



Conservation Law Foundation

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Ocean Energy: Offshore Wind



The Massachusetts Oceans Act



Susan Reid, Esq.

Director, MA Clean Energy & Climate Change Initiative

(617) 850-1740

sreid@clf.org



About CLF

- Founded in 1966, CLF uses legal advocacy, science and economics to protect the people and environment of New England.
- Four program areas:
 - Clean Energy & Climate Change
 - Ocean Conservation
 - Clean Water & Healthy Forests
 - Healthy Communities & Environmental Justice
- Environmental consulting affiliate: CLF Ventures



MA Oceans Act: Historical Context

- MA Ocean Sanctuaries Act prohibited “electric generating stations”
- Ocean Management Task Force created in 2003
 - Central recommendation: comprehensive ocean management planning legislation
- MA Oceans Act enacted in 2008 – Chapter 114 of the Acts of 2008; Mass. G.L. ch. 21A, s. 4C



MA Oceans Act Opens Door for Offshore Wind

- “Appropriate-scale” renewable energy facilities now allowable
 - Considerations:
 - Appropriateness of technology & scale
 - Environmental protection, public trust
 - Public safety
 - Community benefit
 - Compatibility with existing uses
 - Proximity to shoreline



MA Oceans Act: Basic Elements

- Comprehensive Ocean Management Plan
 - Scope: state waters, including sea bed
 - Elements:
 - Integrated plan
 - Promote sustainable uses
 - Identify/protect sensitive resources & habitats
 - Identify appropriate locations & standards for allowable uses
 - Address climate change



Basic Elements (Cont.)

Ocean Management Plan:

- Regulatory teeth: consistency requirement – “maximum extent practicable”
- Public process, first plan by 12/31/09
- Governance: EEA Secretary, Ocean Advisory Commission, Ocean Science Advisory Council
- Update at least every 5 yrs



For more information...

Sue Reid, Esq.
Director, MA CECC Initiative
Phone: 617-850-1740
E-mail: sreid@clf.org

