

BOEM REGULATIONS FOR ISSUING RIGHT-OF-WAY GRANTS ON THE OCS

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STAUTORY AND REGULATORY FRAMEWORK

- **Energy Policy Act of 2005:** Gave the Secretary of the Interior the authority to regulate the production, transportation, or transmission of energy from sources other than oil and gas on the OCS (3-200 nm) – “Renewable Energy”
- **Code of Federal Regulations, 30 CFR, Part 585:** BOEM OCS Renewable Energy Regulations

WHAT IS A ROW GRANT?

- A ROW is an authorization issued by BOEM for the construction and use of a cable or pipeline for the purpose of gathering, transmitting, distributing, or otherwise transporting electricity or other energy product generated or produced from renewable energy.

WHAT DOES A ROW INCLUDE?

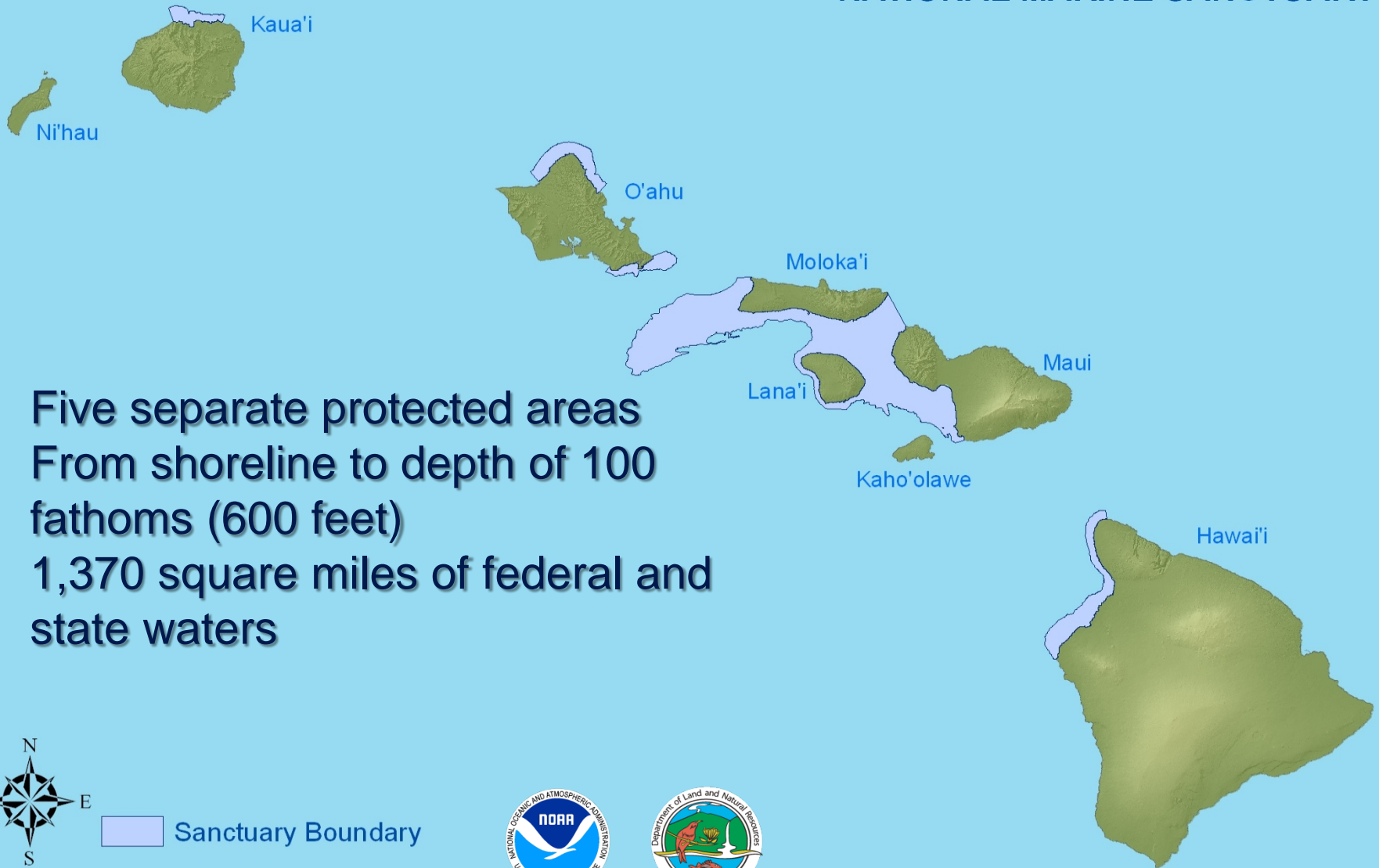
- Includes the full length of the OCS corridor on which a cable, pipeline, or associated facility is located.
- Is 200 feet in width, centered on the cable or pipeline, unless safety and environmental factors during construction and maintenance of the associated cable or pipeline require a greater width.

WHERE DOES BOEM HAVE AUTHORITY TO ISSUE A ROW?

- On Federal submerged lands (OCS) located 3-200 nm offshore the coastal states
- BOEM is not authorized to issue ROW's within any unit of the National Park System, National Wildlife System, National Marine Sanctuary System or National Monument.

Hawaiian Islands Humpback Whale

NATIONAL MARINE SANCTUARY



- Five separate protected areas
- From shoreline to depth of 100 fathoms (600 feet)
- 1,370 square miles of federal and state waters



 Sanctuary Boundary

0 50 100 Kilometers

0 50 100 Miles



ROW REQUESTS

30 CFR 585.305

- A Request for a ROW must include the following information:
 1. The area you are requesting for a ROW
 2. A general description of your objectives and facilities that you would use
 3. A general schedule of proposed activities
 4. Pertinent data and information concerning environmental conditions in the area.

GENERAL ACTIVITIES PLAN

- Applicants must submit a GAP describing their proposed construction activities and conceptual decommissioning plans for all planned facilities.
- The plan must demonstrate the proposed activities:
 1. Conform with all applicable laws, regulations, grant provisions;
 2. Is safe;
 3. Does not unreasonably interfere with other uses;
 4. Uses best available and safest technology;
 5. Uses best management practices; and
 6. Uses properly trained personnel.

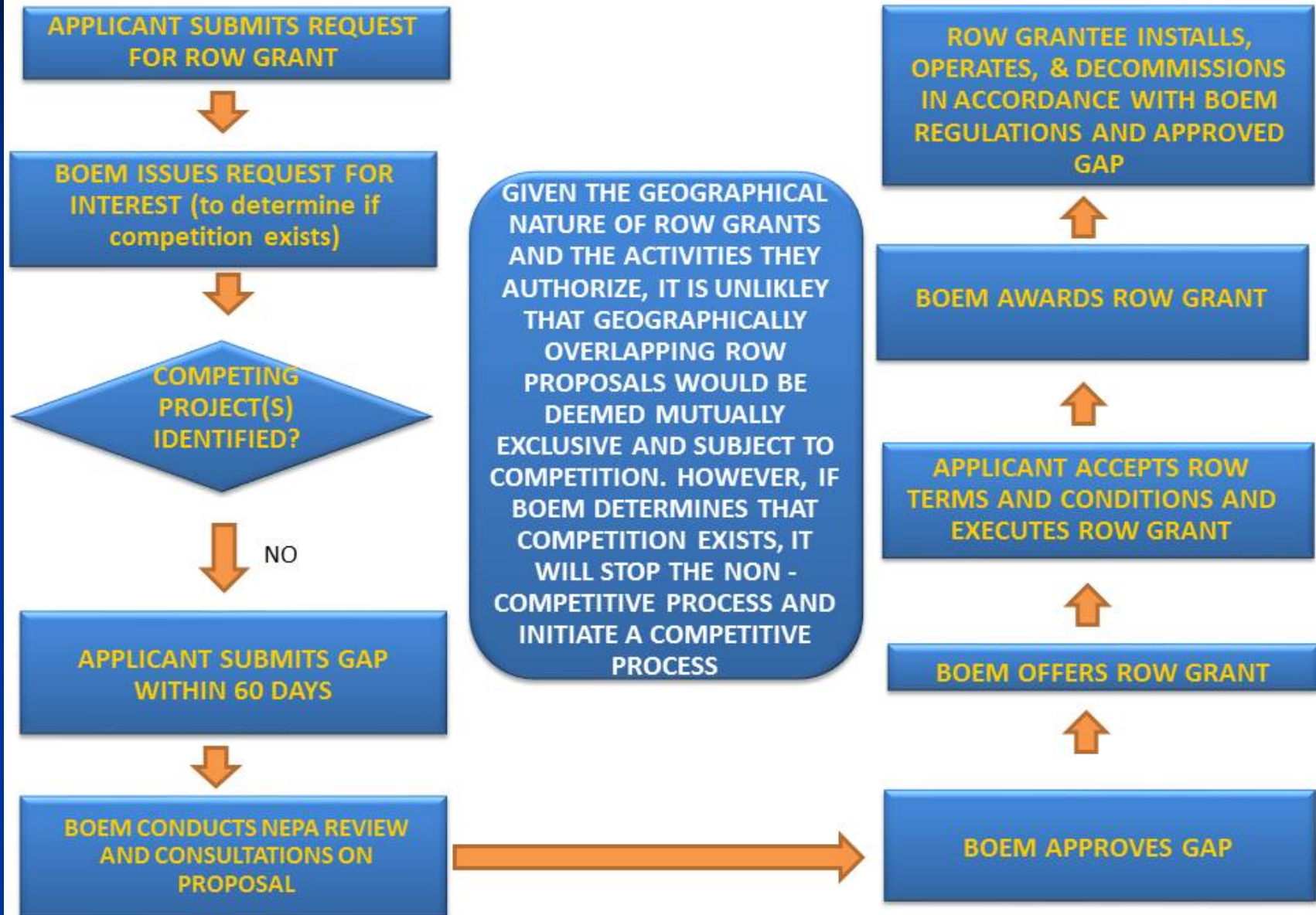
WHAT IS INCLUDED IN A GAP?

- Survey results (geotechnical, biological, cultural etc.)
- Project related information including:
 1. Site assessment or technology testing concept
 2. Designation of operator
 3. Location plat
 4. General structural design, fabrication, and installation info.
 5. Deployment activities
 6. Solid & liquid wastes generated and chemical products used
 7. Air quality information
 8. Decommissioning and site clearance procedures
 9. Federal, State and local permits required
 10. Financial assurance information

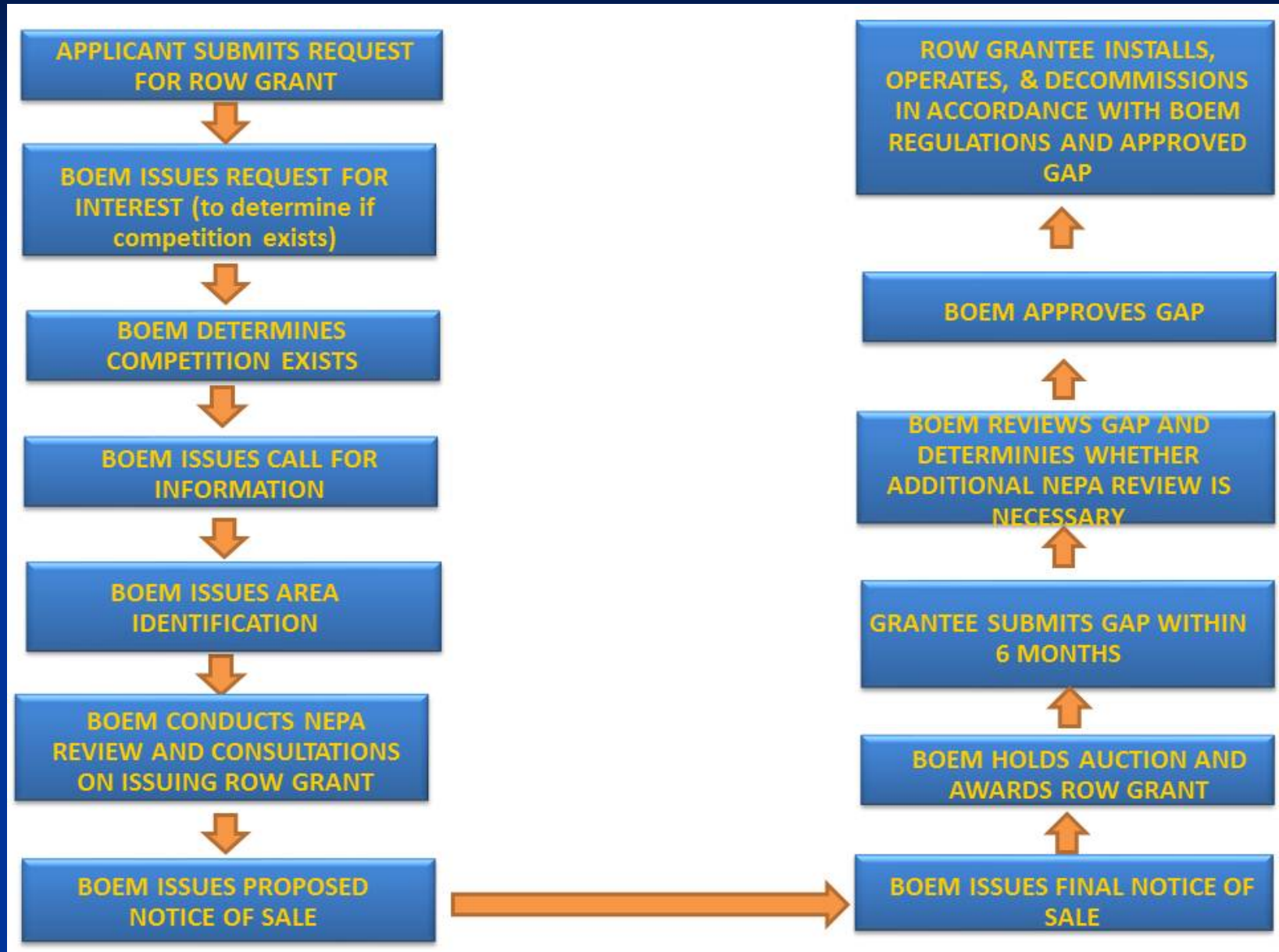
ROW GRANT PROCESS

- There are two types of processes.
 1. Non-competitive
 2. Competitive
- Energy Policy Act mandate: ... The Secretary shall issue a lease, easement, or ROW on a competitive basis unless the Secretary determines, after public notice, that there is no competitive interest.

ROW PROCESS NON-COMPETITIVE



ROW PROCESS COMPETITIVE



QUESTIONS?

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