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NRDC, Audubon, EDC, Surfrider Comments

Please see attached letter.

Additional submitted attachment is included below.

August 19, 2020
The Honorable Karen Douglas, Commissioner
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

RE: ENGO Comments (NRDC, National Audubon Society, Environmental Defense Center, Surfrider)– CEC Workshop on Offshore Wind Energy (Docket No. 17-MISC-01)

Dear Commissioner Douglas,

Natural Resources Defense Council (NRDC), National Audubon Society, Environmental Defense Center (EDC), and Surfrider, appreciated the California Energy Commission (CEC) workshop on July 1, 2020 and thank CEC for the opportunity to comment on Docket No. 17-MISC-01 – the results of Representative Carbajal's series of convenings to chart a path for offshore wind energy development on the Central Coast that also accommodates military preparedness.

Our organizations are supportive of responsible offshore wind energy development and share the state's interest in advancing offshore wind energy as a way to help meet California's clean energy goals. As CEC explores prospective offshore wind development in California, we wish to reiterate our recommendations for advancing offshore wind energy development responsibly, in a way that incorporates a range of stakeholder considerations and minimizes local environmental impacts. We believe such an approach will also benefit the industry, as siting and permitting will advance expeditiously if use conflicts are addressed ahead of the permitting process. Further, having a host of viable development sites will enable federal and state agencies to evaluate projects efficiently and within the context of a whole, rather than on an ad hoc basis.

We appreciate Representative Carbajal's leadership in bringing together the Department of Defense (DoD), CEC, the Bureau of Ocean Energy Management (BOEM), the National Oceanic and Atmospheric Administration Office of National Marine Sanctuaries (NOAA Sanctuaries), and other state and local officials. **However, the map resulting from the series of meetings, which includes five presumed acceptable locations for offshore wind energy development off the Central Coast, indicates areas that would be wholly inadequate to meet the goal of creating a responsible and viable commercial offshore wind industry for California.** We acknowledge that DoD has valid operational conflicts in the Morro Bay and Diablo Canyon Call Areas and urge BOEM and CEC to consider the following key priorities.

I. Comprehensive stakeholder engagement is needed to ensure that offshore wind is developed in an environmentally responsible manner and to a cost-effective scale.

Our organizations have stated repeatedly that a state or neutral third party-led offshore wind energy planning process that identifies areas of least conflict would ultimately benefit the industry and lead to a more efficient siting process because the least conflict areas would already reflect environmental and other key stakeholder concerns. We are concerned that DoD use conflict discussions are elevating DoD's role in the BOEM leasing process to supersede a robust planning process that includes other stakeholder priorities. By engaging in closed-door negotiations with government officials to discover areas of potential compatibility with offshore wind development, CEC, BOEM, DoD, and developers become the sole parties steering development to specific areas. Further, when any one stakeholder entity is engaged in private negotiations with the lead leasing agency, environmental or other stakeholder considerations run

the risk of becoming of relatively lesser importance. The map resulting from the Representative Carbajal convenings is an example of how such exclusive negotiations could predestine developments to be built in one small and specific area without leaving room for other key equities to voice their concerns. We urge CEC and other state agencies to insist on finding practical solutions that enable DoD to maintain critical operations while enabling the responsible development of this important renewable energy resource.

While we recognize that some exclusive meetings may be essential to resolve the impasse to offshore wind energy development on the Central Coast, they do not replace the need to prioritize a comprehensive stakeholder engagement process that: 1) incorporates other key concerns; and, 2) uses the best available science to make siting decisions that first avoid and then minimize local environmental impacts.

II. The proposed Central California Areas of Interest are too small to support a viable commercial scale renewable energy source.

The five Central California Areas of Interest (North, North A, South, South A, and Discussion Area) do not provide adequate space for offshore wind energy development at the scale needed to create a viable industry for California to achieve its climate goal of 100 percent clean energy by 2045. According to California Public Utility Commission (CPUC) analysis, California could deliver 1.6 GW of floating offshore wind by 2030 to aggressively reduce carbon emissions from electricity production, and approximately 7 GW by 2045 to cost-effectively attain its carbon reduction goals by 2040 per CPUC's analysis.[1] Developing the offshore wind industry at such a scale in California could offer the benefits of dramatically reducing local air pollution, creating jobs, and providing economic outputs estimated to be $2.4 billion to $5.4 billion by 2050.[2]

Roughly 308 mi^2 is needed to build 1.6 GW, and 1351 mi^2 is needed for 7 GW.[3] Totaling the area of the North, North A, South, and South A "Areas of Interest" only adds up to 238 mi^2. While adding in the "Discussion Area" would bring this total to 328 mi^2, our organizations do not view this as an appropriate area for offshore wind development (see Section III below). If the CPUC offshore wind scenarios were to advance, the 238 mi^2 total would not fulfill the area requirements needed to achieve those goals. Further, the 238 mi^2 of seaspace being proposed does not include other key stakeholder considerations. For example, it is likely that by re-locating Call Areas that include North A and South A "Areas of Interest" currently 12 miles closer to shore from the current Morro Bay Call Area 24 miles off the coast, there would be increased environmental, fishing, and other considerations about the North, North A, South, and South A areas that would further diminish the area available for prospective development.

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[1] 2019-20 IRP: Proposed Reference System Plan. California Public Utilities Commission, Energy Division. November 6, 2019. https://www.cpuc.ca.gov/uploadedFiles/CPUCWebsite/Content/UtilitiesIndustries/Energy/EnergyPrograms/ElectPowerProcurementGeneration/irp/2018/2019%20IRP%20Proposed%20Reference%20System%20Plan_20191106.pdf

[2] Speer, Bethany, Keyser, David, and Tegen Suzanne. Floating Offshore Wind in California: Gross Potential for Jobs and Economic Impacts from Two Future Scenarios. National Renewable Energy Laboratory, BOEM. April 2016. https://www.nrel.gov/docs/fy16osti/65352.pdf

[3] The area needed for an offshore wind farm will vary based on the types of turbines used. The Hywind project, which is the only floating offshore wind farm to date, has 30 MW of turbines (5 turbines of 6 MW capacity each), which take up 15 square km (or 5.8 square miles). *See,* Statoil, Hywind Scotland Pilot Park, Environmental Impact Statement (April 2015) at 4-2; http://marine.gov.scot/datafiles/lot/hywind/Environmental_Statement/Environmental_Statement.pdf. Assuming similar needs here, 1.6 GW will need approximately 308 square miles, and 7 GW will need approximately 1351 square miles.

For example, South Area A "Area of Interest" overlaps with an Audubon Marine Important Bird Area – The Piedras Blancas, CA IBA -- due to the high concentration and congregation of Sooty Shearwaters which forage in these waters during the California summer months following breeding and nesting in islands in the Pacific. The IBA has also recorded use by fisheries and aquaculture (30% of the IBA), tourism and recreation (10% of the IBA), urban/industrial transport and ports (30% of the IBA), as well as military uses (30% of the IBA). The California offshore wind speed map in the CEC Data Basin California Offshore Wind Portal also shows that wind speeds less than 20 miles from the coast may diminish by more than half.[4] While our organizations are generally unconcerned about the visual impacts of offshore wind, it is noteworthy that the North A and South A Areas of Interest are close enough to shore that projects in those areas would most likely become the source of opposition – running the risk of hindering or stopping development in those areas.

Developing a diverse portfolio of renewable resources is a key component of California's approach to building a reliable and cost-effective low-carbon energy system. Offshore wind will provide resource diversity and help the state meet its emission reduction goals, but it is essential to identify a larger planning area in order to do so. These four Areas of Interest are too small to accommodate other key stakeholder considerations, such as sensitive habitat or fishing grounds. After a deliberative stakeholder process for the four "Areas of Interest," there will likely be even less area available for development.

III. The Offshore Wind Development should not overlap with an existing National Marine Sanctuary

The "Discussion Area" adjacent to the Morro Bay Call Area is an approximately 90 mi^2 area within the Monterey Bay National Marine Sanctuary (MBNMS) and should not be considered as a viable offshore wind energy development area.

The MBNMS was created through a scientific and deliberative process that involved years of working with stakeholders to settle on the Sanctuary's boundaries. The result is that the MBNMS protects dozens of vital marine resources, including feeding and migratory habitat for federally protected marine mammals and seabirds, and habitat for 26 threatened or endangered species. California's four National Marine Sanctuaries contribute to the state's ocean economy by safeguarding and enhancing commercial fisheries, providing recreational and tourism opportunities, and providing resilience to changing ocean conditions, including ocean acidification and warming waters. Maintaining ocean ecosystem health is essential to the livelihoods of many California residents and to shoring up resilience of marine ecosystems as climate change exerts powerful impacts in ocean ecosystems.

Under the Outer Continental Shelf Lands Act, BOEM is prohibited from leasing within the boundaries of any National Park Service, National Wildlife Refuge, or National Marine Sanctuary or any National Monument. While NOAA Sanctuaries has expressed an openness to circumventing this obstacle, our organizations do not believe such efforts are necessary or warranted within existing Sanctuaries.

The potential for offshore wind development to inflict harm on the species and habitats the MBNMS seeks to protect and the suitability of siting offshore wind inside of, or in immediate proximity to, this National Marine Sanctuary are important considerations. Preserving these areas of significant environmental value to support the health of the larger marine ecosystem will allow sites with the greatest

[4] https://databasin.org/maps/new#datasets=428709f4aafa41b8bfdb27118dcb8359

potential for environmentally responsible development to advance. The “Discussion Area” should therefore be removed from consideration for offshore wind development.

IV. Conclusion

We appreciate Representative Carbajal’s and others’ leadership to advance offshore wind energy development in California. The potential Areas of Interest included in the resultant map from the convenings raise concerns for the reasons described above. Ensuring that leasing, siting, and permitting decisions are guided by planning that is based on comprehensive scientific research that gives full consideration of potential impacts to sensitive marine areas and species, and reflects recommendations from a robust public process will be essential to develop the offshore wind energy that will help power California’s clean energy future.

Thank you for considering these comments.

Sincerely,

Elizabeth Murdock
Director, Pacific Ocean Initiative
Natural Resources Defense Council

Garry George
Director, Clean Energy Initiative
National Audubon Society

Kristen Hislop
Marine Conservation Program Director
Environmental Defense Center

Jennifer Savage
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