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*Comment Received From: Sandy Cheek
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Comments on the Draft Assembly Bill 525 Report

Additional submitted attachment is included below.



Northern Chumash Tribal Council

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February 10, 2023

California Energy Commission
715 P Street
Sacramento, CA 95814
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Docket Number 17-MISC-01

Subject: Comments on the "Draft Assembly Bill 525 Report: Preliminary Assessment of the Economic Benefits of Offshore Wind Related to Seaport Investments and Workforce Development Needs and Standards" and the "Draft Assembly Bill 525 Report: Developing a Permitting Roadmap for Offshore Wind Energy Development off the Coast of California"

Water Quality

There are numerous water quality concerns including mooring cables and anchors used to secure the floating turbine platforms. These can cause ocean floor disturbance, increased sedimentation, and seafloor habitat destruction that can impact fish spawning. Antifouling agents used to hinder marine growth on mooring structures contain biocides designed to *prevent* marine growth. They have documented negative effects on non-target species. Corrosion protection measures are a direct source of chemical emissions, and they release large amounts of bisphenol A, which also effects the marine environment, including species behavior, toxicity, and biological impacts. Higher levels of zinc and cadmium in the tissues of mussels sampled near offshore gas platforms suggest that galvanic anode corrosion might be the source of metal accumulation in mussels.

We believe this carbon-free source of electricity can be developed responsibly if siting and permitting decisions are based on sound science and informed by key experts and stakeholders. Avoiding sensitive habitat areas, requiring strong measures to protect wildlife throughout the development process, and comprehensive monitoring of wildlife and habitat before, during, and after construction are all necessary steps for responsible offshore wind energy development.

Need for Monitoring

It is vital that baseline monitoring be established *before* the OSW farms are explored and developed, to assess the impacts on the broad diversity of marine life. The measurement of environmental parameters during the pre-project period helps determine the range of variation of the system and establish reference points against which changes can be measured. The monitoring must continue through the development, implementation, and lifetime of the OSW farms to assess damage and institute wildlife protection mitigation. Without baseline data and continuing monitoring, it is difficult to estimate the impacts or provide mitigation before extensive damage is done. There must be a baseline monitoring database to provide a measurable and quantifiable yardstick to evaluate changes due to global climate change, industrialization, and other impacts. This will be a valuable tool to provide information to sanctuary managers for adaptive ecosystem-based management. The baseline monitoring will provide a pre-survey of ocean and wildlife conditions, biodiversity, water quality, and other metrics. Follow up monitoring will provide valuable information about changes to baseline metrics and assist decision makers targeting problem areas to determine appropriate mitigation efforts. There must be resources and a mandate for ongoing monitoring.

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BOEM must work quickly to identify areas of high environmental importance and sensitivity, as well as areas of potential conflict, so that OSW development can proceed responsibly and without delays. BOEM has sufficient time to incorporate baseline studies and data analysis into the OSW leasing process. Doing so will advance the industry quickly while minimizing risks to California's invaluable marine environment. Ensuring that leasing decisions are guided by comprehensive baseline research and full consideration of potential impacts to marine areas, will lay the groundwork for a thoughtful and efficient expansion of OSW energy.

Development Impacts/Coastal Impacts

NCTC is concerned that Morro Bay, Diablo Canyon, Port San Luis, and Avila beach might be taken over by the OSW industry infrastructure and end up looking like the shorelines of Long Beach, CA, and Seattle. The massive supply chain, ships, trucks, and ground support needed to make OSW function will impact our shores. There will be deliveries of huge turbine parts, supplies, and workers to and from the OSW farms. Please consider the impacts these leases will have over the next forty years. We must ensure that Central Coast communities don't come to regret OSW. Language must be incorporated in the lease agreements that ensures long term coastal protections. Seismic acoustic testing will be employed, and the detrimental impacts from noise on marine wildlife are of significant concern given the crucial importance of sound to marine wildlife. Underwater noise may also result in habitat loss and displacement of marine mammals. Pre-construction site assessment and characterization activities will be necessary and must continue once OSW becomes operational, as active turbines produce low level underwater noise. Turbine maintenance activities will last the lifetime of the OSW leases and increased traffic of service vessels will continue to be a problem.

Tribal Community Equity

The Northern Chumash Tribal Council (NCTC) nominated the proposed national marine sanctuary, supports the wind energy projects, and has been working with BOEM, CEC, other federal and state agencies, and potential applicants for years. NCTC's primary concern is that wind farms be sited with careful environmental consideration in consultation with all local tribes, communities, and scientific experts. There needs to be an ongoing collaborative partnership for the forty years these leases will be in effect. Local tribes have been trying to protect our ocean and homeland since time immemorial. At this historic convergence of wind and water, we ask that our heritage, input, and traditional knowledge be valued, and that OSW leases be used to repair the cultural and environmental damage of the last two centuries, while laying an equitable and inclusive foundation for the Blue Economy - one that meaningfully includes the Native people.

After being dismissed for many years, Native tribes are now frequently asked to consult on environmental issues. This is a step in the right direction, but the economically disadvantaged tribes are rarely paid for the work. While grateful for the opportunity to participate we still need to keep a roof over our heads. Project consultation is a full-time job but provides no pay. It is important that our accumulated time and knowledge is respected and rewarded. Now is the time to ensure that equitable tribal compensation be included. There is no language in the OSW leases that addresses one of the most significant tribal priorities— the impact of onshore landing and infrastructure being placed on our sacred sites, cemeteries, ancestral villages, and lands. We can only imagine how our beloved Central Coast communities might change if we don't mitigate onshore impacts before they happen.



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On October 18, the Biden Administration announced the first ever offshore wind rights sale off California's coast. The Bureau of Ocean Energy Management (BOEM)'s December 6th sale includes five lease areas. Three of the areas begin 35 miles off the coast of Morro Bay and 20 miles off the coast of Cambria, in the waters of the Chumash ancestral homeland.

The Northern Chumash Tribal Council (NCTC) consulted with BOEM and other agencies regarding offshore wind (OSW) for a decade. We have an inherited responsibility to protect our ocean relatives and homeland from harm, while realizing that renewable energy and ocean conservation are equally important. NCTC worked on the proposed Chumash Heritage National Marine Sanctuary (CHNMS) nomination. Our world class tourism depends on exceptional commercial fishing, phenomenal whale migrations, vulnerable endangered species, and a viewshed that represents our collective quality of life. OSW must coexist and cooperate with marine protections, while NCTC advocates for marine conservation, equitable mitigation measures, and fair community benefits. We see this as an opportunity for a collaborative effort, not a combative one. Working together, both will succeed.

Wind energy occurring alongside the proposed sanctuary is an opportunity for collaboration between baseline monitoring, science, and research. The effects of this size OSW on wildlife haven't been seen before, in an area with critically important wildlife species: whales, southern sea otters, turtles, and migratory fish like salmon and halibut. We have an obligation to Grandmother Ocean to provide safe wildlife passage. The livelihoods of fishers, tourism, whale watching, beach goers, and residents depend on assurances that OSW will not diminish the reasons we love the Central Coast. Responsibility lies with those on the front line of climate change - the Biden Administration. Mitigation measures that span the lifetime of leases, with meaningful community benefits, must be included along with local labor trained to work on renewable energy. As climate change intensifies, we must protect California's landscapes, wildlife, and ecosystems from environmental crises while addressing California's energy needs. International island and coastline communities must share new technology and research to combat extreme ocean weather and sea level rise.

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With that in mind, I embarked on a week-long European wind energy trip. I heard reports of “dead zones” surrounding the OSW. First-person stories coupled with data indicate negative impacts on fishes, marine mammals, invertebrates, and birds. Loss of use, collision, habitat displacement, exposure to electromagnetic fields, and underwater noise are key issues. One individual told me that whales had once been prevalent in the area but when OSW activity began, they “hadn’t seen a whale in decades.” OSW in Europe is often adjacent to offshore oil and gas, making it difficult to attribute negative findings. I can’t help but wonder if this will happen here on the Central Coast?

We must prepare for the massive onshore infrastructure needed to support OSW. Planning for supply chains, ships, trucks, and ground support should have started ten years ago. Ports like Washington and Long Beach are going to be tapped, and the prospect of new ports to support OSW is being investigated. No data exists to project impacts on species migration from all over the Pacific. This is an opportunity for the proposed CHNMS to step in and provide some of the data and monitoring. The sanctuary is the best highway for the fish because it leaves a buffer between the coastline and ocean industrialization. The CHNMS designation will provide a complete unbroken chain for wildlife passage from Northern California to Santa Barbara.

If we work collaboratively, in the true spirit of cooperation and conservation, we believe wind and water will benefit. To quote my father, Fred Collins, “Indigenous peoples have a unique perspective. When incorporated with science, our perspectives highlight Grandmother Ocean’s life and connectivity in a living matrix of thriving.” Let’s make the right choices now so in the future we can thrive and prosper together.