

**DOCKETED**

<b>Docket Number:</b>	17-MISC-01
<b>Project Title:</b>	California Offshore Renewable Energy
<b>TN #:</b>	243727
<b>Document Title:</b>	Natural Resources Defense Council Comments - Remarks of Irene Gutierrez, NRDC re Lead Commissioner Workshop
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Natural Resources Defense Council
<b>Submitter Role:</b>	Public
<b>Submission Date:</b>	6/27/2022 1:57:22 PM
<b>Docketed Date:</b>	6/27/2022

*Comment Received From: Natural Resources Defense Council  
Submitted On: 6/27/2022  
Docket Number: 17-MISC-01*

**Remarks of Irene Gutierrez, NRDC re Lead Commissioner  
Workshop**

*Additional submitted attachment is included below.*

## CEC Testimony – Natural Resources Defense Council – 06.27.22

- **Introduction**

- Good morning, my name is Irene Gutierrez, and I am a senior attorney with the Natural Resources Defense Council.
- Thank you to the Energy Commission and staff for their dedication to positioning California as a leader in clean energy and the fight against climate change.
- NRDC supports offshore wind development, provided it is sited and developed in a manner that protects the marine ecosystem and communities that rely on it.
- As CEC considers revising its “maximum feasible capacity” target, I encourage the agency to (1) keep the requirements of AB 525 in mind; and (2) consider key environmental and socioeconomic factors.

- **CEC Must Comply with the Requirements of AB 525 When Setting “Maximum Feasible Capacity”**

- AB 525 requires CEC, when setting the “maximum feasible capacity” for wind generating off the coast of California, to consider impacts to “coastal resources, fisheries, Native American and Indigenous peoples.”
- AB 525 also states that “[o]ffshore wind should be developed in a manner that protects coastal and marine ecosystems,” and that California must avoid and mitigate significant adverse effects and engage in monitoring and adaptive management.
- As CEC considers raising its range for “maximum feasible capacity,” it must keep these requirements of AB 525 in mind.
- As CEC considers new studies in the record, it should examine whether the studies consider the factors required by AB 525; and if they do not, ensure that CEC sets its targets based on the full set of requirements of AB 525.

- **Maximum Feasible Capacity Must Include Consideration of Environmental and Socioeconomic Factors**

- In our letter, responding to CEC’s staff report, we suggested several elements that CEC should account for when evaluating “feasibility” under AB 525.
- **One key element - Environmentally responsible development** – when target-setting and indicating which sites should be developed, CEC should consider:
  - Environmental impacts – such as impacts to benthic habitat and other key habitat, seabird, marine mammal, and sea turtle impacts, and cumulative impacts to the entire California Current Ecosystem
  - Mitigation and management measures that should be developed with partner agencies, including – working to fill data gaps, considering infrastructure design to minimize environmental impacts, how operating conditions can influence environmental impacts, and conditions during all phases of wind development that can reduce environmental impacts.
  - My colleague Julia de Lamare will discuss in greater detail other principles for a comprehensive cost effectiveness analysis, socially responsible development, and local economic development, which are essential for CEC to keep in mind.

- **Comprehensive cost-effectiveness analysis** – CEC should consider the technical potential of offshore wind, the economic potential, and real-world constraints, such as ratepayer and reliability issues.
  - **Socially Responsible Offshore Wind Development** – CEC should minimize negative impacts on other ocean users, include robust consultation with tribes and communities, engage local government, and avoid negative impacts to environmental justice communities.
  - **Local Economic Development** - CEC should consider pathways for fostering local economic development.
- **Conclusion**
    - Thank you for all your work and for consideration of these comments.