



Hydrokinetics: Regulatory Reform in Maine

Marine Energy Regulatory Framework:
Challenges and Solutions

Webinar

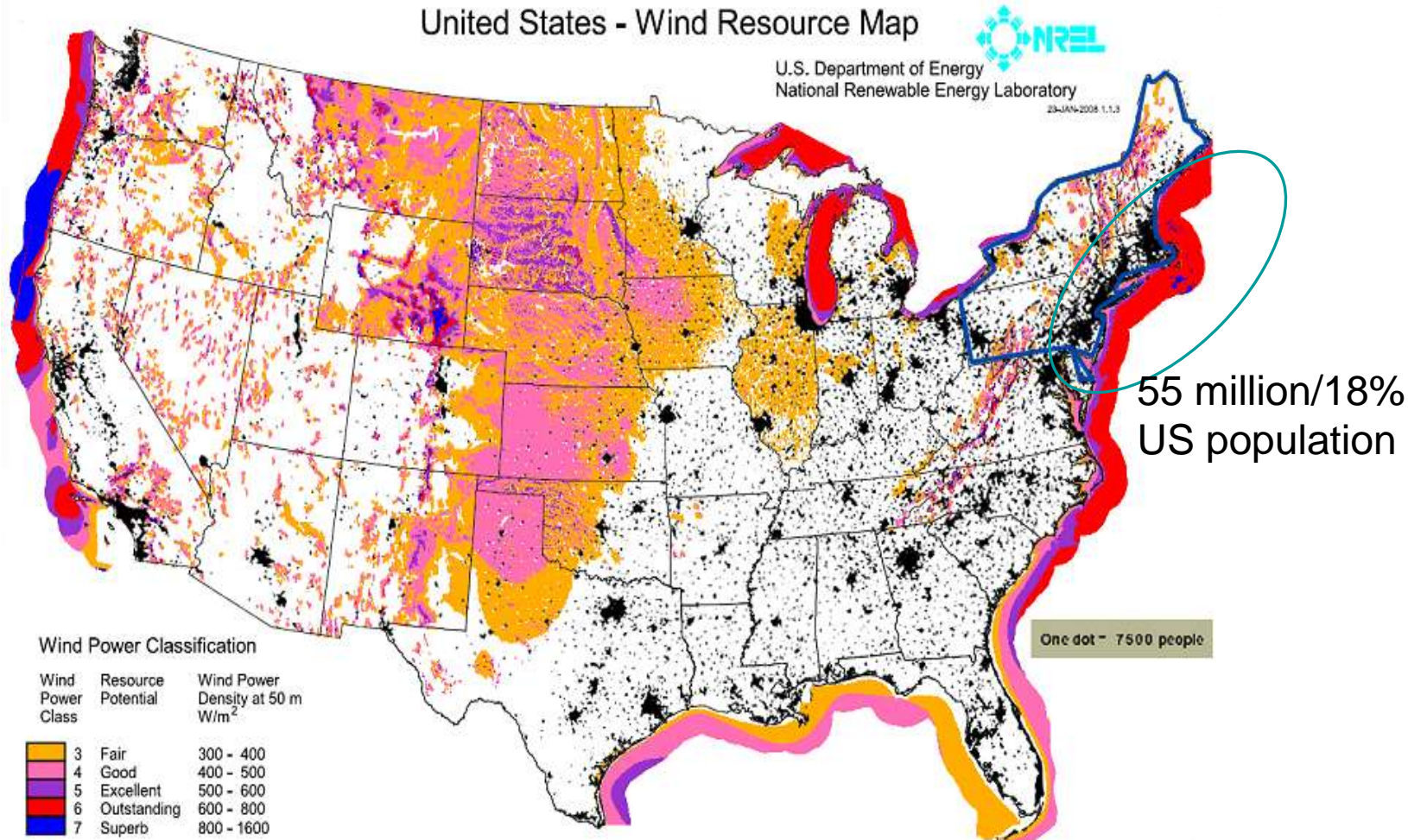
July 15, 2010

ORPC
ENERGY TIDE 2
Eastport, Maine, USA

Beth A. Nagusky
Director, Office of Innovation & Assistance,
Maine DEP
Co-chair, Governor's Ocean Energy Task Force

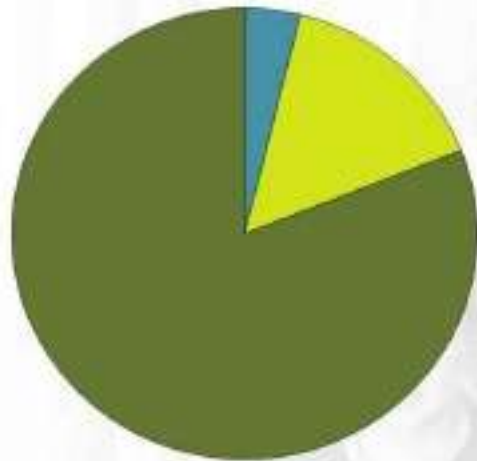


Oceans: A Source of Green Energy for the Northeast U.S.



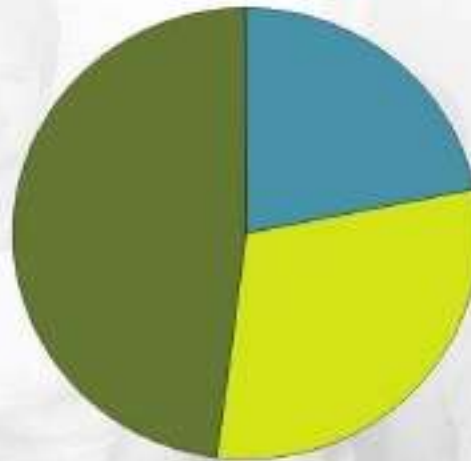
Maine Family Budget

Energy ~5%



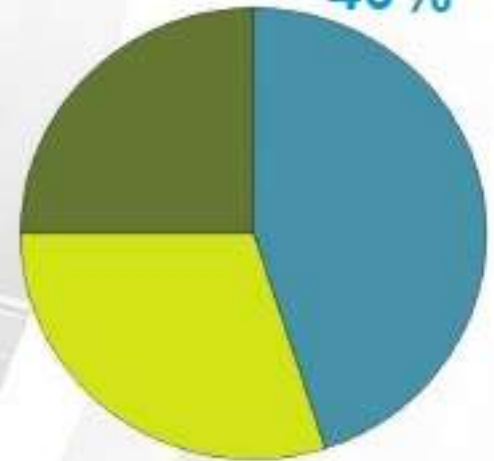
1998

Energy ~20%²



2008

Energy
~40%³



2018

“Family Energy”^{1,2} = 50% Transportation
40% Heating
10% Electric Power

¹ Source: Gov. King, George Hart

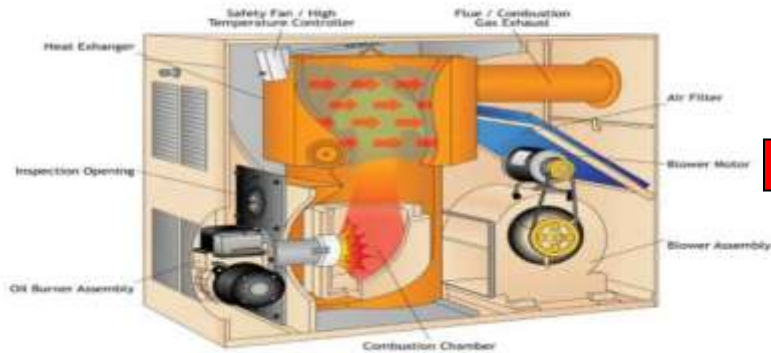
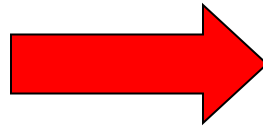
² Based July '08 energy costs

³ Assumes that health care costs do not grow past 30% of the average family budget in 2008-2018

The Past : The Future



OIL
FURNACE



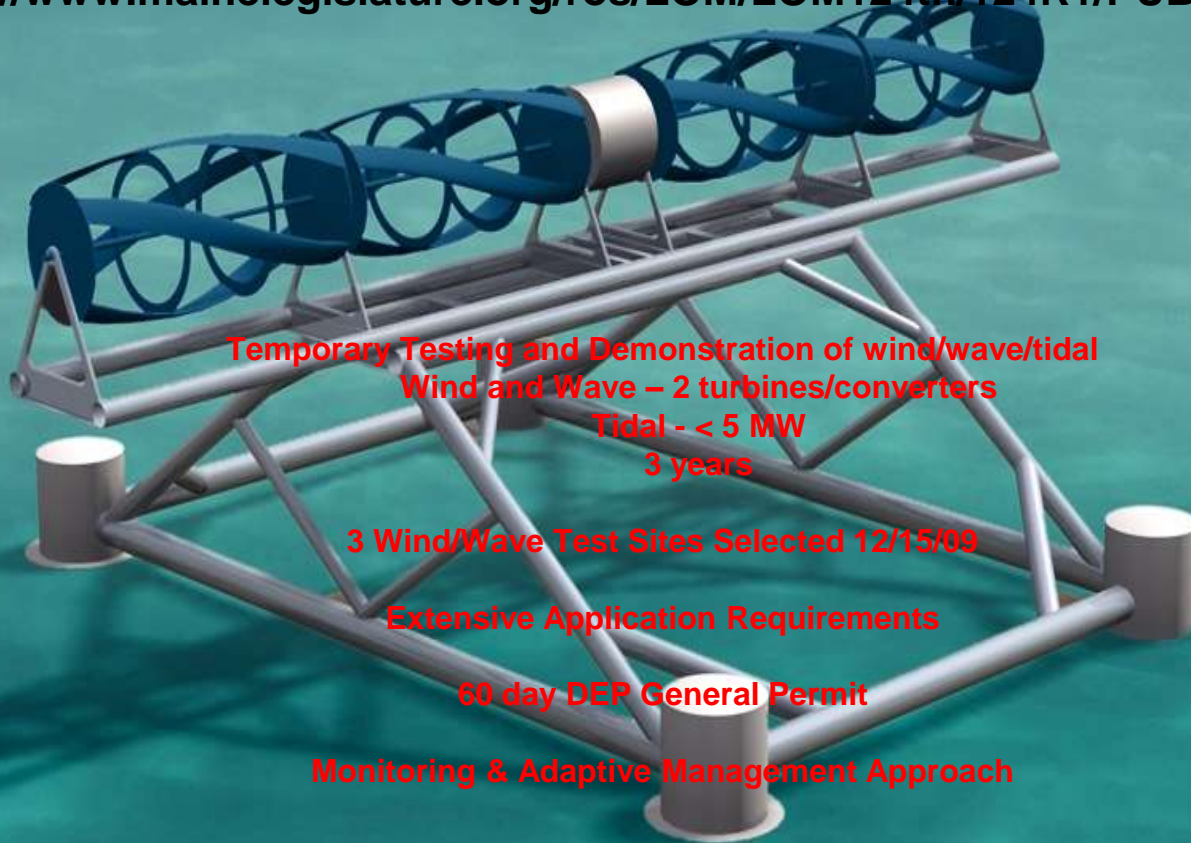
Tidal and Wave Permitting (State Jurisdiction)

- **Maine Waterway Development and Conservation Act**
- **Clean Water Act sec. 401**
- **Coastal Zone Management Act**
- **Maine Historic Preservation Act**
- **Maine Endangered Species Act**
- **Submerged Lands Lease**

An Act to Facilitate Testing and Demonstration of Renewable Ocean Energy Technology

P.L. 2009, chapter 270

<http://www.mainelegislature.org/ros/LOM/LOM124th/124R1/PUBLIC270.asp>



Temporary Testing and Demonstration of wind/wave/tidal
Wind and Wave – 2 turbines/converters
Tidal - < 5 MW
3 years

3 Wind/Wave Test Sites Selected 12/15/09

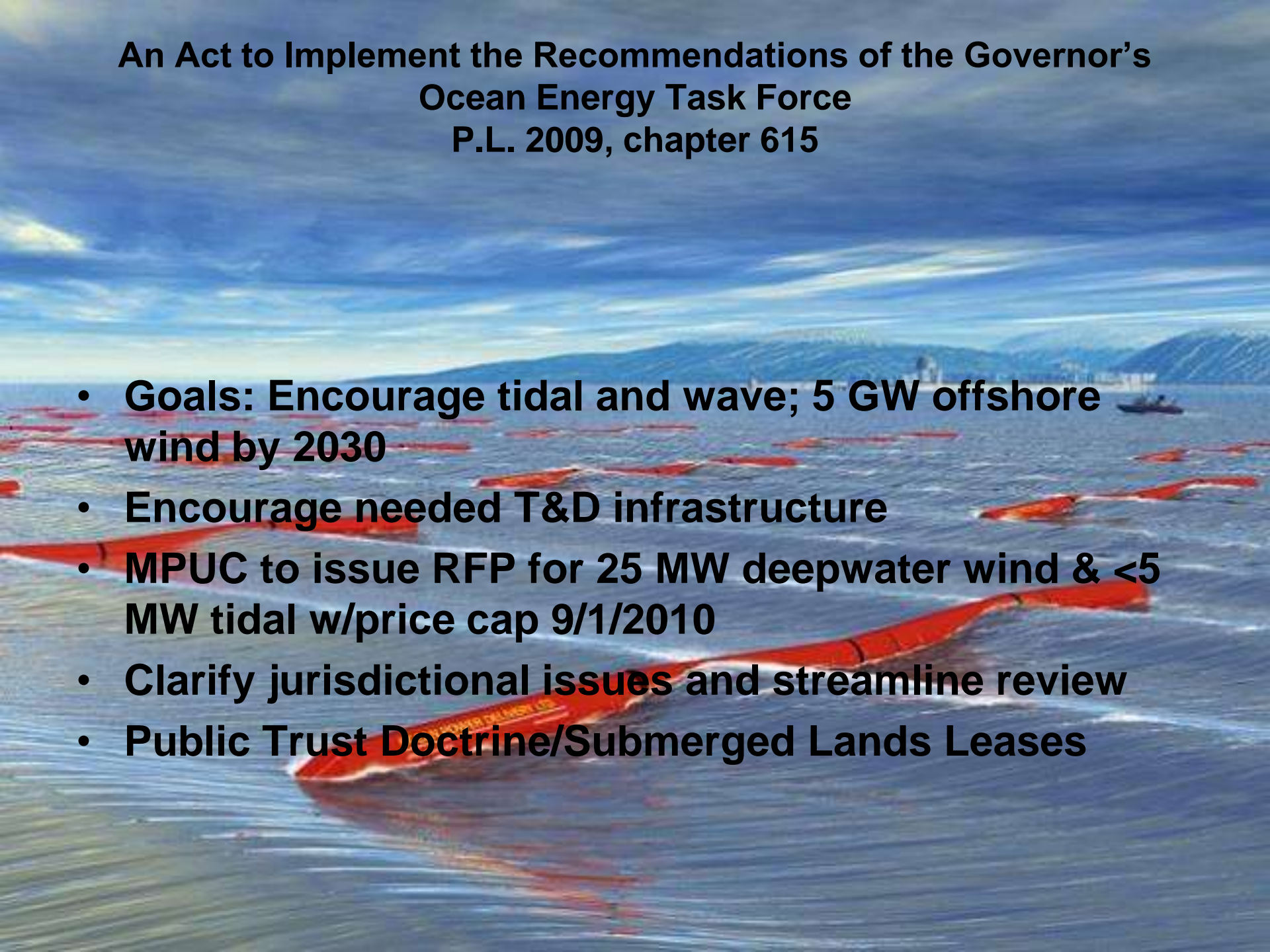
Extensive Application Requirements

60 day DEP General Permit

Monitoring & Adaptive Management Approach

Maine-FERC MOU

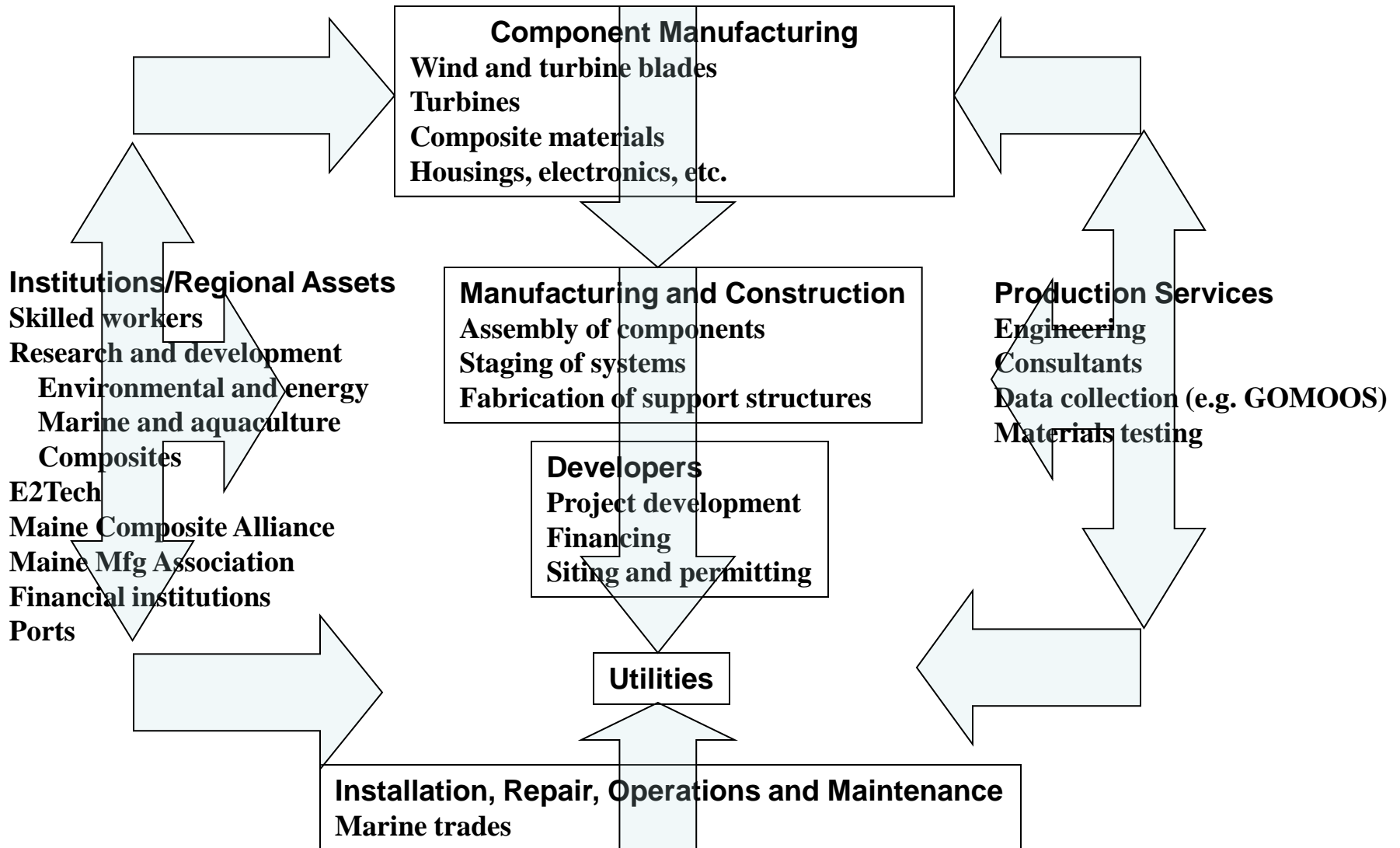
- **Coordinated review of short-term pilot tidal energy projects using hydrokinetic technologies in state and federal waters**
- **1 stop shop: applicant submits FERC license application; proof of liability insurance; demonstration of financial and technical capacity; copy of FONSI issued by FERC; agreement to take remedial action**
- **State submerged lands lease within 30 days of approval**
- **NEPA documents to be used by DEP for state environmental review**
- **Consultation with stakeholders/developer on studies**
- **Equal consideration of benefits and impacts of project**
- **Limit permit boundaries to avoid site banking**



**An Act to Implement the Recommendations of the Governor's
Ocean Energy Task Force
P.L. 2009, chapter 615**

- **Goals: Encourage tidal and wave; 5 GW offshore wind by 2030**
- **Encourage needed T&D infrastructure**
- **MPUC to issue RFP for 25 MW deepwater wind & <5 MW tidal w/price cap 9/1/2010**
- **Clarify jurisdictional issues and streamline review**
- **Public Trust Doctrine/Submerged Lands Leases**

Maine's Ocean Energy Cluster



Questions?

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