



Draft Environmental Impact Statement (DEIS)

The Basics – what it is, and why it matters

The Bureau of Ocean Energy Management (BOEM), an agency within the U.S. Department of the Interior, recently issued a [Draft Environmental Impact Statement](#) (DEIS) on US Wind's Construction and Operations Plan (COP). The COP includes technical details of how US Wind would construct, operate, and decommission its projects; describes potential impacts to human, physical, and environmental resources; and US Wind's plans to avoid, mitigate, or minimize any negative impacts. The COP also includes the extensive surveys and research that US Wind has conducted while developing its plans. For more information on US Wind's COP, see the [COP Basics Fact Sheet](#).

After BOEM deemed US Wind's COP to be complete on June 6, 2022, it initiated a scoping process to identify issues of public concern and any potential alternatives to US Wind's plans. BOEM accepted input from federal agencies, Tribal, state, and local governments, and the general public over a 30-day period that included three virtual public hearings. BOEM then initiated a process defined by the National Environmental Policy Act (NEPA) to decide whether to approve or deny US Wind's projects based on the COP and stakeholder feedback. The DEIS is a key step in that NEPA process, as it compiles and presents the analyses BOEM's subject matter experts have done on the COP and potential alternatives.

What is a DEIS?

The DEIS is a document that identifies, describes, and analyzes the potential effects – positive and negative – of US Wind's projects (the Proposed Action) and any "reasonable" alternatives on:

- The environment, including impacts on air and water quality, fish, birds, bats, marine mammals, turtles, and invertebrates, along with terrestrial and coastal habitats proximate to the project.
- Other ocean uses, including commercial and recreational fishing, shipping, navigation, and military activity.
- Visual impacts on the local area, including the cumulative impact of all projects in the viewshed.
- Local economies and employment, land use, cultural resources, and environmental justice.

The DEIS will also analyze the effectiveness of actions to avoid, mitigate, or minimize any negative impacts. This includes actions proposed by US Wind in the COP, as well as "reasonable alternatives that are technically and economically feasible and meet the purpose and need of a [project]."¹

Next Steps

- Along with the DEIS, BOEM published a Notice of Availability (NOA) requesting public comments on the DEIS. This 45-day comment period will include a written comment opportunity, one public meeting in Ocean City, Maryland, one in Sussex County, Delaware, and two virtual meetings.
- BOEM will review and respond to feedback received during the comment period and will incorporate it in the development of a Final Environmental Impact Statement (FEIS), which will likely be published in Q2 2024.
- BOEM will apply the analysis completed through the EIS process to render a final Record of Decision (ROD) where the agency will either approve, approve with modifications, or disapprove US Wind's proposed projects. The ROD will be released no sooner than 30 days after the FEIS is published.
- Approval of US Wind's COP would occur after the ROD and after all the agency conditions have been agreed to, including the conditions of other federal permits like those from the U.S. Army Corps of Engineers and National Marine Fisheries Service.

¹ 86 FR 55760 (October 7, 2021).

BOEM Process

- BOEM initiates NEPA review – complete Q2 2022
- BOEM issues Draft Environmental Impact Statement – complete Q4 2023
- BOEM issues Final Environmental Impact Statement Q2 2024
- BOEM issues Record of Decision Q3 2024
- BOEM approves, approves with modifications, or disapproves US Wind's COP Q3 or Q4 2024