



Offshore Wind Community Benefits Network
High Level Overview of BOEM Proposed & Final Sale Notice Community Benefit Stipulations & Credits

Pacific Wind Lease Sale 1 (PACW-1) for Commercial Leasing for Wind Power on the Outer Continental Shelf in California - [Final Sale Notice \(FSN\)](#)

• **[Addendum C](#) LEASE-SPECIFIC TERMS, CONDITIONS, AND STIPULATIONS**

Category	Proposed Sales Notice	CB Network Asks	Final Sale Notice
Community Benefit Agreements and Funds, Governance	<ol style="list-style-type: none"> 1. Lease Use Area CBA (2.5% bidding credit): CBA(s) with communities who use the geographic space of the Lease Area or harvest resources from that geographic space. 2. Commercial Fisheries Stipulations: proposed <i>fisheries communications plans</i> and <i>fisheries liaison</i>. 	<ol style="list-style-type: none"> 1. Lease Use Bid Credit (3%) 3. Tribal Fisheries Benefit Fund Bid Credit (3%) 4. Tribal Capacity Fund Bid Credit (10%) and Regional Tribal Steering Committee Stipulation 5. North Coast Community Benefits Fund(10% bidding credit) and Community Steering Committee Stipulations 	<ol style="list-style-type: none"> 1. Lease Use Area CBA (5% bidding credit), <i>explicit recognition of Tribal Fisheries</i>. 2. NEW General CBA (5% bidding credit): with <i>communities, Tribes, or stakeholder groups</i> that will be affected by potential impacts from the development.
Communication and Engagement	<ol style="list-style-type: none"> 1. Progress Report Requirements 2. Engagement: consultation with Tribes and parties 3. Communications Plans with fisheries, Tribal governments, and agencies <ol style="list-style-type: none"> a. Native American Tribes Communications Plan (NATCP) b. Agency Communications Plan (ACP) 	<ol style="list-style-type: none"> 1. New stipulation requiring outreach and engagement with environmental justice communities 2. Strengthened coordination and collaboration prioritizing Tribal Nations and underserved communities -across multiple revised and newly proposed stipulations 	<ol style="list-style-type: none"> 1. Strengthened Progress Report Requirements, with a <i>new emphasis</i> on engaging <i>Tribes and individuals with limited English proficiency</i>; 2. Expanded Engagement Stipulation, including early information sharing, collaboration, focused discussion, etc. 3. Communication Plans <ol style="list-style-type: none"> a. Native American Tribes Communications Plan (NATCP)

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	<ul style="list-style-type: none"> c. Fisheries Communications Plan 4. Coordinated Engagement 5. Survey Reporting 6. Stipulations on briefing and communicating mitigation measures 		<ul style="list-style-type: none"> b. Agency Communications Plan (ACP) c. Fishery Communications Plan¹ <ul style="list-style-type: none"> i. Fisheries Liason 4. Coordinated Engagement 5. Survey Reporting 6. Expanded stipulations on briefing and communicating mitigation measures² <ul style="list-style-type: none"> a. <i>NEW Communicating Mitigation Measures Stipulation</i>
Workforce Training + Development	<ul style="list-style-type: none"> 1. A total of 20% credit towards (a) contributions to developing a domestic supply chain and/or (b) support workforce training programs for the offshore wind industry; 2. Proposed lease stipulations for Construction <i>Project Labor Agreements (PLAs)</i>; 	<ul style="list-style-type: none"> 1. Support for the Workforce Training and/or Domestic Supply Chain Development credit at 20% and proposed revisions to include targeted hiring; 2. Contributions towards training local targeted hired groups in the skills necessary to support a local monitoring and research workforce; 3. Contributions towards partnerships with Tribal Nations, creating supporting Tribal Economic Enterprises, and Tribal Employment Rights Offices; 4. New workforce development in natural resources stipulation, with explicit commitment to hiring members of Tribal Nations 	<ul style="list-style-type: none"> 1. UPDATED A total of 20% credit towards (a) contributions to developing a domestic supply chain and/or (b) support workforce training programs for the offshore wind industry <ul style="list-style-type: none"> a. Explicit recognition of Tribes and Tribal businesses; 2. Lease stipulations recommending using reasonable efforts for Construction <i>Project Labor Agreements (PLAs)</i>;

¹ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 6.2. Fisheries Communications Plan. Pg.C-17

² Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 5.1.1. Communications Briefing, and 5.1.2. Communicating Mitigation Measures

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Environmental Protection, Monitoring and Mitigation	<ol style="list-style-type: none"> 1. Measures to Minimize Potential Adverse Impacts to Birds and Typical Mitigation; 2. Measures for Protected Species, to be updated based on consultations. 3. Marine trash and debris awareness and elimination 4. Endangered Species Act Consultation for Biological Surveys 	<ol style="list-style-type: none"> 1. Environmental Monitoring and Research Fund Bid Credit (4%) and Adaptive Management Committee 2. New stipulations addressing decommissioning 3. New stipulations to protect benthic habitat 4. New stipulations to address Adaptive Monitoring and Management of Upwelling Impact 5. New stipulations to prevent secondary entanglements for wildlife 6. New stipulations committing to data transparency, monitoring commitments and creating adaptive management and monitoring plans with reimbursement for certain actions 7. Revisions to protected species stipulations to incorporate specific protections around noise, vehicle speed and avian collisions 8. Revisions to promote Research and Monitoring Access, Data Transparency, Monitoring, Adaptive Management and Mitigation Plan 	<ol style="list-style-type: none"> 1. NEW Vessel speed requirement of no more than 10 knots during all related activities, including vessel transit; 2. NEW Safe Navigation stipulation³ 3. NEW Site-Specific Spill Prevention and Response Plan 4. NEW Critical Operations and Curtailment Plan⁴ 5. Marine trash and debris awareness and elimination 6. Endangered Species Act Consultation for Biological Surveys 7. NEW Avian and Bat Survey and Reporting Requirements 8. NEW Anchoring Plan detailing plans to avoid placing anchors on sensitive ocean floor habitats, cables, and pipelines⁵ 9. NEW Plan Review and Coordination, requiring the lessee to coordinate its survey plan and SAP submissions with the Lessor and the California Coastal Commission (CCC) 10. NEW Low-energy equipment must be used to conduct geophysical surveys

³ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 5.1.4. Pg. C-12

⁴ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 5.4. Pg. C-13

⁵ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 5.5. Pg. C-14

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			<p>11. Marine Wildlife Protection and Monitoring Measures</p> <p>12. Measures for Protected Species⁶</p>
Commercial Fisheries	<p>1. Commercial Fisheries Stipulations:</p> <ul style="list-style-type: none"> a. Required plans to minimize impacts and conflicts with the commercial fisheries industry; b. Fisheries Communications Plan and Fisheries Liaison c. Minimizing congestion and obstacles that could increase entanglement risk; d. Prioritizing federal and state climate change adaptation strategies for fisheries; e. Identifying dock space and transit routes that would minimize space/use conflicts and potential impacts to protected species. 	<ul style="list-style-type: none"> 1. Tribal Fisheries Benefit Fund Bid Credit (3%) Stipulation 2. Lease Use Bid Credit (3%) 3. Support stipulations on minimizing impacts on commercial fisheries 	<ul style="list-style-type: none"> 1. UPDATED Commercial Fisheries Stipulations: <ul style="list-style-type: none"> a. Explicit recognition of Tribal Fisheries in the Lease Area CBA Credit; b. Proposed mitigation measures in the Construction and Operation Plan (COP) will, to the extent practicable, prioritize Federal, Tribal, and state climate change adaptation strategies for fisheries. c. Notice and reporting requirements under the Commercial fisheries stipulation, with explicit recognition of Tribal Fisheries Departments⁷; 2. Fisheries Communications Plan Stipulation⁸ <ul style="list-style-type: none"> a. Fisheries Liaison
Tribal Benefits	The PSN proposes stipulations around tribal and affected party outreach in addition to BOEM's government-to-government	1. Support for, with recommended changes, the Native American Communications Plan to reflect recommendations from Condition	The FSN includes the follow Tribal-focused stipulations in addition to BOEM's government-to-government consultation requirements:

⁶ Identified in the 2022 ESA Concurrence Letter and EFH Response.

<https://www.boem.gov/sites/default/files/documents/renewable-energy/stateactivities/LOC-EFH%20for%20OSW%20leases%20in%20CA.pdf>

⁷ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 6.2. & 6.4.Pg. C-5, 6

⁸ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 6.2. Fisheries Communications Plan. Pg.C-17

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	<p>consultation requirements. Stipulations include:</p> <ol style="list-style-type: none"> 1. the Lessee works with BOEM and the California Native American Heritage Commission to identify tribes with cultural and/or historical ties to the Lease Areas to participate in the development of the Native American Tribes Communications Plan (NATCP), which would include protocols for unanticipated discovery of pre-contact archaeological resource(s). 2. BOEM will also require a semi-annual progress report on engagement with tribes and parties potentially affected by proposed activities.⁹ 3. The stipulation would also require, to the maximum extent practicable, that Lessees coordinate with one another on engagement activities. <ol style="list-style-type: none"> a. For example, one possible lease stipulation to facilitate coordinated Tribal engagement could require 	<ol style="list-style-type: none"> #6 in the CCC's Conditional Concurrence 2. Revisions to PLAs, workforce development, and domestic supply chain stipulations, with dedicated measures benefiting Tribal Nations; 3. New Community Steering Committee comprised of representatives from Tribal Nations and impacted communities; 4. NEW Regional Tribal Capacity Fund and Bid Credit (10%); 5. NEW Tribal Fisheries Benefit Fund Stipulation and Bid Credit (3%); 6. NEW Coordinated Electricity and Broadband Planning Stipulation with communication and collaboration with Tribal Nations; 7. New stipulation addressing safety of Native American Tribal Nations and local communities 8. New Workforce Development in Natural Resources, prioritizing partnering with Tribal Nations; 	<ol style="list-style-type: none"> 1. <i>Native American Tribes Communications Plan (NATCP)</i>: describes strategies for communicating with Tribes that have cultural and/or historical ties to the Lease Area;¹⁰ 2. <i>Progress Report Requirement</i>: semi-annual progress report on engagement with tribes and parties potentially affected by proposed activities;¹¹ 4. EXPANDED <i>Archaeological Survey Stipulations</i> including requirements for surveys, consultation, monitoring, and information sharing in compliance with the National Historic Preservation Act. 5. UPDATED <i>Supply Chain Statement of Goals and Workforce Training Credit Stipulations</i>, with explicit recognition of Tribes and Tribal businesses;

⁹ The progress report would include updates on engagement activities and impacts on or benefits to the Tribes and parties from proposed activities, and how, if at all, a project proposal has been informed or altered to address those impacts or benefits, as well as any planned engagement activities during the next reporting period.

¹⁰ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 3.1.2. Pg. C-7

¹¹ Bureau of Ocean Energy Management. Oct 2022. North Coast (Humboldt) CA Lease OCS-P 0561. 3.1. & 3.1.1.Pg. C-5, 6

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	<p style="text-align: center;">Lessees to offer coordination meetings at regular intervals throughout the year.</p> <p>4. Archaeological Survey Stipulations including requirements for surveys, consultation, monitoring, and information sharing in compliance with the National Historic Preservation Act.</p>		
<p>Other modifications and additions in the FSN</p> <ul style="list-style-type: none"> • <i>Expanded</i> National Security and Military Operations stipulations, with new stipulation on Foreign Interest to foreign interest to protect national defense capabilities and military operations, etc.; • New stipulations in response to Coastal Commission Consistency Determination Conditions (FSN Pg. 21 - 24) • The new sale format is now a single auction, which offers all the Lease Areas. <i>In each round of the auction, a bidder can bid for at most one of the offered leases at a time.</i>¹² 			

¹²Bureau of Ocean Energy Management. Oct 2022. Pacific Wind Lease Sale 1 (PACW-1) for Commercial Leasing for Wind Power on the Outer Continental Shelf in California - Final Sale Notice (FSN), Pg.3