

28th International Submerged Lands Management Conference
Webinar Series
Session: Emerging Policies and Plans for Offshore Energy Development
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Whether it's wind, wave or current the demands for offshore energy development from our nation's coasts is evermore increasing. While offshore renewable energy holds promise for a cleaner environment, economic development and a more secure energy future, federal and state agencies are beginning to establish policies and programs to guide sustainable development of offshore energy resources. This session will review progress by the state of Michigan in developing an offshore wind energy permitting program for the Great Lakes; the development of Rhode Island's Ocean Special Area Management Plan; and the new offshore renewable energy rules established by the U.S. Minerals Management Service.

“The Legal and Policy Issues Regarding Permitting Offshore Renewable Energy Projects”

Due to the effects of global climate change and volatile energy prices there is greater attention on renewable energy in the United States. Traditional sources, such as coal, oil, and natural gas, are finite, and political leaders are promoting “alternative” energy to achieve energy independence for the future of national economic stability and security. Of the various sources of renewable energy, hydroelectric generation, burning of crop fuels, and landfill gas have historically seen wide use and are often the most cost-effective renewable option, but their future growth potential is limited due to site or fuel availability constraints. Wind is a well proven technology but also one that continues to see technological improvement. Marine hydrokinetics (wave, current, and tidal) and ocean thermal energy conversion technologies are less developed, but a growing interest in expanded use of renewable energy is driving rapid technology development and manufacturing capacity growth of these technologies.

A comprehensive and efficient regulatory framework to permit marine renewable energy projects is crucial if these nascent technologies are to continue to be developed and deployed in the United States. While a national policy is not yet in place, Federal agencies, such as the Minerals Management Service, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, the National Oceanographic and Atmospheric Administration, and U.S. Coast Guard, have been addressing the issue with increasing attention. Meanwhile, some states are considering policies to support development of offshore renewable energy and have undertaken planning that is driven in large part by the desire to regulate these projects in an effective manner. Rhode Island, for example, is working closely with Federal agencies on its Ocean Special Area Management Plan.

This presentation will introduce ocean renewable energy technologies and review the current challenges for the siting, regulation, and implementation of these technologies in the United States with a focus on select state initiatives.

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Biographical Sketch:

Megan Higgins has been active in ocean and coastal policy and research in New England for the last eight years and is an expert in coastal zone law, public trust doctrine, public access, and environmental law, with particular emphasis on public property rights and alternative energy projects. As former Research Counsel for the Marine Affairs Institute and the Rhode Island Sea Grant Legal Program at Roger Williams University School of Law, Ms. Higgins contributed to the research, publication, and educational roles of the Program, including teaching and oversight of law student research and analysis. Ms. Higgins just transitioned from academia to the private sector where she will be a Project Manager of offshore renewable energy projects for Ecology & Environment, Inc., an international environmental consulting company.

“Update on the Michigan Great Lakes Wind Council”

Governor Jennifer Granholm appointed a 25-member council early this year to begin policy discussions on Michigan's vast offshore wind resources. In its report to the governor and the Department of Energy, Labor and Economic Growth, (due September 1, 2009) the council is making recommendations on how the state should identify the most and least favorable locations for offshore wind. It is also making recommendations on permitting criteria, legislative action required, how to engage the public and how the state should be compensated for access to its wind resources. This presentation will describe the impetus for the council, how it carried out its duties and some of the state's next steps related to offshore wind development. <http://www.michiganlowcouncil.org/index.html>

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Biographical Sketch:

Mike Klepinger conducts research on the efficacy of Citizen Planner, does outreach to improve the siting of wind energy facilities in Michigan, and is on the national waterfront Smart Growth team. Mike received both his Bachelor of Science and Master of Science degrees in K-12 and Adult Education at Michigan State University, and he has taught graduate courses at MSU in Urban Planning and Coastal Zone Management.

“U.S. Mineral Management Service's Rules for Renewable Energy on the Outer Continental Shelf”

<http://www.mms.gov/offshore/RenewableEnergy/RegulatoryInformation.htm>

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