

Massachusetts Offshore Wind Public Participation Guide

Prepared by the
Special Initiative on Offshore Wind

February 2022

Purpose of This Guide

State policies support robust public participation opportunities for parties with comments and questions relevant to offshore wind development. Each state handles offshore wind regulations differently, and these policies' complex, interwoven nature can make them confusing to the public. This guide aims to present a clear picture of how the public has shaped the siting of offshore wind projects in Massachusetts and how they can participate in the future.

Your Feedback Makes A Difference

Providing Massachusetts state agencies with meaningful feedback helps promote the responsible development of offshore wind in Massachusetts. As evidenced in Massachusetts' offshore wind siting processes to date, public feedback can help shape the development of offshore wind in Massachusetts while promoting the protection of the state's unique coastal resources and reducing multiple-use conflicts on the ocean.

As Massachusetts pursues its offshore wind procurement goals, public feedback plays a crucial part in promoting a responsible transition to offshore wind energy with the environmental and economic benefits it promises. Massachusetts state policies provide many participation opportunities relevant to offshore wind to incorporate feedback to protect Massachusetts' unique coastal resources and minimize conflicts with existing ocean uses.

About the Special Initiative on Offshore Wind

The Special Initiative on Offshore Wind (SIOW) is a leader in advancing offshore wind in the US. As an independent organization, we rely on fact-based research and multi-sector collaboration to provide expertise, analysis, information sharing, and strategic partnerships with industry, advocacy, and government stakeholders to build understanding and drive the deployment of offshore wind. We are guided by a Steering Committee of diverse interests, including representation from offshore wind developers, NGOs, and federal and state policymakers. We are funded by private foundations, do not offer memberships, and have no contractual obligations to any members in the OSW sector, all of which support our objectivity and unique approach to our work. To learn more about SIOW visit www.OffshoreWindPower.org

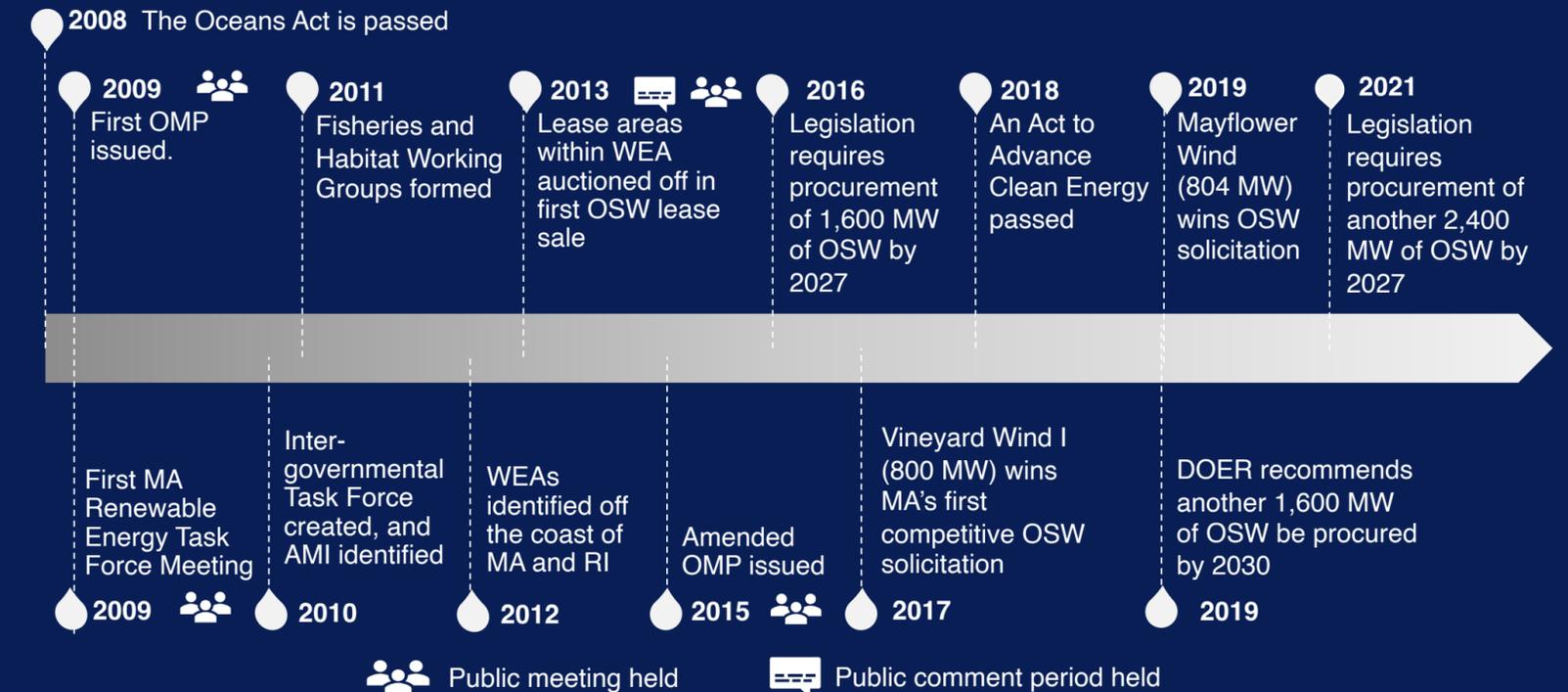


Massachusetts Offshore Wind Siting Public Participation Timeline

Public engagement has happened at nearly every milestone of Massachusetts' offshore wind siting process. The Oceans Act of 2008 provided for renewable energy facilities, including offshore wind farms, to be sited in Massachusetts's coastal waters and required the creation of the Massachusetts Ocean Management Plan (OMP). The purpose of the OMP is to establish a regulatory framework to balance current and future ocean uses while protecting the state's unique marine habitats and ocean resources. In 2009, the first OMP passed following extensive meetings, workshops, and listening sessions with the public and stakeholders. Later, in 2015, the OMP was updated following input from stakeholders and the public at meetings, workshops, advisory bodies, and comment periods.

Beginning in 2009, the Bureau of Ocean Energy Management (BOEM) started the Massachusetts Renewable Energy Task Force process to solicit feedback regarding offshore wind siting off the coast of Massachusetts. Then, in 2010, Massachusetts and Rhode Island identified an Area of Mutual Interest (AMI) and an Intergovernmental Renewable Energy Task Force. The Task Forces aid the BOEM by providing input on the offshore wind leasing process, identifying data needs, and assisting public engagement. Following extensive public engagement through the Task Forces, in 2012, the BOEM identified Wind Energy Areas (WEAs) off the coast of Massachusetts. In 2013, the first competitive offshore wind lease sale in the United States auctioned off lease areas identified within the WEA. The BOEM held public comment periods, Q&A sessions, and community seminars to engage with the public throughout the leasing process. Then in 2011, the Fisheries and Habitat Working Groups were established to promote regular engagement with stakeholders for offshore wind siting in federal waters.

Then in 2016, An Act Relative to Energy Diversity required Massachusetts electricity distribution companies to procure 1,600 MW of offshore wind energy by 2027. In 2017 Vineyard Wind I (800 MW) won the state's first competitive offshore wind solicitation. Later in 2018, An Act to Advance Clean Energy was passed, requiring the Department of Energy Resources (DOER) to investigate the benefits and costs of requiring electricity distribution companies to procure additional offshore wind. The following year, the DOER issued a report recommending the procurement of another 1,600 MW of offshore wind by 2030, and Mayflower Wind (804 MW) won the state's second offshore wind solicitation. Most recently, in 2021, the Commonwealth passed legislation to procure another 2,400 MW of offshore wind by 2027.



Massachusetts Offshore Wind Public Participation Opportunities

Federal Consistency Review

Under the Coastal Zone Management Act (CZMA) and federal regulations, the Massachusetts Office of Coastal Zone Management (CZM) has review authority for proposed federal actions or federal license or permit applications, including those for offshore wind, that have reasonably foreseeable effects on Massachusetts' coastal uses or resources. Per this review authority, CZM reviews such proposed federal activities for consistency with the state's NOAA-approved enforceable coastal management policies.

All planned offshore wind projects are currently located within federal waters on the Outer Continental Shelf, with several proposing energy export cables in state waters. CZM's review authority applies to federal activities within the state's coastal zone, inland of the state's coastal zone, in the coastal zone of another state, or federal waters beyond the state's jurisdiction if such activities may have reasonably foreseeable effects on Massachusetts' coastal uses and resources. CZM provides public participation opportunities through its federal consistency review process pursuant to the CZMA.



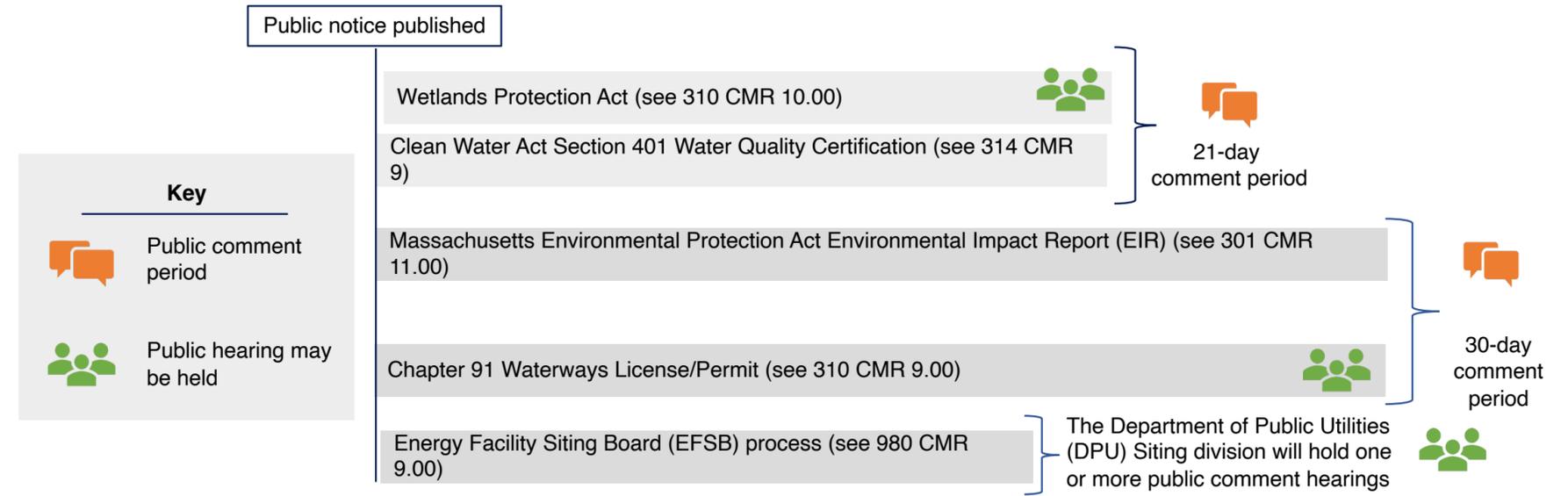
More information about the federal consistency process can be found at the following resources:

- Massachusetts' Coastal Program Policies and Regulations** Visit <https://www.mass.gov/files/documents/2016/08/qc/czm-policy-guide-october2011.pdf> and 301 CMR 20
- National Oceanic and Atmospheric Administration (NOAA) Federal Consistency website** Visit <https://coast.noaa.gov/czm/consistency/>

State Permits and Approvals

The following permits or approvals only apply if a portion of an offshore wind project, such as an export cable, falls within state lands or jurisdictional waters. Each permit and approval serves a different purpose in ensuring the conservation of Massachusetts' natural resources for the benefit of the people of Massachusetts. It is at the discretion of the offshore wind developer as to the timing of submitting the applications for these permits and approvals as they must navigate both federal and states processes while weighing other projects considerations.

Following the submission of an application for a permit or approval, the presiding state agency will publish a public notice that the application is available for public review. Public notices are usually posted in the Environmental Monitor. The date of this publication typically a public comment period. The length of the comment period generally varies from 21 to 30 days, depending on the permit or approval.



Ocean Management Plan Update and Review Process

The Massachusetts Ocean Management Plan protects critical marine habitats and water-dependent uses and sets standards for new ocean-based projects, including the siting and management standards for offshore wind development, in Massachusetts ocean waters. Public input is solicited through workshops, hearings, stakeholder meetings, and public comment periods during reviews, updates, and amendments to the Ocean Management Plan.

A notice of the availability of intent to review or amend the Ocean Management Plan will be published in the Environmental Monitor, commencing the public comment period. Public meetings will be held following the publication of the Environmental Monitor in different regions of the state. The public comment period will remain open for 60 days following the date of the last public hearing.

Visit the Ocean Management Plan Website to learn more: <https://www.mass.gov/service-details/massachusetts-ocean-management-plan>

Offshore Wind Working Groups

Two working groups were convened to promote regular engagement with stakeholders for offshore renewable energy activities in Massachusetts. The working group meetings are open to the public and are held at certain benchmarks in the offshore wind leasing process.

Fisheries Working Group on Offshore Energy
The working group consists of commercial fishing industry members, recreational fishermen, scientists, and representatives of state and federal agencies. Visit: <https://www.mass.gov/service-details/fisheries-working-group--offshore-wind-energy>

Habitat Working Group on Offshore Energy
The working group consists of scientists, experts from environmental organizations, academia, and representatives of state and federal agencies. Visit: <https://www.mass.gov/service-details/habitat-working-group-on-offshore-wind-energy>

More information about offshore wind energy in Massachusetts can be found at the following resources:

Massachusetts Offshore Wind Website: The site includes information on how offshore wind energy on the outer continental shelf is regulated, the Massachusetts Ocean Management Plan, Massachusetts Clean Energy Center, Massachusetts Energy Diversity Act, and the 2019 Department of Energy Resources Offshore Wind Study. Visit: <https://www.mass.gov/service-details/offshore-wind>

Public Comment Period: Allows interested parties, including the public, opportunities to provide formal written comments on permits, certifications, and other state regulatory actions related to offshore wind development. Visit <https://eeaonline.eea.state.ma.us/EEA/MEPA-eMonitor/home> to view current public notices.

Public Hearing: Allows the state regulatory agency to engage in additional fact-finding and for interested parties, including the public, opportunities to provide oral comments and voice concerns regarding state regulatory actions related to offshore wind development. Visit <https://eeaonline.eea.state.ma.us/EEA/MEPA-eMonitor/home> to view current public notices.