

**Renewable Energy Uses of the Oregon Outer Continental Shelf (“OCS”):
BOEMRE Oregon OCS Renewable Energy Task Force Charter
April 2011**

Introduction

In April 2009, the Bureau of Ocean Energy Management, Regulation and Enforcement (“BOEMRE”), formerly the Minerals Management Service (“MMS”), promulgated a rule that governs the issuance of leases, easements and rights-of-way for renewable energy development activities on the OCS and regulates those activities. (*See* 30 C.F.R. Part 285.) The rule was developed under the authority of subsection 388(a) of the Energy Policy Act of 2005 (“EPAAct 2005”) and as a result of a decision by MMS in 2007 to establish an Alternative Energy and Alternate Use Program for renewable energy activities and the alternate use of facilities on the OCS. Under the regulations, BOEMRE may authorize commercial and research activities related to renewable energy activities on the OCS offshore the State of Oregon. The purpose of this charter is to establish the BOEMRE Oregon OCS Renewable Energy Task Force (hereafter, “Task Force”), an intergovernmental task force established to provide input into BOEMRE’s decision-making process on issues related to renewable energy activities on the OCS off the coast of Oregon.

Authority

Subsection 388(a) of the EPAAct 2005 added subsection 8(p) to the Outer Continental Shelf Lands Act (OCS Lands Act) (43 U.S.C. §1337(p)). Under 43 U.S.C. §1337(p)(7), BOEMRE must provide for the coordination and consultation with the Governor of any state or the executive of any local government that may be affected by a renewable energy lease, easement or right-of-way on the OCS. The Task Force provides BOEMRE a means to fulfill this mandate in its consideration of potential renewable energy activities on the OCS offshore Oregon. Membership and participation in the Task Force is restricted and is comprised solely of representatives of federal, state, local and tribal governmental bodies and is not chartered under the Federal Advisory Committee Act.

Purpose

The Task Force is chartered by the BOEMRE’s Office of Offshore Energy and Minerals Management to provide for coordination and consultation with respect to its consideration of potential renewable energy activities on the OCS offshore Oregon. Pursuant to 30 C.F.R. § 285.102(e), BOEMRE “may invite any affected State Governor, representative of an affected Indian tribe, and affected local government executive to join in establishing a task force or other joint planning or coordination agreement in carrying out our responsibilities under this part.” A number of federal, state and local government agencies have independent statutory responsibilities related to the authorization of OCS renewable energy activities. To the extent practicable, the Task Force will provide input

for the purpose of ensuring the efficient, coordinated review of OCS renewable energy activities and projects.

Participation in the Task Force offers members the opportunity to provide meaningful and timely input into BOEMRE's decision-making process. While BOEMRE will consider all Task Force member input, the Task Force is not a decision-making body. Membership or participation in the Task Force does not preclude any federal, state, local or tribal government from reviewing, commenting or making independent determinations regarding matters and issues addressed by the task force.

BOEMRE will work with interested agency and tribal partners to:

- ensure the appropriate governments/agencies (federal, state, local and tribal) are offered the opportunity to participate in the Task Force;
- share information about the regulatory authorities and policy objectives of the various agencies/governments and the processes each employs to fulfill its responsibilities, both generally and with respect to specific (or conceptual) activities or projects;
- coordinate approval, permit and review processes for OCS renewable energy projects;
- discuss and identify opportunities to overcome uncertainties in regulatory processes that may pose impediments to effective and efficient review of proposed activities or projects; and
- identify information needs that may benefit from further study and explore various means to obtain the needed information.

Membership

Task Force members and participants include federal and state agencies, tribes and local governments that have a role in approving, permitting, reviewing and/or regulating resources or activities that could be affected by or have an effect on renewable energy activities on the OCS offshore Oregon. The membership and/or participation in the Task Force may change over time. Nothing in this charter expands or alters the scope of the Task Force members' respective authorities, or creates any legal obligation on the part of any Task Force member or private right or cause of action for or by any person or entity.

BOEMRE will work with federal and state agencies, tribes and local governments to identify a primary point of contact for each body represented. These primary points of contact will be responsible for ensuring participation from relevant functional units within their respective organizations and cultivating an open exchange of information with Task Force members and participants.

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