

# **OCS Alternative Energy and Alternate Use Programmatic EIS**

## **Background**

Section 388 of the Energy Policy Act of 2005 (EPAct), Public Law 109-58 (H.R. 6), enacted August 8, 2005, gives the U.S. Department of the Interior (DOI) discretionary authority to grant leases, easements, or rights-of-way (ROWs) for activities on the U.S. Outer Continental Shelf (OCS) that produce or support production, transportation, or transmission of energy from sources other than oil and gas, and that are not otherwise authorized by other applicable law. The EPAct also gives discretionary authority to the DOI to grant leases, easements, or ROWs for other OCS project activities that make alternate use of existing OCS facilities for “energy-related purposes or for other authorized marine-related purposes,” to the extent that such activities are not otherwise authorized by other applicable law. This authority will be exercised by the Minerals Management Service (MMS), a bureau of the DOI.

MMS is establishing a new program to oversee these new activities on the OCS. To apply the requirements of the National Environmental Policy Act (NEPA) to the new program and rules, MMS has prepared a draft programmatic environmental impact statement (Programmatic EIS). The Programmatic EIS analyzes the potential impacts associated with activities under the new program. Since the focus of this Programmatic EIS is on the program and rules, it is expected that subsequent NEPA documents prepared for site-specific alternate-energy-related use projects will tier off of the Final Programmatic EIS and the Record of Decision (ROD). The proposed action to be analyzed in the Programmatic EIS is the implementation of the OCS Alternative Energy and Alternate Use Program and rules in areas not excluded by the EPAct and the identification of potential mitigation measures for OCS Alternative Energy and Alternate Use Program projects. The Programmatic EIS focuses on generic impacts from each industry sector on the basis of global knowledge and identifies key issues that subsequent, site-specific assessments should consider. Projections for industry activities are limited to those anticipated to be pursued within the next 5 to 7 years. The Programmatic EIS focuses on the environmental, cultural, and socioeconomic impacts associated with alternative approaches to the establishment of a national alternate energy program and rules. Information regarding all aspects of the Programmatic EIS is available on the Internet at <http://ocsenergy.anl.gov>.

## **What Are Alternative Energy and Alternate Use Projects?**

The OCS Alternative Energy and Alternate Use Program projects include, but are not limited to, offshore wind, wave, ocean current, and solar energy capture technologies. In addition, the technology of generating hydrogen using the energy captured from one of the above alternative resources on the OCS and transporting the hydrogen to the shore is included among the OCS Alternative Energy and Alternate Use Program projects. MMS also was given jurisdiction over other projects that make alternate use of existing oil and natural gas platforms in Federal waters. Alternate uses of existing facilities may include,

but would not be limited to, offshore aquaculture, research, education, recreation, support for other offshore operations and facilities, and telecommunications. Although the EPCA authorizes MMS to allow alternate uses of existing OCS facilities, MMS is not seeking authority over activities such as aquaculture. It is only seeking authority to allow platforms to be converted to alternate uses if the appropriate agency approves the underlying activity.

## **Programmatic EIS Process and Schedule**

Preparation of the OCS Alternative Energy and Alternate Use Programmatic EIS is a multistep process that begins with Public Scoping and includes publication of a Draft Programmatic EIS, a Final Programmatic EIS, and a ROD. These and other documents will be available for downloading and browsing on the EIS Documents page of the OCS Renewable Energy and Alternate Use Programmatic EIS Information Center Web Site (<http://ocsenergy.anl.gov>). The Public Comment Period on the Draft EIS closes on May 21, 2007. It is anticipated that the Final Programmatic EIS will be published in the summer of 2007.

## **Getting Involved**

Public input into the Programmatic EIS process is encouraged. MMS invites interested parties to participate in the Draft Programmatic EIS review process. The review process is intended to involve all interested agencies (Federal, State, county, and local), public interest groups, Native American tribes, businesses, and members of the public.

## **How to Submit Comments**

Comments on the Draft Programmatic EIS can be submitted three ways:

- Electronic submittal via the Web at <http://ocsenergy.anl.gov>,
- Regular mail, and
- Public hearings (written or oral comments).

Written comments on the Draft Programmatic EIS can be mailed to:

**MMS Alternative Energy and Alternate Use Programmatic EIS  
Argonne National Laboratory  
9700 S. Cass Avenue, EVS/900  
Argonne, IL 60439**

All comments received by May 21, 2007, will be considered. Comments received or postmarked after that date will be considered to the extent practicable. MMS will give equal weight to oral, written, and electronic (i.e., Web site) comments.