



Coastal States Organization

Policy Position of the Coastal States, Territories and Commonwealths on Development of Coastal and Offshore Renewable Energy October 20, 2009

Preamble

As the nation copes with the challenges presented by increasing energy demands and impacts of climate change, coastal and ocean areas represent an important source of renewable energy for the U.S. While the coastal states and islands are and will be significantly affected by climate change, they are also on the forefront of all aspects of renewable energy development—particularly offshore renewable energy in the form of tidal/current, wave, wind, ocean thermal, and marine biomass. With the many uses of coastal and ocean waters, including the increasing interest in offshore renewable energy, state coastal management programs are facing new pressures for better planning in order to balance the various economic and environmental interests off our coasts.

As coastal states prepare to meet national energy needs, planning and development of coastal and offshore renewable energy must be balanced with the stewardship of our oceans and coasts and the economic viability of our coastal communities. Investing in research, baseline data, mapping and modeling is crucial to support wise decision-making that advances renewable energy development while protecting vital coastal resources. Increased and early coordination will be necessary as federal, state, and local governments continue to work together to develop productive, sustainable, and environmentally sound sources of energy. Revenues shared with the states will further the goals of improved coastal and ocean management.

The Coastal States Organization, which represents the Governors of the thirty-five coastal states, territories, and commonwealths on ocean, coastal and Great Lakes issues, endorses the following principles to guide any prospective legislation, management, or research activity associated with coastal and offshore energy development:

The Coastal States Organization supports the development and production of renewable energy sources that are balanced with protection of coastal resources and uses.

The Coastal States Organization supports increased investments in monitoring, assessment, and research to provide the best information for informed decision-making and management.

The Coastal States Organization supports comprehensive planning for ocean renewable energy projects.

The Coastal States Organization supports the protection of coastal states' authority and revenue sharing for renewable energy activities on the Outer Continental Shelf.

The Coastal States Organization supports the development and production of renewable energy sources that are balanced with protection of coastal resources and uses. Planning, development and production of renewable energy resources on the coasts and in both state and federal waters must be balanced with protection of other economic uses of the ocean, such as fisheries and transportation, and with protection of coastal and marine ecosystems and resources. Specifically, legislation and activities should:

- Recognize and support state marine renewable energy development initiatives;
- Promote consistent, standard methodologies for assessing risks and environmental impacts within a regional context;
- Require federally coordinated cumulative impact assessments by region prepared in collaboration with relevant states;
- Promote coordinated permitting review and siting guidance among state and federal agencies;
- Incorporate best available science and technology into project development; and,
- Require the responsible use, development, operation, and decommissioning of projects to assure the protection of coastal resources, with respect to existing and new coastal uses, through the use of adaptive management and other ecosystem based strategies.

The Coastal States Organization supports increased investments in monitoring, assessment, and research to provide the best information for informed decision-making and management. Increased investments by government and industry in research, baseline data, mapping and modeling, as in marine spatial planning, will be crucial to support sound decision-making to achieve a balance between energy development and protection of coastal resources and uses. Specifically, legislation and activities should:

- Direct federal agencies to conduct research and monitoring to fill information gaps that are of regional or coast-wide concern and provide adequate resources to meet this demand;
- Provide financial and technical assistance to states to gather critical data, such as the mapping of human uses (including fishing, navigation, and recreation) and natural resources (including the seafloor, lakebeds, water column environments, and key biological resources) in order to assess environmental impacts and compatibility with existing and future uses;
- Increase research and development funding to study, monitor and report on common impacts of energy development, the effectiveness of corresponding mitigation measures and the ability to predict direct and indirect environmental impacts; and,
- Provide financial and technical support for research, modeling, and technology development to: assess impacts (including cumulative) of marine-based and hydrokinetic renewable technologies to coastal habitats and resources, identify ways to address adverse impacts, provide incentives for private investment and coastal communities, and streamline the regulatory process.

The Coastal States Organization supports comprehensive planning for ocean renewable energy projects. The siting and operation of new renewable energy production facilities is a complex undertaking that must be done in an environmentally and socially responsible manner in collaboration and coordination with states, tribal and local governments, traditional ocean and Great Lakes users, and other stakeholders. The States strongly encourage comprehensive planning for renewable energy development to ensure the development of well sited and publically beneficial projects. Such planning should be initiated and completed by states and include coordination with regional ocean entities as appropriate, to ensure synchronization of state and federal interests and to ensure that energy development reflects the characteristics and limitations of regional ecosystems and existing ocean economic sectors. Regional assessments of the potential effects and benefits of various technologies—summarized in a programmatic Environmental Impact Statement—would provide a well-informed and proactive basis for comprehensive planning and assessment of projects’ environmental effects at the state and regional level, but should not be a necessary prerequisite to review and permitting of individual renewable energy development projects. Specifically, planning should:

- Be conducted in parallel with, not as a necessary prerequisite to, the review and permitting of individual renewable energy development projects that are currently underway through state initiatives;
- Be led by states and conducted with appropriate engagement of the states' approved Coastal Programs;
- Aim to promote strong collaboration among federal, state and tribal governments, regional entities and local communities that will continue through all phases of energy project proposals, development, deployment, long-term maintenance, and decommissioning;
- Be elements of state and regional ocean and coastal management plans; and,
- Be integrated with federal programs so as to ensure coordination, both among themselves and with coastal states on renewable energy development.

The Coastal States Organization supports the protection of coastal states' authority and revenue sharing for renewable energy activities on the Outer Continental Shelf. Coastal states face a number of significant challenges responding to the new management needs presented by renewable energy to conserve their coastal resources and protect their coastal communities. To further the goals of improved coastal and ocean management, a meaningful portion of outer continental shelf (OCS) revenues must be shared with the coastal states, specifically those affected by renewable energy development. Given the diversity of the nation's coastlines and communities, individual states are best suited to determine which activities will further these goals, therefore, state authority and sovereignty must be maintained and not compromised. Specifically, legislation and activities should:

- Maintain and acknowledge states' federal consistency authority under the Coastal Zone Management Act;
- Uphold states' authority within their own territorial limits;
- Enact meaningful revenue sharing with coastal states to further the goals of coastal and ocean management, restoration, conservation, preservation, mitigation, research, and education; and,
- Call for consultation by Congress and the Administration with coastal states in the development of any new program or formula of revenue sharing.

Conclusion

Coastal states play a critical role in the development of renewable energy sources and are taking steps to ensure that new energy development occurs in an environmentally responsible manner. As federal, state, and local governments consider coastal and offshore renewable energy policies and strategies, state coastal zone management programs will continue to play an integral role in siting and management strategies. New federal energy legislation that focuses on timely realization of the many opportunities and benefits of ocean renewable energy, retains state review authority and supports state initiatives, reinvests a portion of public trust revenues into marine and coastal resources conservation and renewable energy facilitates planning and development would greatly enhance our nation's ability to meet address pressing energy security and climate issues as well as ocean and coastal management needs in an economical, efficient, and sustained manner.