

DOCKETED

Docket Number:	25-AB-03
Project Title:	Assembly Bill 3 California Offshore Wind Advancement Act
TN #:	267951
Document Title:	Brightline Defense Comments - Assembly Bill 3 California Offshore Wind Advancement Act
Description:	N/A
Filer:	System
Organization:	Brightline Defense
Submitter Role:	Public
Submission Date:	12/16/2025 3:06:25 PM
Docketed Date:	12/16/2025

Comment Received From: Brightline Defense

Submitted On: 12/16/2025

Docket Number: 25-AB-03

Assembly Bill 3 California Offshore Wind Advancement Act

Additional submitted attachment is included below.



433 Natoma St., Floor 3
 San Francisco, CA 94103
 415.252.9700 | brightlinedefense.org

December 16th, 2025

California Energy Commission
 Docket Unit, MS-4
 Docket No. 25-AB-03
 715 P Street
 Sacramento, California 95814

RE: Public Comment on Assembly Bill 3 California Offshore Wind Advancement Act

Brightline Defense is an environmental justice (EJ) organization dedicated to promoting sustainable environments and empowered communities. As California transitions to clean energy to combat climate change, it is critical for this to bring real, tangible benefits and opportunities for communities on the frontlines of renewable energy development. Offshore wind presents an important opportunity for California to proactively embed equity and local benefits into clean energy development.

We commend the California Energy Commission (CEC) for its leadership in advancing equitable OSW development, and for recently hosting a set of public workshops on the AB 3 Seaport Readiness Report. Building off of discussions during the workshop, we offer the following recommendations focused on public health, community benefits, and workforce development.

Recommendations:

1. Increase Ambition for Zero-Emission Ports

Strategies to prioritize zero-emission (ZE) technologies and operations at ports should be a priority for CEC's AB 3 Seaport Readiness Report. Port activities are primarily powered by fossil fuels, and are known to bring air pollution, traffic accidents, noise, and other dangers to communities and workers.¹ As many communities residing near ports are low-income communities and communities of color, this represents a major public health and environmental justice issue.² In fact, the Los Angeles-Long Beach metropolitan area is ranked among the worst in the nation for particle pollution, contributing to high rates of asthma, heart disease, and

¹ Korfmacher, Katrina Smith. 2019. "THE Impact Project: Trade, Health, and Environment around Southern California's Ports." In Bridging Silos: Collaborating for Environmental Health and Justice in Urban Communities. (p. 171 - 173) The MIT Press. <https://doi.org/10.7551/mitpress/12136.001.0001>.

² U.S. Environmental Protection Agency, Environmental Justice Primer for Ports: Impacts of Port Operations and Goods Movement (Washington, D.C.: U.S. EPA)



433 Natoma St., Floor 3
San Francisco, CA 94103
415.252.9700 | brightlinedefense.org

premature death.³ As the state plans for expanding ports to support offshore wind, it must therefore prioritize accelerated decarbonization of ports to prevent exacerbating these harms.

Investing in ZE ports is also more cost-effective in the long run, despite initial higher upfront costs. The use of diesel-based equipment currently requires ports and terminal operators to purchase emissions allowances under California's recently reauthorized Cap-and-Invest Program. As the state's cap declines and the Auction Reserve Price rises at around 5% annually, operational costs for diesel will continue rising. ZE infrastructure eliminates this carbon liability, enabling cost savings over the lifespan of new equipment.⁴ Relatedly, investing in ZE technology now will help avoid the risk of stranded assets given CARB's mandate for ZE cargo handling equipment by 2035.⁵

The state has shown progress on regulating port emissions, such as CARB's requirements for ocean-going vessels to plug into shore power.⁶ However, existing rules still lack the required level of enforceability, financial penalties, and scope. The recent failure to pass the Proposed Rule 2304 at the South Coast Air Quality Management District (SCAQMD), which would have required aggressive ZE equipment adoption for mobile sources, is an example of this deficiency.⁷ Voluntary commitments for green equipment, such as the one made by Port of Long Beach for the Pier Wind project,⁸ are also insufficient. Stronger mechanisms are needed to ensure port upgrades for OSW do not worsen, but instead improve air quality and public health.

Recommendation 1: Analyze Stronger Mechanisms to Support Green Ports

The CEC's Seaport Readiness Plan must view zero-emission (ZE) port infrastructure as an essential condition for advancing the state's OSW industry. Given gaps in current regulations, we recommend the CEC analyze and recommend other regulatory and financial mechanisms to support accelerated ZE adoption. We urge the CEC to analyze the following:

³ American Lung Association, State of the Air Report 2025 (Los Angeles-Long Beach, CA ranking, published April 24, 2025).

⁴ California Air Resources Board (CARB), Regulation for the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms, Title 17, California Code of Regulations, §§ 95801–96022 (2012, with subsequent amendments).

⁵ California Air Resources Board (CARB), Regulation for Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards, Title 13, California Code of Regulations, § 2479 (2005, with subsequent amendments).

⁶ CARB, Ocean-Going Vessels At-Berth Regulation (2020 Update)

⁷ Gaytan, Fernando. "No More Delays: Clean Up SoCal Port Pollution." *Earthjustice*, September 24, 2024.

<https://earthjustice.org/experts/fernando-gaytan/no-more-delays-clean-up-socal-port-pollution>.

⁸ Port of Long Beach. "Port of Long Beach Awarded \$20 Million for Pier Wind." News release. October 8, 2025. Accessed December 11, 2025.

<https://polb.com/port-info/news-and-press/port-of-long-beach-awarded-20-million-for-pier-wind-10-08-2025/>



433 Natoma St., Floor 3
San Francisco, CA 94103
415.252.9700 | brightlinedefense.org

- Mandatory compliance frameworks: The CEC should recommend specific regulatory tools (e.g. ISRs or performance-based compliance) that mandate a measurable obligation to reduce GHGs and criteria air pollutants. To ensure enforceability, these frameworks should be backed by statutory fees or penalties. Revenue from any non-compliance fees should be redirected toward community-led projects to improve local air quality. The CEC can look to successful case studies, such as SCAQMD's Warehouse ISR (Rule 2305),⁹ that provide flexibility to developers while advancing ZE targets and prioritizing EJ communities.
- Robust environmental review: The CEC should recommend that lead agencies for OSW port EIRs (e.g. the State Lands Commission) consider the use of fossil fuel-powered equipment as an “unmitigable” impact when there are other cleaner options available. When there are no other cleaner options available, agencies should require specific site management practices (e.g. idling restrictions, traffic and route optimization, and staging controls) and mitigation fees to reduce harms and increase investment in local communities.
- Data transparency: The CEC should recommend that baseline data on current port operations, including impacts to air quality, water quality, species, habitats, and public health, be made publicly available and shared in partnership with trusted CBOs. Information on how ports have been selected as Staging and Integration sites for OSW should also be made public, including information on alternate sites that are, or had been, under consideration.
- Funding contingency: The CEC should recommend that state funding directed to port upgrades to support OSW must be used for ZE equipment, or near zero-emission (NZE) where there are no ZE options available.

2. Increase Community Benefits for Port-Adjacent Communities

Port developments must serve and benefit local communities, especially those who have faced historic harms from large-scale infrastructure development. As we noted in our 8.12.25 comment, a full section on “Community Benefits” in the CEC’s AB 3 Seaport Readiness Report is warranted to evaluate the best metrics, delivery frameworks, and enforcement.

Recommendation 2A: Enforce Existing Capacity Building Requirements

We applaud the CEC for requiring that up to 6% of funds awarded through the first tranche of funding in the Offshore Wind Waterfront Facility Improvement Program go towards capacity

⁹ South Coast Air Quality Management District. “RULE 2305. WAREHOUSE INDIRECT SOURCE RULE – WAREHOUSE ACTIONS AND INVESTMENTS TO REDUCE EMISSIONS (WAIRE) PROGRAM” *South Coast Air Quality Management District*, May 7, 2021.

<https://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf?sfvrsn=15>



433 Natoma St., Floor 3
San Francisco, CA 94103
415.252.9700 | brightlinedefense.org

building and community benefits.¹⁰ This will help local communities and Tribal Nations engage with port authorities, determine and advocate for their interests, and negotiate community benefits. The CEC should monitor the implementation of this closely to ensure that port awardees follow through on their commitments, and implement similar requirements into its contracting process for the remainder of Prop 4 funding.

Recommendation 2B: Require a Specific Amount of Community Benefits

The CEC should build off of this important precedent-setting decision by establishing a mandatory, specific, and measurable floor for benefits in future grant disbursements. While the CEC grants specified the 6% figure for both capacity building and engagement strategies *to inform* actionable benefits, the funding does not specify a measurable amount of benefits. Therefore, we urge the CEC (and/or other relevant agencies) to consider setting a floor, and requiring developers to contribute a minimum amount of benefits (e.g. a specific percentage of annual revenue) into impacted communities. Further, this fund should be managed by a Community Advisory Committee (CAC) composed of frontline residents, and with administrative support from a third-party, independent fiduciary to ensure funds are distributed directly to local communities.¹¹

3. Strengthen Local Workforce Development Opportunities

Upgrading ports to support OSW represents a significant opportunity to create high-road, family-sustaining jobs. The CEC should ensure these opportunities are directly accessible to EJ communities who have historically faced barriers to employment.

Recommendation 3A: Mandate Targeted Local Hire and Training

The CEC's report must recommend binding mechanisms that prioritize local and disadvantaged workers for all port upgrades and OSW-related construction, assembly, and maintenance jobs. The CEC should ensure all port-related projects include Project Labor Agreements (PLAs), and contain enforceable local hiring targets, as well as wraparound career services. As noted by Heidi Moore-Gwynup in her presentation, culturally responsive curriculum and collaboration with local unions is key, as well as expanding apprenticeship programs that lead to family-sustaining careers.

Recommendation 3B: Address Specialized Maritime Workforce Gaps

¹⁰ California Energy Commission (CEC). Grant Funding Opportunity (GFO)-24-701: Offshore Wind Energy Waterfront Facility Improvement Program. Sacramento, CA: CEC, 2025.

¹¹ Center for Law, Energy & the Environment (CLEE), UC Berkeley Law. 2024. "Offshore Wind & Community Benefits Agreements in California: CBA Examples." Berkeley, CA: UC Berkeley Law.



433 Natoma St., Floor 3
San Francisco, CA 94103
415.252.9700 | brightlinedefense.org

The state will need to solve for the shortage in specialized mariners, as noted in the panel featuring Joel Whitman and Neil Billingsley. Filling this gap through local recruitment, rather than external contractors, should be a priority. The CEC should use its coordination authority to facilitate long-term partnerships between port authorities, OSW developers, EJ organizations, and maritime academies (e.g. CalMaritime Academy, Cal Poly Humboldt). A specific portion of funding for community benefits may be explicitly dedicated to expanding full apprenticeship programs to ensure there is a clear job pipeline.

The CEC's final AB 3 report should also include updated timelines for port development with detailed short-term and long-term benchmarks. This information is necessary for educational institutions and community partners to effectively plan and sequence their workforce development curricula, and ensure jobs are available as training concludes.

Conclusion

Brightline Defense appreciates the opportunity to provide comments to the CEC's AB 3 Seaport Readiness Report process. We look forward to continuing to work with the CEC and other stakeholders as this process continues.

Sincerely,
Alexis Suterman
Senior Policy Manager, Brightline Defense