

Gulf of Mexico Intergovernmental Renewable Energy Task Force Charter

Introduction

Under the regulatory framework for renewable energy activity on the Outer Continental Shelf (OCS), the Bureau of Ocean Energy Management (BOEM) issues leases, easements, and rights-of-way for orderly, safe, and environmentally responsible offshore renewable energy development activities, such as the siting and construction of wind generation facilities on the OCS. This charter establishes the BOEM Gulf of Mexico (GOM) Intergovernmental Renewable Energy Task Force (“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 government decision-making within the established BOEM regulatory framework regarding renewable energy activity on the OCS in the Gulf of Mexico.

Authority

Subsection 8(p)(7) of the Outer Continental Shelf Lands Act, as amended by the Energy Policy Act of 2005 (EPAct), directs the Department of the Interior 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” authorizing under the Act. BOEM is establishing the Task Force to help fulfill this obligation in its consideration of renewable energy activities on the OCS in the Gulf of Mexico.

This Task Force has not been chartered under the Federal Advisory Committee Act, and its membership is therefore limited to “full-time or permanent part-time officers or employees of the Federal Government and elected officers of State, local and tribal governments (or their designated employees with authority to act on their behalf), acting in their official capacities,” pursuant to 41 CFR § 102-3.40(g).

This charter does not expand or alter the scope of the Task Force members’ respective authorities, nor shall it be construed to create any legal obligation on the part of any Task Force member or any private right or cause of action for or by any person or entity.

Purpose

The Task Force is chartered to facilitate education, coordination, and consultation related to renewable energy planning activities on the OCS in the Western Gulf of Mexico with the many entities that have statutory roles and interests related to OCS renewable energy projects. The Task Force will exchange information and inform BOEM’s mission to facilitate the responsible development of renewable energy resources on the OCS. The 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. The purpose should be compatible with the renewable energy goals of the member states.

Participation in the Task Force offers members the opportunity to provide meaningful and timely input in the implementation of the BOEM renewable energy regulatory framework. While BOEM will consider all input, the Task Force is neither a decision-making nor an approval body. The Secretary of the Interior remains the ultimate decision-maker with regard to renewable energy leasing and development 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 Gulf of Mexico Task Force meeting include, but are not limited to:

- Review and adopt the BOEM GOM 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 GOM Task Force;
- Explain the BOEM process for overseeing OCS renewable energy projects. This discussion will include the critical steps in the process, for example, the submission of a lease request for an area of interest, and identify opportunities for input from state, federal, and local agencies, tribal governments, and the public. Discuss the role of other federal laws in OCS renewable energy development; and
- Identify additional topics to be addressed by the BOEM GOM Task Force.

Subsequent Activities – Topics to be considered by the BOEM GOM 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;
- Facilitation of intergovernmental coordination on specific subject areas within the scope of proposed project review;
- 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 the Gulf of Mexico;
- 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 in the Gulf of Mexico.

Membership

BOEM Renewable Energy Task Forces are intergovernmental groups. As noted above, Task Force members are limited to Federal officials and elected state, local, and tribal officials, or designated member representatives. Personnel who do not meet these requirements will not be listed as a member of the Task Force Roster but may still attend and observe the meeting proceedings as a member of the public. Task Force meetings may include opportunities for public input or discussion.

BOEM recognizes the regional nature of ocean uses and renewable energy development on the OCS and the importance of incorporating regional perspectives into the planning process. As such, the initial Gulf of Mexico Task Force membership may consist of representatives from state, local, and tribal governments within Alabama, Louisiana, Mississippi, and Texas.

BOEM also recognizes that participants in the Task Force will change over time as OCS renewable energy activity in the Gulf of Mexico proceeds and that the membership list is therefore dynamic. Representatives from other states and governmental entities may be invited to participate periodically in Task Force meetings to provide additional perspectives on relevant transboundary issues. BOEM stakeholders may also be invited to provide updates on relevant activities.

Roles and Responsibilities

BOEM coordinates the Task Force work with other governments and agencies through a designated primary points-of-contact, who is responsible for assuring appropriate participation from all relevant functional units within their respective organizations and for accomplishing necessary sharing of information. Points of Contact will be updated as needed on the BOEM website: www.boem.gov/Renewable-Energy-Program/State-Activities/Index.aspx.

Communication

BOEM will use email to communicate meeting dates, times, and locations and to distribute meeting materials to Task Force members through the primary points of contact. In-person meetings will be arranged on an as-needed basis, and BOEM may also conduct meetings by telephone or by using web-meeting software (e.g., Teams). Materials distributed and discussed at Task Force meetings may be of a sensitive nature and should not be circulated beyond Task Force member agencies and offices unless expressly permitted by BOEM, subject to the requirements of applicable “freedom of information” laws and associated regulations. Public information or materials generated from Gulf of Mexico Task Force meetings will be made available on the BOEM website.