



Michigan
Great
Lakes
Wind
Council

**Public Engagement Work Group:
Summary of Recommendations**
*Jim MacInnes, Council Member and CEO,
Crystal Mountain Resort*

www.michiganglowcouncil.org

Executive Order 2009-1 Charge: Background

Council's report to Governor must include:

“recommended process for engaging the people of Michigan in a public dialogue about offshore wind to ensure that statewide interests are considered whenever significant permitting decisions are made.”

www.michiganglowcouncil.org

Public Engagement Work Group: Background

- Recommended principles and strategies (regulatory and nonregulatory) to:
 - (1) improve understanding of public perceptions and potential opportunities and concerns in general and in response to specific wind development proposals
 - (2) provide opportunities for increased outreach and education
 - (3) create a clear and fair process for public input as part of permitting
- Implementation in near and long term

www.michiganglowcouncil.org

Recommended Guiding Principles for Public Engagement (Items 1–6)

- Process should not be designed to persuade public; goal is to provide fair and transparent process that engages the public in decision making and facilitates information exchange
- First step is education; various entities should play a role and begin efforts as soon as possible
- Need new state regulatory requirements for public engagement in permitting process
- Effective communications among developers, federal and state agencies, tribal and local governments, and the public before applications filed; involvement from communities and tribes near proposed project will be essential
- Need ongoing research of public opinion in Michigan; begin now and continue after any installation of offshore projects
- Monitor and update public engagement process as needed based on experience and new information

www.michiganglowcouncil.org

Nonregulatory Strategies: Education, Research, and Information (Items 7–9)

- **Education and outreach**
 - Encourage State Wind Outreach Team to specifically address offshore wind and work with various organizations to share facts and perspectives
 - Near-term opportunities include training sessions and presentations at local government meetings, MSU Citizen Planner workshops, legislative forums, and events and conferences
- **Survey research**
 - Develop a plan, in coordination with universities and others, to identify specific public opinion research needs and address timing, funding, and coordination issues
 - Leverage existing survey tools (e.g., MSU's State of the State, University of Delaware)
 - Inform education and outreach efforts
- **Information exchange**
 - Create one-stop shop for developers, agencies, the public, and other stakeholders to receive information
 - COWRIE website (U.K.) is good model

www.michiganglowcouncil.org

Regulatory Strategies: Public Engagement in Permitting (Items 10–23)

- Due to project complexity and broad interests at stake, Part 325 public engagement provisions not adequate
 - Timelines too short
 - No hearing required
 - Focus on landowners and local government in immediate area
- Coordination among federal and state agencies should focus on alignment of communications and timelines related to public engagement
- Governor should collaborate with Great Lakes states to call on federal government to designate lead agency and coordinate with individual states' processes
- Need explicit permit criteria to avoid confusion and controversy; educate public on those criteria to have an impact on agency decision making

www.michiganglowcouncil.org

Regulatory Strategies: Public Engagement in Permitting (Items 10–23 cont.)

- Pre-filing meetings with officials and stakeholders encouraged, not required
- Public hearings for each of the following general steps in the permitting/lease process:
 - Pre-application filing (notice of intent)
 - Application
 - Draft agency decision (i.e., permit and lease)
- Hold at least one public hearing in Lansing and one public hearing in the county nearest to proposed development
- No requirement to obtain written consent from local government as part of application

www.michiganglowcouncil.org

Regulatory Strategies: Public Engagement in Permitting (Items 10–23 cont.)

- Notice of application
 - Provided by developer (form approved by MDEQ)
 - Provided to newspapers of statewide circulation and direct notice to coastal jurisdictions in the two or three counties nearest to the proposed development, as well as neighboring landowners
- 90-day comment period instead of 20 days under current Part 325 provisions
- Agency action subject to challenge under standard APA procedures (contested case)

www.michiganglowcouncil.org

Additional Observations Since Work Group Completed its Recommendations

- Public Engagement Work Group met before Bottomland Leasing/Permit Criteria Work Group
- Public Engagement Work Group envisioned a single regulatory process rather than separate steps for site assessment activities and construction and operation activities, as outlined by the Bottomland Leasing/Permit Criteria Work Group
- If council accepts the Bottomland Leasing/Permit Criteria Work Group's proposed process, need to conform the public engagement recommendations
- Staff created flow chart showing how the public engagement processes could fit into the three-step process recommended by the Bottomland Leasing/Permit Criteria Work Group

www.michiganglowcouncil.org

Phase 1: Prefiling (or Pre-Application) Site Selection

Prefiling (or pre-application) Site Selection Phase

Permitting & Leasing Activities

Agency issuance of notice of intent (NOI) after site nomination by developer or after proposed sites identified by state

Related Public Engagement Process

Public hearing(s) in the area of the proposed site(s)

www.michiganglowcouncil.org

Phase 2: Site Assessment Permit and Lease

Site Assessment Permit and Lease Phase

Permitting & Leasing Activities

Agency issuance of site assessment permit and lease (following receipt of bid(s) in response to NOI)

Related Public Engagement Process

90-day comment period and public hearings on agency's draft permit and lease for site assessment activities*

* The Public Engagement Work Group recommended at least one public hearing in Lansing and one public hearing in the county nearest to the proposed site or development.

www.michiganglowcouncil.org

Phase 3: Construction and Operation Permit and Lease

Construction and Operation Permit and Lease Phase

Permitting & Leasing Activities

Application for permit and lease for construction and operation

Issuance of permit and lease for construction and operation

Related Public Engagement Process

Legal notice of application provided in newspaper with statewide circulation and directly to potentially affected parties**

90-day comment period and public hearings on application

Public hearings on agency's draft permit and lease

** See item 18 in Public Engagement Work Group recommendations.

www.michiganglowcouncil.org