

Advocacy Comments on BOEM's Renewable Energy Modernization Rule

On January 30, 2023, the U.S. Department of the Interior's Bureau of Ocean Energy Management (BOEM) published a proposed rule titled "Renewable Energy Modernization." The proposed rule updates provisions related to leasing and development of offshore energy activities. On March 31, 2023, Advocacy filed a public comment letter on the proposed rule and asked BOEM to ensure that any updates to the leasing process consider the impacts to all ocean users and in particular small businesses.

- Advocacy commented that BOEM should produce a programmatic environmental impact statement for the proposed rule that includes a discussion of impacts to the environment as well as other ocean users. The assessment will ensure that BOEM is adequately considering the impacts to all ocean users including small businesses.
- BOEM should find ways to incorporate protections for all ocean users in the proposed rule. Advocacy suggested that BOEM incorporate and codify mitigation requirement efforts into this proposed rulemaking, either by incentivizing them through bid credits or some other mechanism to ensure that developers are properly engaging with other ocean users.
- Advocacy recommended that BOEM ensure that developers have adequate funds to decommission a structure when the structure is introduced into the ocean to ensure that there is no equipment left behind that may pose a safety hazard.

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