

The NewsRoom

Release: #3820

Date: July 8, 2008

MMS Proposes Offshore Alternative Energy and Alternate Use Regulations

Public review and comments accepted through September 8, 2008

WASHINGTON □ The U.S. Department of the Interior's Minerals Management Service (MMS) today published a proposed rule in the [Federal Register](#) (1 MB PDF file, 07/09/2008)¹ that will regulate alternative energy production activities and alternate uses of existing facilities on the Outer Continental Shelf (OCS). The proposed rule is accompanied by a draft environmental assessment analyzing the potential environmental effects of the rulemaking in accordance with the National Environmental Policy Act.

The proposed regulations will establish a program to grant leases, easements, and rights-of-way (ROW) for orderly, safe, and environmentally responsible alternative energy project activities and alternate uses of existing facilities on the OCS. The rule will also establish methods for sharing revenues generated by this program with nearby coastal States.

"This proposed rule would establish formally the framework for developing wind, wave, ocean current, solar and other renewable energy sources on America's Outer Continental Shelf," Assistant Secretary Stephen C. Allred said. "With this important step we can add to our ability to reduce our reliance on foreign energy by making the best use of our own domestic resources in a safe and environmentally sensitive way."

The [Energy Policy Act of 2005](#) authorized MMS to establish the [OCS Alternative Energy and Alternate Use \(AEAU\) Program](#). Alternative energy includes, but is not limited to wind, wave, solar, ocean current and generation of hydrogen. Alternate uses of existing facilities may include aquaculture, research, education, recreation or support for offshore operations and facilities.

The process for completing the rulemaking began after the enactment of the Energy Policy Act of 2005. The Advanced Notice of Proposed Rulemaking was issued in December of 2005. The Final Programmatic Environmental Impact Statement (PEIS) was issued in November of 2007. This was followed by the release of the Record of Decision for the Final PEIS in January of 2008. The next step in the process, after the 60-day comment period on today's proposed rule ends, will be the release of the Final Rule and final environmental assessment. The Final Rule is expected to be complete by December 2008.

The proposed rule and draft environmental assessment invite public comments from interested parties by one of two methods:

1. [Federal eRulemaking Portal](#). Under the tab "More Search Options," click Advanced Docket Search, then select "Minerals Management Service" from the agency drop-down menu, then click "submit." In the Docket ID column, select MMS-2008-OEMM-0012 to submit public comments and to view supporting and related materials available for this rulemaking.

2. Mailing your comments to the following address:

Minerals Management Service
Offshore Energy and Minerals Management
Alternative Energy and Alternate Use Team
381 Elden Street

Herndon, Virginia 20170-4817

¹ [Draft Environmental Assessment Corresponding to the Proposed Rule](#) 07/08/2008: 753 KB
(PDF file)

Relevant Web Sites: (all in )

- [Energy Policy Act of 2005 and MMS](#) (67 KB)
- [NEPA Compliance for the Rulemaking](#) (105 KB)
- [Proposed Rules for Regulating Alternative Energy and Alternate Use on the Outer Continental Shelf](#) (96 KB)
- [The Role of MMS in Alternative Energy](#) (257 KB)

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[MMS: Securing Ocean Energy & Economic Value for America](#)
[U.S. Department of the Interior](#)