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*Comment Received From: Jacqueline Moore*  
*Submitted On: 7/9/2024*  
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**PMSA comments on Final AB 525 Strategic Plan**

*Additional submitted attachment is included below.*

July 10, 2024

Chair David Hochschild  
California Energy Commission  
1516 Ninth Street  
Sacramento CA 95814

**RE: Comments on AB 525 Offshore Wind Strategic Plan (Item #4, July 10, 2024 Meeting)**

Dear Chair Hochschild,

On behalf of the members of the Pacific Merchant Shipping Association (PMSA), we appreciate the opportunity to provide comments on the “Assembly Bill 525 Offshore Wind Strategic Plan” (Plan). PMSA represents owners and operators of U.S. and foreign flagged vessels operating along the U.S. West Coast and marine terminal operators at California public ports. In addition to incorporating our suggested edits and comments, as outlined in our February 22, 2024 letter, PMSA offers the following comments for Commission consideration.

Commercial maritime uses are necessary to be evaluated as a vital ocean use, resource, and stakeholder under Assembly Bill 525 (Chiu, 2021). Unfortunately, there is still much to be desired, as *the Plan lacks any effective identification and analysis of potential impacts to the commercial shipping industry*. The Plan fails AB 525. The Plan needs to address and ensure navigational safety and efficiency and accommodate these priorities in offshore energy efforts. It is frankly confounding that there is resistance to include the maritime industry in this vital Plan; to be clear, the industry *is not opposed to offshore wind development* in practice.

Commercial maritime stakeholders, including PMSA member companies, have significant interests in offshore wind energy development: PMSA member company vessels will import the turbines and components for offshore wind; PMSA member company marine terminals and stevedores will load and unload offshore wind equipment; PMSA members have already entered the offshore support vessel space; and, the entire commercial maritime industry, including PMSA members, will remain the principal ocean spatial planning stakeholder with a vested interest in the safe, economical, and continuous maintenance of navigation and vessel traffic lanes.

PMSA looks forward to continued collaboration with the Commission on offshore wind development issues, notwithstanding the deficiencies in the AB 525 Offshore Wind Energy Strategic Plan. We urge the Commission to be more inclusive, in order to ensure the most feasible and least impactful offshore wind energy projects possible, as the state moves forward in its ambitious renewable energy goals. Please do not hesitate to contact me at [jmmoore@pmsaship.com](mailto:jmmoore@pmsaship.com).

Respectfully,



Jacqueline M. Moore  
Vice President

cc:

Wade Crowfoot, Secretary, California Natural Resources Agency  
Karl Larson, Office of the Lieutenant Governor  
Jennifer Lucchesi, Executive Officer, State Lands Commission

PMSA offers the following select identified deficiencies and observations of the three volumes of the Plan:

### **Volume I, Plan Overview**

- Volume I, the Overview, fails to note the commercial maritime industry as a stakeholder and potential impacts, outside of identifying suitable sea space. As a major ocean user, the industry warrants more than simply being listed as a conflict.

### **Volume II, Main Report**

- PMSA is pleased that the commercial shipping industry is recognized as “a large ocean user” and that our interests are therefore “an important consideration.” (Vol. II, page 117). The Plan also includes the US Coast Guard (USCG) Pacific Coast Port Access Route Study (PAC-PARS) map recommendations. However, the current lanes and proposed PAC-PARS fairways, which are designated areas for vessel traffic to promote safe and unobstructed navigation, occupy a significant amount of the leased and remaining available identified sea space and warrant the associated impacts and recommendations to be analyzed and included in the Plan.
- To be inclusive and ensure that all impacts are identified and mitigated, as per AB 525, the following section and sub-sections should be included in Chapter 4: Potential Impacts of Offshore Wind and Avoidance, Minimization, and Mitigation Strategies, mirroring the other identified stakeholders:
  - Commercial Shipping Operations: Overview of Impacts, Strategies, and Recommendations
    - Overview of Impacts
    - Ports and Harbors Impacts
    - Recommendations to Address Impacts
- Vessel Safety Concerns identified in the Impacts Identified by Fishermen and the Fishing Industry subsection are similar to the concerns held by the commercial shipping industry, and is just one of many examples highlighting the necessity of inclusion of a Commercial Shipping Section in Chapter 4, Potential Impacts of Offshore Wind and Avoidance, Minimization, and Mitigation Strategies

### **Volume III, Appendices**

- Appendix B: Floating Offshore Wind Development: Potential Impacts and Mitigation Strategies of Volume III includes 24 “resource types,” and yet still fails to include a major ocean user, the commercial shipping industry. To be fully inclusive and comply with AB 525, the following section and subsections should be included, mirroring the identified resource types:
  - Commercial Shipping Operations
    - Offshore Impacts

- Ports and Harbors Impacts
- Commercial Shipping Operations Mitigation Strategies
- The Minimize Obstructions of Port Facilities Usage subsection notes that to ensure shared use, facilities should be “designed to allow shared use [...] by commercial and recreational fishing, aquaculture, and the offshore wind industry” (Vol. III, page 27). However, the accompanying mitigation concepts fail to specifically include the commercial shipping industry. As seaports are primarily built to support the shipping of goods, it is a significant and glaring omission to not include commercial port operations and commercial shipping vessels here.
- Nearly all impacts noted in the Ports and Harbors section would also be true for the commercial shipping industry, yet another example of the necessity of inclusion of a Commercial Shipping Section in Appendix B.
- The Minimize Conflicts within Shipping Lanes and Transit Corridors subsection is identified only as it relates to fishing activities; the commercial ships in those very same shipping lanes should also be assessed.
- The Department of Defense Operations Mitigation Strategies section notes risk of anchor snagging on underwater mooring cables or electrical cables by U.S. Department of Defense (DOD) vessels. Risk of ship collisions with underwater mooring cables and transmission cables are also noted. The same would be true of commercial shipping vessels in non-DOD anchorage zones and must be analyzed. This is an important and timely concern. PMSA wishes to mitigate all anchorage risks due to offshore infrastructure, including pipelines and electric transmission lines.
- The Air Quality and Greenhouse Gas Emissions subsection fails to include the potential increase in emissions from commercial shipping vessels compelled to a longer transit due to location of offshore wind projects. The subsection also fails to include the California Air Resources Board Commercial Harbor Craft regulation as a mitigation strategy for offshore support vessels, as is provided for fuel and fleetwide regulations. It is also perplexing that the fuel conditions are listed “as feasible” (Vol. III, page 37), such as for the North American Emission Control Area (ECA) fuel oil sulfur standard; these are undoubtedly requirements and must be complied with, save for specific and limited exceptions.
- In Appendix C: Offshore Wind Sea Space Assessment, no map or Additional Information is presented for the commercial shipping industry, as with for the other elements when screening sites for conflicts. Figure C-9: AB 525 Suitable Sea Space Identified for Further Analysis six identifies additional areas of interest, which are *directly in the path of current and proposed future vessel traffic lanes*, as per PAC-PARS. As the new five-year offshore wind leasing schedule, announced by the US Department of the Interior in April 2024, targets 2028 for the next round for lease sales in California, it is timely and imperative the Plan incorporate this.