



United States Department of the Interior

MINERALS MANAGEMENT SERVICE
Washington, DC 20240



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Memorandum

To: Regional Director, Alaska OCS Region
Regional Director, Gulf of Mexico Region
Regional Director, Pacific OCS Region
Program Manager, Office of Renewable Energy Programs
Chief, Office of Offshore Regulatory Programs
Chief, Economics Division
Chief, Environmental Division
Chief, Information Technology Division
Chief, Leasing Division
Chief, Resource Evaluation Division

From: Chris C. Oynes *Chris C. Oynes*
Associate Director for Offshore Energy and Minerals Management

Subject: Delegations of Authority for the Renewable Energy Program

This memorandum assigns the delegations of authority (see attachment) for the Renewable Energy Program on the Outer Continental Shelf (OCS).

On April 22, 2009, President Barack Obama announced that the Department of the Interior finalized the framework for renewable energy production on the OCS. A final rule, published in the Federal Register on April 29, 2009, establishes a program to grant leases, easements, and rights-of-way for orderly, safe, and environmentally responsible renewable energy development activities, such as the siting and construction of offshore wind farms on the OCS.

The attached delegations will be formally incorporated into the Minerals Management Service Handbook in keeping with the procedures set forth in the Department Manual and the MMS Manual.

If you have any questions regarding these delegations or the procedures, please contact Maureen Bornholdt, Program Manager, Office of Renewable Energy Programs, at (703) 787-1300.

Attachment

Attachment

Renewable Energy Program Delegations

Acronyms

ADOEMM – Associate Director for Offshore Energy and Minerals Management

AK – Alaska Region

C – Chief

ENVD – Environmental Division

FO – Field Operations

GOM – Gulf of Mexico Region

LE – Leasing & Environment

MRM- Minerals Revenue Management

OSTS- Office of Structural and Technical Support

PL - Pipeline

POC – Pacific Region

RD – Regional Director

RS – Regional Supervisor

Authority	Citation(s)	Approval Level
May give oral directives or decisions whenever prior MMS approval is required	285.102(c)	DIR, AD, RD, RSFO, or authorized MMS Official
Establish practices and procedures to govern the collection of all payments due to the Federal Government	285.102(d)	Secretary, ADMRM/ADOEMM, RD
Provide coordination and consultation with the Governor of any State or the executive of any local government that may be affected by a lease, easement, or right-of-way	285.102(e)	RD/RSLE/RSFO/CHIEF Plans/Chief PL or authorized MMS Official
The MMS may prescribe or approve departures from the operating requirements of this part when departures are necessary to: (a) (1-4)	285.103	DIR/ RD/RSFO/Chief Plans/Chief PL or authorized MMS Official
Determine whether one can become a lessee, ROW grant holder, RUE grant holder, Alternate Use grant RUE holder	285.106(b)	RS/RD
MMS will charge a processing fee on a case-by-case basis under the procedures in this section with regard to any application or request under this part if we decide at any time that the preparation of a particular document or study is necessary for the application or request and it will have a unique processing cost, such as the preparation of an Environmental Impact Statement	285.111(a)	RD
Determine if data or information is exempt from disclosure under FOIA	285.113(b)	DIR/FOIA Ofc/Regional FOIA Ofc
Determine whether or not there is a competitive interest	285.210	RD
Award leases on a competitive basis	285.211	RD
Identify areas for environmental analysis and consideration for leasing.	285.211(b)	ADOEMM
Reject any and all high bids	285.222(a)	RD
Review request for reconsideration of bid rejection	285.225(b)	DIR
Consider unsolicited requests for a lease on a case-by-case basis and may issue a lease noncompetitively in accordance with this part.	285.231(a)	RD
Determine if there is a competitive interest	285.231(b)	RD

Authority	Citation(s)	Approval Level
Issue a noncompetitive lease	285.231(g)	RD
The Director or head of a Federal agency or the Governor of a requesting State, or authorized representatives, will negotiate renewable energy leases under this provision on case-by-case basis.	285.238(d)	RD
Consider requests for ROW grants and RUE grants on a case-by-case basis and may issue a grant competitively...or noncompetitively...	285.306	RD -- decides RD/RSFO/Chief Plans/Chief PL -- negotiates
Determine if there is a competitive interest	285.307	DIR, RD
Conduct a competitive auction and award competitive grant	285.308	RD
Offer a noncompetitive grant	285.309	RD/RSFO/Chief Plans/Chief PL
Issue a notice of noncompliance	285.400(b)	RD, AD,DIR,RSFO, Authorized MMS Official
Direct remedial action	285.400(e)	RD, AD,DIR,RSFO, Authorized MMS Official
Assess civil penalties	285.400(f)	OSM, POC-Reviewing Officer
Issue a cessation order	285.401(a)	RD,AD,,DIR,RSFO
Initiate lease cancellation	285.402(b)	Secretary
Authorize an operator on behalf of lessees	285.405(c)	RD,POC-RSLE
Approve change of operator	285.405(e)	RD, POC-RSLE
Approve assignment of all or part of lease or grant interest	285.409	RD, POC- RSLE
May call for forfeiture of financial assurance	285.433 (c)	RD,ADOEMM
Approve application for relinquishment	285.435	RD, POC-RSLE
May agree to reduce, waive, or specify different operating fee rate	285.506(c)(1)	DIR, ADOEMM,
MMS director may reduce or waive the rental or operating fee	285.510(a)	DIR, ADOEMM
Approve request for reduction or waiver of operating fee	285.510(b)	DIR,ADOEMM
Determine the amount of the SAP and Cop financial assurance requirements on a case-by-case basis	285.517	RD
May adjust amount of COP bond or SAP bond	285.517(c)	RD
Approve request for reduced financial assurance amount	285.517(c)(2)	RD
May adjust dollar amount of minimum, lease-specific or grant-specific bond	285.520(b)(1)	RD

Authority	Citation(s)	Approval Level
May require increase in the level of financial assurance on limited lease or grant	285.521(a)	RD
Approve all bonds and other forms of financial assurances	285.525(b)	RD
Determine whether or not other types of security instruments protect MMS to the same extent as surety bonds	285.526(a)	RD
May authorize you to establish a lease, ROW grant, or RUE grant-specific decommissioning account in a federally insured institution	285.529(a)	RD
MMS will estimate costs of decommissioning, including site clearance	285.529(a)(2)	RD, RSFO/Chief OSTs
May authorize that interest be paid to the depositor	285.529(b)	RD
May allow pledge to Treasury securities payable to MMS on demand to satisfy obligations to make payments into the account	285.529(c)	RD
May require to commit a specified stream of revenues as payment into account	285.529(d)	RD
Terminate period of liability	285.532(b)	RD
May release a bond or allow a surety to cancel a bond	285.533(a)	RD
May reduce the amount of your bond or return a portion of your financial assurance if it is determined that less than the full amount of the bond or financial assurance are needed to meet obligations	285.533(b)(3)	RD
Determine when lease or grant ends	285.534	RD
Call for forfeiture of all or part of the bond or pledged security or other form of guaranty	285.535(a)	RD
Provide reasons for forfeiture, how to avoid, and the amount to be forfeited	285.536	RD
MMS may take or direct action to obtain full compliance and recover all costs in excess of the forfeited bond from you or any co-lessee or co-grantee	285.537(b)	RD
Distribute among all eligible States 27 percent of revenues derived from qualified projects	285.540(a)	ADMRRM

Authority	Citation(s)	Approval Level
Review SAP and may approve, disapprove, or approve with modifications	285.613(e)	RD,RSFO/Chief Plans/ChiefPL
Determine if facility or facilities are complex or significant	285.614(b)	RD,RSFO
Determine whether proposed activities are authorized in the SAP or require revisions	285.617(a)	RD, RSFO/Chief Plans
Periodically review activities conducted under SAP to determine if revisions are required	285.617(b)	RD, RSFO/Chief Plans
May approve proposed revision(s) to SAP	285.617(e)	RD, RSFO/Chief Plans
Review COP and may approve, disapprove, or approve with modifications	285.628	RD, RSFO/Chief Plans
Specify terms and conditions to be incorporated into COP based on environmental and technical reviews	285.633	RD, RSFO/Chief Plans
Determine whether proposed activities are authorized in the COP or require revisions	285.634(a)	RD, RSFO/Chief Plans
Review GAP and may approve, disapprove, or approve with modifications	285.648	RD, RSFO/Chief Plans
May approve proposed revision(s) to GAP	285.655(e)	RD, RSFO/Chief Plans
May cancel lease if you cease activities exceeding 6 months without approved suspension	285.656	Secretary
Determine if construction of cable or pipeline deviates from plan and Suspend construction until lease or grant is modified	285.658(b)	RD, RSFO/Chief Plans/Chief PL
May cancel lease or grant due to deviation in construction	285.658(d)	Secretary
Waive CVA requirement	285.705(b)	RD, RSFO/Chief OSTs
Approve or disapprove CVA	285.706(e)	RD, RSFO/Chief OSTs
Approve new nominations for CVA	285.706(f)	RD, RSFO/Chief OSTs
Consult with State and Federal Fish and Wildlife agencies and evaluate activities that could directly or indirectly effect threatened or endangered species	285.801(d)(2)	RD/ENVD, POC-RSLE
Review archaeological survey	285.802	RD, POC-RSLE
Evaluate and instruct how to proceed in case of discovery of a potential archeological resource	285.802(a)(3)	RD, POC - RSLE

Authority	Citation(s)	Approval Level
May charge reasonable costs for carrying out preservation responsibilities	285.802(d)	RD, POC-RSLE
May require additional information to define boundaries and avoidance distances for essential fish habitat or habitat areas of particular concern	285.803(b)	RD, POC-RSLE
Order removal of equipment or facilities from the lease	285.813(a)	RD,RSFO
Inspect OCS facilities and any vessel engaged in activities	285.820	RD,RSFO
Approve request for reimbursement	285.823	RD, RSFO
May require submittal of additional information about an incident on a case-by-case basis	285.833(c)	RD,RSFO
MMS may approve, disapprove, or approve with conditions an application for decommissioning	285.907(d)	RD, RSFO/Chief OSTS
Consider requests for an Alternative Use RUE on a case-by-case basis	285.1006(a)	RD,RSFO/Chief Plans
Authorize assignment of an Alternate Use RUE	285.1013	RD,RSFO/Chief Plans, POC -- RSLE
Approve a request for relinquishment of an Alternate Use RUE	285.1015	RD,RSFO/Chief Plans, POC-RSLE
Call for forfeiture of bond or other financial guarantee if decommissioning requirements are not met	285.1019(c)	RD