPA”), offshore wind developers are required to extensively map and characterize their individual lease area sites, and other areas that could be potentially effected, for proposed cable corridors and cable landings in nearshore state waters prior to the submittal of a COP and associated NEPA process. This means that the line spacing for high-resolution geophysical surveys (“HRG”) are being conducted as close as 30 meters apart in the EEZ along the Atlantic coast and spacing becomes even closer prior to construction to help microsite and inform seafloor clearances, such as historical sites, sensitive or protected benthic communities or unexploded ordinances. The surveys are required to provide coverage of any seafloor area that could be physically disturbed by proposed offshore wind activities, including: geotechnical exploration; the installation of data collection structures (e.g., meteorological towers, buoys, or other site assessment equipment); the installation of wind turbine generators and any associated cables or equipment (e.g., electrical service platforms); and any other project-related activities that may have the potential to physically impact the seafloor.

The complexity and timelines associated with these surveys are managed by BOEM regulations (30 Code of Federal Regulations [“CFR”] Part 585), lease stipulations, and policies (i.e., agency guidelines) and are in part intended to meet the requirements of the NHPA Section 106 process. Developers must provide lease-specific survey plans to BOEM, which are tied to “mobilizations,” that could occur annually or even more frequently and include multiple survey platforms operating concurrently. As a part of this process and as a lease stipulation, BOEM encourages applicants to apply for incidental take authorization (“ITA”) under the Marine Mammal Protection Act (“MMPA”) BOEM encourages offshore operators and lessees to apply for an ITA for activities with a potential for taking marine mammals, as well as detailing marine species monitoring and mitigation plans prior to ITA outcomes. Additionally, BOEM's lease stipulation requirements include mitigation and monitoring compliance independent of conclusions from regional Endangered Species Act Section 7 consultations (e.g., biological opinions).

BOEM also implemented mitigation measures as part of its National Environmental Protection Act (“NEPA”) environmental assessments; however, it did not fully take into account or utilize best practices from other BOEM Regions in which similar HRG surveys are conducted and permitted, or across agencies (namely, the National Marine Fisheries Service (“NMFS”), the primary federal entity for implementing the MMPA and the ESA in OCS waters). BOEM clearly states in its 2016 *Guidelines for Information Requirements for a Renewable Energy Construction and Operations Plan* that “[a]dditional mandatory mitigation measures and monitoring requirements may be identified or changed during BOEM’s review process. The need for additional information and/or analyses may change your proposed project plan and affect the project schedule.”

The difficulty in coordinating within and between all the coordinating agencies on these activities, as well as their varying information needs, often delays project timelines, which is exacerbated by disagreements and inconsistencies in decision-making across the agencies. This results in time and cost burdens for all applicants.

Vessel speed restrictions and exclusion zones for marine mammals during operations in the offshore wind lease areas are two examples of areas of where there is often misalignment between NOAA offices (Office of Protected Resources and New England/Mid-Atlantic – Greater Atlantic Regional Fisheries Office and Northeast Fisheries Science Center) and BOEM. Developers are required to meet certain measures for working within a lease area and these measures can potentially change through the BOEM survey plan process under the consultation process, see 30 CFR 585, and then again pending the outcome of the MMPA process. Developers often become caught between related interagency misalignments and resolving this requires substantial time, costs, and delays prior to and during survey work, which can increase the amount of time survey vessels are on the water—causing undo risk to marine life and survey personnel.

Over the past two years, such misalignment between BOEM lease stipulations related to collecting field sound source field verification and an agreed-upon methodology with NOAA National Marine Fisheries Service (“NMFS”) MMPA office has resulted in NMFS not accepting data for the MMPA authorization process. Instead, NMFS is producing modeling criteria and guidance for MMPA applications that is producing overly conservative estimates of mitigation zones that cannot be validated by collection of field data for HRG sources.

While NMFS has been receptive to developers’ efforts to provide input to improve the modeling criteria and guidance, BOEM and NMFS have not worked towards an agreed-upon methodology for HRG field sound source verification data to validate and/or correct conservative modeling results. Moreover, this has created a lease-by-lease developer approach to surveys, subject to differing mitigation requirements, such as differing but generally overly conservative zones of influence (e.g., clearance, exclusion zones, monitoring zones, etc.) even though the underlying geophysical surveys utilize very similar technologies and equipment. These mitigation measures can result in overestimating of potential take as defined under the MMPA and can in some cases create risks to the issuance

of take permit due to the low take limits of the MMPA. In addition, overly conservative shutdown requirements can result in extended surveys as no gaps in the data are allowed by BOEM. By way of example, if a survey were to shut down even briefly (for just 1-2 minutes), the vessel would have to circle back to cover the segment missed. Circling back and ensuring complete coverage of the survey line can add an hour of additional time to the survey. Repeated shut-downs can substantially increase the amount of time vessels and active sound sources are operating on leases.

The misalignments between agencies not only apply to mapping exercises, but also to habitat characterization activities. NMFS has recently provided guidance for mapping fish habitat for use in Essential Fish Habitat (“EFH”) consultations. While the guidance has not been adopted by BOEM and to date, has not complied with Executive Order 13,892, NMFS maintains that the information and techniques specified in the guidance must be followed for EFH consultations. As written, the guidance significantly broadens the designation of complex hard bottoms. It does so by classifying sandy areas that contain minimal amounts of small gravel as complex hard bottom habitats, which impacts an offshore wind developers’ ability to site offshore cables to avoid and minimize impacts. The guidance also directs that it is necessary to ensonify the seafloor to a 10 cm resolution in order to map the smaller grain sizes now being included in the guidance. This is not technically feasible in many water depths and is not necessary as the techniques already used provide a highly accurate depiction of where coarse deposits supporting hard bottom habitats exist using an image resolution of 50 cm. Importantly, the guidance puts developers between two federal agencies (BOEM and NMFS) without any clear direction on how habitat mapping should be conducted for offshore wind projects, driving the approach away from a science and data-driven approach.

Environmental protection, including protections for North Atlantic Right Whales (“NARW”), is a top priority for offshore wind developers. Developers are collaborating with many government, non-government, academic, and community stakeholders to understand and mitigate potential impacts to the NARWs and all marine mammals, including investing in long-term monitoring programs and innovative technologies for improved real-time detection of marine mammals. During survey operations, developers do comply with seasonal management areas to reduce the threat of vessel collisions. Voluntary dynamics management areas may also be established by NOAA. Mariners are encouraged to avoid these areas or reduce speeds to 10 knots or less while transiting through these areas. BOEM and NMFS are using Dynamic Management Areas (“DMA”) as mandatory mitigation for offshore wind, but not for other marine industries or agencies conducting surveys. DMAs were not designed for this purpose and should not be directly transferrable to permit mitigation measures for one industry when the original purpose was for the shipping industry, fishermen and mariners to be aware of congregations of NARWs or an area where NARWs could potentially be sighted. Direct application of a DMA into a mitigation measure becomes an unnecessary duplicative and additional cost burden increasing time of the vessel on the water, especially when offshore wind industry has Protective Species Observers (“PSO”) onboard and is performing other mitigation measures for detection and protection of NARWs.

A second overarching challenge is that the current offshore wind regulatory framework and inconsistent application of the MMPA on sound-producing activities have prevented the integration of new technologies and new methods for monitoring and detection of marine mammals during surveys. The offshore wind industry is rapidly innovating, and technology to support marine mammal monitoring is evolving quickly, as is true with other offshore industry technologies. Developers are investing in autonomous mapping and monitoring technologies to complement advancing wind turbine technology. The current regulatory framework challenges the integration of mapping technology, particularly autonomous surface and underwater technology. Specifically, BOEM and NMFS have introduced additional mitigation and monitoring measures that create additional burdens that have forced developers to conduct surveys based on maintaining control costs and schedules when trying to secure permits and authorizations, rather than using new technology, such as autonomous surveys, which could have the additional benefit of reducing the overall duration of survey activity and the risk to human safety because fewer people would need to be working offshore.

NOAA Office of Coast Survey (“NOAA OCS”) has been investigating the integration of autonomous systems to support hydrographic survey operations since 2004, including supporting the development and transfer-to-operations of unmanned systems to meet its mission. NOAA OCS cites integration of autonomous systems to improve efficiency, by reducing operation cost and manpower requirements, to enhanced capabilities in the ability to collect data previously inaccessible and to improve data quality. Other NOAA offices and branches have utilized unmanned systems in most parts of the EEZ for bathymetric surveys and to support monitoring and detection of marine life for conducting resource and ecosystem assessments. Lessons can be learned from these efforts and can even be accelerated by collaborating with the offshore wind industry. Utilizing autonomous technologies is important to the AWEA members. In many instances, the shift towards autonomous technology increases safety of offshore operations by reducing human exposure at sea or in the air for aerial surveys while shortening the duration of the mapping and characterization surveys. Improved safety and efficiency are outcomes the regulatory framework and agency decisions should support rather than hinder.

A third challenge, which has significantly increased with the growth of the offshore wind leasing program, is the constraint on agencies’ funding and resources to process the growing number of applications to issue permits and authorizations. Resource reallocation, streamlining, and standardization in the application process needs to happen to ensure staff can process applications and related actions in a timely manner. The approval process for PSOs under Section 7 consultations, pursuant to the Samba become duplicative and developers are having to re-approve the same experienced PSO repeatedly for each and every survey plan. This has either created or increased risk and, in some cases, survey start delays. The complexities of the MMPA process and requirement from BOEM to require incidental take authorization also increases the strain on agency resources. Under the MMPA and its implementing regulations, industry can request the incidental take of small numbers of marine mammals within a specified geographic region through the issuance of an ITA. The seeking of an ITA is voluntary and based on a potential for taking marine mammals. We are unaware of the regulatory basis, or the necessity, for BOEM to

precondition approval of HRG surveys on the applicant holding an ITA or for concurrence from NMFS. The regulatory basis for concurrence is unclear, unnecessary and places undue burden on NMFS while increasing uncertainty within the authorization process for the industry.

It is important to the success of offshore wind development to work towards ensuring a more consistent process in the issuance of, and the requirements for, MMPA authorizations, while not causing undue delays to survey time frames or creating an increase in survey durations (i.e., operating greater number of days given limited operations because of night-time restrictions). Delays are further compounded by factors outside the control of all parties (e.g., safe seasonal survey windows). Inconsistency in requirements associated with authorizations only adds to the amount of offshore survey time required to comply with BOEM regulations.

## **2. Please describe opportunities to increase the efficiency of permitting and authorization processes for ocean research, mapping, and characterization activities in the U.S. EEZ**

Under current practices, offshore wind developers seeking BOEM approval of their G&G survey plans and subsequently NMFS authorization under MMPA, must submit multiple applications and additional paperwork, often numerous times to many agencies (usually federal, but often states, too) to support their survey mobilizations when the proposed underlying activity spans the jurisdiction of multiple agencies. This burdensome approach happens regardless if underlying survey activities have not substantially changed. Given that the process for review is created anew for each developer, this often results in: agency decisions that vary across individual lease holders; multiple lease holders within the same geographic region; or even different mobilizations within the same lease area for similar types of survey activities. By way of example, the energy industry has many experienced PSOs that have worked for multiple PSO providers, developers and projects. For each and every plan a PSO works under, they must, by BOEM directive, be re-approved by NMFS each time. This is another instance where improved coordination and lessons learned from other regions and industry operations could be applied to streamline the process. Disagreements between agencies, particularly in monitoring and mitigation requirements, often increases the regulatory burden on developers (and subsequently burdens the agencies) when the developers need to request a departure from regulations and/or lease stipulation waivers to manage inconsistencies between agency decisions. To alleviate these unnecessary burdens, AWEA recommends that the Ocean Policy Committee press for the following changes:

- BOEM should modify its guidance policies under 30 CFR Part 585 to remove all lease stipulations that specify mitigation and monitoring measures, and instead stipulate compliance with NMFS issued requirements under the MMPA and ESA to avoid inconsistent application of MMPA authorizations and ESA conditions. Moreover, BOEM should modify 30 CFR Part 585 to provide more flexibility to conduct surveys over a longer timeframe prior to construction of wind development instead of prior to COP submission;

- MMPA authorization – incidental harassment applications (“IHAs”) or letters of concurrence – should be a common application for similar G&G survey types rather than independent to a developer or, more broadly, a user group;
- MMPA/ESA-regulated activities, particularly monitoring and mitigation applications, protocols, and reporting for HRG surveys, should be standardized across survey types and annual reissuance of permits should be streamlined for HRG mapping and characterization surveys in offshore wind development areas;
- Policy and guidance updates issued that result in expeditious processing and that provide transparency and promote consistency across the offshore wind industry, and likely other industries and agencies conducting similar types of HRG surveys;
- NMFS should create a roadmap for the integration of mapping, characterizing, and monitoring technologies so they can be assessed in MMPA/ESA-regulated activities;
- Public-private collaboration and intra/inter-governmental coordination should be established to develop streamlined MMPA/ESA processes that provide for an efficient, consistent, and predictable framework for NMFS and other relevant agencies to ensure MMPA applications are reviewed in a timely manner, minimize the time that surveys are operational (i.e. risk-based decision tools to minimize delays and/or survey durations), are grounded in sound scientific reasoning, are consistently applied across survey types, and afford applicants the certainty needed to plan and conduct their operations;
- Agencies should set specific, matching timelines for decisions that require multiple jurisdictions for all activities (e.g. MMPA authorizations at NMFS and related permits at BOEM);
- NMFS should develop criteria for categorical or programmatic “no take” determinations for certain clearly delineated HRG activities (similar to U.S. Army Corps of Engineers’ Nationwide Permit program, where a Pre-Construction Notification containing specifically defined information is submitted prior to commencement of the activity); and
- CEQ should foster improved coordination between federal agencies and delineate trust agencies responsibilities for development of methodologies for collecting sound source verification field data to resolve current precautionary and overly conservative application<sup>2</sup> of the MMPA. Collection and integration of field data are critical to sound decision-making in management and co-existence of ocean resources and will only become more critical as the platforms continue to rapidly advance this technology.

**3. What innovative tools, platforms, and technologies could increase the efficiency of permitting, reporting, and authorization processes for ocean research, mapping, and characterization activities in the U.S. EEZ? To the extent innovative capabilities already exist, but are not being effectively used, what are the barriers to adopting them?**

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<sup>2</sup> NOAA National Marine Fisheries Service.

*Interim Recommendation for Sound Source Level and Propagation Analysis for High Resolution Geophysical Sources Issued 19 September 2019.*



There are a several simple tools and platforms that can result in efficiencies in permitting, reporting, and authorization processes for offshore wind geophysical surveys, that can also be applicable across all similar geophysical surveys.

At the simplest level, tools for public-private collaboration and intra/inter-governmental coordination should be established that can create risk-based tools, performance-based management tools, as opposed to reliance on overly conservative precautionary principles, and opportunities to more seamlessly integrate technology solutions and that drive streamlining to provide efficient, consistent, and predictable permitting frameworks. By including the private sector, this would bring the innovative capabilities needed to accomplish the efficiency to permitting that is needed for surveying, mapping and characterization of the EEZ.

To address specific tools to improve efficiency of the offshore wind regulatory framework specific to surveying, agencies could create a single database for certified PSOs and passive acoustic monitoring ("PAM") operators, which would eliminate unnecessary time for each agency to review and approve survey monitoring personnel. This would eliminate the need to revisit the issue with an agency each time a developer makes a routine change in the survey plan.

Considering that PSO and PAM operators work across industries, the agencies could also create a registration system that is practical, reflects the level of expertise of the individuals, and eliminates significant paperwork and time associated when developers are submitting survey plans that often change given the long duration of approval timelines between when a plan is submitted and the survey operations start.

Regarding monitoring and mitigation reporting, NMFS, with support from experienced PSO providers, could create practicable and standardized approaches to reports and mechanisms for reporting and recording data collected from the field. While developers are working towards greater consistency, they would collectively welcome NMFS direct engagement on this for alignment with MMPA and ESA reporting requirements. If the process were standardized, the data collected could be entered and stored electronically, which would allow data to be more easily analyzed and to better inform an adaptive management approach toward understanding the impacts of these surveys. It is AWEA's understanding that there has been a long-running effort to standardize PSO data collection forms, but a NMFS-led standardization would further facilitate data reporting, synthesis and sharing. This effort should be a public-private collaboration where experts in the industry and academic fields of detecting and observing marine mammals and agencies with appropriate expertise can provide input and the best available science and data with collective results being standardized for the purpose of creating usable and integrable field data into adaptive management of marine mammal populations, stocks and management.

As stated previously, there are opportunities for government agencies and the offshore wind industry to collaborate and to innovate, including via integration of more advanced detection tools that can reduce human safety risk associated with monitoring activities at

sea and in the air, which have been necessary to address the more conservative monitoring and mitigation measures described earlier. One tool that should be established is a collaborative public-private subcommittee under OPC that can include science and technology experts with agency technical experts to develop applications and solutions that advance and integrate monitoring and mitigation technologies. This would create science and data-driven alternative approaches that might shift away from traditional approaches yet would maintain a balance between progressing offshore wind energy development and continuing to ensure marine species conservation and management.

**4. After authorization is obtained, are there any reporting or paperwork requirements that are unduly burdensome or lack utility? If yes, please describe such requirements and provide suggestions for addressing them.**

There are differing reporting requirements for survey plans versus MMPA authorization reporting. The timing for report submissions do not always align between BOEM and NMFS (e.g. submission of PSO-related reports 90 days from commencement or completion of the survey). In regard to MMPA reporting, the requirements are standard, but the value and the utility of the reported data remains debated both within and between the regulatory agencies. The cost for monitoring and mitigation compliance and data collection is quite significant and often only required of the private industry, as opposed to agencies or other researchers conducting similar surveys. The utility of this data remains contentious and little attention has been dedicated toward understanding how the data should be analyzed and integrated in adaptive management practices that underpin NOAA's ecosystem management and species conservation frameworks. Public-private collaborative efforts should be made to understand the practicability and utility of monitoring data collected during these surveys, which will cover a large range of the Atlantic EEZ for many years as offshore wind lease development, construction and operations are expected to occur over many decades.

**5. Is there any additional information related to permitting and authorization processes for ocean research, mapping, and characterization activities in the U.S. EEZ, not requested above, that you believe the Ocean Policy Committee should consider?**

AWEA reiterates the regulatory complexities related to permitting and authorization processes that are specific to our members, but also across other ocean users and industries conducting similar mapping and characterization surveys. Specific to offshore wind, CEQ, OSTP, and OPC should examine where agencies may be preempting other agency mandates and policies. In turn, this may be preventing the sharing and accessibility of offshore wind mapping and characterization data that would help meet goals set forth in the proposed National Strategy for Mapping, Exploring, and Characterizing the United States Exclusive Economic Zone. To relieve the burden in conducting surveys to support offshore wind, BOEM has instituted measures, such as marine species monitoring zones, activity clearance periods, and monitoring requirements, that can be overly conservative and in conflict with the outcomes of MMPA consultation and/or authorization process and/or NMFS determinations and not supported by the best available science. During the surveys,

BOEM's measures can result in significant shutdown of equipment for extended periods of time unnecessarily, especially when the potential impact to the marine mammal from a sound source is not supported by best available science. These extended shutdown periods often result in developers having to re-survey track lines to complete the data requirements for the BOEM COP and/or Section 106--again, resulting in more time on the water and more time with active sources.

The requirement to conduct surveys early in BOEM's regulatory framework (which is often too early in a developer's planning process) has not created the flexibility as it was originally intended. Rather, it has created a situation that requires a developer to conduct more surveys later in the permitting process due to unresolved issues in turbine layout and micro-siting of turbine placements that evolved during the regulatory process. CEQ should consider how the regulatory framework currently in place is creating burdens in time, cost, and delays for the regulators and regulated entities. CEQ should foster discussions between BOEM and ACHP to explore the deferment and/or adoption of phased HRG characterization surveys under NHPA that would reduce the potential for adverse effects to the environment and reducing the risk to human safety. This is particularly important for commercial scale projects (>400 megawatt) that currently require extensive areas to be investigated during the initial stages of development. Efficiencies for all parties can be made by focusing HRG survey activities on the most reasonably foreseeable areas of seabed disturbance that will be known later in the offshore wind development lifecycle.

OPC and OSTP can play a concurrent role by bringing together public and private stakeholders. Each can assist by creating a pathway to ensure an efficient and effective permitting process, including through a potential U.S. acoustics and technology standardization subcommittee, that could be organized by an appropriate ocean convening entity capable of accelerating actions and bringing together public and private experts who can drive needed consistency for how mapping and exploration surveys are permitted (including monitoring and mitigation across survey types), and data quality, control, and management (e.g., standardization of reporting sound metrics, consensus-based field methodologies for data collection, and verification of sources). The private sector, including the offshore wind industry, is key in this effort. Many AWEA members have experience and can bring lessons learned for operations internationally and in other U.S. regions, expertise on the survey technologies, and operational best practices that can help inform these efforts. These parallel activities led by CEQ and OPC can help to remove the barriers and increase efficiency in permitting of G&G surveys in the EEZ.

## **Conclusion**

In conclusion, offshore wind developers can contribute significant amount of mapping and characterization data to fulfill and propel this Administration's efforts in meeting its goals. The offshore wind data and information generated are not only necessary to support safe and responsible projects during the planning, construction and operations phases, but provide necessary baselines and allow for long-term trends analysis that are necessary for responsible and reliable government decision-making to manage co-existing ocean activities, resources and ecosystems.



AWEA appreciates the opportunity to provide feedback on ways to achieve efficient permitting of mapping, exploring, and characterizing offshore wind activities. By addressing the recommendations discussed above, the Administration and federal agencies can significantly improve the efficiency of permitting and authorization processes necessary to advance the offshore renewable energy industry, as well as to achieve better understanding of the ocean and co-existence of ocean users. Thank you for your consideration of these comments. If you have any questions, please don't hesitate contacting me.

Sincerely,

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