



Floating Offshore Wind: Community Benefit Agreements Assessment Report

Oregon Consensus | May 2023



Oregon Consensus Assessment

Floating Offshore Wind: Community Benefit Agreements

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Acknowledgements

The assessment team wishes to thank the people who participated in interviews for this assessment. All of these participants care deeply about the history and the future of Oregon's coast and ocean. This report is a reflection of their wisdom and commitment.

About Oregon Consensus

Oregon Consensus was established by state statute¹ as the State of Oregon's program for public policy conflict resolution and collaborative governance. The program provides mediation and other collaborative services to public bodies and stakeholders who are seeking new approaches to challenging public issues. Oregon Consensus conducts assessments and, where appropriate, designs and facilitates impartial and transparent collaborative processes that foster equitable participation and durable agreements. The program is housed in the National Policy Consensus Center in the Mark O. Hatfield School of Government at Portland State University.

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¹ Mediation and other alternative dispute resolution services for public bodies, ORS 36.179, Accessed at https://oregon.public.law/statutes/ors_36.179.

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1.0 Executive Summary

Private energy firms are considering developing floating offshore wind² energy off of Oregon's southern coast. One of the first steps is for the US Bureau of Offshore Energy Management (BOEM) to convene an intergovernmental task force to help it identify areas in the ocean that are suitable for offshore wind leasing. BOEM then winnows down prospective lease areas and conducts an auction to lease ocean areas for further exploration of feasibility, including environmental and permitting review, and development. Similar to recent BOEM auctions in California and New York, multiple Oregon parties and the Oregon Coastal Caucus of legislators are interested in assigning some portion of potential future auction proceeds, via community benefit agreements, to local communities that are affected by offshore wind development.

Oregon Consensus was asked to assess the possibility for a collaborative process to design agreements for which kinds of community benefits might receive investment in the event of a lease auction for offshore wind. A lease auction could happen as early as winter 2024, but there is concern about the location of wind areas and associated impacts—especially from Tribes, fishing groups, and seafood processors. Oregon Consensus conducted twenty-three interviews across a wide variety of people interested in floating offshore wind.

Fishing groups, seafood processors, and Tribes did not support a collaborative conversation on community benefit agreements at this time. There are still too many pending decisions around the siting of wind energy leasing areas. Once some of those decisions have been made, there may be room for collaboration.

This assessment, in reflecting the diverse views of people interviewed, provides some of the lessons learned from other states, the perspectives of multiple interests around offshore wind, and some of the process groundwork needed for success in the future. There was a lot of consistency among interviewees on the kinds of community benefits important to people ranging from housing, workforce and economic development opportunities, investing in sustainable and thriving fisheries, local energy resilience, and strong schools. Interviewees shared principles around the need for community benefit agreements to be community-wide and supportive of those most in need (e.g., working families, people with low incomes, and those most likely impacted by offshore wind development).

This assessment will support those who care deeply about Oregon's coastal communities and oceans. The next steps will be for this group to decide how they want to move forward and what types of support they may need.

² Wind developments could be at a commercial scale (e.g., 3GW of energy generation from 180 large, 15-20 megawatt windmills anchored in deep, federal waters) approximately 14 miles off the shore of Coos Bay and Brookings), and could be implemented as early as 2030. Oregon Department of Energy. (2022). Floating Offshore Wind: Benefits & Challenges for Oregon. Accessed at <https://www.oregon.gov/energy/energy-oregon/Pages/fosw.aspx>. Further information also available from the Brightline Defense. (2023). A Path Forward: Empowering Communities in Pacific Offshore Wind Development. Accessed at: <https://www.brightlinedefense.org/offshore-wind-report-a-path-forward>.

2.0 Introduction

The Bureau of Offshore Energy Management (BOEM) is investigating the potential for significant commercial development of floating offshore wind energy along Oregon’s south coast.³ According to BOEM, the development would align with the national objective of achieving fifteen gigawatts of floating offshore wind (FOSW) energy by 2035.⁴ Similar discussions on FOSW energy are taking place along the Atlantic coast, Gulf of Mexico, and in California. Lessons learned from California and Maine⁵ can be found in table 2.

Wind energy development begins with the federal leasing of ocean areas known as “wind energy areas” within larger “call areas” in federal waters. These call areas are situated approximately fourteen miles offshore, extending up to forty-six or sixty-five miles offshore. In Oregon, proposed call areas are situated off the coast of Coos Bay and Brookings (refer to figure 2 for a map of Oregon proposed call areas).

The development of wind energy involves multiple stages, as illustrated in figure 1.⁶ These stages include the following:

1. A BOEM-state intergovernmental task force, which includes state, local, federal, and tribal government entities, performs preliminary planning and analysis.

The task force engages with the public, developers, and other interested parties to inform the identification of call areas.

Assessment Approach

Oregon Senator Brock Smith and the Coastal Caucus of the Oregon Legislature asked Oregon Consensus to assess the potential benefits and challenges of a collaborative process for informing community benefit agreements related to floating offshore wind leasing. This initiative was supported by the Department of Land Conservation and Development.

The report summarizes findings from twenty-three assessment interviews conducted by Oregon Consensus via Zoom and phone calls between February and March 2023. It also includes an analysis of documents provided by the interviewees. While not all stakeholders could be interviewed, the team made diligent efforts to represent a diverse range of perspectives. For a list of interviewees, interview questions, and a summary of comments on the draft assessment, please refer to appendices A, B, and C, respectively.

³ Bureau of Offshore Energy Management. 2023. Oregon Activities. Accessed at <https://www.boem.gov/renewable-energy/state-activities/Oregon>.

⁴ The White House. (2022, September 15). Fact sheet: Biden-Harris Administration announces new actions to expand US Offshore Wind Energy. Accessed at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/09/15/fact-sheet-biden-harris-administration-announces-new-actions-to-expand-u-s-offshore-wind-energy/>

⁵ Bureau of Offshore Energy Management. 2023. State Activities. Accessed at <https://www.boem.gov/renewable-energy/state-activities>.

⁶ Adapted from Sierman, J. (2022). (rep.). *Floating Offshore Wind: Benefits and Challenges for Oregon*, p10. Oregon Department of Energy. Accessed at <https://www.oregon.gov/energy/Data-and-Reports/Documents/2022-Floating-Offshore-Wind-Report.pdf>.

2. BOEM then identifies the call areas and requests information on these call areas, including nominations of interest for leasing from developers.
3. BOEM then specifies smaller areas within the call areas known as wind energy areas. An environmental assessment, required by the National Environmental Policy Act (NEPA), will be conducted for the wind energy areas. States also have an opportunity to participate in this stage by completing a federal consistency review of BOEM's environmental assessment under the authority of the federal Coastal Zone Management Act (CZMA).⁷
4. BOEM then auctions and issues leases to wind energy developers for lease areas (smaller portions of the wind energy areas for specific projects).
5. Energy developers place bids on those auctions, and have the option to incorporate community benefit agreements into their bid package.
6. BOEM awards leases on monetary (i.e., highest priced bid) and non-monetary factors (e.g., energy developer investment in communities to address impacts from energy development).
7. Energy developers provide a site assessment plan to BOEM and explore the feasibility of developing offshore wind.
8. BOEM requires developers to have finalized and begun implementing their community benefit agreements by the time the developers submit their first project development report to BOEM.
9. BOEM then reviews construction and operations plans and Environmental Impact Statements, developed under the National Environmental Protection Act, with assessments of potential cumulative impact. States also have an opportunity to conduct a consistency review of the construction and operations plans, and if or when and those are all approved...
10. Installation occurs.

⁷ Oregon Department of Land Conservation and Development. 2023. Federal Consistency. Accessed at <https://www.oregon.gov/lcd/OCMP/Pages/Federal-Consistency.aspx>.

Figure 1. BOEM Wind Energy Authorization Process⁸

(The figure references a Site Assessment Plan, SAP, and Construction and Operations Plan, COP)

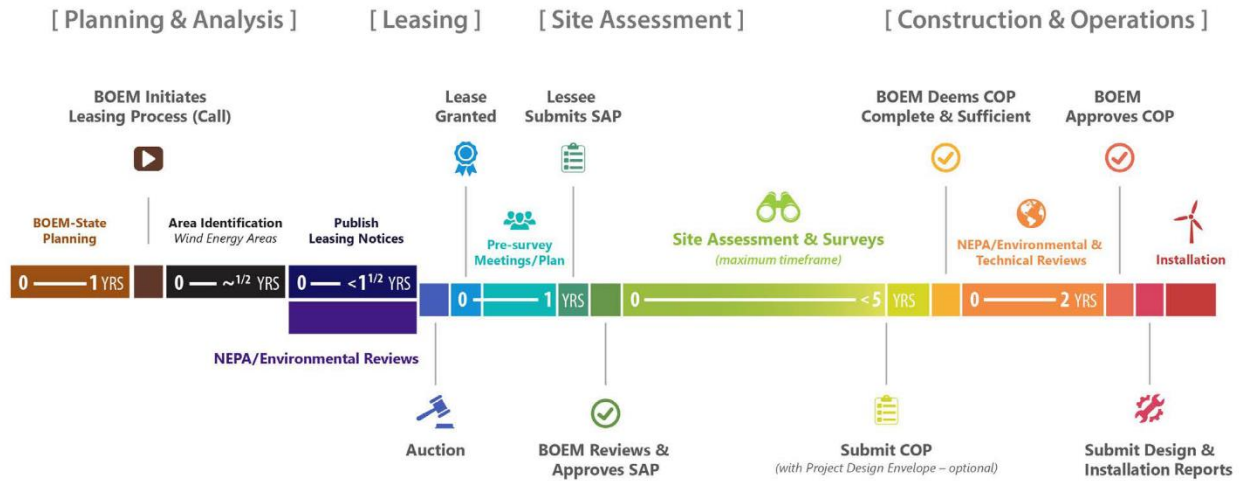
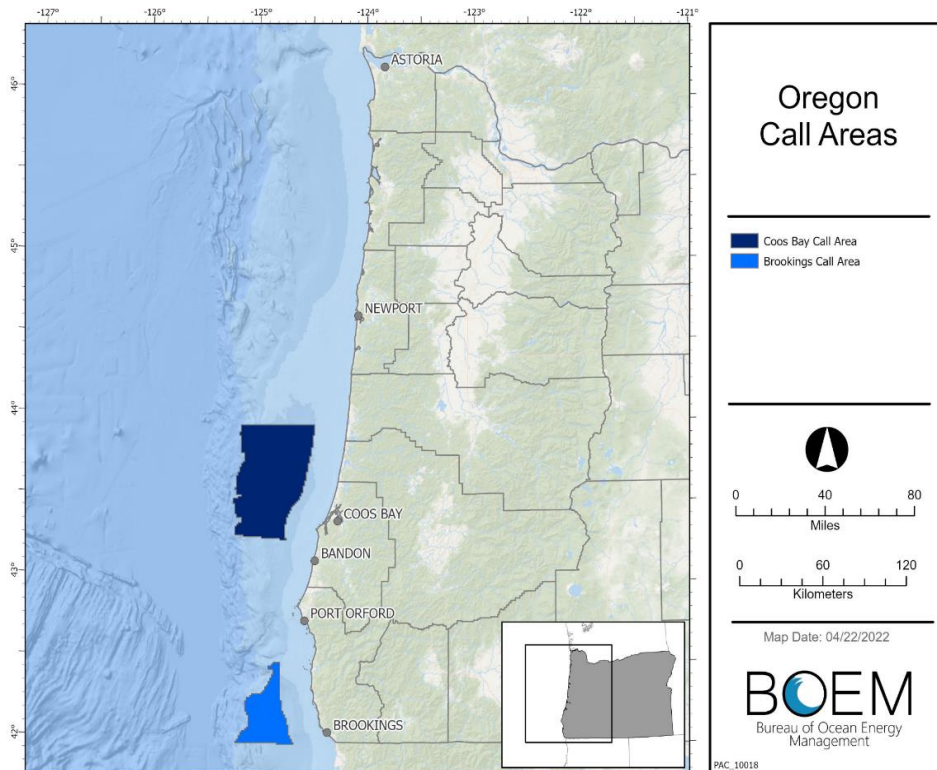


Figure 2. BOEM Proposed Oregon Call Areas⁹



⁸ Hauer, W., and Lanier, A. 2021. Oregon Offshore Wind Energy Planning Data Review Workshop. Accessed at <https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/OR-OSW-Planning-Data-Review-Workshop.pdf>.

⁹ See BOEM, 2023. See note 2.

According to many interviewees, there is disagreement about whether the call areas have been placed in areas that appropriately balance the needs of existing ocean users (e.g., fishing groups, seafood processors, Tribes, Department of Defense) and new ocean users (e.g., wind energy developers).

What are bid credits and community benefit agreements?

The US Bureau of Ocean Energy Management (BOEM) is responsible for leasing areas in federal ocean waters for energy development (e.g., wind and oil). [See more on the BOEM process here.](#)¹⁰ BOEM has recently leased several areas for offshore wind (e.g., waters off the coasts of New York and [California \(December 6, 2022\)](#) and is proposing a lease area for [Oregon's south coast](#) for fall 2023 or winter 2024. The lease auction allows companies to compete for the right to explore wind feasibility in those areas (it is not a permit to develop the wind). As part of that auction, competitors can receive “bid credits” that reduce the amount of the leasing fee they have to pay BOEM, and they can extend the timeline for when competitors need to pay their fee to BOEM.

The determination of bid credit amounts is based on conceptual plans competitors submit to BOEM describing future community benefit agreements between competitors and parts of the community to invest money for the benefit of those communities. A community benefit agreement could be between a wind energy developer and any number of community organizations, Tribes, local governments, etc. As an example of such a community benefit agreement, in the case of the New York lease, these investments were solely allocated for workforce and supply chain enhancements. However, in the California lease, there are three categories for bid credits: workforce/supply chain, community benefit agreement for those directly impacted by the lease, and a general community benefit for the nearby communities. It is important to note that these community benefit agreements do not serve as mitigation measures for the impacts of offshore wind.

The Oregon Consensus assessment focused on exploring the potential for a collaborative dialogue regarding Oregon's approach, if any, to bid credits and community benefit agreements.

¹⁰ “A Citizen’s Guide to the Bureau of Ocean Energy Management’s Renewable Energy Authorization Process. December 2016. Available at: <https://www.boem.gov/sites/default/files/renewable-energy-program/KW-CG-Broch.pdf>

Oregon's coastal communities face ongoing challenges where community benefit agreements could be helpful. Some of these challenges include

- ongoing efforts to transition from historic resource industries (especially timber) to new potential economic opportunities;
- experience with disputes around those transitions (e.g., several interviewees mentioned that the conflict around the proposed Jordan Cove liquified natural gas export facility has left community leaders worn out and weary of other development opportunities);
- relying heavily on Bonneville Power Administration for electricity transmission infrastructure, which was not designed to reliably serve a growing South Coast; and
- struggling anchor institutions critical to a thriving community (e.g., hospitals, schools, and human service providers).

The conversation around offshore wind picked up speed in response to the Biden Administration's goal of implementing fifteen gigawatts of offshore wind energy by 2035.¹¹ There are also proposed congressional actions (RISEE Act)¹² to expand revenue sharing from offshore wind to states and communities. In Oregon, the conversation around offshore wind is framed within the larger goal of expanding renewable energy to 50 percent of all electricity generated by 2040.¹³ House Bill 2021 also set emissions reduction targets for 2030, 2035, and 2040, and included provisions that linked energy facility siting and transmission to providing community benefits. These emission reduction targets are driving a lot of the interest in renewable energy.¹⁴

Framing of the project or project objectives

This Oregon Consensus assessment was designed to inform the following questions:

- Is there interest, at this moment, in a collaborative conversation to define the kinds of community benefits and structure of community benefit agreements important to Oregon's coastal communities?
- If yes, how might that collaborative conversation be structured to be inclusive, transparent, and representative of the community as a whole?
- Who should be part of that conversation?

¹¹ The White House. (2022). FACT SHEET: Biden-Harris Administration Announces New Actions to Expand U.S. Offshore Wind Energy. Accessed at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/09/15/fact-sheet-biden-harris-administration-announces-new-actions-to-expand-u-s-offshore-wind-energy/>.

¹² RISEE Act of 2022, S.2130, 117th Congress. (2022). Accessed at <https://www.congress.gov/bill/117th-congress/senate-bill/2130/text>.

¹³ Relating to Public Utilities, SB 1547. (2016). Accessed at <https://www.oregon.gov/energy/energy-oregon/pages/renewable-portfolio-standard.aspx>.

¹⁴ Clean Energy Targets Bill, HB 2021. (2021). Accessed at <https://www.oregon.gov/deq/ghgp/Pages/Clean-Energy-Targets.aspx#:~:text=In%202021%20Oregon%20State%20Legislature,with%20the%20electricity%20they%20provide>.

3.0 Key Themes from Assessment Interviews

The key themes interviewees raised are as follows:

3.1. The current process for developing offshore wind energy is not sufficiently engaging all interests

Several interviews mentioned that the BOEM-led process is structured and designed to engage a range of governmental interests, but is not adequately engaging everyone—especially community leaders, the seafood community, and other non-governmental interests.

Interviewees noted that the BOEM process is one of the only venues available. See section 4.0 for more from interviewees on overall FOSW engagement processes.

Interviewees from the fisheries industry and Tribes wanted BOEM to restart the process of identifying call areas to look at data along the entire Oregon coast. One interviewee mentioned their interest in siting call areas in depths beyond 1,300 meters. This depth is currently outside most of the current call areas, and includes significant slopes, which may make it difficult to moor offshore wind turbines.¹⁵ Those interviewees, and others, wanted a more intentional effort to better understand offshore wind impacts and benefits.

Multiple interviewees highlighted the significant influence of the Department of Defense in identifying "no-go" zones for wind energy development. The current call areas in Oregon include extensive areas designated as no-go areas, leading to concentrated conflicts with fisheries. Similar efforts in California involved discussions with the Department of Defense and congressional representatives to establish a broader potential call area. However, the change in call area locations following formal notices caused frustration among members of the fishing and seafood community who were not directly involved in those discussions.

3.2. Many are willing to talk about community benefits, but some key groups do not want to have that conversation *right now*

Across all interviews, people recognized the value of a conversation around community benefits that centered the vision of coastal communities as a whole and ensured that those communities received the benefits of potential, future offshore wind development.

However, our interviews with fishing groups, seafood processors, and one of the two Oregon Tribes on the southern coast suggested that the timing of a collaborative conversation on community benefits was not appropriate. For them, there is an active, unresolved dispute over where the proposed call areas are located, and until those call areas have been revisited and moved, a conversation on community benefits is premature.

Based on the responses received, two concerns have emerged regarding participation in a collaborative dialogue on community benefits. The first concern is that engaging in such

¹⁵ Ernst, S. (2022). How Far Out to Sea Should Floating Offshore Wind Turbines Be Sited? *California Energy Markets*, Vol 03.24.2023 (No. 1736). Accessed at https://www.newsdata.com/california_energy_markets/northwest/how-far-out-to-sea-should-floating-offshore-wind-turbines-be-sited/article_5ed2d9ec-f98e-11ec-a6ed-f7496d1cd78f.html.

discussions may limit the ability of groups opposed to the current call areas to exert pressure on BOEM to reconsider the location of proposed call areas. The second concern is that a community benefit agreement may be perceived as an attempt to prematurely “buy off” or “compensate” fishing groups, individuals in the seafood community, and Tribes without a comprehensive understanding of the potential impacts and benefits of wind development. To address these concerns, one interviewee emphasized that any community benefit agreement should thoroughly address the impacts identified through the National Environmental Protection Act and National Historic Preservation Act (NHPA).

Several interviewees also mentioned that it would help if offshore wind development was better understood in the context of a statewide plan for renewable energy, how offshore wind fits within existing ocean uses and Goal 19 in the land use planning system,¹⁶ and how wind fits into a vision for thriving coastal communities.

3.3. The process for setting community benefits is important

We asked interviewees about the kinds of community benefits they felt were important, and often, they identified important process principles or characteristics of a successful, community-wide set of agreements. Some of those broader principles mentioned included the following:

- Any agreements should be representative of the community as a whole.
- The process for forming an agreement should be transparent and inclusive.
- The process should center what the community needs, not what wind developers are willing to offer.
- Any investments made through a community benefit agreement should recognize that some needs require investment now, but some needs will not be apparent for decades (e.g., after thirty years and wind development construction has ended).
- Any agreements should focus on people who need the most support (e.g., working families, low income people, veterans, seniors, Latinx people, and workers who speak limited English).
- Any agreement should create accountability and be as legally binding as possible.

One of the Tribes highlighted the importance of having a separate Tribal benefit agreement, distinct from a broader community benefit agreement, unless the Tribes willingly chose to be included in the broader agreement. Additionally, this Tribe expressed a keen interest in actively participating in the development of a community benefit agreement and in any processes involving the distribution of community benefit funds.

Two interviewees mentioned the North Coast Offshore Wind Community Benefits Network as an example of principles one community had defined for community benefit agreements.

¹⁶ Oregon Department of Land Conservation and Development. (2023). Goal 19: Ocean Resources. Accessed at <https://www.oregon.gov/lcd/OP/Pages/Goal-19.aspx#>.

An Example of Community Benefit Agreement Principles

The following are community benefit agreement principles from the North Coast Offshore Wind Community Benefits Network.

The Redwood Region Climate and Community Resilience Hub convened stakeholders to define principles around community benefit agreements.¹⁷ Some of those principles include the following:

- Establish 50/50 revenue sharing between federal government and community managed funds.
- Focus on quality careers, natural resource protections, reliable transportation systems, local electrification, childcare, and housing.
- Ensure meaningful outreach and engagement with environmental justice communities and Native American communications.
- Stipulate a labor agreement.
- Provide strong environmental protections and monitoring.

3.4. There are a wide range of community benefits important to people and consistency in the kinds of community benefits people prioritized

The kinds of community benefits interviewees felt were important are described in table 1. This table is not exhaustive, but reflects some initial thoughts from the sample of people we interviewed. Interviewees also shared some resources that could help identify community needs, including the following:

- Community Social Vulnerability Indicators for the California Current¹⁸
- Social Indicators for Coastal Communities¹⁹
- Community Health Improvement Plans (e.g., Curry County’s plan²⁰)
- Cultural resource plans and priorities
- A Regional Vision of a Sustainable Future for Oregon’s South Coast (SCDC, 2010).²¹

¹⁷ Redwood Region CORE. (2023).North Coast Offshore Wind Community Benefits Network. Accessed at https://redwoodcorehub.org/ova_dep/community-benefits-network/.

¹⁸ NOAA Fisheries. 2023. Community Social Vulnerability Indicators for the California Current. Accessed at <https://www.fisheries.noaa.gov/west-coast/socioeconomics/community-social-vulnerability-indicators-california-current>.

¹⁹ NOAA Fisheries. 2023. Social Indicators for Coastal Communities. Accessed at <https://www.fisheries.noaa.gov/national/socioeconomics/social-indicators-coastal-communities>.

²⁰ Allcare Health. 2023. Community Health Improvement Plans (CHIP). Accessed at <https://www.allcarehealth.com/medicaid/resources/collaborative-community-health-assessments/community-health-improvement-plans-chip>.

²¹ Sustainable Design Assessment Team. 2010. A Regional Vision of a Sustainable Future for Oregon’s South Coast. South Coast Development Council.

Table 1. Community Benefits Important to Interviewees

Frequency of mention	Type of community benefit
Many mentions	<p>Housing (e.g., workforce and affordable housing)</p> <p>Workforce training (e.g., certifications, apprenticeships, vocational development, retraining)</p>
Several mentions	<p>Creating a thriving and sustainable fishing economy (e.g., dockside fishing infrastructure, ensuring viability of current ocean users, secure jobs for workers not just boat owners)</p> <p>Strong schools</p> <p>An ongoing fund for mitigating unanticipated impacts, generally (e.g., a trust)</p> <p>Electric grid resilience and access to local electric generation</p> <p>Economic development (e.g., business-attracting infrastructure, exporting expertise and beneficial lessons from wind development)</p> <p>Disaster resilience (e.g., relocating key infrastructure out of flood zones, seismic resilience, fire resilience)</p>
One or a few mentions	<p>Low income, senior, and veteran services</p> <p>Healthcare and behavioral health</p> <p>Revenue sharing for local governments</p> <p>Protecting and enhancing cultural resources and cultural uses of coastal areas</p> <p>Local hiring and project labor agreements</p> <p>Planning for when wind construction ends (e.g., after thirty years)</p> <p>Visioning for the future of the entire coast</p> <p>Protecting and enhancing subsistence fishing and gathering activities in coast areas</p> <p>Eelgrass bed protection and restoration</p>
	<p>recreation and tourism Outdoor</p> <p>Water, wastewater, and road infrastructure</p>

Frequency of mention	Type of community benefit
	Libraries A vibrant science economy and community Brownfields cleanup Childcare Downtown revitalization Protecting viewsheds Habitat for birds and whales

3.5. Focus the community benefit conversation on people most impacted by offshore wind development and economic insecurity

BOEM’s expectation, according to interviewees, is that wind developers demonstrate a “direct impact” between offshore wind development and their community benefit investments. Interviewees also tended to emphasize the importance of investing any community benefit dollars in benefits that increase community resilience and economic opportunity and benefits that help the most impacted communities, including the following:

- Current ocean users (e.g., fishing groups and the seafood community)
- Tribes
- People with low incomes
- Veterans
- Working families

3.6. There are some ongoing efforts a community benefit conversation could build from and support

We asked interviewees where there were past or current efforts to articulate important community needs and a vision for vital coastal communities. Some of the efforts mentioned included both positive and negative lessons learned. The Jordan Cove Community Enhancement Plan was mentioned most often. The effort articulated important community benefits and identified a way to keep revenue local. However, several interviewees also mentioned their concern that the draft plan excluded important parts of the community. Oregon State University’s Pacific Wave development process was also brought up a number of times as an example where different parties felt included and led to productive outcomes. The following is a list of all the efforts interviewees mentioned as sources of information for community needs, vision, or other potential building blocks of a future community benefit agreement:

- Jordan Cove Community Enhancement Plan²²
- Housing action team’s work on affordable housing²³
- Pacific Wave development’s collaborative process²⁴
- Reedsport wave energy conversation²⁵
- Oregon Coast Community Action’s efforts to coordinate human services²⁶
- Oregon Coast Energy Alliance Network’s organizing efforts²⁷
- Blue Green Alliance’s organizing efforts²⁸
- Oregon State Building and Construction Trade Council’s work²⁹
- The Port of Coos Bay container port³⁰
- Oregon Coast Music Festival and the community building benefits of several arts efforts³¹
- South Coast Economic Development Council and the 2011 Regional Vision of a Sustainable Future for Oregon’s South Coast (SDAT) effort³²
- Curry County Strategic Plan
- Gold Beach Main Streets plan³³
- Coos Bay Estuary Plan
- Schatz Energy Research Center’s organizing work in northern California³⁴
- Oregon’s Territorial Sea Plan development³⁵

3.7. There are lessons learned from other places that could inform an Oregon approach

Floating wind energy development exists offshore of Scotland and Portugal and is being actively considered in places like California and Maine. We interviewed state officials of Maine and

²² The Bandon Western World. (2014). Community Enhancement Plan. Accessed at https://theworldlink.com/community-enhancement-plan/pdf_a50e8664-7fac-11e3-a12e-001a4bcf887a.html.

²³ Meadows, G. (2021). The Housing Action Team in Coos Bay is helping to combat the housing shortage. KCBY.com. Accessed at <https://kcbby.com/news/local/housing-action-team-in-coos-bay-is-helping-to-combat-the-housing-shortage>.

²⁴ Oregon State University. (2023). Pacific Marine Energy Center. Accessed at <https://pmec.oregonstate.edu/>.

²⁵ Oregon Solutions (2006). “Reedsport Wave Energy.” Accessed at <https://orsolutions.org/osproject/reedsport-wave-energy>.

²⁶ Oregon Coast Community Action. (2023). Home page. Accessed at <https://www.orcca.us/>.

²⁷ Oregon Coast Energy Alliance Network. (2023). Home page. Accessed at <https://www.oregonenergyalliance.org/>.

²⁸ Blue Green Alliance. (2023). Home page. Accessed at <https://www.bluegreenalliance.org/>.

²⁹ Oregon State Building and Construction Trades Council. (2023). Home page. Accessed at <https://www.oregonbuildingtrades.com/>.

³⁰ Hernandez, R. (2022). What a container shipping facility would mean for Coos Bay. Oregon Public Broadcasting. Accessed at <https://www.opb.org/article/2022/09/14/what-a-container-shipping-facility-would-mean-for-coos-bay/>.

³¹ Oregon Coast Music Association. (2023). Home page. Accessed at <https://www.oregoncoastmusic.org/>.

³² South Coast Development Council. (2023). Home page. Accessed at <https://www.scdcinc.org/>.

³³ Gold Beach Main Street. (2023). Home page. Accessed at <https://www.goldbeachmainstreet.org/>.

³⁴ Schatz Energy Research Center. (2023). Home page. Accessed at <https://schatzcenter.org/>.

³⁵ Oregon Department of Land Conservation and Development. (2023). Territorial Sea Plan. Accessed at <https://www.oregon.gov/lcd/OCMP/Pages/Territorial-Sea-Plan.aspx>.

California. Some of the lessons those states are learning could inform Oregon’s approaches (see table 2 for highlights of the interviews).

California and Maine are taking different approaches to development. BOEM has issued commercial leases for two to five gigawatts in two California call areas,³⁶ and Maine is proposing a small-scale research array for up to 144 megawatts.³⁷ Based on our interviews, not all stakeholders are happy with the California and Maine processes or outcomes. For example, several interviewees mentioned the community benefit framework negotiated between a wind developer and fishermen in Morro Bay California as an example of a positive negotiation, but that wind developer did not win the lease auction for Morro Bay.

Table 2. Insights for Oregon from FOSW Experience in Maine and California

Insight for Oregon	Examples from Maine and California
<p>Strong, sustained leadership from a state’s agencies, legislature, and governor are helpful</p>	<p>A commissioner from the California Energy Commission helped organize state agency roles,³⁸ and state bill AB 525³⁹ required the California Energy Commission to create a strategic plan for offshore wind energy development. These two actions provided clearer goals and roles.</p> <p>Maine’s Governor Mills launched an offshore wind energy initiative in 2019 housed out of the Governor’s Office of Energy.⁴⁰ The collaborative effort developed an Offshore Wind Roadmap⁴¹ that set strategies around economic growth and resiliency, climate change, innovation, fishing and coastal communities, and environment.</p>

³⁶ California Energy Commission. (2022). Offshore Wind Energy Development off the California Coast. CEC-800-2022-001-REV. Accessed at <https://www.energy.ca.gov/filebrowser/download/4361>.

³⁷ An Act to Allow Municipalities to Prohibit or Restrict Short-term Rentals, S.P. 142, 130th Legislature, Section 2. Accessed at <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=SP0142&item=3&snum=130>

³⁸ Various California state agencies. (2022, February 10). BOEM-2021-0085 – Request for Comments on Outer Continental Shelf Offshore Humboldt, California Wind Energy Area, Draft Environmental Assessment. State of California. Accessed at https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CA_Comments_DraftHumboldtEA.pdf.

³⁹ Energy: Offshore wind generation, A.B. 525, 2021-2022 Session. Accessed at https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB525.

⁴⁰ Governor’s Energy Office. (2023). Offshore Wind. Accessed at <https://www.maine.gov/energy/initiatives/offshorewind>.

⁴¹ Governor’s Energy Office. (2023). Maine’s Offshore Wind Roadmap. Accessed at <https://www.maine.gov/energy/initiatives/offshorewind/roadmap>.

Insight for Oregon	Examples from Maine and California
The state Consistency Review for a BOEM action under the Coastal Zone Management Act is a strong nexus for Oregon to shape floating offshore wind energy development	California conducted a consistency review for the wind energy areas before the lease auction. ⁴² The consistency review made it clear to energy developers the requirements California would apply to energy development, including engagement with environmental justice and local communities, Tribes, fishing groups, and seafood processors.
States can engage with non-governmental interests differently than BOEM can	Both California and Maine state agencies have invested a lot of their own time forming relationships with fishing groups, Tribes, and coastal communities. Maine had a more formal state-led structure for engagement with groups of stakeholders, California's state-stakeholder engagement was more informal and in 1:1 settings according to interviewees. Engagement does not always change positions, but public comments from the Maine Lobstermen's Association acknowledged the extensive outreach conducted by the State of Maine. ⁴³
States and public comment influence what BOEM does	<p>The State of California (and California's congressional delegation) played important roles in identifying where call areas were and negotiating with the Department of Defense on those call areas.</p> <p>Public comment in California adjusted the bid credit categories from 20 percent for workforce and supply chain and 2.5 percent for lease area impacts to 20 percent for workforce and supply chain, 5 percent for lease area impacts, and a new category at 5 percent for general impacts.⁴⁴</p>
Multi-state cooperation is of interest	Interviewees from California agencies are interested in coordinating with counterparts in Oregon agencies to support consistency for fishing groups, seafood processors, energy developers, and others.

⁴² California Coastal Commission. (2022, July 1). Consistency Determination CD-0004-22. Accessed at https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/CD-0004-22_ConcurrenceLetter.pdf.

⁴³ McCarron, P. (2022, October 6). Maine Lobstermen's Association. Accessed at <https://www.regulations.gov/comment/BOEM-2022-0041-0021>.

⁴⁴ Bureau of Ocean Energy Management. (2022, May 30). *Proposed Sale: Pacific Wind Lease Sale 1 for Commercial Leasing for Wind Power on the Outer Continental Shelf in California Comments*. Accessed at <https://www.regulations.gov/document/BOEM-2022-0017-0001/comment>.

Insight for Oregon	Examples from Maine and California
	Maine is participating with NH, MA, RI, CT, NY, NJ, MD, and VA to create a regional fisheries compensation fund to be funded by energy development to have resources for unforeseen impacts of Atlantic wind energy over time. ⁴⁵

4.0 Process Insights and Recommendations

Oregon Consensus’s assessment has revealed that the timing is not yet ripe for a collaborative process to delineate community benefits from offshore wind energy development. We do not recommend a collaborative process on this topic at this time. Especially for Tribes, fishing groups, and seafood processors, the community benefit conversation cannot be disconnected from their efforts to restart the process to locate call areas. These stakeholders regularly mentioned in our interviews that they have a range of broader, unanswered, and significant questions about the potential impacts of offshore wind. These outstanding questions would make it difficult to collaborate solely on addressing community benefits, and would require providing these stakeholders and others with more detailed information to address their other concerns.

For collaboration to be successful, impacted parties need to be interested in and ready for collaboration so they can jointly define what success would look like. Although, several key stakeholders are not ready for collaboration in this case, almost all interviewees said that *if* there was collaboration on community benefit agreements, they would want to make sure their views were represented. Interests that interviewees held in common include

- creating a shared understanding of what community agreements can be, and how to connect those to a vision of thriving coastal communities;
- identifying community needs that require attention and a joint commitment to satisfy that list in priority order;
- creating the criteria and a framework for making tradeoffs as different community benefits are prioritized;
- identifying the necessary budget and timing needed to achieve community benefit goals; and
- crafting a strategy so resources are available to address needs over time (i.e., after the construction push for offshore wind).

As a follow up to our conclusions that the issue of offshore wind community benefits is not ripe for collaboration in Oregon, we offer the following recommendations for laying the groundwork for any future collaboration on the issue.

⁴⁵ *Fisheries Mitigation Project*. Special Initiative on Offshore Wind. (2023, January 18). Accessed at <https://offshorewindpower.org/fisheries-mitigation-project>.

4.1. Address other process gaps

Beyond community benefits, many interviewees stressed their interest in processes to better engage community and local voices in the discussion around offshore wind in general. Some of those broader process gaps, beyond talking about community benefit agreements, include the need for

- federal and state government to consult more robustly with Tribes;
- basic education about offshore wind impacts and benefits, and where in the process the public's voice can influence decisions;
- a venue for the public to ask questions and get those questions answered—whether that requires additional research or just access to existing information;
- more robust analysis of possible cumulative impacts and benefits of offshore wind; and
- clarity about the State of Oregon's expectations and goals relative to offshore wind development (e.g., federal consistency reviews, power planning and procurement, and various regulatory requirements for energy development and transmission).

4.2. Make any negotiation on community benefits transparent, inclusive, and community-wide

Potential community benefit investments are important, but not sufficient to meet all of the needs of coastal communities related to housing, workforce development, infrastructure improvements, schools, and more. For example, the California floating offshore wind energy auctions generated \$117 million in community benefit agreements,⁴⁶ but this revenue is likely not enough to address all the identified community needs. Any negotiation on community benefit agreements would need a transparent and inclusive way to apply community benefit investments to important needs fairly and effectively. Several interviewees pointed to the Jordan Cove Community Enhancement Plan as an example in which decisions about allocating investments were not inclusive and, as a result, several groups were dissatisfied with how the funds were split.

4.3. Consider general principles important for any community benefit agreement

Some of the broader principles that came up during interviews and in our review of lessons from community benefit agreements in other states and other sectors include:

- create an expectation in state and local policy that major development can, and should, include community benefit agreements;
- require community engagement, so the public knows where there will be opportunities to shape a community benefit agreement;
- have a clear statement of community impacts (both negative and positive) from energy development to work from;
- have a way to ensure community benefit agreements are enforceable;

⁴⁶ US Department of Interior. (2022). Biden-Harris Administration Announces Winners of California Offshore Wind Energy Auction. Accessed at <https://doi.gov/pressreleases/biden-harris-administration-announces-winners-california-offshore-wind-energy-auction>.

- push to have community benefit investments reach a community as soon as possible; and
- recognize that some impacts may not be felt for some time, and there is a need to reserve some portion of community benefit investments for needs that emerge later on.

In local government development contexts, other jurisdictions have developed template community benefit agreements. Those templates simplify the negotiation between communities and developers. In addition to community benefit agreements negotiated directly between developers and a community, some interviewees mentioned that other states are including community benefit provisions in state power procurement contracts.

4.4. Take these helpful steps when people are ready to collaborate

Interviewees mentioned several elements that would contribute to successful collaboration on community benefit agreements. When it is time to collaborate, consider these steps:

- Foster a shared understanding of and vision for what Oregon coastal communities need to thrive. This shared vision will help address other community needs as well.
- Clearly define the scope of a community benefits collaboration in the context of other decisions that need to be made about offshore wind.
- Use a trusted individual or individuals who can operate in a neutral manner to bring the group together and help them focus on community needs as a whole. (Oregon Consensus refers to this type of group leader as a “convener.”)
- ensure inclusive participation. Interviewees recognized the broad range of interests important to a community benefit conversation, and especially identified working families and people with low incomes as voices that are sometimes missing from community benefit conversations.
- Start with a wide range of possible community benefits that could be linked to offshore wind investments, and prioritize those benefits collaboratively.

5.0 Conclusion

The challenge of expanding Oregon’s renewable energy capacity, strengthening the economic resilience of coastal communities, and sustaining an environment and fisheries for future generations is significant. That level of potential change requires effective collaborative processes in which leaders and community members can ask important questions, hold difficult conversations, and make tough decisions. Oregon Consensus is not recommending moving forward on a collaborative conversation to form community benefit agreements at this time. But we did hear consistent views on what coastal communities envision for community benefit investments, and we did hear ideas for how future collaboration could support difficult conversations and decisions that need to occur. The assessment offers a timely snapshot of the status of this issue in the state and beyond. It can be a useful tool for Oregon decision-makers, coastal communities, and Oregonians as a whole, and can lend insight into these issues for other states that, like Oregon, are in the early stages of tackling issues around offshore wind energy.

Appendix A: Assessment Interviewee List

The following list represents only entities or individuals interviewed as part of the Oregon Consensus assessment. It is not intended to represent or imply that those named would be the specific invitees or participants in any future collaborative. Further, several entities or individuals with relevant knowledge and interests tied to community benefits from offshore wind were not interviewed as part of this assessment due to time and budget constraints, and their involvement and input should be considered with respect to any next steps.

Tribal Council; **Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians**
Andy Lanier, **Department of Land Conservation and Development**
Karin Power, Becca Uherbelau, and Amelia Porterfield; **Office of Oregon Governor Tina Kotek**
Caren Braby; **Oregon Department of Fish and Wildlife**
Chris Cummings and Colin Sears; **Business Oregon**
Lori Steele; **West Coast Seafood Processors Association**
Susan Chambers; **West Coast Seafood Processors Association**
Kyle Stevens; **Southern Oregon Workforce Investment Board**
Patti Scott and NAME; **Southwest Oregon Community College**
Shannon Souza; **Oregon Coast Energy Alliance Network (OCEAN)**
Joe Benetti and Rodger Craddock; **City of Coos Bay**
Nick Edwards; **Fisherman**
Brent Bischoff; **Coos Curry Electric Co-Op**
John Burns; **Port of Coos Bay**
Travis Webster, Ken Range, Sharon Hartung, and Richard Heap; **Port of Brookings Harbor**
Bob Westerman; **Oregon Electrical Workers Local 932 (Newport)**
Ranfis Villatoro; **Blue Green Alliance**
Heather Mann; **Midwater Trawlers Cooperative**
Tim Novotny; **Oregon Dungeness Crab Commission**
Bryson Robertson; **Oregon State University Pacific Marine Energy Center**
Diane Brandt; **Renewable Northwest**
Ashley Audycki and Allesandra de la Torre; **Rogue Climate**
Charlie Plybon; **Surfrider Foundation**
Kate Huckelbridge, **California Coastal Commission**
Stephanie Watson and Gwyneth Roberts, **Maine Governor's Energy Office**
Varner Seaman, **Odd Jobs, LLC**

Appendix B: Interview Questions

Interviewer: These are some things we hope to talk about. We don't have to go through all of these or go through them in order. We can have a conversation, and you can guide us where you want to go. [Introduce the concept of the BOEM lease, the decision process, what bid credits are, and what the scope of the bid credit conversation is.]

ISSUES AND VISION OF SUCCESS

1. Tell me a little bit about yourself and your connection to the South Coast/Coast.
 - a. What about the coast's history and past is important to you before we talk about its present and future?
 - b. What else about why the South Coast/Coast is important to you?
2. What are some of the most important community benefits, in your opinion, that could be addressed through a collaborative effort?

Lease area community benefits	General community benefits

- a. Are there issues or topics that *should not be addressed* through a collaborative process ?
3. What are the challenges or barriers to addressing these topics? Do you have any suggestions for how they might be overcome? Are there any approaches or ideas that are non-starters for you?
4. What does success look like/what do you hope for, from your perspective? What happens if the status quo continues?

RELATIONSHIPS

5. Who is needed to achieve this success or could stop it from going forward? (Are there historically underrepresented or over-represented communities that may be interested/affected by the issue or its resolution?)
6. Are there similar collaborative efforts or organizations in place locally that this effort could build from, enhance, or engage with?
7. How would you describe the level of trust and/or strong social connections to be mindful of?

PROCESS, RESOURCES, AND INFORMATION

8. Are there lessons learned (positive or negative) from past efforts (on the coast or elsewhere) that should be applied to this process?

- a. *Follow-on if time:* What would be important components/qualities for a collaborative process? (E.g., scope, goals/outcomes, facilitation, participation, sideboards, timelines, ground rules, etc.)
9. Are there information, data, or other technical resource needs (sources of data and resources) that you think should be addressed, utilized and considered as part of informing any effort to define bid credit/community benefit agreements? Are there data gaps that would need to be addressed?

CLOSING

10. Is there anyone else you think we should interview and why?
11. Do you have any questions for us? Is there anything we didn't ask that we should be asking?
12. What documents/websites/other background info would be good for us to review to learn more about important community benefits for the coast?

Appendix C: Summary of Comments on Draft Assessment

Oregon Consensus requested feedback on a draft of the Offshore Wind Community Benefit Assessment. The draft assessment report was initially presented to interviewees and other stakeholders at virtual meetings on April 28 and May 1, 2023. Feedback was open to all attendees, and additional written comments were received from Kalmiopsis Audubon Society.

Table C: Summary of Comments and How Comments Were Addressed

Commenter	Comment Theme	Oregon Consensus Response
Blue Green Alliance	I wish the assessment had been scoped from the beginning to consider more of the early process needs around offshore wind, not just community benefit agreements	Added a note in the methods section on scope limitations
Midcoast Trawlers	The reasons for Tribes and fishermen not being ready to participate in a collaborative conversation right now may be different	Did a global change not to frame those interests as identical
West Coast Seafood Processors	“Fishermen” might not capture all of the interests in the seafood community. Suggest “seafood industry members” instead of “fishing groups”	Did global change to ensure fishermen, processors, and the broader seafood industry and community were acknowledged
West Coast Seafood Processors	Page 6, bullet #7: “Energy developers provide a Site Assessment Plan to BOEM and explore the feasibility of developing offshore wind.” Not sure this is entirely correct. The SAP is to provide a description of the proposed site assessment or technology testing activities that a developer plans to perform in a commercial lease area (prior to consideration of placing offshore wind turbines in the water. Additionally, the process list should include BOEM’s development of an environmental assessment (EA)	No change, the language included is consistent with language on the BOEM website

Commenter	Comment Theme	Oregon Consensus Response
	for a specific area, usually released immediately prior to or around the same time as the proposed sale notice.	
West Coast Seafood Processors	Regarding challenges to community benefit agreements (page 8), one bullet point notes a challenge: “Relying heavily on Bonneville Power Administration for electricity transmission;” It is not clear how this is a challenge. We assume it is considered a challenge because the BPA already provides inexpensive, reliable power through its hydropower network and thus would negate the need for offshore wind power and the “benefits” offshore wind is presumed to provide. If this is the case, BPA’s source of power is indeed a challenge because it could be argued that offshore wind’s community benefit agreements will be inadequate to make up for the existing community benefit of comparatively inexpensive power. This should be made clear.	Changed to “Relying heavily on Bonneville Power Administration for electricity transmission infrastructure, which was not designed to reliably serve a growing South Coast”—The challenge is more that the BPA transmission infrastructure doesn’t adequately serve the south coast.
West Coast Seafood Processors	Page 9: “One interview mentioned their interest in siting Call Areas in depths below 1,300 meters.” To more accurately capture the conversation, it should be one interviewee and that the Call Areas be sited beyond 1,300 meters.	Changed to “interviewee” and “beyond”
West Coast Seafood Processors	Page 10: “The large areas identified as ‘no-go’ areas in the current Call Areas pushes more	Changed to “concentrate” and added a sentence that the congressional-DoD interaction

Commenter	Comment Theme	Oregon Consensus Response
	<p>conflict with fisheries. Similar efforts in California involved conversations with Department of Defense and congressional delegates to identify a broader area for potential Call Areas.” First, we suggest saying, “the large areas identified as ‘no-go’ areas in the current Call Areas concentrate conflict with fisheries.”</p> <p>The discussions between congressmen and the Department of Defense expanded the Morro Bay area after the Department of Defense said the Diablo Canyon area was a “no go” area. Again, this was made without the input of the seafood industry, creating frustration that the call area size was increasing after the original areas were formally noticed.</p>	<p>process created some frustration.</p>
West Coast Seafood Processors	<p>Page 11: “Center what the community needs, not what wind developers are willing to offer.” This is a very good point, but I would suggest adding, “... not what wind developers, the state or federal agencies are willing to offer or accept on behalf of the seafood industry.” Developers may have an idea of what to offer, but BOEM and states may blatantly or not-so blatantly pressure communities and the seafood industry to accept terms they view as sufficient, when that may not be the case.</p>	<p>The main point here is centering what the community needs. These principles can change of course and are a reflection of themes we heard from several different kinds of stakeholders. We think it’s more true to the range of interviews to keep as is.</p>
West Coast Seafood Processors	<p>Page 11: “Any investments made through a community benefit agreement should</p>	<p>We understand the comment. People made investment choices based on past and</p>

Commenter	Comment Theme	Oregon Consensus Response
	<p>recognize that some needs require investment now, but some needs will not be apparent for decades (e.g., after 30 years and wind development construction has ended); ...”</p> <p>Consider rewording to: “Any investments made through a community benefit agreement should recognize a) the historic investments of existing businesses that will be displaced or have reduced access; b) that some needs require investment now; and c) that some needs will not be apparent for decades ... “ This will cover the investments and infrastructure that processors and other community businesses have built over decades of progress around ports, based on a history of development and change over time.</p>	<p>current ocean uses. This change shifts the focus on the principle from near and long-term future needs to recognition of the value of these past investments.</p> <p>This is something a collaborative effort could explore more. We didn’t change the report though.</p>
West Coast Seafood Processors	<p>Page 14: “Reedsport wave energy conversation; ...” Add as potential footnote: 1) https://orsolutions.org/osproject/reedsport-wave-energy; and/or 2) https://tethys.pnnl.gov/stories/reedsport-opt-wave-park-plans-terminated</p>	Added citation
Kalmiopsis Audubon Society	Include habitat for birds and whales as a community benefit	Added habitat for birds and whales to Table
Kalmiopsis Audubon Society	Be clear about what will occur as ‘mitigation’ to comply with federal and state statutes vs. what are ‘community benefits’ tied to other negative impacts of offshore wind	Added clarification
	Rather than one CBA to address	Included in Section 3.3

Commenter	Comment Theme	Oregon Consensus Response
	<p>all impacts, the Tribe believes that it is more appropriate to develop both a CBA and a Tribal benefit agreement to offset adverse effects that a Tribe is expected to experience. This agreement should be separate from a community benefit agreement, which often is designed to address a different set of impacts from those of a Tribe (unless the Tribe agrees to inclusion in a larger agreement).</p>	
CTCLUSI	<p>Moreover, any CBA (or TBA) developed must address impacts specifically identified through the National Environmental Act and National Historic Preservation Act process.</p>	<p>Included in Section 3.2</p>
CTCLUSI	<p>The Tribe is concerned that table 2 of the CBA Report does not address cultural resources or subsistence activities. This needs to be added. Specifically, the Tribe requests that the following points be added:</p> <ul style="list-style-type: none"> o "Protect and enhance cultural resources and cultural uses of coastal areas." o "Protect and enhance subsistence fishing and gathering activities in coast areas." 	<p>Added points to table and mentioned cultural resources in preamble to table</p>
CTCLUSI	<p>Lastly, the CBA Report should make it clear that the Tribe must be at any table discussing or developing a CBA and that the Tribe must have a voice in the distribution of any CBA funds.</p>	<p>Included in Section 3.3</p>