



MMS Renewable Energy Program

California's Global Climate Warming Solutions Act Conference
Current Implementation Status and Future Plans

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Air & Waste Management Association
West Coast Section

"Status of the MMS Renewable Energy Program"

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Energy Policy Act of 2005 Amended OCS Lands Act

Authority to grant leases, easements,
and/or rights-of-way for a broad
spectrum of activities on the OCS

- Renewable energy

- e.g., wind, wave, ocean current

- Alternate use of existing facilities

- e.g., research and offshore support stations, recreation opportunities

MMS Authority

- Section 388 of the Energy Policy Act of 2005 gave the Secretary of the Interior the authority to grant a lease, easement or right-of way for activities on the Outer Continental Shelf that produce or support production, transportation, or transmission of energy from sources other than oil or gas
- EAct also called for the promulgation of any necessary regulations to carry out this new authority
- The Secretary delegated responsibility for OCS renewable energy activities, including the promulgation of regulations, to MMS

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Secretary Salazar's February 10 Announcement

- Secretary of the Interior Ken Salazar announced that the Department and MMS would take a comprehensive approach to development of offshore energy resources, both conventional and renewable
 - Issue a report on available data on OCS resources and identification of data gaps within 45 days
 - Hold four regional meetings with stakeholders following publication of the report

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Regulations and the February 10 Announcement

- Specifically on renewable energy, Secretary Salazar said,

"I intend to issue a final rulemaking for offshore renewables in the coming months, so that potential developers know the rules of the road."

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Status of the MMS Rulemaking

- ✓ Sent proposed rule to OMB (Mar 2008)
- ✓ Published proposed rule (July 2008)
- ✓ Held rule workshops (Aug 2008)
- ✓ Sent final rule to OMB (Nov 2008)
- Ready to move the rule forward (2009)

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Key DOI Direction

- February 10 Announcement and results:
 - Adopt a **comprehensive approach** to offshore energy development
 - Report on **data on offshore energy resources** within 45 days (available online)
 - Hold 4 **regional meetings**: Apr 6 (Atlantic City), Apr 8 (New Orleans), Apr 14 (Anchorage), Apr 16 (San Francisco) (received public comment)
- March 11 **Secretarial Order 3285** establishes Energy & Climate Change Taskforce to develop:
 - Strategies to **increase development and transmission**
 - **Best management practices** to ensure environmentally responsible development and delivery
- April 9 **DOI & FERC sign Memorandum of Understanding** covering jurisdiction for offshore OCS wave and current resources

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Program Development

- Programmatic EIS (Completed Nov. 2007)
 - Available online at www.ocsenergy.anl.gov
- Record of Decision (Issued Jan. 2008)
 - Establishment of [AEAU Program](#)
 - Adoption of [52 best management practices](#)
- Promulgation of regulations (coming soon)
- Cape Wind Energy Project
 - Final EIS published Jan. 2009
 - Record of Decision forthcoming
- MMS/FERC MOU signed



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Major Elements of RE Regulation*

Coordination

- State/Federal Task Forces
- Consultation with Federal/State/Tribal/ Local agencies and groups

Lease Issuance

- Competitive & Noncompetitive Leasing
- Commercial & Limited Leases

Lease Administration

- Bonding & Payments

Renewable Energy Plan Reviews

- Site Assessment
- Construction and Operations

Conduct of Approved Plan Activities

- Environmental and Safety Monitoring
- Inspections

Decommissioning



*Includes compliance with Federal statutory requirements (e.g., NEPA, CZMA, ESA, MMPA, CWA, CAA, etc.)

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On the Horizon

- Publish and Implement Rule
- Coordinating with stakeholders
 - Rule workshops
 - West Coast Governors' Agreement on Ocean Health
- Work with FERC on leasing and licensing
- Initiating FY 2009 RE environmental studies, identifying challenges and baseline needs
- Monitoring activities
- Inspecting facilities



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Questions?



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www.mms.gov/offshore/AlternativeEnergy/

www.ocsenergy.anl.gov

www.doi.gov/ocs