DOCKETED	
Docket Number:	17-MISC-01
Project Title:	California Offshore Renewable Energy
TN #:	271517
Document Title:	Tom Hafer Comments - California Offshore Wind leases already in violation of Outer Continental Shelf Lands Act
Description:	N/A
Filer:	System
Organization:	Tom Hafer
Submitter Role:	Public
Submission Date:	7/17/2026 11:22:07 AM
Docketed Date:	7/17/2026

Comment Received From: Tom Hafer
Submitted On: 7/17/2026
Docket Number: 17-MISC-01

California Offshore Wind leases already in violation of Outer Continental Shelf Lands Act

All the wind leases off California are already in violation of the Outer Continental Shelf Lands Act Section 20.

Using the Outer Continental Shelf Lands Act to support California Energy Commission's case against the Trump Administration to buy back offshore wind leases is ironic since California is already in violation of the OCSLA by not doing required data collection. Because the State bypassed the data collection required in Section 20 of the OCSLA, protected essential fish habitat, endangered species, and commercial fisheries were put into jeopardy with high resolution geographic mapping utilizing unstudied new technology. Atlas Wind llc and Golden State Wind llc completed site surveys April to November 2024 using high decibel sonar studies capable of penetrating the ocean floor up to 150â€™, over 1000s of acres, 40 feet off the bottom, 24/7 for over 8 months with no Before, After, Control, Impact data collection as required in the OCSLA. Let alone the required establishment of Best Practice Protocols for Site Surveys set forth in the California Coastal Commissions Conditional Consistency Determination and or Senate Bill 286.

Wind developers and State agencies should not have been able to progress with any phase of development, including Site Surveys, until they were in compliance with the Outer Continental Shelf Lands Act (OCSLA) Section 20. Environmental Studies. (Page 36-37) that required â€œmonitoring the human, marine, and coastal environments of such area or region in a manner designed to provide time-series and data trend informationâ€□. â€œ not later than six months after the date of enactment.. where a lease sale has been announcedâ€□. It seems to us the Department of Interior has grounds for a â€œcounter suitâ€□.

Here is a copy of the OCSLA and specifically Section 20:

SEC. 20. ENVIRONMENTAL STUDIES.â€”(a)(1) The Secretary shall conduct a study of any area or region included in any oil and gas lease sale or other lease in order to establish information needed for assessment and management of environmental impacts on the human, marine, and coastal environments of the outer Continental Shelf and the coastal areas which may be affected by oil and gas or other mineral development in such area or region.
(2) Each study required by paragraph (1) of this subsection shall be commenced not later than six months after the date of enactment

of this section with respect to any area or region where a lease sale has been held or announced by publication of a notice of proposed lease sale before such date of enactment, and not later than six months prior to the holding of a lease sale with respect to any area or region where no lease sale has been held or scheduled before such date of enactment. In the case of an agreement under section 8(k)(2), each study required by paragraph (1) of this subsection shall be commenced not later than 6 months prior to commencing negotiations for such agreement or the entering into the memorandum of agreement as the case may be. The Secretary may utilize information collected in any study prior to such date of enactment.

(3) In addition to developing environmental information, any study of an area or region, to the extent practicable, shall be designed to predict impacts on the marine biota which may result from chronic low level pollution or large spills associated with outer Continental Shelf production, from the introduction of drill cuttings and drilling muds in the area, and from the laying of pipe to serve the offshore production area, and the impacts of development offshore on the affected and coastal areas.

(b) Subsequent to the leasing and developing of any area or region, the Secretary shall conduct such additional studies to establish environmental information as he deems necessary and shall monitor the human, marine, and coastal environments of such area or region in a manner designed to provide time-series and data trend information which can be used for comparison with any previously collected data for the purpose of identifying any significant changes in the quality and productivity of such environments, for establishing trends in the areas studied and monitored, and for designing experiments to identify the causes of such changes.

(c) The Secretary shall, by regulation, establish procedures for carrying out his duties under this section, and shall plan and carry out such duties in full cooperation with affected States. To the extent that other Federal agencies have prepared environmental impact statements, are conducting studies, or are monitoring the affected human, marine, or coastal environment, the Secretary may utilize the information derived therefrom in lieu of directly conducting such activities. The Secretary may also utilize information obtained from any State of local government, or from any person, for the purposes of this section. For the purpose of carrying out his responsibilities under this section, the Secretary may by agreement utilize, with or without reimbursement, the services, personnel, or facilities of any Federal, State, or local government agency.

(d) The Secretary shall consider available relevant environmental information in making decisions (including those relating to exploration plans, drilling permits, and development and production

plans), in developing appropriate regulations and lease conditions, and in issuing operating orders.
(e) As soon as practicable after the end of every 3 fiscal years, the Secretary shall submit to the Congress and make available to the general public an assessment of the cumulative effect of activities conducted under this Act on the human, marine, and coastal environments.
(f) In executing his responsibilities under this section, the Secretary shall, to the maximum extent practicable, enter into appropriate arrangements to utilize on a reimbursable basis the capabilities of the Department of Commerce. In carrying out such arrangements, the Secretary of Commerce is authorized to enter into contract or grants with any person, organization, or entity with funds appropriated to the Secretary of the Interior pursuant to this Act.