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BUREAU OF OCEAN ENERGY MANAGEMENT

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BOEM and FERC Revise Guidelines for Development of Wave Energy and Ocean Current Technologies in U.S. Waters

Washington D.C. — The Bureau of Ocean Energy Management (BOEM) and the Federal Energy Regulatory Commission (FERC) today announced the availability of revised guidelines for potential marine hydrokinetic energy developers interested in pursuing technology testing and commercial development activities on the nation’s Outer Continental Shelf (OCS). The revisions promote further clarity for the regulatory process and facilitate a more efficient process in authorizing marine hydrokinetic (e.g., energy developed from waves and ocean currents) research and testing activities. The revised guidelines, which were announced today by the two agencies at the HydroVision International conference in Louisville, Kentucky, are available at <http://www.ferc.gov/industries//hydropower/gen-info/licensing/hydrokinetics/pdf/mms080309.pdf>.

“These revised guidelines strengthen opportunities for testing wave energy and ocean current energy technologies on the OCS and reflect our ongoing collaboration with FERC to enhance efficiencies under our respective authorities,” said BOEM Director Tommy Beaudreau. “We will continue to work closely with FERC to provide a clearly defined path forward for the marine hydrokinetic industry in support of the Administration’s ‘All-of-the-Above’ energy strategy.”

“FERC is committed to improving the tools and information we provide to those interested in developing hydrokinetic technologies in the U.S. as we gain valuable experience. These revised guidelines represent such progress and provide a streamlined process that will accelerate the development of these technologies on the OCS,” said Jeff Wright, Director of FERC’s Office of Energy Projects. “These guidelines were developed in a spirit of full partnership that we look forward to continuing into the future.”

The revised guidelines released today replace existing guidelines that were issued in 2009 by BOEM's predecessor, the Minerals Management Service (MMS), and FERC. These guidelines provide information about respective responsibilities of each agency and how best to navigate the process of obtaining a marine hydrokinetic lease and license on the OCS. They cover topics such as: provisions for obtaining leases and licenses, fee structures, and hybrid (e.g., wind and marine hydrokinetic) project considerations. The guidelines were developed as part of a Memorandum of Understanding between the Department of the Interior and FERC.

On April 9, 2009, Interior Secretary Ken Salazar and FERC Chairman Jon Wellinghoff signed a Memorandum of Understanding to clarify jurisdictional understandings regarding renewable energy development on the OCS in order to develop a coherent, streamlined process that would help accelerate the development of offshore marine hydrokinetic energy projects. The agreement established a cohesive, streamlined process to lease, license and regulate all renewable energy development activities on the OCS, including marine hydrokinetic sources (wave and ocean current).

Under the Memorandum, BOEM and FERC will coordinate to ensure that marine hydrokinetic projects meet the public interest, including the adequate protection, mitigation, and enhancement of fish, wildlife, and marine resources and other beneficial public uses. Both agencies may inspect authorized marine hydrokinetic projects on the Outer Continental Shelf to ensure compliance with the terms of leases, easements, rights-of-way, licenses or exemptions.

The Memorandum of Understanding is available online at the following url:
<http://www.ferc.gov/legal/maj-ord-reg/mou/mou-doi.pdf>

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