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Vineyard Offshore Comments_525 Strategic Plan

Additional submitted attachment is included below.

April 22, 2024

California Energy Commission 715 P Street
Sacramento, California 95814
Docket No. 17-MISC-01

RE: AB 525 Draft Strategic Plan

Dear Chair Hochschild and Commissioners,

Vineyard Offshore appreciates the opportunity to provide comments on the California Energy Commission’s (CEC) Draft AB 525 Offshore Wind Strategic Plan (herein referred to as “Strategic Plan” or “Plan”).

I. Introduction

Vineyard Offshore is a leading offshore wind developer in the United States. Vineyard Offshore’s Vineyard Wind project located off the coast of Massachusetts is the first grid scale offshore wind (OSW) project to be operational in the United States.¹ Vineyard Offshore is currently developing additional lease areas off the coast of Massachusetts and New York, as well as lease area 562 off the coast of Northern California.² Vineyard Offshore applauds the CEC for its leadership and commitment to OSW. Vineyard Offshore appreciates the opportunity to comment on the California Energy Commission’s (CEC) Draft Strategic Plan developed pursuant to Assembly Bill 525. Vineyard Offshore supports the comments of its trade association the American Clean Power Association (ACP-CA). Vineyard Offshore submits these comments as a supplement to the comments filed by ACP-CA.

II. Background

In recognition of the potential for OSW to provide significant economic, environmental, and grid benefits to California, the Legislature passed and the Governor signed AB 525 (2021- Chiu), a landmark bill that set California on course to plan for OSW development in federal waters off the coast of California.³ AB 525 directs the CEC to take the following actions:

- Evaluate and quantify the maximum feasible offshore wind energy generation capacity in waters off the California coast;
- Establish offshore wind planning goals for 2030 and 2045;
- Develop a strategic plan for offshore wind development in coordination with state and local agencies, and to submit the plan to the California Natural Resources Agency and the Legislature by June 30, 2023.

¹ <https://www.vineyardoffshore.com/massachusetts>

² <https://www.vineyardoffshore.com/california>

³ <https://www.energy.ca.gov/data-reports/reports/ab-525-reports-offshore-renewable-energy>

In August 2022, CEC took the important step of establishing state goals targeting 5GW of OSW development by 2030 and 25GW by 2045. These goals were followed by the development and release of the draft Strategic Plan in 2024. Once finalized, the Strategic Plan will provide a blueprint for the development of a robust OSW industry in California.

III. Key Themes for Consideration

Timeline and process for advancing permitting: Vineyard Offshore understands that CEC has selected the REAT process as the preferred option for advancing state-level permitting. The implementation of this process will require a high level of coordination among state and federal agencies to define the roles and responsibilities, process, and timelines. Given that the permitting process in OSW is advancing within the state, it is imperative to get this structure in place as quickly as possible. This would include formalizing a process for interagency coordination including timelines and milestones.

Statutory authority: Vineyard Offshore appreciates the comprehensive nature of the assessment of OSW in California. Vineyard Offshore recommends that the CEC review the Strategic Plan to identify areas where the document blends state and federal authority and clarify those sections. Vineyard Offshore is concerned that in some areas the Strategic Plan can be confusing and incorrectly imply state authority because the language in the Strategic Plan blends federal and state authorities.

Redundant recommendations: Vineyard Offshore is concerned that certain portions of the Strategic Plan make recommendations for actions that are already in place through the existing leases (i.e. vessel speed) or through other state processes (i.e. economic impacts to fisheries which is being addressed through the 7C Fisheries Working Group). Vineyard Offshore recommends a final review of the Strategic Plan for instances to clarify or remove recommendations made about existing processes or requirements.

Clear statement of the use of mitigation recommendations: Vineyard Offshore appreciates the effort of CEC to compile all potential avoidance, minimization and mitigation options. However, we recommend including an explicit statement in the Strategic Plan that these are options that could be evaluated and not a list that needs to be implemented for every project.

Capacity building for tribal governments: The Strategic Plan highlights the need for capacity building among the tribes. Vineyard Offshore agrees this is an important priority and suggests that the state work with the federal government and the tribes to develop funding mechanisms and processes to meet the need.

Continued focus on transmission development: It is critical that California policymakers continue to focus state efforts on development of transmission at a pace and scale sufficient to access OSW on the timeline needed to meet state goals. Vineyard Offshore encourages the CEC to continue working with CAISO to remove barriers and identify upgrades that will ensure sufficient transmission development.

IV. Vineyard Offshore Comments: Volume II

Executive Summary and Chapter 1: Offshore Wind Introduction and Background

- **Regional Considerations:** Vineyard Offshore notes that it may be useful to contextualize the California OSW market within a broader Western context. Therefore, we recommend including consideration of a regional workforce and port development strategy as well as mention of how California’s OSW projects could contribute to or participate in a Western regional energy market.
- **Procurement/Offtake:** Vineyard Offshore notes that the report does not focus on procurement or offtake of power from OSW projects. Given the central role that offtake will play in establishing and driving California’s OSW industry, Vineyard Offshore recommends that some discussion of procurement pathways and considerations be included in the report.
- **Sequencing and Timing:** Vineyard Offshore encourages, where possible, the final report to highlight the timing and sequencing of key developments necessary to create an OSW industry. For example, a solicitation for OSW power may be necessary to help establish sufficient demand for port capacity from leaseholders, which in turn will help unlock port investment from port developers. The report provides a thorough overview of the various pieces that must come together to successfully build an OSW market. However, we would also encourage emphasis on timing and sequencing of these pieces.

Chapter 2: Creating a CA Offshore Wind Industry

Vineyard Offshore is concerned that Figure 2-1: Floating Offshore Wind Configuration, misrepresents the engineering of inter-array cables by depicting a cable laying on the seabed. (Page 21)

Vineyard Offshore is concerned by the statement that “Electricity is then transported by underwater cables on or beneath the seafloor to an offshore substation...” It is not clear yet whether dynamic cables will be engineered in this way. (Page 21)

Chapter 3: Offshore Wind Potential Economic and Workforce Benefits

Vineyard Offshore recommends clarifying whether the term “training” includes safety training, as this will be an important element of workforce training.

Vineyard Offshore recommends consideration of helicopter services and associated jobs for operations and maintenance (O&M).

Vineyard Offshore is concerned the numbers in Table 3-1 (State) vs. Table 3-4 (Humboldt) jobs numbers are incorrect. Workforce development numbers are higher overall for Humboldt (18,613

in 2045) than state numbers (16,610 in 2045). Vineyard Offshore also noticed a similar discrepancy when comparing Labor Income and Output GDP. Vineyard Offshore recommends reviewing this section for accuracy.

Vineyard Offshore recommends identifying the policy support or funding that may be necessary to achieve desired policy outcomes or objectives as referenced in this section.

Chapter 4: Potential Impacts of Offshore Wind and Avoidance, Minimization, and Mitigation Strategies

Vineyard Offshore appreciates the inclusions of avoidance, minimization and mitigation strategies. However, the Plan, as written, does not identify that many of the measures presented are standard and required during the permitting process (i.e. development Spill Prevention, Control and Countermeasure Plans) or are captured in the lease (i.e. ship speeds being limited to 10 knots). Without additional clarity, the public may not be aware that these protections are already in place.

Vineyard Offshore appreciates the CEC’s identification of the need to financially compensate tribes for their time and expertise. Vineyard Offshore is supportive and interested in exploring ways to assist in capacity building efforts. (Page 65)

The Plan states “Specifically, tribes have requested that the first leases should serve as demonstration projects to test out the new floating offshore wind technology, analyze the impacts on marine resources, and conduct further studies and monitoring to inform the decision to opening new sea space for additional offshore wind leases.” Vineyard Offshore is concerned about the designation of the existing California leases as demonstration projects because of 1) the need to meet California’s climate change goals and 2) the positive relationship between cost effectiveness and scale. That said, the industry clearly sees these initial floating wind projects as an opportunity to gather data and learn and improve upon future projects. (Page 65)

Vineyard Offshore appreciates CEC ‘s inclusion of concerns about MMIP awareness and encourages further consideration of ways to address these concerns in the early stages of the OSW industry. (Page 73)

The Plan states “Further, local fishermen’s organizations and tribal and underserved fishing communities need to engage legal counsel at the beginning and throughout the duration of any proposed nonfishing coastal development to ensure that fishermen and their communities have meaningful participation in negotiations with developers and interaction with state permitting agencies.” Vineyard Offshore believes in meaningful participation with the local and fishing community and has found that direct dialog is more effective than dialog through legal counsel. (Page 76)

The language in this section references a Fisheries and Mariners Communication Plan but then provides the following language “Other mitigation strategies discussed included developing a Fisheries and Mariners Communications Plan required by BOEM, in which a fisheries liaison would be established to coordinate with the USCG and representatives of local fisheries groups to

publicize relevant information, using modeling to design offshore wind projects to minimize impacts on fisheries and maximize access to productive fishing grounds, and designing port and harbor infrastructure improvements to serve both the local fishing community and offshore wind needs – with an eye toward coexistence of offshore wind facilities with sustainable commercial, recreational, subsistence, and cultural fishing, each of which would support communities in coastal regions of California.” As written, this moves away from a communication plan to analysis and project design. Vineyard Offshore strongly recommends that communication plans be separated from project analysis, as is consistent with BOEM’s definition of a Fisheries Communication Plan. Communication with the fishing community is essential as projects move through the development states to construction. However, impact analysis, design, and mitigation should be done as part of the permitting process. (Page 79 & 80)

Chapter 5: Sea Space for Offshore Wind Development

Vineyard Offshore appreciates the Plan’s identification of additional sea space for OSW development. It is important for California to continue working with its federal partners to unlock additional lease areas for the state to stay on track to meet its clean energy targets.

Vineyard Offshore appreciates the state’s efforts to find least-conflict areas for additional OSW development and believes that providing some context for how this information could be used in the federal leasing process might be helpful to avoid confusion about state recommendations vs. federal leasing actions.

The additional sea space areas of interest also underscore the need to continue with adequate transmission planning to access OSW along the North Coast. The CAISO’s 2023-24 transmission plan is an important step in this direction, but upgrades will be needed in future transmission planning cycles.

Chapter 6: Port and Waterfront Infrastructure

Vineyard Offshore generally agrees with the direction set forth in discussion of Port and Waterfront Infrastructure. Port planning and development is a long-term effort that requires early investment to be successful. Communication and coordination between developers is vital to an efficient buildout of port infrastructure.

The OSW terminal in New Bedford, MA, is a good example of early investment by the state paving the way for establishment of a local OSW industry. Further, it is important that OSW terminals be established as neutral platforms that all OSW leaseholders can access as needed. Vineyard Offshore cautions against allowing any one private developer to lock up an OSW terminal through an exclusive investment or arrangement. This will stifle industry growth and make it more difficult to scale OSW on the West Coast.

To achieve the necessary port buildout, it will be crucial for the state and federal government to play an active role in the development and funding of OSW terminals and port infrastructure throughout the state.

Chapter 7: Workforce Development

Vineyard Offshore recommends including opportunities for fishermen and fishing vessels, as well as Protected Species Observer (PSO) opportunities, during the geological survey phase. This is a near-term industry need and employment opportunity that is not highlighted in the report.

Vineyard Offshore applauds the CEC's efforts to capture supply chain, construction, O&M and total jobs. In addition, Vineyard Offshore recommends considering jobs created for permitting and development.

Vineyard Offshore recommends inclusion of captain licensing for vessels. California should consider looking at the Massachusetts Clean Energy Center OSW Career Pathways program as a model.⁴

Vineyard Offshore is concerned that the discussion on Community Benefits Agreements (CBAs) overlooks developer commitments to workforce training and supply chain development per their BOEM leases. These funds are an important component of workforce and supply chain development in addition to community benefits agreements. (See Table 7-5; Page 176)

Chapter 8: Transmission Technology and Alternatives Assessment

Vineyard Offshore recommends considering retirement of existing fossil fuel generation in the Humboldt area. There is an opportunity to coordinate retirement of fossil units with the development of OSW. Additionally, Vineyard Offshore recommends review of the recently issued letter from the American Council on Renewable Energy (ACORE) on collaborative HVDC transmission standards.⁵

Chapter 9: Transmission Planning and Interconnection

The CAISO's 2023-24 transmission plan offers a strong framework for building up the transmission system on the North Coast to access OSW.⁶ Vineyard Offshore recommends the CEC continue to work closely with CAISO to study potential upgrades, permitting pathways, and technology solutions to ensure that transmission planning keeps pace with OSW development. It is critical that the transmission system along the North Coast continue to be developed at a pace and scale that provides certainty to OSW projects.

⁴ <https://cleanenergyeducation.org/career-pathways/offshore-wind/>

⁵ <https://acore.org/resources/letter-to-the-northeast-states-collaborative-on-hvdc-transmission-standards/>

⁶ https://www.caiso.com/InitiativeDocuments/DRAFT_2023-2024_TransmissionPlan.pdf

Chapter 10: Offshore Wind Permitting

Vineyard Offshore appreciates the inclusion of the permitting goals in this section and recommends leveraging them for edits to this section. Specifically, this section would provide additional clarity to all readers with an explicit statement of timelines, milestones, and the sequence of coordination among state and federal agencies.

Vineyard Offshore appreciates the need for a REAT or other centralized permitting agency. If this remains the recommended process, we suggest prioritizing the creation of the REAT and its supporting information (i.e., MOUs, definitions of roles and responsibilities, timeline expectations) immediately after finalizing the Plan. In addition, Vineyard Offshore requests that the Plan include a discussion of the implementation challenges and how they will be addressed (for example, federal timelines associated with FAST-41). As the REAT is developed, it will be important to ensure the minimization of redundancy with other groups such as the BOEM-CA Intergovernmental Task Force to best leverage the time of the state and federal permitting agencies. Overall, it is imperative that this additional process be clear and structured to advance permitting yet flexible enough to accommodate the many variables that can drive schedule.

Vineyard Offshore appreciates that the intent of the programmatic environmental impact documents is to streamline the permitting process by streamlining the COP reviews; however, that is not proving to be the case based on our experience in New York.

With respect to NEPA/CEQA documents, Vineyard Offshore recommends that the state and federal agencies work closely together but that the federal and state processes are maintained as separate processes. This separation minimizes the conflict due to different statutory authorities and timelines and allows each permitting process to advance independently.

V. Vineyard Offshore Comments: Volume III

Appendix A: Floating Offshore Wind Technology

Overall, Vineyard Offshore found this appendix to be a valuable overview of currently floating wind technologies. However, the statement “Tension Leg Platform (TLP) design, which is a modularized design that requires no construction or port infrastructure”, may be misleading as there is still a need for port infrastructure with a SPAR in very deep water. (Page 6)

Appendix B: Potential Impacts and Mitigation Strategies

Beneficial Impacts: For the beneficial impacts of offshore wind, it would increase the comprehensiveness of the assessment to include the positive impacts to ocean temperatures and the subsequent benefit to wildlife. (Page 16)

Biological Resources Mitigation: BOEM and CEQA processes often have existing requirements for components like developing Adaptive Management Plans (note that this is just one example). It would be helpful if the Plan could identify when components identified are already part of an



Boston | New Bedford | New York | Eureka

existing permitting/regulatory requirement or in addition to an existing permitting/regulatory requirement. (Page 19)

Seasonal Restriction: The Plan states “While offshore wind turbines would be widely spaced, operational adjustments to seasonal or time-of-day operation could be made to reduce impacts to migratory birds if studies indicate a substantial impact.” Although this approach may seem productive, this type of mitigation measure has not been demonstrated to be effective for migratory birds onshore. (Page 20)

Vineyard Offshore appreciates the opportunity to comment on the Draft Strategic Plan and looks forward to continued collaboration in furtherance of California’s state goals.

/s/ Rick Umoff
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