MMS Proposed Regulatory Process for Alternative Energy Development on the OCS

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Ocean Energy: Offshore Wind
DC Bar Environment, Energy and Natural Resources Section
Energy Committee
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The Minerals Management Service (MMS) may issue a lease, easement or right-of-way on the OCS for activities that, among other things:

- Produce or support production, transportation or transmission of energy from sources other than oil and gas;
- Use existing facilities on the OCS for energy-related purposes or for other marine-related purposes.

43 U.S.C. 1337(p)
The MMS is required to establish:
- Royalties
- Fees
- Rentals
- Bonuses
- Or other payments

To ensure a “fair return” to the United States for any lease, easement or right-of-way.
Examples of OCS Renewable Energy

- Wind Energy
- Wave Energy
- Ocean Current Energy
- Solar Energy
- Hydrogen
MMS Regulatory Timeline

~ MMS sought public input on a range of issues


End of 2008: Final Regulations (?)
Proposed Rules

◊ Leases:
  ~ Competitive vs. Noncompetitive
  ~ Limited vs. Commercial

◊ Plans:
  ~ Site Assessment Plan (SAP)
  ~ Construction & Operations Plan (COP)
  ~ General Activities Plan (GAP)
Proposed Rules (cont’d)

- Royalties & Fees
- Decommissioning
- Alternate Uses
- Environmental Review and Coordination