

Renewable Energy Uses of the Outer Continental Shelf BOEM California Task Force Charter

Introduction

On April 22, 2009, President Barack Obama announced that the Bureau of Ocean Energy Management (BOEM) within the U.S. Department of the Interior had finalized the framework for overseeing renewable energy generation on the Outer Continental Shelf (OCS). (See 30 C.F.R. Part 585.) The framework established a BOEM program to issue leases, easements, and rights-of-way for orderly, safe, and environmentally responsible renewable energy development activities, such as the siting and construction of wind energy facilities on the OCS.

This charter establishes the BOEM California Intergovernmental Renewable Energy Task Force ("BOEM California Task Force") to provide a forum for: (1) educating members about the renewable energy program, processes and requirements; (2) exchanging data and information; (3) discussing issues of concern; and (4) assisting the federal government decision-making within the umbrella of the established BOEM regulatory framework regarding renewable energy leasing and development on the OCS off the coast of California.

Authority

Subsection 8(p)(7) of the OCS Lands Act, as amended by the Energy Policy Act of 2005 (EPAct), directs the Department of the Interior (DOI) through BOEM to *provide for coordination and consultation with the Governor of any state or the executive of any local government that may be affected by a lease, easement, or right-of-way* authorized under the Act. BOEM is establishing the BOEM California Task Force to help fulfill this obligation in its consideration of renewable energy activities on the OCS offshore California.

This charter does not expand or alter the scope of the BOEM California Task Force members' respective authorities, and shall not be construed to create any legal obligation on the part of any BOEM California Task Force member or any private right or cause of action for or by any person or entity.

Purpose

The BOEM Director chartered this BOEM California Task Force to facilitate education, coordination and consultation on leasing and permitting for, as well as the monitoring and evaluation of, renewable energy activities on the OCS offshore California. This Task Force is not chartered under the Federal Advisory Committee Act and thus is wholly intergovernmental with regard to membership. BOEM will afford the public with the opportunity to attend meetings and participate in a question and answer session at the close of each Task Force meeting.

Renewable Energy Uses of the Outer Continental Shelf BOEM California Task Force Charter

Numerous local, state, and federal governmental agencies and tribal governments have roles in overseeing and/or could be affected by OCS renewable energy proposals. To the extent practicable, the BOEM California Task Force will coordinate and consult on how BOEM may ensure the most efficient, effective, and coordinated assessments within established procedures regarding proposed projects. Task Force efforts will assist BOEM in broadening the energy resource portfolio for the Nation, consistent with individual agency and government mandates, and statutory and jurisdictional authority.

While BOEM will consider all BOEM California Task Force member discussions/ideas, the BOEM California Task Force is neither a decision-making nor an approval body nor acting on behalf of a decision-making or approval body. The Secretary of the Interior remains the ultimate decision-maker with regard to renewable energy leasing on the OCS.

Immediate Charge – Action Items and Issues to be addressed in the short term and discussed at the inaugural meeting of the BOEM California Task Force meeting include, but are not limited to:

- Review and adopt the BOEM California Task Force charter;
- Identify additional federal, tribal, and/or state/local government representatives/points of contact, as appropriate, to serve as participants on the Task Force;
- Adopt operating and communication procedures for the BOEM California Task Force;
- Explain the BOEM process for overseeing OCS renewable energy projects. This discussion should include the critical steps in the process, for example, the submission of a lease request for an area of interest as the first step, and identify opportunities for input from state, federal, and local agencies, tribal governments, and the public. The discussion should include federal agency MOUs and Guidelines developed for OCS renewable energy development, as applicable;
- Discuss the role of other federal laws in OCS renewable energy development; and
- Identify additional topics to be addressed by the BOEM California Task Force.

Subsequent Activities – Topics to be considered by the BOEM California Task Force in future meetings may include the following:

- Development of materials or guidance documents deemed necessary and appropriate for Task Force members to better understand the leasing and permitting processes and their respective roles and responsibilities;
- Identification and mapping of regions within the OCS that provide the greatest potential for energy development with the least potential for conflicts with resource protection, military uses, tribal interests, and other uses.
- Identification of a process for coordination by federal, state and local agencies in review of proposed projects, including sharing of data and information; outreach to stakeholders and interested parties, and ways to resolve regulatory uncertainties that may become issues of concern;

Renewable Energy Uses of the Outer Continental Shelf BOEM California Task Force Charter

- Facilitation of intergovernmental coordination on specific subject areas within the scope of proposed project review,
- Potential development of a federal-state permitting guidebook for project reviews; Coordination and collaboration on information-gathering efforts to help inform Task Force members;
- Review of studies on, and discussion of the potential effects of, OCS renewable energy development on the biological and physical environment, emphasizing those applicable to California;
- Identification of data/information gaps regarding resources and/or the effects of renewable energy development that require further study; and
- Discussion of protocols for siting and monitoring of renewable energy projects offshore California.

Membership and Communication

Members of the BOEM California Task Force include federal agencies, federally-recognized tribal governments, and California state and local agencies that have a role in permitting, reviewing, and/or regulating resources or activities that could be affected by or have an effect on renewable energy development on the OCS. BOEM recognizes that the participants in the Task Force may change over time as the status of projects progress or different projects are proposed. Therefore, the membership will be dynamic. BOEM will also work with tribal and federal agencies through primary points-of-contact. These primary points of contact will be responsible for rallying participation from all possible participating functional units within their respective organizations and cultivating open exchange of information throughout the process.

BOEM will use email to communicate meeting dates, times, and locations and distribute meeting materials to the Task Force membership through primary points-of-contact. In-person meetings will be arranged on an as-needed basis, such as when critical milestones are imminent in the BOEM leasing process (e.g., prior to the publication of public notices and announcements). BOEM may also arrange for Task Force meetings to be held via conference call or web-meeting software (e.g., WebEx). All non-proprietary information or materials from BOEM California Task Force meetings will be made available by BOEM on the BOEM web site.

**Renewable Energy Uses of the Outer Continental Shelf
BOEM California Task Force Charter**

Task Force Contact Information:

State of California:

Commissioner
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Bureau of Ocean Energy Management:

Regional Director
Pacific OCS Region
Bureau of Ocean Energy Management
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010