

## **Trump Withdraws All Federal Waters From Future Offshore Wind Leasing**



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In an executive order signed on the first day of his new term, President Donald Trump used the Offshore Continental Shelf Lands Act (OCSLA) to withdraw all federal waters from future offshore wind leasing. The ban does not apply to existing leases, but it prohibits any further auctions, ending the Biden administration's plans for new lease sales off southern Oregon and the <u>U.S. Gulf Coast</u>.

In the order, Trump said that his decision stemmed from a desire to keep energy costs for consumers low and maintain a robust fishing industry - factors that have driven criticism of the offshore wind industry on the East and West Coast.

In response, offshore wind proponents warned that a shutdown of wind leasing could endanger thousands of U.S. jobs, put at risk \$1.8 billion in Jones Act shipbuilding orders, and slow down a supply chain that brings economic benefitis to 40 states.

"Today's actions threaten to strand \$25 billion already flowing into new ports, vessels, and manufacturing centers, and curtail future investments across our country. We urge the administration to reverse this sweeping action and keep America working in offshore energy as part of its commitment to an "all-of-the-above" energy strategy," said Liz Burdock, head of the Oceantic Network (formerly Business Network for Offshore Wind).

Some offshore wind industry players expressed support for a temporary withdrawal. In a statement, the Offshore Marine Service Association (OMSA) said that the order is "a critical opportunity to reassess the industry's direction." The trade group said that it welcomed a chance to address

concerns about "over-reliance on foreign renewable energy companies, foreign vessels, and foreign mariners to build American offshore wind farms."

"We view this pause in offshore wind development as a critical moment to reset the industry's priorities," said Aaron Smith, President of OMSA. "By addressing these systemic issues, we have an opportunity to ensure that offshore wind is delivering on its promise by creating jobs for American mariners, supporting U.S. shipyards, and reinvesting in the American economy."

While the White House called the order a temporary measure, an OCSLA lease withdrawal may be reversible only by an act of Congress (or a Supreme Court decision). When Congress wrote OCSLA in 1953, it included text to give the president broad authority to withdraw areas from future leasing, but it did not include language to let the president take back a withdrawal. The United States District Court for the District of Alaska ruled in 2019 that Congress kept that authority for itself.

In a separate executive order, Trump ordered the revocation of former President Joe Biden's OCSLA withdrawal order for offshore oil and gas leasing on the West Coast and East Coast. He also <u>declared a national energy emergency</u>, directing the use of the U.S. Army Corps of Engineers' emergency port and waterway permitting <u>powers</u> to expedite energy projects, with particular attention to projects on the West Coast and in the Northeast.