

Wind Energy Commercial Leasing Process

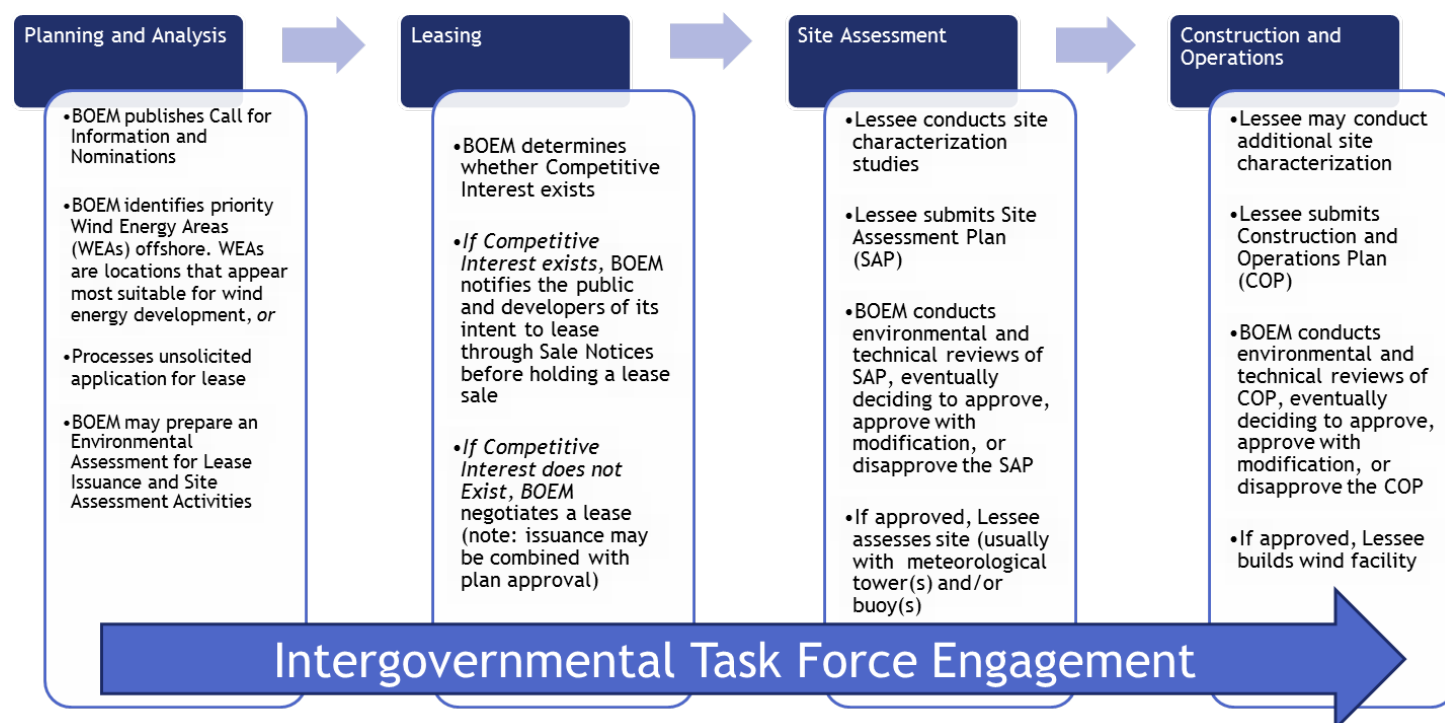
In 2009, Department of the Interior announced final regulations for the Outer Continental Shelf (OCS) Renewable Energy Program, which was authorized by the Energy Policy Act of 2005 (EPAAct). DOI's Bureau of Ocean Energy Management (BOEM) is responsible for implementing these regulations, which provide a framework for issuing leases, easements and rights-of-way for OCS activities that support production and transmission of renewable energy, including offshore wind, ocean wave energy, and ocean current energy.

Importance of Stakeholder Engagement

To help inform BOEM's planning and leasing process, BOEM has established Intergovernmental Renewable Energy Task Forces in states that have expressed interest in development of offshore renewable energy. The role of each Task Force is to collect and share relevant information that would be useful to BOEM during its decision-making process. To date, 14 BOEM Intergovernmental Task Forces have been established in California, Delaware, Florida, Hawaii, Maine, Maryland, Massachusetts, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, and Virginia. Task Force meetings have helped identify areas of significant promise for offshore development and provided early identification of, and steps toward resolving, potential conflicts.

The Process

BOEM's renewable energy program occurs in four distinct phases: (1) planning and analysis, (2) lease issuance, (3) site assessment, and (4) construction and operations. The figure below outlines BOEM's process for authorizing wind energy leases.



Planning and Analysis. The Planning and Analysis phase seeks to identify suitable areas for wind energy leasing consideration through collaborative, consultative, and analytical processes that engage stakeholders, tribes, and State and Federal government agencies. This is the phase when BOEM conducts environmental compliance reviews and consultations with Tribes, States, and natural resource agencies.

Leasing. The leasing phase results in the issuance of a commercial wind energy lease. Leases may be issued either through a competitive or noncompetitive process. A commercial lease gives the lessee the exclusive right to subsequently seek BOEM approval for the development of the leasehold. The lease does not grant the lessee the right to construct any facilities; rather, the lease grants the right to use the lease area to develop its plans, which must be approved by BOEM before the lessee can move on to the next stage of the process.

Site Assessment. The site assessment phase includes the submission of a Site Assessment Plan (SAP), which contains the lessee's detailed proposal for the construction of a meteorological tower and/or the installation of meteorological buoys on the leasehold. The lessee's SAP must be approved by BOEM before it conducts these "site assessment" activities on the leasehold. BOEM may approve, approve with modification, or disapprove a lessee's SAP. It is also during this phase that the lessee would conduct site characterization surveys and studies (e.g., avian, marine mammal, archeological).

Construction and Operations. The construction and operations phase consists of the submission of a Construction and Operations Plan (COP), which is a detailed plan for the construction and operation of a wind energy project on the lease. BOEM conducts environmental and technical reviews of the COP and decides whether to approve, approve with modification, or disapprove the COP. Prior to the end of the lease term, the developer must submit a plan to decommission facilities.

Need for Ongoing Research

The Renewable Energy Program is supported by a substantial investment in research and data collection. The areas that are appropriate for renewable energy development have likely never been studied for such development and, in some cases, there is information lacking about the physical and biological environment. BOEM engages the Task Forces, as well as a broad spectrum of agencies, universities and other stakeholders, to identify the critical data gaps and independently or through partnerships seeks to fund studies through its Environmental Studies Program. The need for continuing to pursue information to ensure access to the OCS for renewable energy development and to ensure that such development is environmentally appropriate is a high priority for BOEM.

For more information

Email us at renewableenergy@boem.gov or visit us at <http://www.boem.gov/Renewable-Energy>.

