



Oregon

Tina Kotek, Governor

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Oregon Coastal Management Program

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Coastal Consistency Review Public Notice



Notice Issued: May 2, 2024

Comments Due: June 15, 2024

Notice is hereby given that the Department of Land Conservation & Development (DLCD), as provided in Section 307(c) of the Coastal Zone Management Act, is reviewing the following federal activity for consistency with the Oregon Coastal Management Program (Program).

FEDERAL PROPOSAL INFORMATION

Federal Agency: Bureau of Ocean Energy Management

Federal Authority: Outer Continental Shelf Lands Act

PROJECT INFORMATION

The federal Bureau of Ocean Energy Management (BOEM) proposes to issue leases within the designated Oregon Wind Energy Areas (WEAs) for the purposes of exploring offshore wind energy development projects. As described in the Environmental Assessment (EA) and Consistency Decision (CD) documents prepared by BOEM and included with this Notice, the Proposed Action subject to the state's review is:

- The issuance of one commercial wind energy lease and associated easements within the Coos Bay Wind Energy Area (WEA) and one lease within Brookings WEA. The issuance of a lease only grants the lessee the exclusive right to conduct site characterization activities and to submit to BOEM a Site Assessment Plan (SAP) and/or a Construction and Operations Plan (COP) at a future date.
- A reasonably foreseeable effect of the issuance of the leases is that lessees would conduct environmental and site characterization activities in the lease areas and on the Outer Continental Shelf, such as vessel surveys, geotechnical exploration of the seafloor, and placement of anchored meteorological buoys.

The Federal Consistency review will cover those actions within BOEM jurisdiction – namely, the activities that would occur on the Outer Continental Shelf outside of the state territorial sea boundary of 3 nautical miles offshore. However, the state also expects that lessees would conduct characterization activities within state waters, estuaries, or potentially onshore as a result of a BOEM lease decision. Actions outside of BOEM jurisdictional authority would be addressed by existing federal, state, or local authorities. Activities may require other federal permits, such as from the US Army Corps of Engineers, and would be subject to separate future Federal Consistency reviews.

Additional details about the proposed action and its effects may be found in the EA and CD included with this Public Notice. BOEM has also issued a Proposed Sale Notice (PSN) with additional information regarding the specifics of its proposed lease stipulations, available on the [BOEM website](#).

Under the reasonably foreseeable scenario, BOEM could issue leases in late 2024. Site Assessment Plans are expected to be submitted to BOEM within one year of lease issuance. For leases issued in late 2024, surveys could begin in spring of 2025. Lessees would have up to 5 years to perform site assessment activities before they must submit a COP. Therefore, BOEM expects site assessment activities could continue through early 2030 prior to a COP being submitted.

The decision to lease areas of the Outer Continental Shelf for offshore wind characterization and exploration activities does not equate to a decision to permit the construction or operation of an offshore wind development project. A BOEM decision whether to approve a Construction and Operations Plan for an actual wind energy facility would be subject to Federal Consistency review by the state at a later time, after years of additional site assessment and project design.

ADDITIONAL INFORMATION ABOUT THE FEDERAL CONSISTENCY REVIEW

What is the State's role in this federal action?

Under the Coastal Zone Management Act of 1972, the State's approved Coastal Zone Management Program has the authority to review any federal action that will have a reasonably foreseeable effect on state coastal uses and resources (known as the Federal Consistency review authority). The Federal Consistency review evaluates the proposed action against the [Enforceable Policies](#) of the state coastal management program.

A Federal Consistency review will result in one of three potential outcomes:

- Concurrence – The action as proposed is consistent with enforceable policies of the state coastal program.
- Concurrence with Conditions – The action can be found consistent if the federal agency agrees with specific modifications or addendums to the action. If the federal agency does not agree, it becomes an objection. The state cannot enforce conditions under the CZMA after a consistency decision has been made.
- Objection – The action as proposed is not consistent to the maximum extent practicable with the policies of the coastal program. Objections must describe how the action will not be consistent with specific enforceable policies, or how the federal agency has failed to supply sufficient information to make a determination of consistency (15 CFR 930.43).

The proposed BOEM lease decision and follow-on characterization actions in federal waters are subject to the state’s Federal Consistency review.

When will the OCMP issue a consistency decision?

Under 15 CFR 930, Subpart C, Federal Consistency reviews of leasing actions have a standard 60-day review period, with an ability to automatically extend the review period by an additional 15 days. Based on this, the OCMP expects to make a Federal Consistency decision no later than July 14, 2024.

How will the public be involved in this current Federal Consistency review and decision?

DLCD-OCMP is initiating a 45-day comment period with the issuance of this public notice. DLCD will also be hosting a series of virtual and in-person community meetings, tentatively scheduled for the first week of June, in support of the Federal Consistency review. More information about these meetings will be posted on the [DLCD website](#) and the [Federal Consistency Listserv](#) as it becomes available.

SUBMIT COMMENTS

DLCD has started the coastal consistency review of this proposed activity and is soliciting comments on project consistency with the Oregon Coastal Management Program. All comments must be received by midnight on **June 15, 2024**. Please contact DLCD if you require additional information or have questions. Send comments to-

E-mail Comments: coast.permits@dlcd.oregon.gov.

Written Comments: OCMP-DLCD, 635 Capitol St. NE, Suite 150, Salem, OR 97301-2540.

Comments sent to other email addresses or mailing addresses will not be recorded.

COMMENTS DUE TO DLCD: 6/15/24

HOW TO CRAFT A COMMENT

Coastal Zone Review Criteria:

Comments should address consistency with the applicable policies of the Program. Posted with this Notice is an evaluation by BOEM to determine whether the proposed project is consistent with the Program. Additional enforceable policies may be identified during the course of the review. The full list of the Oregon Coastal Management Program's Enforceable Policies can be accessed on the [Federal Consistency webpage](#).

INCONSISTENT?

If you believe this action is inconsistent with the Program, your comments should explain why you believe the action is inconsistent and should identify the Program policies in question. You should also describe how the action could be modified, if possible, to make it consistent.

QUESTIONS?

Contact DLCD-OCMP with any questions regarding this federal consistency review:

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