

# MAINE STATE LEGISLATURE

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OFFICE OF  
THE GOVERNOR

NO. 20 FY 08/09  
DATE November 7, 2008

**AN EXECUTIVE ORDER ESTABLISHING THE OCEAN ENERGY TASK FORCE**

**WHEREAS**, Maine has a strong interest in developing Maine's vast indigenous and renewable ocean energy potential and recognizes its enormous promise to address state and regional energy-related needs, including: increasing the State's energy independence and security; limiting Maine's vulnerability to the unpredictable costs and possibly supplies of fossil fuels; attaining the state's overall goal to reduce greenhouse gas emissions to sustainable levels by mid-century and of the Regional Greenhouse Gas Initiative's ("RGGI") CO2 reduction targets; and stimulating and growing diverse and vibrant ocean energy-related economic opportunities; and

**WHEREAS**, information prepared by the Department of Energy's National Renewable Energy Research Laboratory ("NREL") and Minerals Management Service ("MMS") shows that the Gulf of Maine is a world-class wind power resource, which the Ocean Energy Institute estimates could equal around 100,000 MW (100 Gigawatts) of theoretical electric capacity, an amount that is 3 times larger than the total current installed capacity in New England; and

**WHEREAS**, the Governor's 2007 Task Force on Wind Power Development found that Maine can become a leader in wind power development while protecting Maine's quality of place and natural resources, and that Maine should seek to host at least 2,000 megawatts (MW) of installed wind power capacity by 2015, and at least 3,000 by 2020, of which at least 300 MW can be achieved with projects built offshore; and

**WHEREAS**, the fuel price from offshore wind power, tidal power and wave power is low and steady, enabling long term contracts with these clean sources of electricity at stable prices, as distinguished from generation of electricity from fossil fuels, whose prices fluctuate widely; and

**WHEREAS**, wind power is the fastest growing utility-scale source of energy in the United States and internationally, and offshore wind is the fastest growing component of the wind energy segment; and

**WHEREAS**, improvements in turbines and related wind technologies, with support from federal renewable energy tax credits, are now making wind energy competitive in many markets with conventional power source; and

**WHEREAS**, ongoing technological developments hold promise that wind power, and to a lesser extent tidal and wave power, can also come to play a vital role in addressing transportation and home heating needs as well as traditional electric power demands; and

**WHEREAS**, Maine's universities and independent research institutions provide the specialized research and development capabilities, and established marine construction firms provide the required industrial infrastructure, vital to support a robust offshore wind energy industry; and

**WHEREAS**, the State of Maine has the highly-skilled and productive workforce, developed waterfront industry, and hospitable business climate to serve as a national center for offshore wind energy development; and

**WHEREAS**, the Governor's 2007 Task Force on Wind Power Development recognized the potential for ocean-based wind energy development to contribute to achievement of state wind energy and related economic development goals, called attention to significant technological, financial and knowledge-based challenges and, to that end, recommended follow-up actions requiring heightened collaborative efforts among several partners including federal regulatory agencies; and

**WHEREAS**, subsequent to completion of the work of the Governor's 2007 Task Force on Wind Power Development, Congress did not extend the long-standing moratorium on oil and gas development on the nation's Outer Continental Shelf (OCS) and the Mineral Management Service is moving forward with its program for leasing OCS areas for alternative energy development and initiation of a new five-year plan for OCS oil and gas development; and

**WHEREAS**, information prepared by the MMS indicates that the Gulf of Maine does not appear to have significant commercially recoverable oil and natural gas reserves, while it does hold a significant potential for large-scale development of wind power, the development of which would help the state achieve its interrelated energy, environmental and economic goals; and

**WHEREAS**, Congress is likely to take up legislation this session pertaining to offshore oil and gas leasing, exploration, and development for federal waters, making it essential that Maine fully explore and understand the resource as well as the risks and benefits of harnessing that resource;

**NOW, THEREFORE**, I, John E. Baldacci, Governor of the State of Maine, do hereby establish the Ocean Energy Task Force (hereinafter "Task Force").

#### **Purpose and Duties**

The Task Force is established to develop a strategy aimed at meeting or exceeding the goal established in the Maine Energy Act, Title 35-A, section 3404(2)(B), for ocean-based wind energy capacity as expeditiously as practicable, including a specific plan of action for implementation of that strategy. This strategy shall identify and recommend solutions to overcome potential economic, technical, regulatory, and other obstacles to vigorous and expeditious development of grid-scale wind energy generation facilities in Maine's coastal waters

and adjacent federal waters. In developing the strategy, the Task Force shall consider and make recommendations regarding the following:

- A. Technological Development: research and testing to facilitate siting of offshore wind generation facilities.
  - 1. The merits of and options for establishing an ocean-based testing area in the Gulf of Maine to foster and expedite research and development of offshore wind energy facilities in a manner that addresses potential siting issues; and,
  - 2. Specific research and development initiatives critical to facilitating siting of ocean-based wind energy generation facilities at appropriate locations in the Gulf of Maine, with due consideration of natural resources and existing uses.
- B. Wind Power-related Economic Development: fostering in-state growth of diverse wind energy-related businesses.
  - 1. Options, including public-private partnerships, for facilitating financing and/or siting and operation of offshore, grid-scale wind energy generation facilities located at appropriate locations on the Outer Continental Shelf proximate to Maine and built at a scale commensurate with the State's wind power and related renewable energy objectives, pertinent electric power demand, demand for wind assisted heating and transportation, and the available wind resource; and
  - 2. Specific opportunities and means to facilitate creation of economic development clusters related to construction and operation of ocean-based wind development, manufacturing of wind generation-related components, provision of engineering and other professional services and basic and applied scientific research, and other enterprises to support growth of a diverse wind energy industry in Maine.
- C. Tidal and Wave Power: encouraging ocean-based tidal and wave energy development where appropriate.
  - 1. Compile existing information on potential locations in Maine's coastal waters for tidal and wave power generation and the primary technical, economic and natural resources-related constraints on their development; and
  - 2. Identify ways in which the State can support continued research and development of tidal and wave power at ocean sites compatibly with Maine's overall energy, economic, and environmental goals and existing uses, including commercial fishing.
- D. Potential Oil and Gas Exploration on the Outer Continental Shelf: updating information regarding offshore oil and gas resources and evaluating federal initiatives regarding exploration for oil and gas in the Outer Continental Shelf.

1. Compile objective, credible and scientific information on the offshore oil and gas resource, including: the latest technologies available for oil and gas exploration and extraction; the adverse environmental risks associated with development of this resource; the economic benefits Maine people would likely realize from developing this resource; the compatibility of offshore oil and gas exploration with development of the offshore wind power resource and existing uses, including commercial fishing; and the compatibility of developing this resource with Maine's overall energy, economic and environmental goals; and,
2. Identify ways in which state agencies can ensure well-informed and effective state participation in federal decision-making regarding energy development of both renewable and fossil fuel resources on OCS areas proximate to Maine.

### **Membership**

The Governor shall appoint seventeen (17) members to serve on the Task Force, who shall serve at the pleasure of the Governor. Membership is as follows:

- Commissioner of the Department of Environmental Protection, or Commissioner's designee;
- Commissioner of the Department of Conservation, or Commissioner's designee;
- Commissioner of the Department of Marine Resources, or Commissioner's designee;
- Commissioner of the Department of Economic and Community Development or Commissioner's Designee;
- Director, Office of Energy Independence and Security or Director's designee;
- Director, State Planning Office or Director's designee;
- Eleven (11) members shall include diverse members with relevant knowledge and experience in technological, engineering, financing and regulatory issues regarding ocean wind energy generation; marine resources management and conservation; and potential natural resources and environmental effects of wind energy generation.

The President of the Senate may appoint a member of the Senate, and the Speaker of the House may appoint two members of the House of Representatives. Members appointed by the President of the Senate and the Speaker of the House shall serve at the pleasure of their appointing authority.

The Governor shall appoint two co-chairs of the Task Force from among the members. The chairs will schedule and set the agenda for, and preside at Task Force meetings. The members of the Task Force shall serve without compensation.

### **Staff**

The State Planning Office, the Governor's Office of Energy Independence and Security, the Department of Conservation through the Maine Geological Survey and the Bureau of Public Lands and the Department of Economic and Community Development shall provide staff

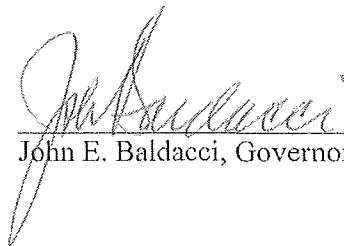
assistance to the Task Force. At the Task Force's request, other state agencies shall provide information and analysis to assist the Task Force in its deliberations.

**Reporting**

The Task Force shall prepare a written report to the Governor outlining its interim findings no later than April 1, 2009. The Task Force shall prepare a written report of its final recommendations to the Governor, including any recommended legislation, by October 31, 2009.

**Effective Date**

The effective date of this Executive Order is November 7, 2008.

  
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John E. Baldacci, Governor