U.S. Department of Homeland Security
United States Coast Guard

United States Coast Guard
Commandant

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COMDTCHANGENOTE 16700.4
NVIC 02-23
27 MAR 2024

NAVIGATION AND VESSEL INSPECTION CIRCULAR NO. 02-23, CH-1

Subj: CHANGE 1 TO GUIDANCE ON THE COAST GUARD'S ROLES AND RESPONSIBILITIES FOR OFFSHORE RENEWABLE ENERGY INSTALLATIONS (OREI) ON THE OUTER CONTINENTAL SHELF (OCS), NVIC 02-23, COMDTPUB 16700.4

Ref: (a) Guidance on the Coast Guard's Roles and Responsibilities for Offshore Renewable Energy Installations (OREI) on the Outer Continental Shelf (OCS), NVIC 02-23, COMDTPUB 16700.4

1. PURPOSE. This Commandant Change Notice publishes CH-1 to reference (a).

2. ACTION. Stakeholders are requested to update their NVIC to reflect the approved changes and ensure constituents are aware of the changes.

3. DIRECTIVES AFFECTED. With the release of this Commandant Change Notice, reference (a) is updated.

4. DISCUSSION. This NVIC change provides clarification and expanded references to better inform stakeholders. The changes were requested from stakeholder feedback.

5. DISCLAIMER. Coast Guard Area, District, and Sector Commanders have the authority to address specific safety and security concerns within their respective AORs. Nothing in the changes is meant to override or subvert the discretion of Operational Commanders when addressing their unique safety and security concerns in relation to proposed OREIs within their AOR. While this NVIC may assist the Coast Guard, Federal, State, Tribal, and local governments, as well as members of industry, maritime stakeholders, and the public comprehend and apply statutory and regulatory requirements, it is not a substitute for applicable legal requirements, nor is it a regulation itself. This NVIC is not intended to, nor does it impose legally binding requirements on any party, including the Coast Guard.

6. MAJOR CHANGES.
   1. The section on Coast Guard authority in ref (a) was expanded to include the entirety of 46 United States Code §70003 (a).
   2. This change updates Enclosures (3), (4) and (5) to clarify desired information requested from offshore renewable energy stakeholders necessary to complete a Navigation Safety Risk Assessment (NSRA), when directed by BOEM.

3. This change reverts data requirements for NSRA to prior guidance standards, to be inclusive of ten years of Coast Guard case data.
4. This change provides flexibility for traffic survey edits if necessary due to project delays.
5. A new email address for OREI data requests is provided in Enclosure (3).
6. This change removes legacy language regarding sub surface OREI in Enclosure (3).
7. This change removes language regarding aviation marks in Enclosure (3).

7. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATION. The Office of Environmental Management, Commandant (CG-47) reviewed this NVIC, and the general policies contained within and determined that this policy falls under the Department of Homeland Security (DHS) categorical exclusion A3. This NVIC will not result in any substantial change to existing environmental conditions or violation of any applicable federal, state, or local laws relating to the protection of the environment. It is the responsibility of the action proponent to evaluate all future specific actions resulting from this policy for compliance with the National Environmental Policy Act (NEPA), other applicable environmental requirements, and the U.S. Coast Guard Environmental Planning Policy, COMDTINST 5090.1 (series).

8. DISTRIBUTION. No paper distribution will be made of this NVIC. An electronic version will be located at https://www.dco.uscg.mil/Our-Organization/NVIC/.

9. PROCEDURE. Reference (a) is superseded by Guidance on the Coast Guard's Roles and Responsibilities for Offshore Renewable Energy Installations (OREI) on the Outer Continental Shelf (OCS), NVIC 02-23, Change 1, COMDTPUB 16700.4

10. RECORDS MANAGEMENT CONSIDERATIONS. This NVIC has been thoroughly reviewed during the directives clearance process, and it has been determined there are no further records scheduling requirements, in accordance with Federal Records Act, 44 U.S. Code Chapter 31, NARA requirements, and Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This NVIC does not have any significant or substantial change to existing records management requirements.

11. FORMS/REPORTS. None.

12. REQUEST FOR CHANGES. All requests for changes and questions regarding implementation of this NVIC should be directed to contact Coast Guard Headquarters, Office of Navigation Systems, Navigation Standards Division (CG-NAV-2), using the contact information provided in the above letterhead.

W. R. Arguin
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Assistant Commandant for Prevention Policy