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*Comment Received From: Kate Huckelbridge  
Submitted On: 10/1/2020  
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**Coastal Commission Comments on Additional Considerations for  
Offshore Wind Energy off the Central Coast of California**

*Additional submitted attachment is included below.*

**CALIFORNIA COASTAL COMMISSION**

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September 30, 2020

Commissioner Karen Douglas  
California Energy Commission  
1516 Ninth Street  
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Comment letter submitted via

<https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=17-MISC-01>

Re: Additional Considerations for Offshore Wind Energy off the Central Coast of California (Docket 17-MISC-01)

Dear Commissioner Douglas:

Thank you for the opportunity to provide comments on the additional areas proposed by the working group led by Senator Salud Carbajal (Carbajal working group) to address compatibility issues with Department of Defense (DOD) activities for siting of offshore wind development in California's Central Coast region. Our comments expand on our January 28, 2019 letter to the Bureau of Ocean Energy Management (BOEM) regarding three proposed offshore wind Call Areas in federal waters offshore California (see January 28, 2019 attached). The new wind development areas proposed by the Carbajal working group are adjacent to the BOEM-proposed Morro Bay Call Area, extending north and southeast and inshore of the Call Area. We appreciate the efforts of the Carbajal working group to find alternatives for offshore wind siting options that are compatible with DOD's current training and testing activities. However, we are concerned that siting offshore wind turbines in these areas located closer to shore will result in an increase in the likelihood and magnitude of adverse impacts to coastal resources. Although comprehensive analysis of and conclusions relating to environmental, fishing and other types of data are still pending, the evidence to date supports this hypothesis. Thus, Coastal Commission (Commission) staff recommend that BOEM, the State of California, industry, and other interested parties pursue offshore wind development as far offshore as is possible to ensure that impacts to coastal resources are avoided as much as possible, and to also ensure that any unavoidable impacts are minimized and appropriately mitigated.

As one of the state agencies charged with planning for and managing sea level rise impacts, we understand the urgency of reducing carbon emissions and eliminating California's reliance on fossil fuels. And we support California's ambitious climate change and renewable energy goals and continue to push for responsible planning in the face of sea level rise. Offshore wind has the potential to be an important component of California's strategy to move to 100% renewable energy. However, development at the scale and locations currently contemplated by the State, BOEM and industry will

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lead to impacts to important state and federal coastal resources, and any such impacts (and potential trade-offs) require careful consideration. To ensure that offshore wind is developed responsibly and in a manner that protects our unique and irreplaceable ocean and coastline, it is paramount that we work collectively to site offshore wind in locations that avoid impacts to coastal resources as much as possible while still maximizing the renewable energy benefit. Please consider the following comments.

### *Coastal Commission Role*

As described in our January 28, 2019 letter, the Commission will play a key regulatory role in reviewing all aspects of offshore wind development for consistency with the Coastal Act. In federal waters, the Commission will review offshore wind development through the federal consistency process authorized under the Federal Coastal Zone Management Act. The first opportunity for federal consistency review will occur prior to any lease sale. The Commission will also review specific proposed projects prior to BOEM approval of any Construction and Operations Plans. In state waters, the Commission has direct permit authority over transmission cables and any other associated wind energy development. From the shoreline to the inland Coastal Zone boundary, which extends between several hundred feet and up to five miles inland, the Commission either has direct coastal development permit (CDP) authority or has delegated CDP permitting authority to a local government through certification of a Local Coastal Program (LCP). On the Central Coast where offshore wind development is currently being considered, the Commission has certified LCPs for the Cities of Morro Bay, Pismo Beach and Grover Beach, and for both Monterey and San Luis Obispo Counties. Any CDP actions on energy-related development by these local governments, including infrastructure to support offshore wind, can be appealed to the Coastal Commission. Thus, through the various authorities described above, we fully expect that the Commission will review most if not all aspects of offshore wind development in California.

Our January 28, 2019 letter describes potential impacts to coastal resources from offshore wind and additional data needed to assess the scope and magnitude of those impacts. Of particular concern are impacts to marine species and habitats, public views, and commercial and recreational fishing. The California Coastal Act includes multiple provisions protecting these important coastal resources. For example, Section 30231 requires that marine resources be protected and enhanced, with special protections afforded to species and habitats of special biological or economic significance. Section 30233 requires that energy facilities such as offshore wind be permitted in coastal waters only if there are no less environmentally damaging alternatives and where all feasible mitigations have been provided to minimize adverse environmental effects. Section 30251 requires that permitted development be sited and designed to protect views to and along the ocean and scenic coastal areas. And Section 30234.5 states that the economic, commercial and recreational importance of fishing shall be recognized and protected.

The Commission is charged with reviewing offshore wind development, including the identification of leasing areas, for consistency with the Coastal Act provisions described

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above, as well as other Coastal Act provisions protecting coastal resources, such as those related to public access and recreation, tribal and cultural resources, development within ports and harbors and others. As a member of the BOEM California Intergovernmental Renewable Energy Taskforce, the Commission has worked with other state and federal agencies to gather environmental, fishing and other types of data that will be critical in assessing impacts from offshore wind on coastal resources. We are still relatively early in the process and have not yet completed this analysis for any of the BOEM call areas. As described above, the first opportunity for the Commission to weigh in on offshore wind will be to act on a federal consistency determination by BOEM on the identification of wind leasing areas. At that time, Commission staff will analyze existing data to assess potential impacts to coastal resources and determine if the proposed leasing areas are consistent with the Coastal Act to the maximum extent practicable. Part of that analysis will include an assessment of alternative offshore wind development areas to determine if a feasible less environmentally damaging siting alternative exists (as required by Section 30233 of the Coastal Act). Our concern with the areas proposed by the Carbajal working group is that wind development in these areas is likely to result in increased impacts to marine resources, public views and fishing as compared to sites within the BOEM Call Areas or other sites further offshore. Our concerns around each of these potential impacts is described in further detail below.

### *Marine Resources*

A key component of our Coastal Act analysis will be an assessment of impacts from offshore wind on marine species and habitats. Of particular concern are unique marine habitat areas, marine mammals and seabirds, such as those found in the Monterey Bay National Marine Sanctuary (MBNMS), the largest of 13 such federal sanctuaries in the nation. MBNMS was designated in 1992 and contains a diverse marine ecosystem that harbors several dozen species of marine mammals, nearly two hundred species of seabirds, hundreds of species of fish, invertebrates, kelp forests, and algae. MBNMS is an incredibly rich and productive marine environment fringed by extraordinary coastal scenery including rocky cliffs and shorelines, offshore sea stacks, sandy beaches, and steep mountains.

MBNMS was established for the specific purpose of resource protection, research, and education. Although allowed uses include commercial fishing and active recreational uses like diving and surfing, activities that have the potential to harm the sanctuary's health (such as oil drilling, mineral extraction, and dumping) are prohibited (National Marine Sanctuary Program Regulation Sections 922.132(a)1 and 922.132(a)2). Likewise, any activities that result in the disturbance, take, harassment of marine mammals, sea turtles, or seabirds are similarly prohibited (Sections 922.132(a)5 and 922.132(a)6). MBNMS regulations further ban the construction, placing, and/or abandonment of any structure, material, or other matter on or in the submerged lands of the Sanctuary (Section 922.132(a)4).

The offshore wind areas proposed by the Carbajal working group include a "Discussion Area" within the Monterey Bay National Marine Sanctuary. In recognition of the biologically important species and habitats this Sanctuary was created to protect,

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Commission staff is not supportive of siting of wind turbines within this or any other Marine Protected Area. We strongly recommend that MBNMS waters be eliminated from consideration as a potential location for the siting of offshore wind turbines.

For areas outside the Sanctuary, our concern is that the closer to shore offshore wind turbines are sited, the greater the likelihood and magnitude of adverse impacts to sensitive marine species. Many marine species, including blue, humpback, orca and gray whales, elephant seals, sharks, rays, and turtles migrate through the waters off the Central Coast. Other species including harbor porpoises, several species of dolphins and sea otters, live in marine waters along the Central Coast year-round. In addition, at least 180 species of birds are known to rely on the offshore waters along the Central Coast. A quick look at density maps for several of these species, compiled in the Offshore Wind Energy Databasin (<https://caoffshorewind.databasin.org>), indicates that marine mammal densities are generally higher closer to the shoreline. Many of these species rely on the ecologically rich waters found in shallower water closer to the shoreline. Seabird densities appear to follow the same pattern. Although there is significantly more data to analyze and consider, preliminary analysis of existing data indicate that the areas proposed by the Carbajal working group would be sited closer to concentrations of important marine species, thus increasing the risk of conflicts between these species and offshore wind development. As such, and subject to further confirmation through analysis of such data, offshore wind development should be sited as far offshore as possible to avoid impacts to marine species, and where unavoidable to minimize and mitigate such impacts as much as possible.

### *Public Views*

To help inform an assessment of visual impacts associated with offshore wind development on the BOEM-proposed Morro Bay Call Areas, BOEM created visual simulations from four key observation points (KOP), namely at Julia Pfeiffer Burns State Park, Limekiln State Park, Piedras Blancas, and Montana de Oro State Park. These simulations demonstrate that the nearly 900-foot tall wind turbine facilities are likely to be visible with the unaided eye on both clear and overcast days as well as at night. Although not part of the evaluation, based on the visualizations from the four KOP's of wind turbines located 20 miles offshore, it is presumed that wind turbines within the areas proposed by the Carbajal working group located further north towards Julia Pfeiffer Burns State Park and closer inshore (varying from 15-20 miles offshore) will also be significantly more visible from Big Sur locales north and south of Julia Pfeiffer Burns State Park. This includes their impacts on public views from all along Highway 1, public park lands, beaches, and other public vista points.

The Coastal Act protects public views "as a resource of public importance", where development is required to be sited and designed to protect views to and along the ocean, to be visually compatible with the character of surrounding area, and in highly scenic areas, like along the Big Sur coast, to be subordinate to the character of the setting (Section 30251). Further amplifying these Coastal Act requirements, Monterey County's LCP includes the Big Sur coast area, which is covered by its own LCP Land Use Plan (LUP). The Big Sur LUP viewshed policies protect all public coastal views within the "critical viewshed", which includes all public views from Highway 1, informal

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and formal pullouts, beaches, and other locations. Specifically, the LUP prohibits all development (including all structures, utilities, and lighting) that can be seen with the unaided eye in the critical viewshed. Although the standard of review for all federal consistency reviews is the Coastal Act, the Commission often looks to certified LCPs for guidance in understanding how Coastal Act policies are intended to be implemented in affected areas. Accordingly, LCP policies will serve as guidance when the Commission reviews proposed lease areas as well as specific offshore wind projects.

Based on these Coastal Act policies, including as informed by relevant LCP policies, impacts to public views along the Big Sur coastline from offshore wind are a significant issue for any development sited in this region of the Central Coast. Siting wind turbines closer to shore and directly offshore of Big Sur, as proposed by the Carbajal working group, would only exacerbate these impacts along what is arguably California's most iconic stretch of highway, made so in large measure by the spectacular views provided to the public. Indeed, in addition to its LCP status, Highway 1 is also a State Scenic Highway and a National Scenic Byway (NSB), meaning it is considered a destination unto itself. Thus, to ensure that scenic and visual quality along Highway 1 and the Big Sur coast is protected, any offshore wind development should be sited as far offshore as is possible.

### *Commercial and Recreational Fishing*

The central California coastline provides critical habitat for a variety of smaller fish species (such as krill, anchovy, sardine, mackerel, squid, etc.) that form the base of the marine food web. These species support several important fisheries, including rockfish, flatfish, roundfish, tuna, salmon and others. Over the past several years, several of these fisheries have experienced loss of fishing grounds and an increase in conflicts with other ocean uses. Offshore wind represents another potential conflicting use for fisherman, and thus, it is important to engage the fishing community in any decisions regarding the siting of any offshore wind development. Although not a comprehensive sampling, Commission staff has received correspondence or heard from a number of fishermen raising concerns about moving offshore wind development closer to shore. It is critical that we hear more from the Central Coast fishing community in addition to analyzing available fishing data to fully assess how impacts from siting wind turbines within the DOD-proposed areas compare to the BOEM Call Areas.

We acknowledge and appreciate the efforts of the CEC, the Ocean Protection Council, BOEM and DOD to reach out specifically to fishermen on the Central Coast to hear their thoughts and concerns about the newly proposed wind energy areas. Unfortunately, due to the COVID-19 pandemic, that outreach has only been able to occur a few times in a virtual setting. We are concerned that limiting outreach to virtual meetings (which is admittedly all that is possible at this moment in time) may limit the number of fishermen participating. If BOEM decides that further consideration of the wind areas proposed by the Carbajal working group is warranted, we urge BOEM, the CEC and all relevant state and federal agencies to redouble their efforts to solicit input from the Central Coast fishing community.

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In conclusion, for the reasons described above, Commission staff urge BOEM and the Carbajal working group to eliminate from consideration any offshore wind areas within the MBNMS. We further recommend that offshore wind turbines be sited as far offshore as possible to avoid impacts to coastal resources, and where unavoidable to minimize such impacts and to appropriately mitigate for them. As a next step, we recommend that all stakeholders and marine users, including DOD, work collectively to find an offshore wind siting solution that helps California meet its renewable energy goals while minimizing ocean use conflicts and protecting our vibrant marine and coastal environment.

Sincerely,

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Kate Huckelbridge

Deputy Director, Energy, Ocean Resources and Federal Consistency  
California Coastal Commission

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Dan Carl

Deputy Director, Central Coast District  
California Coastal Commission

Attachment: January 28, 2019 Letter to BOEM Regarding Offshore Wind Call Areas

cc: Salud Carbajal, U.S. Congressman 24th District  
Jimmy Panetta, U.S. Congressman 20th District  
Bill Monning, California Senator District 17  
Mark Stone, California Assembly Member District 29  
Robert Rivas, California Assembly Member District 30  
Jordan Cunningham, California Assembly Member District 35  
Mary Adams, Monterey County 5<sup>th</sup> District Supervisor  
Bruce Gibson, San Luis Obispo County 2nd District Supervisor  
Scott Collins, City of Morro bay City Manager  
Jim Lewis, City of Pismo Beach City Manager  
Matt Bronson, City of Grover Beach City Manager  
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Jean Thurston-Keller, BOEM  
Steve Chung, DOD  
Bill Douros, NOAA