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CALIFORNIA ENERGY COMMISSION

In the matter of:

California Offshore Renewable Energy	Docket No. 17-MISC-01

WORKSHOP ON ASSEMBLY BILL 525:

OFFSHORE WIND ENERGY PERMITTING ROADMAP

TRANSCRIPT OF PROCEEDINGS

REMOTE VIA ZOOM

FRIDAY, JUNE 2, 2023

9:30 A.M.

Reported by:

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P R O C E E D I N G S

9:30 a.m.

FRIDAY, JUNE 2, 2023

MS. CHEW: Good morning and welcome. I'm going to wait just a few more moments as people are still joining the workshop.

(Pause)

MS. CHEW: Okay, it looks to me like the count number has slowed down, so we're going to go ahead and get started.

Good morning and welcome everyone. My name is Kristy Chew and I am part of the Climate Initiatives Branch within the California Energy Commission's Siting, Transmission, and Environmental Protection Division. Welcome to today's staff workshop which is focused on the reviews, permits, and approvals needed for offshore wind development off the coast of California as required by Assembly Bill 525.

Next slide, please.

Before we begin, I'm going to go over a few housekeeping items.

First, this meeting is remote access only and is being recorded. The workshop recording will be made available on the Energy Commission's website and all of today's presentations will be available on the Energy

Commission's offshore wind energy docket, number 17-MISC-01. Please note that to make the Energy Commission's workshops more accessible, Zoom's closed captioning service has been enabled. Attendees can use the service by clicking on the live transcript icon and then choosing either show subtitle or view full transcript. The closed captioning service can be stopped by exiting out of the live transcript or selecting the hide subtitle icon.

Next slide, please.

Here's a look at today's workshop agenda.

First, we will hear from Energy Commission Vice Chair Siva Gunda and Commissioner Noemí Gallardo. Then I will provide an overview of Assembly Bill 525 and the purpose of today's workshop.

Then we will start our first panel on the opportunities for a coordinated, comprehensive, and efficient permitting process for offshore wind energy facilities with presentations by the Bureau of Ocean Energy Management, the Federal Permitting Improvement Steering Council, four of California's state agencies that share in the permitting responsibilities of permitting in California's coastal areas. Those agencies are the California State Lands Commission, the California Coastal Commission, the Department of Fish and Wildlife, and the Ocean Protection Council. Then Sam Cohen of the Santa Ynez

Chumash will share his thoughts.

Following the presentations there will be time for questions by the panelists and the audience. Then we'll take a short break.

And after the break, we will start panel two, unpacking approaches and examples from the Permitting Roadmap, where we will hear about some of the coordinated agency approaches, such as the Renewable Energy Action Team and the Bay Restoration Regulatory Integration Team.

Next, we will hear about the joint environmental review process and programmatic environmental reviews. And then we'll hear some perspectives on the permitting approaches from offshore wind developers, environmental organizations, public interest groups, and fishing organizations. Then there will be some time for questions. Lastly, there is time for public comment towards the end of the workshop.

Next slide, please.

I will now turn it over to Vice Chair Siva Gunda and Commissioner Noemí Gallardo for opening remarks.

COMMISSIONER GALLARDO: Buenos días. Good morning. This is Noemí Gallardo. I wanted to check to see if Vice Chair Gunda is on? If he is, I feel like he would give remarks first. Is staff able to clarify if he's on or not?

MS. ANDERSON: I don't see him on, Commissioner, here.

COMMISSIONER GALLARDO: Okay. Alright. Well, again, I'm Noemí Gallardo, newest Commissioner at the Energy Commission. One of my main roles is to oversee work related to the siting of power plants, permitting for clean energy projects. And in that capacity, I work very closely with the staff who are part of the division that are putting on this workshop. And that's one of the main reasons I'm here is to support them with this major endeavor and important workshop.

Also, on that note, I wanted to say thank you to all the staff who put this together. Kristy, I see you on, and you are doing wonderful. And I really appreciate how much staff works to be able to give us these forums where we can have great discussions and just learn about these key priority areas.

I also wanted to clarify that offshore wind is not a policy area included in my portfolio of work. Chair Hochschild and Vice Chair Gunda are the lead commissioners for offshore wind. However, offshore wind energy development is a major priority for the entire Energy Commission and we all are all doing our part to support this work, along with our partners at peer agencies and other entities.

I'm particularly fascinated by offshore wind. I feel like it has the potential to transform our state and even the country. And it helps us meet our energy and climate goals. Offshore wind will further diversify California's energy portfolio, helping us balance our solar production and drop off.

Offshore wind will also increase the opportunities for good paying jobs and sustainable careers in clean energy. Offshore wind will provide statewide economic benefits, even beyond those jobs and careers, due to the potential to create more business enterprise and also add critical infrastructure.

And as one of the commissioners that works on permitting, I want to emphasize the importance of permitting and protecting California's resources. The permitting process is where impacts are not only identified, but also resolved, so I'm really glad that we're doing this topic today.

At the same time, we realize we also need efficient project review and permitting because the climate crisis is happening fast and hard. And a lot of people suffer because of it. And we must reduce our reliance on fossil fuels and support electrification.

So, this is a historic moment for us with the leasing of five offshore wind energy areas off California's

coast. We realize the importance of providing companies a clear path forward to have confidence in taking actions and making investments. And we do need an all-of-government approach to defining that path. So I'm glad that we have our peers to work with on that.

The Energy Commission and our partners are going above and beyond what is legally required by AB 525 so that we can succeed on this effort. So we view those legal requirements as minimums and are doing our part to make sure this gets done and done right.

I'll end my remarks with a major thank you again to the staff for today and all of the sweat equity and passion that you've put into getting us here. And I also thank all of the participants for joining us at this workshop to share your expertise and your experience. And we appreciate your collaboration and partnership as well. Thank you so much.

Kristy, I'll turn it back to you.

MS. CHEW: Thank you, Commissioner Gallardo.

Now I will give a brief overview of Assembly Bill 525 and CEC work activities.

Next slide, please.

Assembly Bill 525 became effective January 1st of 2022 and set the analytical framework for offshore wind energy development off the California coast in federal

waters. The bill tasks the Energy Commission, in coordination with an array of specified local, state, and federal partners and with input from stakeholders, to develop a strategic plan for offshore wind energy developments installed off California's coast in federal waters.

In enacting Assembly Bill 525, the legislature found and declared, among other things, that if developed at scale, offshore wind can provide economic and environmental benefits, advance progress toward California's renewable energy and climate goals, diversify the state's energy portfolio, realize economic and workforce development benefits, contribute to a renewable resource portfolio that can serve electricity needs and improve air quality in disadvantaged communities, and offer career pathways and workforce training opportunities.

The legislature also found that offshore wind should be developed in a manner that protects coastal and marine ecosystems.

Next slide, please.

In addition to developing the Strategic Plan, Assembly Bill 525 requires interim work products or reports that will inform the Strategic Plan. These include an Offshore Wind Planning Goals report. This report was adopted at last year's August 10th Energy Commission

business meeting.

The Preliminary Assessment of Economic Benefits from Offshore Wind Report was adopted at the February 28th business meeting. And an Offshore Wind Energy Permitting Roadmap was adopted at last month's May 10th business meeting.

The Energy Commission is currently working on an Offshore Wind Strategic Plan.

These reports, along with this workshop and other recently held workshops, will help inform the Strategic Plan.

Next slide, please.

The report identified six approaches to be fully examined. These include three coordinated approaches, two environmental review approaches, and a coordinated single agency approach.

The coordinated federal and state agency approach are patterned after the Renewable Energy Action Team, which was created to improve the project reviews and permitting of large renewable energy projects in the California desert, and the San Francisco Bay Restoration Regulatory Integration Team, which was created for the review of habitat restoration projects in the San Francisco Bay area.

A second approach is a one state-led coordinator approach, which would identify one state agency to serve as

a lead coordinator or project manager for all state agencies while coordinating information needs with the federal agencies and developer applicants.

A third approach is a coordinated state application process, which would result in the development of a single application to the state with all information relevant for review and concurrent rather than sequential review by all relevant state agencies.

The fourth approach is a coordinated permitting approach where a single agency with authority to permit offshore wind-related components located within state jurisdictional waters would be identified.

There are two coordinated environmental review approaches discussed in the report.

One is a coordinated environmental review approach where there would be a joint federal and state agency/NEPA-CEQA process review process to provide the required information and analyses for all permitting agencies to complete their environmental review obligations.

And a second identified approach is a Programmatic Environmental Impact Report approach where a Programmatic Environmental Impact Report would be developed to evaluate the general impacts, mitigation measures, and broad policies that surround offshore wind development.

Future project-specific environmental review documents would tier from the programmatic document.

Next slide, please.

The adopted report laid out the next steps for continued development of the permitting approaches, which were for staff to continue discussions with stakeholders, tribal governments, and federal, state, and local agencies, and for staff to hold a workshop to further develop the approaches, which we are doing today. And lastly, for staff to develop recommendations on permitting within the upcoming Offshore Wind Energy Strategic Plan.

Next slide, please.

With that, I will hand it over to my colleague, Eli Harland to lead the first panel. Thank you.

MR. HARLAND: Great. Thank you, Kristy.

And good morning, everyone. My name is Eli Harland, and I also work in the Siting, Transmission, and Environmental Protection Division.

We're going to get started with our first panel that includes, as Kristy indicated, federal, state, and tribal government participants. The idea of the panel is to further explore the opportunities for coordinating permitting process that can help us with writing a chapter in the AB 525 strategic plan.

So in this panel, we'll first hear from BOEM,

which we really, you know, see as the foundation for this discussion. And following BOEM will be a presentation on what's called the FAST-41 process, which is a process that has been brought up often when discussing large scale renewable energy, including offshore wind.

After those presentations, we'll transition into remarks on coordinated permitting processes from a group of key state agencies. And to round out the panel, we'll hear from Sam Cohen of the Santa Ynez Band of Chumash Indians.

After Sam Cohen, we'll open up to Q&A with the panelists that are going to present and discuss today, and then we'll open up to Q&A with the audience.

Right before we jump in, I just wanted to make sure and share that we do understand the need for pretty broad federal, state, local, and tribal government voices and perspectives as we develop the roadmap. So today's workshop is one form of our outreach and continued engagement that we're going to have post-workshop and have been doing with tribal governments and also reaching out to local governments, so appreciate that.

We're going to get started with our presentation. So I'll hand it over next to Jennifer Miller.

So next slide, please.

And, Jennifer, go ahead and turn on your camera. And just a reminder to let Hilarie know to advance slides

when you're ready.

MS. MILLER: Okay. Thank you so much, Eli.

It's a pleasure to be here and to be able to speak and represent BOEM and talk about the federal offshore wind permitting process. I know that it is a very complicated process and that the state process is also very complicated. And as much as we can coordinate and work together to make the process as smooth and efficient and satisfying for all of the stakeholders, the various federal and state agencies, local governments, and the tribal nations, I think the better off we all will be.

And so that is the BOEM perspective, just to set the table. You know, we are continuing to seek improvements in our process and strive to be better and do things better each and every day.

So with that, I will get started. Next slide, please.

Oh, and in case you didn't know, my name is Jennifer Miller and I'm the Chief of the Environmental Review Section in the BOEM Pacific Region. Prior to my time here in the Pacific region, I was the Senior Geophysicist responsible for reviewing all of the plans and submissions for the projects that are ongoing on the East Coast. I've been with BOEM since 2014 and I'm really excited to see all of the progress we've made, all of the

changes and adaptions that we've made to our process along the way. And it's really thrilling to see what we've done here in California.

And so with that, who is BOEM? A lot of people know who we are, but if you're not kind of plugged into who BOEM, is at this time what we do is we manage the development of the outer continental shelf and the energy and mineral resources on the outer continental shelf. And we strive to do that in an environmentally and economically responsible ways. These resources are the resources of the nation and that is how we manage them. We know that they are critical, but also require a lot of thoughtful management.

Our jurisdiction on the West Coast extends on the outer continental shelf, which is from 3 to 200 nautical miles off the coast here in California, Oregon and Washington. Our jurisdiction also includes areas off of Hawaii. And we have an Alaska region that includes the waters off the federal outer continental shelf, off of Alaska as well.

Our jurisdiction does exclude national marine sanctuaries, so we do not have any authority to approve or permit in those areas.

Next slide, please.

And so what we're going to talk about today is,

you know, just a real brief overview of the federal offshore wind process. I'll talk a little bit about the timelines and milestones associated with this process. I'll give two state-specific examples here on the West Coast for Oregon and California. Then I'll talk in a bit more detail about what happens after the sale, so what happens after we have an auction and we move to, really, management of leases. And then I'll provide a brief update on guidance and regulations.

Thank you. Next slide.

Okay, so BOEM's regulatory authority, it basically comes from the Energy Policy Act of 2005, which amended the Outer Continental Shelf Lands Act to authorize the Department of the Interior to act as the lead agency for, you know, some alternative energy and mineral related resources. At the time, it was the Marine Minerals Service and is now BOEM. And DOI delegated that authority down to what was MMS and is now BOEM.

The Energy Policy Act of 2005, it requires the development of regulations. And the regulatory regime must include a number of things. It must ensure consultation with tribes, states, local governments, and other stakeholders. It is designed to grant leases, easements, and rights-of-way. It enforces regulatory compliance, requires financial security, and provides fair return to

the nation.

Next slide, please.

So here is BOEM's famous rainbow slide. If you haven't seen it, now you have. And this is essentially our process from the start of planning all the way up to potential installation. And there are a lot of critical milestones along the way and none of them are necessarily a given. Each is a decision point at which we decide to move forward or a decision is made to move forward or a decision is made to not move forward.

And so it begins with our planning and analysis phase. It's a four-phase process and the planning and analysis starts all the way over on the left-hand side. That's where you see those brown and dark brown to black colors. Then we move on to leasing. That's when we're, you know, actively seeking leasing. This includes the publishing of federal notices, granting the leases. After a lease is granted, we then move into the site assessment phase of lease management.

After all the information is collected to submit a plan to BOEM, BOEM will review a plan, and the plan is the Construction and Operations Plan. You'll see here it abbreviated as the COP. The Construction and Operations Plan. That is what people think of as, you know, a project description that really describes where the turbines are,

what they look like, how they're connected, what the technology is, what the landing station is, where the export cables are going to go. It really describes the project in incredible detail and an incredible amount of information is needed to support that plan. That plan takes about two to three years to review.

And then once a decision is made on that plan, there's a couple additional plans that are needed after that. And then once everything is finalized, it moves into a construction and operations phase.

Now throughout this entire process, BOEM welcomes tribal consultation. And there are many, many steps for public involvement throughout the process.

And with that, next slide. Okay.

And so now we're going to go on to the Oregon offshore wind planning example.

Next slide.

So where we are in Oregon is we are very comfortably in that initial planning and analysis stage. We had a task force initiated a number of years ago. There were a large number of meetings related to the task force to establish planning areas and the collection of data and information and an Engagement Plan was developed. And, you know, after the collection, I think it was about a year and a half, two years, and over maybe 70 meetings with various

stakeholders, tribal nations, ocean users, government officials, a Call for Information and Nominations was developed.

There were two areas that were proposed and put forward in the Call for Information and Nominations that went out for public comment. I believe it was a 60-day public comment period. BOEM received 278 comments, individual comments, on that Call for Information and Nominations. We received four nominations. And from that, we are now reviewing all of that information that was provided for the Call, all of those comments. We're sorting through all of that and we're looking to develop some potential wind energy areas.

Next slide, please.

Now one of the new things that we've done, and not just for Oregon but for the Gulf of Mexico and in the Central Atlantic, one of the new steps that we've introduced in our process is draft wind energy areas. This is not a step that is required by regulations, but we've heard from stakeholders, tribal nations, ocean users that there's a great desire for increased transparency into our process and also desire to have a comment before the wind energy areas are final.

So we've developed this draft wind energy area where we go from a big footprint planning area down to a

smaller call area, down to a draft wind energy area, down to a final wind energy area, which will then shrink one more time down to the final lease areas. And the whole program is designed so that you continually winnow away and get smaller and smaller within the same box.

Next slide, please.

So now we are into the California example. So California is one step further along in the process.

So next slide.

So where we are in California is we have -- we've been through all of that process. It was a little bit different because the draft wind energy area process didn't exist when we were going through that step, but we came up with wind energy areas. Then we put out a Proposed Sale Notice. There was a comment period associated with that. The environmental assessments were completed. There are some public engagement and comment periods associated with the environmental assessments that were done for lease issuance. A Final Sale Notice was published and eventually we held an auction in December of last year.

And so where we are right now is we actually just executed the leases and they became effective yesterday.

With that, next slide.

Okay, so we had the California lease sale that I mentioned just a minute ago. This happened on December 6th

and 7th of last year. BOEM thought it was a very successful lease sale. It generated over $757 million to the U.S. Treasury. You can see a map here of the five different lease areas, the names of the different lessees, the lease numbers that are associated with each of these areas, and the total bid associated with each lease.

Next slide, please.

So some of the new and exciting things that we have done for the California lease, like the leasing process, is there are three different bidding credits that were included. There's the workforce training and supply chain development 20 percent bidding credit. And this bidding credit was included in the Carolina Long Bay and I believe the New York Bight lease sales.

And so what's different about this particular bidding credit is that it focuses on floating offshore wind to try and ensure that these developments will impact the industry here in California and are directly related to the development of these potential leases or of these leases. They're no longer potential. We've crossed that threshold.

And then there's two other bidding credits. There's the Lease Area Use Community Benefits Agreement and the General CBA. And these bidding credits, the lease area use bidding credit was a five percent bidding credit that could be granted to provisional winners if they agreed to

executing community benefits agreements with communities, stakeholder groups, and tribal nations whose use of the geographic space of the lease area or whose use of resources harvested from that space is expected to be impacted by development of the lease.

That's a lot of words. What does that mean? And so basically this is really targeted at people who use those resources in the lease area. BOEM's authority is limited to the Outer Continental Shelf and so this really, you know, impacts those people who use that space in the lease. So, what we were thinking of was people like fishermen, fishing groups, seafood processors are all the, you know, stereotypical groups that we think would qualify for that bidding credit.

And then there's the General CBA which -- bidding credit, which offered a five percent bidding credit for lessees who execute community benefits agreements with one or more communities, tribes, or stakeholder groups that are expected to be affected by the development of the lease area. So these are direct impacts from development to these community benefits. And the CBA must address impacts that are not addressed by the Lease Area Use Community Benefits Agreement.

Next slide, please.

Some other new things that we did with the

California lease are there are three required communications plans, and there's the Native American Tribes Communications Plan, the Agency Communications Plan, and the Fisheries Communications Plans. These are new communications plans, and these were the direct result of feedback we heard from stakeholders and tribal nations that the communication from the lessees was not clear. They didn't know, they didn't have an idea of what was going on, or maybe the communication wasn't the type of communication that was preferred by these extremely important groups. And so we listened and we added additional requirements into our leases to try and address some of those concerns that we've heard.

In addition to the communications plans, the lessee will have to make reasonable efforts to engage with parties and tribes that are potentially affected by the lessee's project activities. And that includes the full list kind of in the middle, so not only tribal nations, but mariners and the maritime industry, other ocean users, submarine cable operators, educational and research institutions. We tried to make it a really broad net to try and capture all of the potential groups that might be impacted by the lessee's project.

We also have a stipulation that requires coordinated engagement to the maximum extent practical.

We've heard a lot from stakeholder groups that have limited resources that there is simply too much work to respond to. So in order to try and address some of that need, we're requesting that the lessees, you know, really coordinate their activities to the best of their ability.

In addition to all of these, we have a stipulation for progress reports that the lessee must submit every six months that describe the overall progress and document all of the engagement activities that have been occurring so that BOEM is aware of the type of activities, the nature of activities, and we can kind of see how they're related directly to these communications plans and all the information that we've received to date.

Next slide, please.

Alright, so that brings us to after the sale. So all of this stuff was pre-sale and now we're going to go after the sale.

So next slide.

So after the sale, we enter into the site assessment period. And so there's a one year preliminary term and then up to five years after that for site assessment. And the first thing out of the gates that we expect the lessees to do is to submit communications plans and then start thinking about their survey activities for site assessment. And, you know, this activity, if you can

see in our beautiful rainbow slide, it extends -- this time period is really the time that you see in that, you know, teal color all the way through the yellow. And so the site assessment period I mentioned was, you know, up to five years plus preliminary term, so we see this as taking up to six years.

Next slide, please.

So as I mentioned, the first things that we expect are these communications plans, and that would really set the stage for how the lessee would communicate with all of these very important groups. After we receive the communications plans, we expect the lessees will start, you know, really pursuing survey plans and how they're going to survey their site, how they're going to collect that very detailed information about the seabed, about all of the, you know, the ecosystem, all of the animals that live in and around, above and below the surface of the ocean, you know, in this area and really collect just a tremendous amount of information so that they can design their plan and try to minimize any potential impacts.

So once we get the communications plan, the survey plans have to be consistent with those communications plans.

And then after that, one of the next steps would be the site assessment plan. Now the site assessment plan,

it's not well named. I'm just going to say that out loud in this space. What the site assessment plan does is it describes how the lessee will assess the wind resource at their site. When the regulations were written, it was envisioned that the lessees would be installing meteorological towers, so rather robust facilities.

The technology has advanced to the point where it is standard practice right now for the lessees to install a meteorological buoy, which is a significantly different and less robust facility. And so what we're seeing the site assessment plans basically consist of now is a detailed description of, you know, where that meteorological buoy would be installed and what the technology looks like for that meteorological buoy.

And now throughout this site assessment phase, it takes a couple years, and so, you know, during this time we envision that there will be multiple survey mobilizations. There will be a lot of purpose-specific activities, things like geophysical, geotechnical surveys, benthic habitat surveys. And on the East Coast, we've even seen unexploded ordinance surveys. We anticipate because of the water depths and the military activities that have occurred here on the West Coast that that might look a little bit different here on the West Coast. But, you know, it's definitely something that we've seen on the East Coast.

And, you know, the site assessment phase and the investigation, it is designed to cover the entire area of potential effect, both in the vertical and horizontal directions of the proposed facility.

Next slide, please.

Okay, so once you get through all of that, once the lessee has spent a number of years collecting information and really designing their plan, then the lessee submits a Construction and Operations Plan.

Next slide, please.

The Construction and Operations Plan is really the mega-permitting document that BOEM reviews to understand all of the impacts, the pluses and minuses related to this particular project. And the Construction and Operations Plan must demonstrate a number of things based on the regulations. So it must conform to applicable laws. It must not unreasonably interfere with other uses on the Outer Continental Shelf. It must use the best available and safest technology, properly trained personnel. It must be safe. It must not cause undue harm. And it must use best management practices.

Now how does the lessee demonstrate that they have met all of these criteria?

Next slide.

And how they demonstrate that they've met all

that criteria is they submit information to BOEM. They submit project information that describes the facility, the proposed activities, you know, onshore activities, offshore activities, what kind of support facilities, the construction and operations that will occur, conceptual decommissioning plans, and it also has to include the project easement or the export cables that will basically transmit that energy to shore.

It also must include detailed survey results. And this is information and data derived from the characterization surveys that are performed by the lessee.

It also has to include a certified verification agent nomination. Now this is basically like an engineering firm that will review the plans that are proposed from a very detailed and engineering perspective. And there are a host of requirements around what's needed in there.

It also requires an Oil Spill Response Plan, a safety management system, and some other information and certifications. And that has to do with some NEPA stuff that we'll talk about in just a minute.

Next slide, please.

And so one of the big parts of the review of the Construction and Operations Plan is the National Environmental Policy, or NEPA, environmental review and the

technical review that is associated with reviewing all the technical components. And this review takes, on average, up to two years depending on how and when the information is provided to BOEM. It can take longer than two years.

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So the first, the environmental review process for the COP, is pretty well documented and it has to do with following, you know, the NEPA process. So the COP is submitted. There's a public scoping process where we publish a Notice of Intent in the Federal Register. This is where we have some new guidance on, you know, what that threshold is for the notice in order to publish that Notice of Intent. Because as you'll hear next, there are some FPISC timelines and they are related to sort of that kickoff day, 30-day public comment periods, hold some public meetings, and receive input on issues and alternatives.

We would then move into the draft EIS, Environmental Impact Statement stage where we would prepare the draft Environmental Impact Statement with cooperating agencies, publish a Notice of Availability in the Federal Register. There's a 45-day public comment period associated with that. And we would hold some public hearings.

Then we would move to the final Environmental

Impact Statement where we would address public comments with cooperating agencies and publish a notice of availability in the Federal Register. And then finally move to a record of decision.

Next slide, please.

After there's a decision on the Construction and Operations Plan, BOEM can decide to approve the plan. We can approve the plan with modifications. The two plans that have been approved were approved with many modifications. There were a significant number of terms and conditions that were developed with BOEM, our interagency partners, tribal nations, and the states as well. Or we could disapprove the plan.

The lessee must also submit both a Facility Design Report and a Fabrication and Installation Report to BSEE prior to conducting installation activities. And the facilities proposed in the Construction and Operations also require the use of a certified verification agent. I had talked about that a little bit previously. That is that engineering firm that comes in and really does a very detailed review. And they're highly involved in the Facility Design Report and the Fabrication and Installation Report. Those reports are highly detailed engineering documents that really describe a lot of the detailed engineering behind the facility.

And if BSEE does not object to these two reports, the Facility Design Report and the Fabrication and Installation Report, if you're familiar with BOEM's process, they have acronyms of the FDR and FIR. After those reports are not objected to, the lessee can begin construction. And so that is really the threshold to begin construction. It's not just the COP. There's two other plans that have to not be objected to before construction and operation can begin.

Next slide, please.

So here is a slightly revised version of the rainbow slide that includes operations. So you can see, you know, there are a number of years and a lot of steps and a lot of points of decision prior to installation and commissioning. And then we imagine, you know, a 20-plus year for operations, followed by decommissioning.

Next slide, please.

Alright, so now we're on to updates, and on our guidance and regulations.

Next slide, please.

So we have done a number of updates recently. There is the Renewable Energy Guidance that's available by BOEM. And then there's also the BOEM BSEE Split Rule. And so this is relatively new. And what happened is when the leases were originally --- or when regulations were

originally written, all the authority resided with BOEM.

At this point it has been decided that the program has reached a point of maturity to where we can basically divide our efforts in a similar way as they're divided for oil and gas, where we have BOEM that issues the leases and then BSEE, which is the Bureau of Safety and Environmental Enforcement, they come in and manage after, basically at construction. So they become the primary authority, you know, once construction and operations begin and they are the safety and environmental enforcement authority.

So that split, that BOEM BSEE split, it has just occurred in the renewable energy program. But I can say that we have been working with our partners at BSEE for a number of years and they have been involved in the process. And so while it seems new, really all we're doing is kind of changing who's the lead and who's the secondary.

We've also proposed the energy -- the Renewable Energy Modernization Rule. And there's the NOI checklist, the Notice of Intent, under the National Environmental Policy Act for Construction and Operations Plan. We call it the NOI checklist. And this is basically setting a standard for the information that BOEM must have in order to publish the Notice of Intent.

And then we are working on guidelines for

mitigating impacts on commercial and recreational fisheries and put out some draft guidance and are still working to make that final.

Next slide, please.

So the proposed Modernization Rule, it includes eight different major components, eliminating unnecessary requirements for the deployment of meteorological buoys, increases survey flexibility, that's mostly related to the collection of geotechnical information and when that detailed information is needed for every turbine location. There's improving the project design and installation verification process. This has a lot to do with the CBA and the CBA's role in reviewing those Facility Design and Fabrication and Installation Reports. There's reforming BOEM's Renewable Energy Auction Regulations. There's some proposals for, you know, modernizing our auction rules, tailoring financial assurance requirements and instruments, clarifying safety management system regulations, and a couple other provisions and some technical corrections.

Next slide, please.

So for the guidelines for issuing a Notice of Intent, what we affectionately refer to as the NOI checklist, this describes the BOEM process for how BOEM will process incomplete COP submissions. So these are COP submissions that don't have all of the information that are

required in our regulations. And it would improve the efficiency of the review and provide clarity to all COP applicants and cooperating agencies participating in BOEM's environmental review.

It identifies the minimum threshold for a partial COP submission that an applicant is expected to meet before BOEM will initiate the formal review and technical review process through the publication of an NOI, Notice of Intent, to prepare a NEPA document. BOEM will consider conformance with the NOI checklist when considering acceptance of FAST-41 initiation notices where applicable.

Next slide, please.

I mentioned the BOEM BSEE Split Rule. There's a lot of words on this page. I'm not going to read them all to you. I think I described this pretty well. Basically, it was decided that the renewable energy program had reached a point of maturity where it made sense to basically separate the regulations. And there were no major changes to the regulations during the Split Rule. There was a little bit of reordering and renumbering, but basically it just took a section of regs that used to be in the 30 CFR 585 regs, and it moved them over to the BSEE regs, which are located at 30 CFR 285.

Next slide.

Alright, and that's it. Thank you so much. I

really appreciate your time and attention today.

MR. HARLAND: Great. Thank you so much, Jen Miller.

And I just wanted to note for folks, that we will also be, the Energy Commission will be posting this slide deck soon. So if folks were wondering where they could find those slides, I know that that BOEM had a lot of good graphics and a lot of information there, and those will all be posted and available for folks.

And then just another reminder that we're going to do a Q&A, questions and answer opportunity, but not until after we hear from a few more presenters before we get there. So it's okay to raise your hand and get in the queue. I just wanted to make sure everybody knew.

So next up, I'd like to invite Christine Harada from the Federal Permitting Improvement Steering Council.

And Christine, if you could go ahead and turn on your video, and then we can go to the next slide and get started on your presentation.

MS. HARADA: Great. Well, good morning, everybody. And thank you so much for having me. I wanted to introduce myself. My name is Christine Harada. I'm the Executive Director of the Federal Permitting Improvement Steering Council. That is a lot of words and the who we are and what we do is what I'd like to talk through today.

If I could ask you to move to the next slide, please?

So FAST-41, that was a language or a verbiage that you heard earlier as well, references the statute that stood up our organization, which we shortened our name to the Permitting Council. FAST stands for the Fixing America's Surface Transportation Act that was passed in December of 2015. And under Title 41 of that law was established -- is where we were established, so hence we call it FAST-41.

The process itself, the program and the process itself applies to certain types of very large and complicated infrastructure projects. And we fundamentally serve as an integrating and coordinating role through the environmental review and authorization process. So in the charts that Jennifer Miller was just presenting, we come into play much more in the orange set of the rainbow, if you will.

Our program applies to a number of different sectors, some of which are pictured here. And we'll get into a little bit more of the details of everything that is involved.

If I could ask you to move on to the next slide, please?

So fundamentally, what are the goals of FAST-41

and the Permitting Council? Why are we enshrined into statute in the first place? It really comes down to, especially for the project developer community, also for state and local governments and local communities, tribal governments, as well, frequently the federal environmental review and permitting process can be a bit of a black box, and so we were stood up to try to make that a lot less opaque.

A lot of the rules and the procedures that we'll talk about here shortly are rooted to ensure that we're meeting these four goals that you see on the right-hand side of the screen, that we're providing permitting predictability, that we are enabling and facilitating efficient issue resolution, that we're providing transparency and accountability for the various steps that's in the permitting process itself, and certainly, last but not least, that we are facilitating and enabling federal agency collaboration and coordination.

You're going to hear that phraseology come up quite a bit on both with BOEM as well as ourselves. The collaboration and coordination is incredibly important because big complicated projects like this can and do require permits from multiple different agencies at different times.

If I could ask you to turn to the next slide,

please?

One of the elements of the Permitting Council is the governance structure that was stood up. So the council itself is comprised of the 16 members that you see here. They are the deputy secretaries or their equivalents at these various agencies, as well as two components from the White House. We have the chair on the Council on Environmental Quality, as well as the director for the Office of Management and Budget. So truly, these are the senior-most policymakers and leaders within the agencies that have a role with the permitting process.

We work very closely with the senior leadership on a number of different issues to include everything from resolving really sticky policy questions or issue resolution-type issues, as well as resource allocation, ensuring that various projects are appropriately and adequately resourced. What are the things that we could be/should be doing to ensure that the permitting workforce and the federal agencies are there to be able to help work on these projects and get them to fruition?

If I could ask you to move to the next slide, please?

Some of the benefits of participating in the FAST-41 program, I will note that this is a voluntary program in which the project sponsors, so the project

developers or project proponents, are the ones who would like to submit an application to us and say, yes, we'd like to work together with you on this. And so as a project proponent these are some of the benefits that you would receive from working with us.

Firstly is around increased predictability and having to produce and publish a comprehensive permitting timetable, which I'll show you very shortly, that provides a lot greater clarity and, again, predictability on when is this permit actually going to happen? What are some of the interim milestones associated with that? Okay, that sounds great. So who are the people that I need to work with, et cetera, et cetera?

It also provides enhanced coordination amongst the different federal agencies. And we can provide -- and we frequently do serve as a one-stop shop for project sponsors if they have any questions for us or sticky questions that they'd like to have resolved, et cetera.

We also have a very unique authority with respect to funding transfer. So as a result of the Bipartisan Infrastructure Law, we were provided the opportunity -- authority to transfer funding to federal, state, tribal, and local governments to support the work that's related to federal environmental authorization. So say, for example, if a tribal government is just underwater, up to their

eyeballs in environmental reviews and whatnot, you know, if there's a consultant or somebody or whatever the case might be, some resources that a tribe might require to be able to actually read through all the documents and do all the analysis that they need, those are the types of support that we can help provide.

Over on the right-hand side, because the project is published in a very publicly available manner, it frequently does focus the attention of agency leadership on these particular projects, again, to be able to help drive issue resolution and direct resources to be able to deliver on the project. It also increases transparency and accountability as well.

And certainly, last but not least, our statute has some very clearly defined escalation procedures for helping to resolve some of the permitting timetable issues. So say, for example, if you've got an agency, agency A says, like I can only do it by this date, but that feeds into agency B, and there's an argument over -- I shouldn't say argument, but there's a disagreement over when that actually could be, should be happening, those are the types of issues that we are authorized to come in and help with resolving some of those types of disputes.

A picture is worth a thousand words. If I could ask you to please move on to the next slide?

These next two slides basically present, represent a screen snap, if you will, of the federal Permitting Dashboard. If you go to www.permitting.gov, it will take you to our page where you can see all the projects that are listed. By the way, we share that website with the Department of Transportation, and so you will see all the Department of Transportation projects, as well as our projects as well.

So this is an example here for New England Wind, which is an offshore wind project off the coast of Massachusetts and Rhode Island. Here is the top half of the page where you can see, you know, the basic information about the project. So what is this project? Where is it physically located? If you look on the righthand side, who's the lead agency? Who's the actual point of contact? If you have any questions at all, or would like to do about more engagement around this front and their contact information?

And same thing, as well, with the project developer or the project sponsor. Who are they? What's the entity? Who's the specific person that I can go and talk to around this?

It also shows the overall status of the environment review and the federal permits and where it stands.

And last but not least, it also very clearly identifies all of the relevant federal agencies. And I think, you know, Jennifer Miller alluded to this a little bit before, but permitting these offshore wind projects, which by the way, as an engineer, I think are super cool. They require a lot of coordination across multiple different agencies.

So as you will see -- if I could ask you to advance to the next slide, please? -- for offshore wind, and this just off the East Coast, offshore wind projects can require up to 12 federal environmental reviews and authorizations from six different federal agencies. And so we're asking if BOEM is represented in this particular slide on a couple of the bar charts. You certainly see the Construction and Operations Plan up top, as well as the Environmental Impact Statement. They also take responsibility for the section 106 review as well.

But all of the other elements that you see here on this, what I call a master Gantt chart, represent the actions of frequently different agencies. So for offshore wind, you'll need to coordinate with not just BOEM, but also NOAA, NOAA, NMFS, the National Marine Fisheries Service. Frequently, you also have a Fish and Wildlife Service intersection as well, potentially National Park Service, depending on where your cables are coming in, or

your sited Army Corps of Engineers, et cetera, et cetera.

And so there's a whole bunch of folks and agencies that we are all working together to ensure that we're coordinating and collaborating on this. And I think whereas it may seem -- it certainly may not seem like rocket science to see this on a one-per-project basis, but if you think about it from the federal agencies views, where we are managing hundreds, if not maybe thousands of environmental reviews and authorization projects throughout the entirety of the various departments, having this kind of alignment is extremely helpful, not just for the agencies, but also for the project sponsors and the communities impacted as well.

If I could ask you to move to the next slide, please?

So what kinds of projects, you know, can qualify for our services, which are provided free of charge, by the way, at the moment? These are the sectors. There are 18 sectors -- actually, take that back, there are now 19 sectors. Late breaking with the Fiscal Responsibility Act that was just signed or that just passed the Senate last night, they added energy storage as an additional sector here as well. So our projects typically fall into these categories.

So offshore wind, of course, is renewable energy

production, but we also do conventional energy, transmission lines, carbon capture, manufacturing. We're very heavily involved with a lot of the conversations during the current semiconductor activities. Broadband, as well. And of course now, energy storage. So a lot of clean energy investments and projects can certainly qualify for our assistance.

And ask you to move to the next slide, please.

So say, for example, you've got a project that's in one of the top segments, and so great, how can I actually qualify for FAST-41? There are additional criteria that projects must meet. Frequently, for offshore wind, they fall within what we call the objective criteria, the very first one that's listed here, in that the project must be subject to NEPA. It requires an investment of over $200 million and is not eligible for an abbreviated environment review or authorization.

So again, offshore wind, we also work a lot on interstate or multistate electricity transmission lines, utility scale solar, et cetera.

For your edification, there's a number of other criteria here that I will not get into for the purposes of this particular conversation, but they are indeed listed here. And again, as the materials become available to you, please do feel free to dive in and share. And if you have

any questions, we're always happy to take your questions.

If I could ask you to move to the next slide, please?

One of the unique outcomes or situations as a result of participating in the FAST-41 process is that, fundamentally, project sponsors have a greater seat at the decision-making table. And so our statute requires that the project sponsors must be consulted both in creating the permitting timetable and on any and all timetable modifications.

And we know stuff's going to happen, right? You're going to find things in the ocean that you did not expect. And so we're going to have to figure out what does that mean. It happens with every single project, and it happens a lot with offshore wind projects just because it's under the surface of the ocean.

There are certain rules and processes that are required in our statute in order to make the modifications to that overall project plan. But fundamentally, it's about, hey, let's make sure that we're all managing this well and doing it together and doing it with the project sponsors and that we're all in alignment on this.

There are some checks on it to ensure that we're not unnecessarily either sandbagging or gaming the project plans, and so the bottom line point there being for -- the

very bottom point, hey, listen, if your project plan actually exceeds 150 percent of the original length, like let's say you thought it was going to take a year, turns out it's going to take more than 18 months for a whole variety of reasons, we have to notify that to both OMB and Congress.

Some examples of what I would consider to be really good reasons why we need to extend it could be things like we were hit by a massive hurricane or a big earthquake or some natural disaster came and really disrupted a lot of our plans. You know, the agencies and the regions are much more focused on recovery, et cetera, things like that; right? So stuff can and does happen.

And again, the bottom line point of our statute is that we are managing this together in as orderly and coordinated fashion as much as possible.

Next slide, please.

So say, for example, you think, great, I really want to participate. This program sounds like a good idea. Jennifer Miller previously alluded to some time frames associated with our particular statute. So let's say for an offshore wind project developer, around the time that your COP is about to be done-ish, you want to submit to our program, there are a couple of statutorily-required time frames associated with processing an application to

participate in our program.

So firstly, you know, you would submit an application. It's called the FAST-41 Initiation Notice, or FIN, because we're the federal government and we do acronyms, but you would submit your application, aka a FIN. And within 14 days, that's articulated in statute, within 14 days, we all have to collectively determine whether this project is absolutely eligible for coverage or not. And this is something that we do collaboratively with the proposed lead agency as well. And so here, we frequently do this with BOEM.

Within 21 days, let’s say -- so within 14 days, let's say that your project is accepted, that's great. Hopping over to number four, within 60 days is when you would see the master Gantt chart of all the other permits, environmental reviews, and authorizations that are listed in there. And so that, again, these dates, these numbers are all articulated in our statute.

So within 21 days, the lead agency has to reach out to all the other agencies that are impacted and say, hey, we're going to be putting together this master Gantt chart. That's going to be delivered in number four. And then there onwards, as I described before, we're going to be administering the timetable and managing through the process itself.

If I could ask you to move to the next slide, please? Next slide, please. Thank you. Fabulous.

So as I touched on briefly, again, within the Bipartisan Infrastructure Law that was passed in November of 2021, one of the unique authorities that we have is to be able to transfer funding to support and facilitate the timely and efficient permitting activities.

So for example, let's say, as I mentioned before, the tribe was one example. Maybe another one might be like, hey, you know, this particular federal agency is -- maybe Fish and Wildlife Service is dramatically understaffed in a particular region. Can you help us out so that we can conduct the Endangered Species Act consultation that is absolutely required of all of these projects? Yes, we can help you with that. We've also provided support to NOAA in a similar manner for support with the Marine Mammal Protection Act, the EFH and Magnuson-Stevens Act, as well, for fish habitat.

And so the eligibility, eligible recipients for this funding includes what you see here on the right-hand side, federal agencies, tribal governments, state agencies, and local governments. We are absolutely open to your questions and thoughts on this front as well, so we very much look forward to engaging with you.

If I could ask you to move on to the next slide,

please?

A couple of myths that I had heard as I was, you know, engaging with various communities and stakeholders that I thought might be worthwhile to do a quick little myth-busting session if it's okay with you all.

So despite the name, and again, the name comes from the statute called Fixing America's Surface Transportation Act, we have received some inbound saying like, you guys sure changed the environmental review process and you accelerate permits by making them go faster because you're taking shortcuts.

We do not cut corners. We do not reduce the quality of the project review. We do not dictate the outcome. We don't have a thumb on the scale, if you will. We absolutely do not reduce any engagement with tribes or any other stakeholders. We do not prescribe deadlines. And we also certainly do not do anything to NEPA or to modify or set any kind of rigid timeframes; right?

The reasons why our program is a success and has been a success is because of just some of the underlying fundamentals, right, good solid project management, appropriate resource allocation, issue resolution and escalation so that they're resolved in a timely manner, and publication on the Dashboard for providing greater transparency and accountability that leads to that

predictability and certainty for these projects. It is not because I am shortchanging stuff.

On the right-hand side, we also do not wade into the substantive aspects of the decision-making. And so I am not a whale expert. We don't have any whale experts on our team. We absolutely 100 percent defer to our colleagues over at NOAA, who are, indeed, the marine mammal species experts on this front. And so whatever they say goes as part of their authorization processes.

We also do not advocate for projects.

And we also don't do anything with respect to any of the underlying environmental review and authorization processes. So for example, Clean Air Act, Clean Water Act, we ensure that those are actually being followed, that they are being scheduled appropriately, and that as issues are being raised, that they are being resolved appropriately as well.

If I could ask you to move on to the next slide, please? I think it's just one more slide.

If you're interested to participate in the program for FAST-41, it's a very simple application, we are always happy. It's either an email or web submission. They both come to the same place, and they both fundamentally say the same thing. It is 100 percent up to you and your desires on which you'd like to submit it.

We are absolutely open for pre-application consultations or any questions whatsoever. We do that all the time on our team. We are absolutely happy to sit down with you and help brainstorm through with you, firstly, does it seem like we'd be a good fit for one another? Can you tell me a little bit more about how specifically would FAST-41 work with BOEM on this, like what would that look like, et cetera, et cetera. And so absolutely happy to engage with you.

I think if I could ask you to move on to the next slide, I think that was my last slide.

So thank you again for the opportunity to present out to you all. My colleague Jennifer Mallard is also on the line with us today, and I think she will be sticking on for a while longer as well to be able to help answer any questions that you might have.

I see there is one question in the chat function, and just very briefly, the most common lead agency, sir, is the Department of the Interior as an entirety itself. And so within that, of course, our biggest customers or partners, if you will, BOEM, BLM, Bureau of Land Management, are the two biggest agencies.

With that, allow me to turn it back over to you.

MR. HARLAND: Great. Thank you so much, Christine. There was a lot of great information that you

shared there, and that coupled with Jennifer Miller's presentation, I think that we have a lot of useful background, useful context from both of those. And we also appreciate that Jennifer Mallard can stay on if we do have questions that come up in the Q&A shortly.

I'll ask to advance the slides through. There we go.

And for folks that were on there, there was a couple of appendices slides that were included with Christine's presentation that will also be available when this presentation is available.

So, okay, so we're going to transition. This part of our panel is going to be sort of a roundtable discussion with state agencies. An important part of the Permitting Roadmap that Kristy described earlier that was adopted in May was really the inventory of the regulatory and permitting requirements and some of the discussion there about ways to potentially sequence those across the different levels of government.

And so what I'm going to discuss is a generalized timeline that we presented in that Permitting Roadmap. And I hope that discussing that generalized timeline will help anchor our state agencies' discussion that will follow that. So right after I go through a couple of slides, we'll then go to Jen Mattox, and that will be followed by

Holly, and then Jay with CDFW, who is stepping in for Eric Wilkins today. And after those comments, we'll also hear from Yi-Hui Wang.

So first, I want to tee up our discussion of the timeline.

So next slide, please.

So in the Permitting Roadmap Report, this is a generalized timeline that we created, and we started with the four phases that BOEM presented earlier, so Jennifer Miller's presentation. She had a lot more detail across those phases, but the purpose of this was to illustrate the state and local permitting processes that come into play as you look at the federal timeline. So I'll emphasize, this graphic is pretty simple, and it's meant to capture some of the major activities, actions, and requirements.

The first two phases on the left-hand side, the planning and leasing phases, are what BOEM works through in the beginning. And Jennifer Miller presented on some of the background for how those occurred in California, and then some of the ways that BOEM is thinking about adapting and changing those as they do future planning for additional areas for potential leasing.

And it's the two phases on the right that I was hoping to dive into more today, because these are, as we heard, the leases, the five leases, are effective

yesterday. And so it becomes sort of an urgent and important focus for us to have is on these first five lease sales becoming effective.

So next slide.

So these two phases on the right that are circled, the site assessment phase, and the review, what we're calling the review of project applications phase. It's slightly different than what BOEM phrases it, but that's because we're focused on the environmental reviews that are post-Construction and Operation Plan when we look at that phase for purposes of the roadmap and the Strategic Plan.

I'll note that, you know, again, this graphic is very regulatory focused and doesn't include specifically any of the public and tribal engagement that's, you know, directly called out, other than what would be required by law. But as we work on how to do these coordinated approaches that we're after developing today, and as we develop the roadmap document as part of the Strategic Plan, we are interested in how that needs to be inclusive. And we've heard several suggestions on how to do that. So we're going to dive in these two phases really fast.

Next slide, please. Next slide, please. Thank you.

MS. ANDERSON: Hey, Eli, really quick. We're

having a hard time hearing you all of a sudden.

MR. HARLAND: Is my audio better now, Hilarie?

MS. ANDERSON: There we go. Thank you.

MR. HARLAND: Hilarie, I lost the internet. Did it come back?

MS. ANDERSON: Yeah, you're good.

MR. HARLAND: Oh, my goodness. Okay. Thank you so much.

So this slide is zooming in on the site assessment phase and the phase for reviewing applications for a project review. So as we heard earlier, we're now in this site assessment phase for the first five leased areas. That's the phase on the left. And this highlights some of the major activities to occur that were pulled out of the Roadmap Report and that timeline there.

I think of note, this phase can take between two to five years. We have the immediate phase that Jennifer Miller described for this first year of the lease. So it can be up to six years before we would go out of this phase and then be able to go into the phase that's on the right-hand side and going through the Construction and Operation Plan, following the Construction and Operation Plan and doing the NEPA review and, at the same time, other required CEQA reviews.

So the phase that we're really, you know, focused

on immediately in front of us is this site assessment phase that's beginning. And the reason why I wanted to zoom in on these is because I think one part of our timeline that we want to evolve in the Roadmap Report is being able to show how this plays out for having five projects.

So next slide, please.

So this is a starting point for us to begin to develop a chart that begins to chart out the most urgent and important work for the projects that we have in front of us today. And so this graphic is again showing that in the planning phase and the leasing phase, you know, we're sort of in those dealing with a single process. We might have multiple areas that are being evaluated, like there were in California. And we're going through those and typically working, you know, with agencies to execute a lease sale.

But once the leases are -- once the leases have been executed, then you move into a space where the timeline becomes specific to each of the projects that are leased. So in this regard, you have five lease areas that all start on the same effective date and have very similar or have the same requirements across them, but each one's going to have different considerations for the schedule and for what it takes to prepare a Construction and Operation Plan and then go into the NEPA and CEQA process.

So this is a very basic way to describe this, but I think it's a starting point for us to work with our state agency partners, but also local government partners, tribal governments, and also with our federal partners to begin to understand and chart out what it means to have a more, sort of comprehensive programmatic approach to some of these places.

So I'm going to switch to the next slide and ask the state agencies to turn on their cameras. That would be great.

Jen Mattox, if you could turn yours on, and Holly, and Jay, and Yi-Hui, and we'll move into remarks, I think. Like I said, we'll start with Jen, we'll move to Holly, and then we'll go over to Jay, and then to Yi-Hui after that. And I can pull any of the slides up that we just went through if it helps with any of your remarks to the state agency folks. And then if we need to go back on any slides, I guess we can do that too.

So Jennifer, I'll turn it over to you.

MS. MATTOX: Awesome. Thank you, Eli. Actually, that was a really helpful windup because it really sort of articulates that we are in a place now where we're looking at, okay, there's all these state agencies, all these federal agencies, how do we pull it all together?

So I'm here representing State Lands Commission.

My name is Jennifer Mattox. I'm the Environmental Program Manager, and I'm responsible for our Renewable Energy Program, including offshore wind.

Just as a background, the State Lands Commission is the state's land and resource manager of over 4 million acres of tide and submerged lands, including the entire coastline from the mean high tide line to the three-mile boundary between state and federal waters. And we call these lands public trust lands and that comes out of our mandate to manage these lands and resources pursuant to the public trust doctrine, and that includes commerce, navigation, and fishing, as well as recreation and environmental protection, and protection of tribal culture and tribal cultural resources.

And so this list that I just gave, where it's our mandate to protect these for all of the people of the state, you can see that offshore wind fits squarely into that maritime commerce. But also, we have our commercial recreational fishing and other ocean uses and sometimes these things come into conflict where we have to look to seek the best balance of these public trust uses and values. And that's the role of the State Lands Commission in all of this.

So that's kind of setting the stage here for the two or three points that I'll just make about our role in

AB 525. In its broad discretion as a plenary land use authority, state lands is really well situated to be, in terms of environmental review under the California Environmental Quality Act, we're really well situated to be the lead agency because of that broad jurisdiction, discretion, and authority.

So in that capacity, I really just wanted to ground in a few things that are in the language of AB 525, and that is the coordinated, efficient, consistent process, as well as a memorialization of important milestones. And so I want to kind of keep that in mind as I make just a couple of points about how the State Lands Commission intends to lead on that aspect in coordination with our other state and federal partners, as well as our tribal government partners, and our other important stakeholders, including fishing and other users of the ocean.

So in its role as the likely CEQA lead agency, we're somewhat parallel to BOEM. So BOEM described their process of leasing. And that's the same thing that State Lands Commission does. We're not a regulatory agency in this context, we are managing lands pursuant to the public trust doctrine. So we'll be looking at these projects from the perspective of a lease going through state waters.

And so people say, oh my God, we haven't done this before, what are we going to do? How do we know how

to do this? And I would just say, this is new, but it's not new. We have many, many years of experience reviewing and leasing for linear seafloor projects, including for trans-Pacific subsea fiber optic cables, oil and gas pipelines, as well as some other types of linear projects, including along the central coast near the Diablo Canyon Power Plant, a project that involved placing cables and seismometers to investigate faulting in and around the Diablo Canyon area.

And the reason that I bring those examples up is because we actually do have really similar experience. And that similar experience can lead us along this path that we're talking about today, again, efficient, coordinated, and consistent process.

So in those prior projects, one of the things that we would engage upon that increases that efficiency and coordination is that when we're undertaking our environmental review, we would seek to coordinate with our other state agency partners on a joint review panel or execute a memorandum of understanding. And that allows us to consult and coordinate so that as we develop an Environmental Impact Report, everybody else's needs, jurisdictions, and standards can all be met in one document from the first time.

And so you can see that this can really greatly

increase efficiency. It allows us to have a common understanding of impact analyses that takes everybody's perspectives into consideration, and also to develop mitigation measures that work for all of the responsible and trustee agencies coming after us.

So for example, on this PG&E seismometer project, we coordinated with CDFW in order to make sure that the cable route avoided some sensitive seafloor features and also avoided a marine protected area. So that's one aspect of efficient, coordinated, and consistent state review.

Then the next thing that I'll move into is that coordination between the state and the federal government. And this can really be greatly enhanced by undertaking a joint CEQA and NEPA review process. We've got really good preparation for this because we've got these touch points built in already, as you saw on earlier slides with the BOEM site assessment process. And that aligns really nicely with the Coastal Commission's consistency determination that you'll hear Holly talk about. And this really is -- the prep work that was done there really sets us up to coordinate together.

The last thing that we want is to have one of the agencies tell a lessee to go out and do a particular set of surveys using a particular protocol, and then three years later the state comes along and says, you know, those

aren't our protocols. Why don't you start over and do another three years of surveys using the things that we want? So we're really trying to prevent that, make sure everybody's on the same page from the very beginning, and that's another way we can memorialize milestones and increase efficiency.

The last thing that I'll mention, and I know there's going to be a panel talking about this later, so I won't belabor it, but the State Lands Commission definitely understands the benefit of using this tiered approach, starting with a programmatic level document. Because we really believe that there are some impacts and some analyses and some mitigation measures that are going to cross all five lessees and that we can actually get a pretty good understanding of at that first cut level, at that program level. This would allow us to develop analyses and mitigation measures that apply to everyone, so it's not a one lessee gets this mitigation measure, one lessee gets that mitigation measure. So we're bringing the consistency, the accountability, the transparency to that.

What that effort does, doing the work up front in that programmatic level document, is that you can knock certain things out, and now it applies to everyone. That relieves some of the burden on the lessees as individual lessees in their tiered document, in their subsequent

document, where they can focus down on only those aspects of their project and their lease area that are unique to them, and that we couldn't evaluate in that program level document. And so we see a lot of efficiencies there, and we see a lot of opportunities to memorialize those milestones.

And so that's basically how the State Lands Commission views its role as sort of the, you know, potential coordinator in that lead agency's CEQA review role and being able to create those lines between and among state and federal agencies, as well as to really drive home our commitment to our other stakeholders and our commitment to uplifting and amplifying tribal sovereignty and incorporating tribal knowledges and cultures and practices into all of our planning and activities.

And so thank you, Eli, and everyone else, and I'll leave it there.

MR. HARLAND: Great. Thank you for those remarks, Jen.

And Holly, if there was anything that you wanted to add or any perspective there, go for it.

MS. WYER: Sure. Thank you, Eli, and thanks, Jen.

Good morning, everyone. I'm Holly Wyer. I'm a Senior Environmental Scientist at the California Coastal

Commission, and I'm our lead staff on offshore wind. I'm going to just provide a brief overview of our role in offshore wind permitting and some of our thoughts on how we interact with the CEQA process, and some thoughts on, you know, creating efficiencies in the permitting process.

So the Coastal Commission has a really unique role in offshore wind permitting. We're the only agency with continuous jurisdiction over offshore wind in federal waters, state waters, and onshore in the coastal zone. We have this continuous jurisdiction due to both California's Coastal Act and the Federal Coastal Zone Management Act.

Up until this point, and you saw it on a few of the slides that came through earlier today, all of our work with BOEM has been through the federal consistency process under the Coastal Zone Management Act. However, as we're moving forward and we're considering individual projects at the COP phase, we'll be issuing both coastal development permits, or CDPs, under the State's Coastal Act and consistency certifications under the Coastal Zone Management Act.

The way this would play out for us in practice is that we prefer to have applicants provide us with a combined CDP-CC application and bring that combined application to a single hearing. Our commissioners always want to have the opportunity to review the whole of a

project rather than splitting it into different pieces. And Jen just mentioned all of the experience that the state has with fiber optic cables. And we've taken this approach with fiber optic cables and it's worked really well. This is also really well aligned with the state CEQA process, which requires review of the whole of the project, so we're really able to use that document as we move forward.

And speaking of CEQA and joint review panels, we regularly participate on joint review panels for CEQA review with the State Lands Commission. And these joint review panels are really valuable, as Jen said, for early issue spotting, working together on how to assess impacts and approach mitigation. And they create a vehicle for agencies to develop solutions and mitigation approaches that satisfy all of the regulatory requirements.

Ideally for us, a CEQA document would include the vast majority of the environmental analysis we need to do for a CC and CDP review. And working through the CEQA process to cover most of our environmental analysis creates efficiencies when we get to the permitting phase.

And I'm going to sound like a broken record to all of our prior speakers, but the key to efficient permitting is really early and consistent coordination. And participating in entities like the JRPs at the beginning of a process really allows us to go faster at the

end and schedule our hearings within a few months of CEQA document certification.

I also want to briefly touch on a kind of different angle of early and consistent coordination and just mention that in our prior review of BOEM's lease sale under the Coastal Zone Management Act, our Commission concurred with BOEM's consistency determination, and that concurrence was subject to seven conditions. Most of those conditions were really process-based and were focused on having BOEM, the lessees, and the Coastal Commission go through processes that ensure we have the information and mitigation approaches we need to consider specific projects at the COP phase.

And I really just want to call out that that focus on process is intended to serve a permitting purpose and get that early and consistent coordination to happen. And that really leads us to efficient permitting down the line.

And so, and then finally, I guess I just want to say that as we were preparing for the panel, we were asked to think about opportunities to create additional efficiencies. And one thing I'd like to mention is that there is an option within the Coastal Act for consolidated coastal development permits. And to provide some background on this, in local jurisdictions that have

certified local coastal programs, local governments actually issue coastal development permits for onshore development.

In the case of a consolidated permit, the applicant, local government, and Coastal Commission would agree that the Coastal Commission should do a consolidated review of the entire project onshore and offshore components under one permit. The standard of review for that permit would be the Coastal Act and the local coastal program would be used as guidance.

So to wrap up, we support the staff recommendation of implementing a coordinated permitting and environmental review approach. And we're looking forward to working with the Energy Commission and our partner agencies to further refine what that approach would look like.

Thank you.

MR. HARLAND: Thank you, Holly. In the interest of time, I won't ask you a couple questions, but some came to mind and I look forward to us being able to, you know, do these meetings online and offline, to talk through some of them. So that was helpful.

Jay, and then we'll go to Yi-Hui. And then really want to be able to make sure we can leave some time here for Sam Cohen to make some comments too.

MR. STATON: Thanks, Eli. I'll be quick.

I'm Jay Staton with the California Department of Fish and Wildlife, Marine Region.

The Department is a trustee agency and has responsible agency status under CEQA to oversee the conservation, protection, and management of California's fish, wildlife, native plants, and habitats.

Additionally, the Department exercises regulatory authority under the California Endangered Species Act when projects related to activities may result in take of species protected under CESA. So in that case, the Department is responsible for administering incidental take permits, or ITPs, and associated MOUs authorizing the take of species listed under CESA if the take is incidental and otherwise under lawful activities.

The Department also administers scientific collecting permits, or SCPs, for any non-listed species that would be taken during the research and monitoring phases of a project. And for portions of that project that fall on land, the Department may need to issue lake and streambed alteration permits, and those would be handled by our colleagues in the inland regions of CDFW.

And I guess I'll just echo Holly and Jen and say that the Department is going to be -- plans to be very involved in collaboration with the other agencies with

their permit reviews under our trustee responsibility.

MR. HARLAND: Alright. Thanks, Jay.

Yi-Hui?

MS. WANG: Yeah. Thanks, Eli. Hello, everyone. My name is Yi-Hui Wang. I'm the Offshore Wind Program Manager at Ocean Protection Council. And today I'm going to briefly introduce the role of OPC in the field of offshore wind and our efforts to support our partners, state partner agencies.

So OPC is a cabinet-level state policy agency. We are not a regulatory agency. And while OPC doesn't have any authority to issue or implement permits, we have been working closely with principals and program staff, with our state partners, to ensure that the state is aligned on vision, messaging, and approach, and that the best available science is informing the identification of appropriate areas for offshore wind development so that we can meet our ambitious clean energy goals while minimizing, negative impacts to marine life, habitat, fisheries, cultural resources, and coastal communities.

And over the past few years, OPC has focused on funding critical near-term data and information gaps to support activities, such as the Coastal Commission's consistency determinations and AB 525 implementation. And this year, OPC has approved funding to support the Coastal

Commission's 7c Fishing Working Group.

And we recently launched a competitive solicitation to develop environmental monitoring guidance. And one of the objectives for the monitoring guidance is to help identify and evaluate the specific data required to meet the state permitting and policy needs.

So I will stop here, and thank you, Eli. I will turn it over to you.

MR. HARLAND: Great. Thank you for those comments.

And we're going to transition to our last speaker. I do encourage, you know, everybody here to stay on because after we hear from Sam Cohen, we'll open up for questions and answers with any of our panelists today.

So, panelists, presenters, if you have a question that you'd like to ask about what we just heard, get ready for those.

And also to the audience, we'll turn it over to Q&A with the audience, too, after that. So please be thinking about that.

We're honored to have Sam Cohen with us today.

And before hearing the comments there, I just wanted to quickly elaborate on the comment I made earlier about additional engagement we're doing. The Energy Commission, through our tribal liaison, Katrina Leni-

Koenig, we've invited tribal consultation on AB 525. And we've had recent informational and listening sessions with tribes, doing our best to meet the mark there to get the individual input that we know is really important in this space.

Also note that we have received comments on the Permitting Roadmap from tribal governments. And there was a suggestion for co-management in this space and, and being able to discuss that in the Permitting Roadmap. And I just wanted to note that we're continuing to research that as we develop the Strategic Plan.

So, Sam, if you have your camera on, if you could, please do that and go ahead and make your remarks. Thank you.

MR. COHEN: Thank you, Eli. I assume you can see and hear me. I'm Sam Cohen. I'm the Government Affairs and Legal Officer for the Santa Ynez Band of Chumash Indians, who are the only federally recognized Chumash tribe in, well, in the state of California. The aboriginal territory of the Chumash extends from Paso Robles south to Malibu and inland all the way to Bakersfield. They are the original maritime tribe. And through the use of their plank canoe called the tamal, they actually visited and actually fished throughout the entire Channel Islands area.

Some of you might know me as the Marine

Protection Act guy because I chased the Fish and Game Commission for about ten years to get cultural and subsistence exceptions to about four marine protected areas in the Channel Islands. Now we are in a perfect storm of offshore wind and national marine sanctuaries with the consideration of designation of the Chumash Heritage National Marine Sanctuary, which is kind of problematic because you can't really have offshore wind in a national marine sanctuary.

So if you look at the map of the Chumash Heritage National Marine Sanctuary, at least off Morro Bay, you'll see some big holes. And those holes were necessitated because offshore wind conflicts with national marine sanctuaries.

We have been working with BOEM diligently on these three leases and I just want to point out eight different areas that this perfect storm of tribal engagement is going to result.

First, federal agencies have a government-to-government duty, a trust obligation to federally recognized tribes, which permeates our relationship with BOEM.

Second, Section 106 of the National Historic Preservation Act requires any negative environmental effects be mitigated, and we have worked with BOEM on their programmatic agreement to mitigate the 106 effects.

Third, BOEM has already done an environmental assessment, alright, to issue the leases.

Fourth, each leaseholder will have to do their own Environmental Impact Statement, which is a huge undertaking which will require tribal input.

Fifth, there's going to be some form of cable permits. No one really knows what it's going to be. I know there's some precedent. Some people think the Army Corps of Engineers will do some permitting of this. But if you have an Army Corps permit, you're back to Section 106, unfortunately, because that's a federal nexus.

Sixth, there are lease requirements, and we're going to have a whole lot of tribal communication plans, community benefit agreements, and training possibly of tribal people.

Seventh, California issues. We always have issues with California, so there are CEQA issues and within CEQA there is AB 52 California Native American tribal consultation requirements. And then of course you have the various level of permits from all the agencies who've spoke prior to my -- prior to me.

And then finally, eighth, we have power line connection issues. I mean, people are already looking at the Morro Bay old, what do you want to say, power plant to connect there. People are also looking at Diablo Canyon

because they have a luscious transformer and so they're looking at that option. So the opportunities for tribal engagement, I say it kind of happy and sad, are limitless, and there's only one of me, unfortunately.

So thank you very much.

MR. HARLAND: Okay. Thank you, Sam, for those remarks and the eight points. I know that's helpful for us as we go back and review the recording and transcript and begin to prepare our chapter for the Strategic Plan.

So, okay, so this is a point where if any of the panelists who just presented or made remarks had any questions for others on any of the presentations, I know that Jennifer Miller, and if we still have Christine Harada on, or maybe it's Jennifer Mallard who's on, but if there were any questions there, I open it up to the panel. And if the panel doesn't have any questions, or we get through those quickly, love to have the audience raise their hand for any Q&A.

So any of the panel members, if you want to either raise your hand or if you're brave enough to unmute yourself and ask a question, I open it up.

MR. COHEN: Yes, I have a question for the Coastal Commission representative, because the Coastal Commission is not necessarily under CEQA. The Coastal Commission is under the modified environmental rules that

the Coastal Commission chooses to apply. And I was just wondering what would be the rules that Coastal Commission would apply to offshore wind?

MS. WYER: So you're right in that we do have a certified equivalent program for CEQA. For these large offshore projects, we typically work with the State Lands Commission on their CEQA document. And, you know, if that document satisfies our needs, we decide at that time whether we move forward under our certified regulatory program or we rely on that document.

I hope that that's helpful.

MR. HARLAND: Okay. Thanks, Sam.

Thanks, Holly.

Anybody else from the panel?

Okay, Hilarie, do I pass it over to you to do Q&A with the audience?

MS. ANDERSON: Sure. I can take that over.

So for anybody in the attendees on Zoom, we're going to use a raise-hand function if you have any questions for the panelists for this morning's panel. So the raise-hand function in Zoom is an open palm at the bottom of your screen. If you are calling in by a phone and you want to ask a question, press star nine to raise your hand and the star six will allow you to unmute. When you're called upon, we'll open your line. Please make sure

to unmute on your end, ask your question, state your name for the record.

And if you have any, like, generalized public comments, we do have a public comment period at the end that will be taking generalized comments, but this is a question specifically for the panel.

And so I see Amanda.

Let me unmute your line, Amanda. Go ahead and state your name and the affiliation and you can ask your question.

MS. O'CONNELL: Yo-haw (phonetic). Thank you. I hope you all can hear me.

MS. ANDERSON: Yes.

MS. O'CONNELL: Okay. Great. Amanda O'Connell. I'm a councilwoman with the Tolowa Dee-ni' Nation. And I just want to thank all the panelists and all the information that you provided today.

I did have a question. When Jennifer was speaking, it sounds like the lead agency for the state hasn't been determined yet, but it's likely that State Lands Commission will be the lead. So I just wanted to know, if it hasn't been finalized yet, who finalizes that decision and what is the timeline, you know, for that?

And then I had some other questions but I don't know if I should continue or if we're on a short time here.

MS. MATTOX: Hi, Amanda. It's really nice to hear that you're on this webinar, and thanks for your question.

And I totally get it that it's kind of like, you know, bureaucratic speak, you know, like to say likely instead of for sure. And, you know, that's just there are provisions in CEQA that talk about like how a lead agency is selected. And based on that, you know, it really is in, in many respects, kind of a no-brainer.

But, alternatively, if -- there's one little twist that could happen and that would be if the subsea cables that went -- you know, so the facilities are out in federal waters and then the cables have to transit through state waters to their tie-in site. And there are about 80 or so legislative grants to local municipalities that have been put in place over time. And what those legislative grants do is that they hand over sort of the day-to-day administration of public trust lands to those local municipalities. And they lease those lands sort of in lieu of the State Lands Commission leasing those lands.

Up in the North Coast area where you're located, there are not legislative grants that extend out into the Pacific Ocean to the three-mile boundary. There are several grants, as you're probably familiar with, inside the bay, inside the Humboldt Bay, in and around that area.

And then there are also some grants up in Crescent City.

But so in that context, the likelihood that a cable would be able to transit completely through granted lands and not touch ungranted state public trust lands is slim to none. So that's kind of why I put that little bit of an uncertainty in there. But for all intents and purposes, I think people are pretty sure that the State Lands Commission would be taking on that lead agency role under CEQA, and we're happy to do it, and we have a lot of experience doing these types of projects.

MS. O'CONNELL: Sure. Thank you for that explanation.

MS. ANDERSON: And we have one other question. Would it be okay -- oh, we have a couple, so, Councilwoman, would it be okay if we go to the other questions, and if we still have time, we can come back to more questions from you?

MS. O'CONNELL: Thank you.

MS. ANDERSON: Okay. Great. Thank you.

Okay, so we have another question from Adam Stern.

Adam, state your name and your affiliation and ask your question.

MR. STERN: Thank you. Adam Stern with Offshore Wind California.

My question is, I believe in a slide that Eli showed early in this section of the workshop, there were two columns, a set of permitting, that the time estimated to take was two to five years, and then there was a separate column, I think more related to specific project applications. On the left side of your slide, the two to five years is quite a range and could really influence the chances of California reaching its offshore wind planning targets.

Can any of the panelists speak to what would be necessary in order to have the permitting in that phase be completed within the shorter time frame rather than the longer timeframe in that range?

MR. HARLAND: And, Adam, I'll comment just really quickly. That slide was a zoomed in version of the timeline that was presented in the Roadmap Report. And my understanding is we started with the timeframes that BOEM's published for what something might take to be done.

And I'll let others, if they want to comment on the time range and the types of things that would have to be done to be closer to the two than the five years.

MS. MILLER: So I can start, since it's based on the BOEM timelines that, that were developed here at BOEM. And, you know, one of the big drivers, I think the two- to five-year timeline that you're referring is for site

assessment for those activities to occur. And there are quite a few things that go into site assessment activities and the speed at which they're conducted.

And I would say the first one that really governs that is the priorities of the lessee. They have a lot of control to exercise how they want to design these activities. And sometimes lessees want to move very quickly. And sometimes there are reasons why they don't want to move as fast.

And so that is -- I would say one of the largest governing factors is how fast does the lessee want to move? How quickly can they mobilize? And what is the quality of the reports and the information that's provided to BOEM that is needed before they're able to conduct those activities? So what is the quality of their survey plan look like? What does the quality of their communications plans look like, and how responsive they are to comments from BOEM in order to satisfy our comments and move through the process? And that's really the biggest factor.

I will say that on the East Coast experience, some of the projects languished a little bit in this phase. And I think it was directly related to how developable the sites were. So once the power purchase agreements started becoming a reality and the lessees had a buyer for their power and their projects were more realistic, they could

get financing, these survey activities are very expensive.

And so in order to make those investments, the lessees like to have some idea of the certainty of their project. There's a great deal of risk that they take on. And so that is some of the things that really govern the speed at which the lessees are going out and collecting that information in order to submit the Construction and Operations Plan.

Thank you.

MR. STERN: Thank you. That's very helpful.

MS. MATTOX: And, Eli, if I can just add on to that? This is Jennifer, the other in a long string of Jennifers.

You know, Adam, I would just add to that, you know, I've been doing CEQA for probably almost 30 years. And so I would say one of the really important things that the lessees can keep in mind is the concept of go slow to go fast. Even though it says two to five years, and even though Jennifer Miller just talked about sometimes they just kind of want to be like, let me get in, let me do my surveys, let me be super quick, what you don't want to have then is that as the state agencies look to do their CEQA analyses, everything comes off the platform of baseline. We have to know what we're dealing with before we can evaluate the magnitude of an impact as compared to that

baseline.

So the purpose of sort of going slow to go fast is that you really are able to gather all of the information that's needed so that you have that solid baseline, that solid environmental setting for each thing that you need to look at. And then your CEQA process, in doing your evaluations of impact magnitude, can go a lot faster.

So I would just maybe suggest, you know, they are two columns but they're sort of blended, because if we don't get all of the baseline information, the survey information, and again, going back to that, let's make sure we all agree on the survey protocol, they are expensive and time consuming, the last thing we want is to think that we're kicking off CEQA, we're into our analysis, we're all working really hard, and then we find a data gap that we neglected to fill, and then that can slow down the CEQA process on the back end.

So does it need to be five years? Probably not. But that's just a little twist I would put on what Jennifer Miller said.

MR. STERN: Thank you, Jen.

MS. ANDERSON: Okay. Thank you.

MS. MILLER: I do maybe just want to add that when, you know, I was talking about the part of the process

that would be before the CEQA and the NEPA starts, I was talking mostly about just that data collection period of time. And then after, you know, in the BOEM timeline, that CEQA and NEPA period, that clock starts after you have all of the data and information collected.

And so when I was discussing sort of the timelines and what governs that and why it's really the, from our perspective in the site assessment phase, you know, the speed at which you can get through that phase, it seems to be very dependent on the developer. Because we do not adjust the level of information that's required, as Jen Mattox mentioned, that is consistent. It's just how fast you get to that threshold of information can vary depending on the priorities.

For example, lessees can go out and they can collect reconnaissance level information. They can do a very staged approach where you start broad, and then you narrow it down. We've seen that approach on the East Coast. We've also seen developers go out and collect very detailed and very resolute information over the entire lease area so that they have all of the information at the level needed in one shot. And that type of difference we've seen is based primarily on the priorities of the lessee and, you know, how they want to move through the process.

MR. HARLAND: Well, thanks for those responses.

Hey, Hilarie, I think we have two more hands raised. We're a little behind where we thought we'd be in timing. I think it's okay. We can budget it in and still end before one o'clock. But we have two more hands raised, so if we can keep our answers as concise as possible on these, it will allow us to take a quick break and get on to our next panel.

MS. ANDERSON: Great. So we will move on to Michelle.

Michelle, you should be able to unmute on your end. Just state your name, any affiliation, ask your question.

MS. PASINI: Hi, thank you. Can you hear me okay?

MS. ANDERSON: Yes, I can.

MS. PASINI: Okay. This is Michelle Pasini with Beacon West Consulting, and my question is really for Christine, but maybe this panel can address it if Christine's no longer on the call here.

But how does that FAST-41 Permitting Council process work with the state agency regulators in CEQA? And, you know, what is the reaction of the panelists as far as the federal permitting process timelines that she outlined, and are there any examples of this having been

implemented in California?

MS. MALLARD: So, hello. Christine has dropped off. This is Jennifer Mallard. I'm the Director of the Infrastructure Project Management Team for the Permitting Council Office of the Executive Director. And so I'll take that first part of the question because I think the second one is about reactions from the state representatives here.

So in engagement with the states, the Federal Permitting Improvement Steering Council has the authority, if you will, through the statute for the states to opt in to FAST-41 coverage. So if they would like to have the state review and authorizations provided on the public-facing dashboard for tracking purposes, transparency, if you will, and accountability, then that is completed through a memorandum of agreement. And the posting of those environmental reviews along with the timetable, the Gantt chart that Christine shared earlier in the presentation, would be publicly available for tracking.

So there is an option for the states to, if you will, opt in to use FAST-41.

Does that answer your question?

MS. PASINI: Yeah, I guess so, but would they? Would the California agencies do that? I guess, in my experience, I would be surprised to see that.

MS. MALLARD: Yeah, I would offer from a FAST-41

current perspective that we do have -- you know, the example I would give you, currently, where we've had states opt in has been with some of our sediment diversion projects in the state of Louisiana.

So I'll defer to the California representatives on the call if they're interested in pursuing FAST-41.

Thank you.

MR. HARLAND: Okay. So I think we have one more question.

I'll just say, Michelle, for the purposes of the workshop today is for the CEC to develop a chapter within a Strategic Plan that covers permitting and builds on the roadmap we put together. So all of the information that we're hearing today, and I think the questions, the answers, as well as we get to public comments and written comments, we'll be comparing notes and working with our agency partners on sort of how we present what we're learning today within a chapter in that roadmap.

MS. ANDERSON: Okay, we will move on to our last hand, which is Leslie.

Leslie, your line is open. Please state your name, any affiliation, and ask your question.

MS. PURCELL: Thank you. I'm Leslie Purcell. I'm actually just speaking as an individual at this point, although I am a Sierra Club California member.

I listened to part of a hearing, a public hearing on the East Coast about, I believe, it was offshore wind in New Jersey area. And I guess this is mostly for BOEM. I heard a lot of discussion and unhappiness from a lot of people about feeling they weren't consulted, clamming, fishing folks.

And the other main issue was the marine mammals, and the fact that apparently there have been many right whales and other marine mammals that have been found dead along the coast, and it's unusual mortality. I believe that BOEM or some federal, NOAA perhaps, agency had done some assessment and didn't connect this with any of the offshore wind projects, the testing going on, or I don't know what construction level they're now in.

But the fact that there are these issues that people are not feeling are well addressed on the East Coast brings to mind the questions about the California permits that will be in the offing, and I know it's farther offshore and it's different, a different kind of offshore wind with the East Coast to the West Coast, but I just wanted to raise these concerns because I heard a lot of people talking about these issues.

Thank you.

MS. MILLER: Yeah, thank you so much for your question. I think I know the hearing that you are

referring to. And, you know, I think I'll start off by saying these are large energy projects, and large energy projects are always controversial. I don't know of very many that have unanimous support from every stakeholder, every tribal nation, and every constituent. And so I will express that there are going to be people that are going to be dissatisfied with the decisions that are made at BOEM with respect to offshore wind.

These are really complicated issues. What I can say is that, you know, there's an understanding that we're at a point with the climate crisis where there are -- something might need to be done. And there are decisions being made by the administration to try and prioritize renewable energy projects.

And when it comes specifically to your concerns about marine mammals, BOEM has participated and has been working with NOAA to try and understand, you know, what is happening in the environment and causing, you know, these strandings and the deaths for marine mammals on the East Coast. And all of the research that has been done by the experts, who, you know, this is their field of expertise, they are subject matter experts, there has been no link shown between the activities related to offshore wind and these strandings due to marine mammals.

I think there have been a number of blunt-force

traumas related to some of those strandings. And the protections and the mitigation requirements around offshore wind activities are really second to none. They're held to a standard that many industries are not held, specifically when it comes to observations and protections and avoidance of harassment of marine mammals.

So it is something that we take very, very seriously, especially because the entire industry is a response to potential -- you know, to the climate crisis. And so I can say we will never understand the entire ecosystem in a 100 percent way, especially when the environment is changing as we speak.

What we can do is we can take as much research as we have at hand. We can set up mitigation measures to, you know, observe carefully how we move through the future to try and do the best that we can to continue to power our nation while being very respectful of the needs of our climate and all of us who live on this fragile planet.

Thank you.

MR. HARLAND: Thank you for providing that answer.

Hilarie, I don't see hands up anymore for Q&A, and I think we've got to the place where this panel is concluding, and we're going to move into a quick break before we go to the second one.

I did want to say thank you to everybody who presented and participated today.

Jennifer Mallard, please say thank you to Director Harada.

And I think at this point, we'll break for, I guess, five minutes is probably what we have in the budget.

So, Hilarie, do you have a way to let people know what time we're coming back and to show that?

MS. ANDERSON: Yeah. Jack will change the slide to say the time. We'll put that on there in just a moment.

MR. HARLAND: Okay, and then we'll come back for our second panel of the day after that.

MS. ANDERSON: Yes.

MR. HARLAND: Got it. Thank you.

(Off the record at 11:33 a.m.)

(On the record at 11:38 a.m.)

MR. HARLAND: Okay, Hilarie, thank you so much.

And, Jack, thanks so much for keeping us on time here.

If you'd go to the next slide, I'd appreciate it.

Okay, so welcome back from our quick break, everybody. This is going to be the kickoff of our second panel of the day. It's our last panel as well. We've invited experts from different sectors to help us unpack some of the approaches that were teed up in the AB 525

roadmap.

Our goal with this panel is to explore these approaches, as well as some of the examples that were highlighted in the roadmap, and think about them in the context of those examples in the context of offshore wind, and also how they fit into the Strategic Plan.

Next slide, please.

So real quickly, before I invite our presenters up, I just wanted to bring a slide back up from earlier that Kristy had presented. The Permit Roadmap included six different approaches, some of them with examples for permitting offshore wind. In the report, CEC staff recommends implementing one or more of what are called the coordinated permitting and environmental review approaches as the preferred approach. Really, I think some of the comments earlier from the first panel and Holly, I think Holly Wyer touched on what some of these were, and the words coordination and collaboration have come up a lot just this morning, as well as I heard a lot in our workshop that we had yesterday.

So I just wanted to highlight that the presentations that we're going to hear following are -- in this panel are really to help us unpack some of these places here.

So the first person that we have up for remarks

is going to be Scott Flint from the California Energy Commission.

If you could go to the next slide?

And, Scott, if you could turn your video on and share some comments and some of your experience with the Renewable Energy Action Team, that would be great. Thank you.

MR. FLINT: Hi. Something weird is happening with my video, but you can hear me okay; right?

MR. HARLAND: Yeah, Scott, we can hear you. We can hear you.

MR. FLINT: Everything was working earlier. It looks like my video camera doesn't want to work right now, so I'm just going to jump in. I know we're short on time. Thank you.

Thank you, Eli.

The title of this panel is Unpacking Approaches, and maybe that's an unfortunate name because there's a lot to unpack around this and not a lot of time left in our workshop today. So I'm going to go back to a couple things that were mentioned earlier today. And then I'm going to walk through the Renewable Energy Action Team process. It's highlighted as an option and example in the roadmap.

And there are similarities and some differences to the position that we find ourself in now on trying to

prioritize the permitting of renewable energy and related infrastructure, both in the nation and in California. So I'm going to, folks and listen for things that are similar and I'll try to wrap around and call those out at the end. Then I'm going to talk a little bit about what made it work and what might be improvements to that process.

So the Renewable Energy Action Team was borne out of work that started in 2008 in an executive order from then Governor Schwarzenegger. And at that time the driver for California was an RPS, renewable portfolio standard, goal of 20 percent by 2010 and 33 percent by 2020.

And when procurement went out, orders went out in 2007 and 2008 to move us, advance us more towards these goals, there was a rush of projects in the California desert. The technology of focus at that time was solar, both solar thermal, which the Energy Commission has a permitting authority over and solar PV, which we did not have a direct permitting responsibility for.

At the same time, there were federal executive orders from the White House also maximizing the deployment to help with the nation's energy goals nationwide by deploying renewable energy on federal lands. California has a lot of federal land. It occurs in the desert where there's a lot of good solar resource. And so we were immediately attached to the federal government, again, with

related and overlapping authorities for permitting these projects in California.

So to implement the executive order, we initiated and signed Process Coordination MOUs with both at the -- both at the California, State of California-Department of Interior level to start this work. And we were working together as a group of state agencies then from a state agency perspective that also needed to coordinate their planning processes to permit projects in the desert. Different environment, similar situation.

So we just started this process under that MOU and then along came ARRA. And ARRA was the economic stimulus package that came at the end of the recession that was in 2007 and 2008. So we have that other driver. The ARRA was a set of tax cuts, loan guarantees, and government spending. And part of that was targeted at infrastructure and renewable energy.

So that should sound familiar because we're kind of in the same situation now. We have a different set of even more aggressive goals for energy-related and climate-related activities, both at the federal and state level that are intertwined, and we're working together to implement those.

We are still working with MOU, under MOU on that at the Department of Interior level and it's now focused

with BOEM. And we have both the investment -- the Bipartisan Infrastructure Law and the Inflation Reduction Act that are providing stimulus funding for infrastructure that the state wants to take advantage of. So we have a similar situation there.

We started planning in earnest in the desert and along came ARRA and the focus quickly switched to projects again. And so the team that we had assembled of state agencies and federal government agencies to work together also had the same responsibility for projects. So we took on that responsibility for planning -- for permitting projects on an accelerated timeline at the same time that we were doing planning.

And that's kind of the situation we find ourselves in now with AB 525 working out one end of BOEM's process to identify additional areas to meet future goals, and at the same time, we're working at the other end of BOEM's process to implement site assessment for projects that will be developed, looking to be developed in the recently approved leases in California.

So I didn't put any slides together, but I'm going to ask Christine from the Federal Permitting Improvement Steering Council just to give me her slides because essentially the REAT process is the FAST-41 process now, the difference -- with some minor differences. And

one of the differences is it's codified in federal law now. But we basically followed the same process and set up the Renewable Energy Action Team in California to accomplish the same things.

So that, for the permitting the projects under ARRA to take advantage of the stimulus funds on a federal stimulus fund timeline, we assembled this. It worked as a coordinated permitting approach. And as I already said, it had many features that are now codified in FAST-41. It was a single point of contact, not only for the agencies within California that shared permitting responsibilities for the projects, but the federal government entities that also had overlapping authority and complementary authorities for the projects in California.

And also, as a single point of contact in several other ways, one, with the developers to provide a conduit of information. So one is making sure they were clear on what the state processes were and how the federal and state processes were coordinated, and what their responsibilities were to execute under those processes. So it was a flow of information back and forth.

One feature we had to support that, was we had developed the Renewable Energy Action Team together, developed a best practices manual for siting facilities in the desert. And that included information on

considerations for design and considerations for environmental --- analyzing environmental effects, the types of those effects, and then even survey protocols from the various agencies so folks could get a head start on, A, understanding and doing some of the work for their projects with the idea of bringing that information in hand when they first approach the agencies and they would be that much farther along in an information gathering process. It also offered pre-application meetings with all the agencies together to talk through those processes and information needs.

We developed integrated project schedules. Part of the idea of those overlapping timeframes that you see on those charts that Adam talked about earlier is to illustrate that the federal process is driving things. It is BOEM's leasing process and BOEM's responsibility and it's in federal jurisdiction in federal waters. And the state, we're looking for a way for the state to best do its process to work within those timelines with BOEM and with each other so things work and so processes go along in parallel, not in serial. So that's one key way that we can integrate things and move faster through the permitting process.

So project schedules and milestones, they weren't tracked in a public -- on a public dashboard like they are

through FAST-41, but they were developed similarly. And again, the same. What Christine was showing on her slides this morning was a lot of the same things that we looked at and we got the same sort of criticism that she identified that it was short-cutting processes, taking shortcuts, of waiving certain things and, actually, it's the opposite. When you put together a process like this, it actually provides more touch points in the process for people to become involved and to comment on the projects.

And that is a unique feature of the Energy Commission's processes, all their public processes is to have more than just the touch points in CEQA, NEPA review available to folks to input into the process. So that's something that we took advantage of in this process. So actually the opposite happens.

Also, those touch points are also enhanced from the public and the tribal nations, and the affected stakeholders and local governments, to participate when we do planning at the same time that we do the project permitting because -- and using the same team from the agencies as much as possible to do that so that we're learning or taking lessons learned immediately from what we're doing with projects from the standpoint of permitting, information collection, understanding the impacts, and developing mitigation strategies and specific

mitigations. And we're implementing that and using it over on the planning side to one, help us plan better and, B, set up the implementation for that plan.

So people are commenting on those things in the planning process, which is, again, we can set up our own sort of public process for that and touch points. That's not constrained by any timeline except our own. So that's another advantage that came out of setting up this process.

And then the third thing, the REAT was convened for problem solving and that could be done in two ways. If there were disagreements or problems, resource problems between agencies, we would get together and figure out how to solve those problems. We would trade staff back and forth. We would do work for each other, if necessary, to keep things on track. And then, of course, if we didn't, things happen and we can always go back and rework schedules with the project proponent. And that worked both ways. We sometimes project proponents need to do that and sometimes we need to do that.

The second type of problem solving that occurred was on specific projects. And we, in certain forums, we had ways to bring and convene with project developers and the agencies to work through project-specific problems as we go forward in real time so they could get the answers, so all the agency representatives could hear at one time

the issues and the questions and we could come up with one-voice answers back to the developers as best as possible to keep those projects on track.

So did this work? Yes. This process was very successful in California. We met our 33 percent RPS goals early because of the projects that we were able to permit under this accelerated timeline. We permitted at least 8,000 megawatts of solar in the desert in a very short timeframe. And we captured the majority of ARRA funding that was available through loan guarantees for these projects in California. So it was very successful from that standpoint.

The way it was set up to work here, and the governor's office led the effort, the project tracking was done by CEC, and convening. We had a dual role of -- on some projects we did have permit authority and those things went along on their normal course. We had the coordination effort by a group of folks at CEC, and we also led the planning with the Department of Fish and Wildlife at the same time, and the teams crossed over for the most part.

And then I'll just touch on a couple more things that really made it successful.

The governor's office led. There was executive sponsorship at each of the California agencies. But there was also leadership at every level of the organization in

every state agency. And decision authority and the level of decisions that could be made and commitments that could be made at each level were clear. And so that helped things move along more quickly.

We did have a series of MOUs to implement between the agencies. When we got to the project level, we had a MOU with BLM to implement. We also had, in the planning space, a planning agreement to plan together in certain ways with certain responsibilities and that even included local governments. And again, we have a situation here where we can consider how that might be helpful since the permitting crosses across federal, state, and local governments. So I think we could take some lessons learned and some of the examples from those agreements and work through that.

And I think just a couple things that would make this more sustainable and work a little better.

One, this was a short-term effort driven by timelines to capture federal stimulus funding. And after that a little bit of interest was lost in this sort of thing. So to sustain this type of work for permitting these long lead time projects in the environment that's coming up, we need to add a couple other things to the mix. We need to consider adequate staffing and funding that's not temporary. And so that needs to be identified and the

agencies need to be adequately staffed and that needs to be sustained to keep up this work -- coordinated work at this level.

And lastly, it really -- it's more about the people who are running the process and not the process. So you need your best. You need to put your best people and your best effort forward. You need to -- you need them to be leaders at every level of the organization. And you need to make their authority and decision responsibility clear under the processes that you set up.

Oh, thank you.

Just one thing to add. We did make extensive use of -- what was I going to say? I was going to say, we did make extensive use of joint NEPA-CEQA documents. Again, that's part of that sequencing and processing of doing things in parallel instead of serial, and you're going to hear more about that from Susan Lee in just a couple minutes, but that was an essential part of having this work to be successful.

So thank you, Eli.

MR. HARLAND: Yeah. Hey, thank you, Scott, for sharing your perspectives and sort of the history there with the Renewable Energy Action Team. And you're right, in a bit, we're going to hear from Susan Lee who's going to talk about those things, specifically in some of the

experiences.

But before we get there, we're going to have a presentation from the USEPA Region 9. And we're going to invite Luisa and Sahrye, sorry, to turn on cameras. And we'll be able to advance through your slides.

Thanks for holding on with us, too, Luisa. I know we're a little later than we had anticipated for your presentation. But we're excited to have this today because the entity you're going to be describing is something that has been brought up by some of our partners who have experienced this. So we're looking forward to hearing more about your experiences there.

And when you need your slides advanced, just say next slide, so I'll turn it over to you. Thank you.

MS. VALIELA: Thanks, Eli.

Yes, I'm Luisa Valiela, and I'm joined by my colleague, Sahrye Cohen. So we're going to share really a total of ten slides. We'll try to go through them as quickly as possible and hit some high points based on a program that we have both been involved with since the beginning, the Bay Restoration Regulatory Integration Team, for short, as was mentioned in many presentations prior. We love our acronyms. So for short, we call it BRRIT.

And I got to say, I have really been heartened by listening to all the prior presentations. There are so

many things that resonate that are threads that I will be repeating. I feel like we're like a microsite of regulatory coordination compared to a lot of the other programs that have been described. So I feel like we're fitting right in. And we'll just be giving you kind of a smaller example focused on San Francisco Bay, where we've done this regulatory coordination.

So yeah, maybe to the first slide, please?

So our BRRIT basics, we wanted to stand up what became the Bay Restoration Regulatory Integration Team really since 1999, when based on the restoration community of the San Francisco Bay, the scientific community, all of our stakeholders, we established a 100,000-acre goal for recovering tidal wetlands in the San Francisco Bay, kind of a half measure to the acreage that used to exist. So that was our playing field of having this challenge to put tidal wetlands back into our shorelines in San Francisco Bay.

To do that, very familiar to all of you, again, it takes kind of a complex list of jurisdictions and agencies at the federal and state level to get those projects planned and permitted and in the ground. And in order to do that, we started, you know, to work amongst our agencies to identify, you know, what are the stumbling blocks? What are the roadblocks that these projects are not happening kind of as quickly or as efficiently as we

would want them?

Because since 1999, we've layered on the pressure of climate change and sea level rise. And in order to have the benefits, the ecosystem benefits of tidal wetlands along our shorelines, those marshes need to persist. And the sooner they're in the ground, the more likely they are to be able to keep up with sea level rise as it accelerates. So there's this added pressure of getting it done more quickly. And the permitting process was definitely identified as a problem area, as a kind of a hiccup in getting these projects in the ground more quickly.

So with the leadership of Amy Hutzel at the California Coastal Conservancy, a fundraising effort basically started. So what would it take -- and has been mentioned prior, the previous speaker also -- what would it take to get our agencies, these six, well, seven federal and state agencies to be fully staffed in order to get a more permitting and consistent permitting pipeline built? So that was our purpose in order to do that. And the seven agency logos are at the bottom of the screen.

If you could go to the next slide?

So we started to build this fundraising pipeline, which totaled, essentially, to fund agency staff for a five-year period, $6 million, which probably on the scale

of the offshore wind sector is peanuts. But for the restoration community, this was a lift to find folks that could contribute to this pool of funding that then would fund agency staff at each of these agencies dedicated to restoration projects.

We are kind of even actually tipped past our halfway point of having generated the funding and started the agreements with each of the agencies to fund their staff. And each of these agreements will end in 2024. And our follow-up fundraising effort has actually just begun to ensure that we have this continuum of staff that have been identified and have been working with the BRRIT project list.

The list of funders are in this slide. I won't name them. But also to mention that as part of the commitment of each of these seven federal and state agencies, while the funding goes to funding the permitting staff at each agency, there's also a commitment to identify a higher level policy or manager at each agency. Much like the previous speaker was saying, it's really important that each agency really buy-in in terms of leadership into this concept. And so there has created this nexus of handling the project workload at the agency level with permit writers, but also an ability to elevate issues that come up or create efficiencies by having a forum at the policy

level or manager level to hash through other identified issues that do exist in getting our very important restoration projects permitted.

Next slide.

This is our timeline, just to kind of give you a sense of even though we stood up BRRIT in 2019, it did take a couple of years prior to generate the goodwill and the funding and the funding agreements to be put in place, so starting in 2017, actually started to fund BRRIT in 2019, and have been ongoing increasing the permit workload, essentially, that the BRRIT team handles since then. And again, we have that 2024 target in mind to ensure that we have funding to continue the BRRIT.

Next slide.

We just wanted to give a little bit more context. Again, we're working in the tidal wetlands restoration realm, not the offshore wind realm. We do have, again, this complexity of agencies that are involved. I like to say, you know, no statutes or regulations were harmed in the making of BRRIT. Each agency still initiates the necessary conversations and permitting processes in terms of permitting the project.

But the benefit, the secret sauce of BRRIT is really the dedicated staff time and the ability to engage early in project planning so that the agencies are fully

prepared by the time the application comes in to ensure that those timeframes are met with an application, that that's kind of a project that's fully formed and all questions related to the project have been answered in a pre-application phase.

Next slide.

This is to give you a sense of what BRRIT handles. They have, you know, on their books, they're handling about 23 projects, which has grown over the years. That's kind of where we're at. That's kind of maxed out for one agency staff for each agency. But there has been projects permitted. This is always changing by the numbers. The BRRIT team actually has a very robust behind-the-scenes kind of tracking. It shows how many site visits they're going to, how many meetings they're having. All the comment letters are coordinated and then shared with the project applicant.

So all of that feedback is documented in order to create transparency and keep track of how we're doing. And we also ask for feedback with all of our project proponents on how we are doing with the intent that this was a pilot project. We knew that we would have lessons learned and we want to continually improve.

I'm going to turn it over to Sahrye now to go over some of our lessons learned slides.

MS. COHEN: Next slide, please.

Alright, so as Luisa mentioned, we're at least three, almost four years into the process of actually looking at projects through the BRRIT. So we definitely have some challenges that we identified and some lessons learned. And I think similarly to some of the preceding speakers, we did have some perceptions and expectations of what the group would be able to do and what the process would look like.

In our case, people want this to go faster. They want to get restoration in the ground. And, you know, we really -- this was kind of an organic from stakeholders and the regulatory agencies themselves instead of a top-down created by the legislature or the executive branch. So it's very much a grassroots situation and so there were limitations to what the group could do.

But, you know, we basically had to do a lot of outreach to the restoration community to explain that this was expedited review. We had open discussions on what the constraints in the regulations and policies were and what flexibilities we could use to address those in this group. And then, of course, encouraging feedback to improve the coordination, so at every level, both at the management and policy committee level and also at our permit writers level.

And then a big challenge that we have been facing in the restoration world is that our statutes and regulations are sometimes quite old. The Clean Water Act is 50 years old. And they don't necessarily reflect our current needs of sea level rise. So for example, the California Fully Protected Species is a statute in the California Code that often, you know, has some conflict with restoration projects.

So one of the ways that we addressed these issues and really to encourage the flexibility of our permit writers is we developed an elevation process where our, you know, senior staff who are writing these permits can elevate issues to the Policy and Management Committee, which are their managers from each of the agencies, and we have a process that they elevate within their agency and then between agencies if the overlapping jurisdictions conflict.

And then we also elevate things that are policy issues. So if we see things that reoccur on multiple projects, if we've identified something that can't be fixed at an individual project level, we elevate those for the Management Committee to work on.

And then even further, we elevate things that really need to be fixed at an agency-policy level or things that we cannot fix within the agencies and are really

legislative fixes.

And so for example, one of the things that we have been able to do with the California Fully Protected Species is that's a real limitation on restoration projects where, you know, species take can only occur for scientific or for the kind of full protection and support of the species. So the Restoration Management Permit was really developed as a way for voluntary habitat restorations that are benefiting the future of that species to be able to proceed.

So that's just an example of how we've been able to work through some of these limitations that might have been because of our statutes and regulations.

Next slide, please.

And we were also able to identify post-construction monitoring as a limitation in the restoration process. So this is perceived as a burden by project proponents because it's often very expensive. And, you know, the permitting process, getting the restoration actually in the ground, actually moving dirt is also quite expensive. And for voluntary restoration projects, even multi-benefit projects, there are some critical things that need to be monitored after that project goes in the ground. So this is where the early and often comes in. I know you've heard this before, but our robust pre-application

process really brings up these monitoring needs early with applicants to avoid surprises.

And then we also work collaboratively between the agencies to kind of align the monitoring requirements. So we have a Wetland Regional Monitoring Program that's been worked on from the San Francisco Estuary Partnership. So we're kind of piloting some things, like the WRMP, the regional monitoring. We've been able to pilot some tools, like a type conversion tool for wetlands, through the BRRIT to be able to try to match up and have some efficiencies where we can align our mandates from different agencies.

And then another challenge has really been improving coordination with other agencies, so those are other state and tribal agencies. We added the CDFW Marine Region to our Policy Management Committee once we started incorporating projects with basically artificial reefs for living shorelines. We've started talking to the SHPO and tribal governments. They're not necessarily officially on the group but we incorporate communication with those groups early when we know that there will be intersections.

And then there's also the need for coordination with other agencies that intersect with projects, like flood control districts and utilities that might have easements. And so those were not really identified as part of the group that needed to be the core of the BRRIT, but

we found that those are often, I would say sometimes, potentially roadblocks to getting an efficient permitting process.

And then finally, we are working with some programmatic efforts throughout the states. So the Cutting the Green Tape, statewide orders on restoration projects from the Water Board, or the federal projects on the biological opinions that are programmatic. And so we're seeing how all of those interact with our BRRIT projects.

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So really our take home messages here are it's essential to have close coordination with applicants. So we always say early and often, and this really is reflected in our very robust pre-application process. In order to basically get on the BRRIT list to have your project go through this group, you have to commit to having a pre-application meeting.

And then we have close collaboration between the BRRIT members. They meet every week to work through projects together. We have a Policy and Management Committee comprised of management and policy experts from the agencies. And that's our elevation. And we meet once a month and we meet with the BRRIT as well.

And then of course, the dedicated funding staff and management are key to making this work.

Alright, that's our presentation.

Next slide, please.

So I guess we'll be taking questions at the end as a panel, but I just wanted to have our website up here. So if you wanted to go look at some of the materials that the BRRIT has provided that describe the application process and how it works, you can go here to the SF Bay Restore website.

Thank you.

MR. HARLAND: Great. Thank you so much for the dual presentation and for taking the time out of your busy days to be here with us on the workshop today and then to walk us through that. Lots of very interesting things created there, it sounds like, out of, you know, necessity and being strategic. So those are some of the pieces we're looking at. And we'll add early and often to collaborative. I think I've heard that now a handful of times.

But as Scott Flint alluded to earlier, that we would hear some presentations on NEPA and CEQA sequencing, and also programmatic environmental reviews, we've invited Susan Lee from Aspen Environmental Group to provide a presentation on those.

So, Susan, I hope your camera is on and I'll pass it over to you and just say next slide when you're ready to

go to the next one.

MS. LEE: Super. Thank you, Eli.

Good afternoon, everyone. I know we're a little behind, so I'll try and run through this pretty quickly. I'm Susan Lee with Aspen Environmental Group, and I'll be talking about both the joint and programmatic environmental documents. These have come up several times already this morning. I think it's pretty clear from given the number of agencies that are involved in permitting offshore wind that there's going to be a big advantage to this type of effort. And I'll try and explain why.

One of the really interesting thing is just to point out how relevant this is actually today. The debt ceiling bill that's on the president's desk today for signature actually includes some changes to NEPA. And I'll point out a couple interesting issues related to that later, because both the timelines and the document length that are defined in the NEPA changes will affect the way that a joint document might work. So I'll point those out.

Next slide, please. Okay. And then the next slide.

I'll start out just explaining what is a joint document. I'm not going to get into really any CEQA and NEPA basics here, but I guess I could at least say what they are, California Environmental Quality Act and the

National Environmental Policy Act that govern state and local for CEQA and federal actions or funding under NEPA.

The basics for a joint document really is that you would prepare a single document instead of two separate documents for a project that requires both permits or permits and federal funding. These type of joint documents have been commonly used for infrastructure projects. We've done a bunch of them for major transmission lines. In this case, we use the larger type of document, the Environmental Impact Report on the CEQA side and the Environmental Impact Statement on the NEPA side.

Let's go to the next slide.

Both CEQA and NEPA in their statutes encourage the use of joint documents. The laws really do recognize the efficiencies that can result from doing a single document that will support multiple agency decisions.

Next slide.

So when should you do a joint document? Some of it is obvious. If there's one project that requires both state and local permits and federal agency permitting or funding, that's a project that's a perfect candidate for this. Some of the most common things that come up with federal with joint documents is a project that will be on federal land, for example, Forest Service or BLM land, and in this case land under the jurisdiction of BOEM land or

water.

The real reasons to do a joint document are efficiency. As a couple of people alluded to earlier, the massive amount of environmental data that has to be collected to support a description of the environmental baseline would be much more efficient if you don't have to do it twice. If it can be done for both NEPA and CEQA, you'll get not only consistency, but you'll eliminate the need to do it for each document separately.

For me, one of the biggest benefits of doing joint documents is the accessibility to the public. I'm actually working on a project right now where NEPA and CEQA are being done separately for a lot of reasons, but the problem with that is that we did CEQA scoping and then the BLM is doing NEPA scoping. We have separate comment periods and ultimately we'll have separate documents that will both need to be responded to in public comment. So it's not a very friendly, accessible process and joint documents would have been easier.

The other really good thing about a joint document is that it makes sure that environmental impacts are looked at consistently. Each document will have mitigation measures. And ideally, you want to present an applicant with one set of consistent mitigation measures, and then you really want to be sure that the two agencies

have the same information to decide what alternatives to approve. So the worst possible case is you end up with two different documents leading to the approval of different alternatives. So we want to avoid that.

Next slide, please.

Jen Mattox talked about this a little bit earlier today. Before a joint document is prepared, you have to do some upfront coordination. An MOU is typical, memorandum of understanding, to define the participants who's going to be involved, the schedule, and the outline.

One of the things that is covered in the debt ceiling bill relates to page limits in NEPA documents. That's been a struggle for some CEQA lead agencies with limited page numbers. There are ways around it but you really have to carefully define an outline that includes the main document, the essential parts of what's required in both laws, and then putting everything else that's required in an appendix.

Let's move to the next slide.

One of the things that's important, this shows some of the differences between CEQA and NEPA. Obviously, these have to be basically negotiated ahead of time to make sure that a joint document addresses both agencies' requirements in a way that is consistent with their laws.

One of the big differences is the description of

impact significance. CEQA requires that an impact be defined as to its significance and whether mitigation is required to make it less than significant. And NEPA is really a disclosure and more descriptive document without significance statements. And we've worked on projects where an outlining, including the DRECP, in fact, that Scott talked about, an outlining solution is presented to present the CEQA significance separate from the NEPA impact discussions.

Another thing to think about is the approach to alternatives because NEPA requires alternatives to be evaluated at the same level of detail, including the proposed project, and CEQA specifically allows alternatives to be evaluated at a lesser level of detail. So in cases like this where one agency has a higher standard, of course, the joint document has to go to the higher standard to make sure each agency has what it needs.

Next slide.

There are a few challenges with joint environmental documents. One of the ones that's been most challenging in our work the past couple years is scheduling. And one of the things in the debt ceiling bill that is out there right now is putting a one-year and a two-year time limit depending on the type of project, two years for most complex projects. So I think that would

apply to these. That's from the start of the NEPA process, which is considered the Notice of Intent to the agency decision, which is fast.

The biggest challenge we've been facing in this is the time that's required for federal agencies to get notices published in the Federal Register, which happens several times during a NEPA process. If it takes three months, which it has, to get a Federal Register notice printed, you can add that up and find out how hard it will be to get a two-year NEPA document done from start to finish. So I'm hoping that there's a streamlining process that will be developed in accordance with the timelines in the debt ceiling bill.

I've talked already about the importance of an outline, that really agreeing on that upfront makes everything easier.

I wanted to mention, also, while it's not technically part of the NEPA/CEQA process, the Native American consultation process is handled separately and differently by federal agencies under Section 106 of the National Historic Preservation Act and by state agencies under AB 52. So because they're handled separately, it's really important for the agencies to define how they're going to do their consultation without putting basically a double burden on the consulting tribes.

We've talked a little bit about the challenges of group management. It definitely can work. Both Scott and Jen Mattox have described how these have worked in previous processes. But it's important to go into that with eyes open and develop kind of group management processes that make sure that you can actually stick with your timelines.

Let's go to the next slide.

There have been some really good examples of successful joint environmental review processes. The one that has been so far the most similar to where we are now with offshore wind are the processes that went on with the Minerals Management Service. In fact, when I was working there in the '80s with the State Lands Commission, the Coastal Commission, and the counties for the offshore oil field development after lease sales were held and lessees were selected, the development processes went through these joint review panel efforts to write EIRs and EISs that served all the agencies well.

There are other examples with electric transmission lines. I've worked on a few of these where we've had both the Public Utilities Commission and the BLM and the Forest Service.

And then there are other examples of smaller environmental documents where the Bureau of Reclamation has worked with water districts on mitigated negative

declarations on the CEQA side within a BLM -- I mean a EOR EA on the NEPA side.

Next slide.

Now we'll move on to a discussion of programmatic environmental documents.

Next slide.

First, some definitions. A programmatic document under either CEQA or NEPA, and both are allowed for in their regulations, is one that defines really a range of actions or development components but doesn't permit a specific action. It kind of sets the stage for project specific actions that come later. So the ideal world of programmatic document will allow the permitting of individual projects to be more efficient by building on but not repeating the information that's in the original document, and this is the process called tiering.

Let's move to the next slide.

Again, just the legal context here. Again, both agencies allow for programmatic documents. And it's clear for both of them that you don't walk out of a programmatic document approval with the ability to build something, although there are one or two cases where you can incorporate a project specific document within a program. That's not the most common case. What you get from a programmatic document is kind of a construct for how you go

from there. And it builds on what Scott was talking with the REAT process and the DRECP.

Next slide.

The project types really listed here under CEQA and NEPA are the ways that the two laws describe the types of projects that could be covered by programmatic documents, projects in the same geographic area, projects that have similar types of regulations and components. The offshore wind world is one that seems very well suited to something like this. And I'll show you in a second how that's actually happening.

Let's go to the next slide.

The real advantages to programmatic documents, and again, a couple of people have touched on this already today, is that you can look at the regional effects, look at some big picture regional alternatives. And I think given the discussion we had yesterday in the sea space workshop where we talked about impacts and mitigation, the ability to consider cumulative impacts in a more regional scale I think is going to be really important for offshore wind.

Programmatic documents can also present mitigation measures. And the mitigation measures that would be developed programmatically would be essentially incorporated into project specific documents taking --

basically setting the stage for impact reduction before you get into the specifics of each project.

One of the things that was discussed quite a bit in yesterday's workshop on sea space was the need for environmental monitoring and studies in order to better understand the baseline offshore and to be able to understand the effects of offshore wind and a programmatic document with an earlier start on this type of data collection, assuming there is agency support and funding available, I think would be a really useful step to getting out ahead of the timelines that we've talked about because of the amount of time it takes to get a project actually started.

Next slide.

This is really a summary of what I've talked about already. The benefits of a programmatic EIR or -- and I'm using EIR generically, EIS, as well, for offshore wind, would be that they can cover a whole range of construction options. We know that the types of turbines, types of platforms, the types of cables and floating or fixed offshore substations still have a lot of uncertainty right now. It would be useful I think to have a programmatic document that looks at the range of these issues, looks at a range of mitigation, and helps the agencies really understand what they're looking at in terms

of the potential need for additional regional studies.

Next slide.

The challenges with programmatic documents are pretty much the same as joint documents. If you're doing -- you can -- I should have said this, but maybe it's obvious -- you can do a joint programmatic document, and I think there's a lot of benefit to doing that. So the combination of these two document types is definitely a possibility. It requires all the same kind of setup coordination that you would do for a project specific joint document.

Some of the challenges we've had that we've talked about more yesterday than today is the fact that there's a lot of unknowns about what is going to be designed and where. And I think a programmatic document is a good way to kind of explain the range of options and talk about the range of potential issues.

I wanted to just highlight here on this slide that while the offshore wind turbines will be in federal waters in terms of most things we're talking about today, the impacts themselves certainly are not limited to federal waters. So there's a lot more to be dealt with that can be addressed programmatically in terms of the development of ports and harbors where turbines will be assembled and there will be a lot of vessel traffic.

The onshore areas which will be affected by transmission lines, transportation corridors, and manufacturing facilities, all of that needs to be considered as we're looking at how to assemble a programmatic document that helps us move forward.

Next slide.

There are some really good examples of programmatic documents out right now. Actually, the first one is not out yet, but it's in the works. The BOEM is working right now on a programmatic EIS for the New York Bight, looking at the impacts of wind energy development in that region. It's done very similar to the one that's in the works for the Pacific OCS for the two wind energy areas that have been leased right now. The Pacific OCS has committed to doing a similar programmatic EIS. I don't know if that will be a joint document with anyone from the state or not, but I think there's a lot of value to looking at doing that jointly.

Another really good example of a programmatic document is the BOEM programmatic EIS for decommissioning of oil and gas platforms. That document is out. It was out for public review late last year, and the final EIS is being prepared right now.

Scott talked earlier today about the REAT process, and that resulted in the development of the Desert

Renewable Energy Conservation Land Plan. That's the onshore version of what we're looking at today for offshore.

Probably the most common use of, you know, programmatic documents is what's done by local cities and counties for their general plans.

That's it for me, Eli. I'll be available for questions as we move on. Thanks.

MR. HARLAND: Great. Thank you so much, Susan. And, yeah, I was going to say, please stick around for questions and answers. We've got a couple more presentations to go before we get to that point.

But I really appreciate you mentioning that the workshop yesterday had some components to it that are hard to disentangle or separate from the Permit Roadmap, so appreciate those comments. And it's going to, you know, really be on the Energy Commission to have to synthesize the input we're receiving across the board and be able to present something that connects the dots between some of the sea space planning and some of the impact considerations, and then also some of the Permitting Roadmap and permitting frameworks.

Next up, we have Whitney Fiore and Denise Toombs, so I'll invite you to turn on your cameras and I think it should show both of you. And just go ahead and say next

slide when you're ready for your presentation.

MS. TOOMBS: Thank you. Yeah, let's go ahead and put on the next slide. Thank you. Perfect.

Hi, my name is Denise Toombs. I'm with AECOM in San Francisco. I'm our West Coast offshore wind lead, and I want to thank you for the opportunity to present here. I will be co-presenting with my colleague Whitney Fiore of SWCA, and I'll let her introduce herself.

MS. FIORE: Hi, everyone. Thanks, Eli and Kristy and everyone at CEC for putting on this very important workshop to talk about the Permitting Roadmap. As Denise said, I'm Whitney Fiore, SWCA. I am the offshore wind lead for SWCA.

And before we get started, since we're way down deep in the program, I thought we should acknowledge that we've heard from a lot of people about elements of an efficient and coordinated permitting approach or approaches that have worked in the past. And our presentation is really focused on elements that could be or would be a really critical and essential part to an effective roadmap. Rather than what type of approach we think might be the best approach, we think that the elements, the details, if you will, the specificity are the important aspects, and they could fit into any approach that the CEC is frankly considering for a roadmap.

So, you know, we're going to probably refer back to some of our other panelists and presenters that came before us that had some really great ideas that really dovetail nicely with the things that we are going to talk about, and we're going to try and get through them quickly then because I know we're short on time.

MS. TOOMBS: Thank you very much.

With that, why don't we go ahead and advance to the next slide, please?

Now as Whitney mentioned, our remarks today are going to reflect concepts and comments that have been filed in the past on the permitting road shop -- roadmap drafts. That was hard. And so, you know, to kick this off, one thing is to reinforce some of the comments that we've already mentioned and recommendations for an effective Permitting Roadmap.

And the Permitting Roadmap is going to need to achieve the following. It's going to need to provide specificity and details. It's going to need to provide industry, tribes, and stakeholders with a predictable process, and I want to emphasize predictable process, and this doesn't mean predictable outcome. An effective roadmap is also going to need to provide transparency and opportunities for meaningful input along the way. And last but not least, create a pathway for good environmental

outcomes.

And next slide, please.

MS. FIORE: I know this slide is a little bit difficult to read.

MS. TOOMBS: And, Whitney, why you don't you go ahead and jump in. There you go. This is why it's so important.

MS. FIORE: I know this slide is a little difficult to read. There's a lot on here. And it's reflective of Eli's slide earlier in his presentation where we basically show the three phases, if you will, of permitting for offshore wind, the BOEM OCS lease process, which has been completed at least for the five leases that are out there. And then there is the survey, conducting the surveys, preparing the reports and the studies that feed into the Construction and Operation Plan that then, you know, feed into the permits, applications, and consultations that occur at both the federal and the state level.

Part of the need for a Permitting Roadmap is because this second column, there's so much involved in this second column that leads to what is in the third column, it's really important that the leaseholders, applicants, you know, future leaseholders, developers have clear guidance on what's expected of them.

Next slide, please.

To that end, BOEM has on their part developed a series of guidelines that are intended to help developers or leaseholders conduct the surveys using methodologies that are -- would be approved by BOEM, would ensure that the data -- the collected data works to develop the studies and the reports and the analyses and make impact determinations that can be included and what BOEM would deem as sufficient and complete Construction and Operation Plan.

As I will say here, as Jen mentioned, BOEM has a Modernization Rule, a draft rule they issued a few months ago. And part of that Modernization Rule is trying to codify, if you will, some of the lessons learned over the last decade or so with respect to data gathering, methodologies for analysis and whatnot. And so, you know, they are taking to heart lessons they've learned about how important it is to understand the process of data gathering, collection, and analysis.

Next slide.

MS. TOOMBS: Thank you, Whitney.

These are some of the key state agencies that will have a role in determining the data collection needs for the marine environment. You've heard from many of these agencies already in the prior panel and in some of

the past discussions. For brevity, we really just mention marine environment here, but obviously a very similar process will be occurring for terrestrial development and terrestrial data collection.

These resource agencies will have a range of responsibilities and many data needs will be in common with each other. However, and again, this is a recurring theme, some of the data requirements are going to be unique to each agency's objectives and analytical needs. So, therefore, this leads to the first important element of the Permitting Roadmap.

Next slide, please.

Yeah, this is another recurring theme, early engagement, early and often. For this, this is one area where there -- this is one of the many important lessons learned from the East Coast offshore wind development. The Permitting Roadmap is going to need to provide a means of gathering agency information on data needs early in the process to provide for consistent and efficient data collection. The aim here, again, this was mentioned earlier, but it's worth repeating, is to avoid multiple field mobilizations and rework of data collection and analysis.

One effective tool would be a permitting checklist that will help describe the information needs and

expectations of the state agencies that will be using the data. This will help set the expectations to help development teams and interested parties plan a thorough data collection and analysis campaign.

Next slide, please.

MS. FIORE: So designated overseeing entity; I think Christine Harada from FPISC really summarized in a nutshell how important having an overseeing entity is for an effective Permitting Roadmap or permitting process.

You know, FPISC, and I also will say Scott and his description of how REAT works very similarly, but, you know, FPISC or REAT when it was -- and I think it's done, but when it was being implemented, especially during the ARRA days, there was an entity that could coordinate the agencies with the jurisdiction over some or parts of that project. That overseeing entity had the authority to make sure that schedules were met, that agency input and participation occur as necessary, you know, to keep things moving forward.

They also have the ability to provide dispute resolution or other communication facilitation needs when, say, there is a difference of opinion about maybe an impact determination for a species that maybe two, you know, entities, a state and a federal agency have, for example, oversight over, so trying to come to agreement on that.

The same with mitigation measures, you know, trying to come to agreement on mitigation that maybe crosses resources.

Next slide, please.

Timelines and schedules, always important, important in efficient permitting. We would hope that a Permitting Roadmap would include a timeline that includes a detailed schedule or a Gantt chart, and I actually think that Christine Harada from FPISC talked about her Gantt chart, that Gantt chart that includes the developer and agency early engagement, you know, the on-ramp for the developers to come to the state agencies to start talking about what those data needs are going to be, you know, what they need to see, what kinds of methodologies and whatnot, that the timeline shows where there are coordinated agency reviews.

So, you know, often the most effective way is to have concurrent agency reviews. So if there are five agencies that are reviewing, say, an administrative draft of a CEQA document, they're all doing that at the same time.

Sequencing, also very important, you know, when -- who's on first, when, who's on second, when, so making sure that there is a timeline and a schedule that shows the sequencing of when things will be done.

And then, of course, milestones, showing the

milestones, say, maybe when a draft EIR is published or when there will be public hearings, but showing those milestones when permits are issued, obviously a huge milestone, but definitely having those things laid out in a detailed schedule is really important.

Next slide, please.

MS. TOOMBS: Thanks, Whitney.

Another element, of course, is transparency. This, again, is a recurring theme but it's a really important one. There are many different types of tools that can be applied to achieve transparency. For example, having, you know, sessions like these workshops where people have an opportunity to share information, learn, and provide public comment.

We would propose having an offshore wind permitting dashboard that could be maintained or ideally would be maintained by the designated state entity or agency responsible for coordinating offshore wind permitting. This was a comment that Whitney mentioned a moment ago. And there was a good example on the first panel showing a slide of what a permitting dashboard could look like and what types of information it could provide.

Next slide, please.

MS. FIORE: So funding and resources, you know, I know we have heard often from the state agencies that they

are resource constrained. And I think in the BRRIT example they talked about -- that was a good example of talking about how important funding for permitting is in order to be effective and meet certain schedules.

So, you know, we think that having some sort of a long-term funding source for the resources that are necessary for the state agencies to process offshore wind permit applications, you know, the data that is necessary for offshore wind permitting is highly technical in many cases. And the expertise that's needed to review that data, understand that data, interpret it, you know, opine on the determination of impacts and what mitigation is required requires, you know, a high level of expertise for numerous different resources.

So we believe that having the resources that -- the state agencies having those resources and that expertise is really important for an effective permitting process in the State of California.

I think that's our last slide, Denise; yeah?

MS. TOOMBS: Yeah, it is. Those are really the elements we wanted to touch on today. And again, we thank you for your time and attention and we'll be listening in and ready for Q&A session.

MS. FIORE: Yes, thank you, everyone.

MS. TOOMBS: Thanks.

MR. HARLAND: Great. Thank you. Thank you, also, for your time and for that presentation and for being around for Q&A.

So we're going to move through. We're going to hear remarks from Rikki Eriksen next. And then just so everyone's aware of the agenda, after Rikki's remarks, we're going to hear remarks from Daniel Chandler, then Eddie Ahn, and then Mike Conroy. And that's going to bring us to our Q&A session on the presentations.

So I will pass it over to Rikki for your remarks. And you'll have a slide up here, Rikki, with your name on it there.

DR. ERIKSEN: Okay. Excellent. Thank you so much. And thank you everyone for the invitation to present here today or just share some ideas.

I'm part of the network of the environmental NGOs who are working on offshore wind. And my name is Rikki Eriksen. I'm the Chief Scientist for the California Marine Sanctuary Foundation. And I think, you know, we're just interested in kind of this smart from the start. And after listening today, I can say that I'm, you know, really impressed with all of the hard work and encouraged by the breadth and depth and scope of knowledge and history that's been represented today.

So some of our, just briefly, recommendations is

to deal with the joint NEPA and CEQA review as proposed by the CEC for effective coordination.

Secondly, to allow for a programmatic environmental review to consider the potential interactions and amplification effects between projects on ecosystems, wildlife, and coastal communities.

A coordinated permitting approach and coordinating transmission and procurement planning. We highlight the importance of this for accounting for advanced transmission planning and coordination.

And then really where we want to -- I want to focus is a strong focus on developing and implementing the adaptive management framework, which will be crucial for this uncharted environmental impacts. And a lot of this has already been commented today but, you know, I think this bears worth reiterating.

The site assessment plans are vital components of an adaptive management approach. And I think that, you know, having the best and the latest technology and science applied to this is going to be really critical for prioritizing the monitoring of species and habitats that are most likely to be impacted. This is going to require a lot of expertise in developing, you know, potential population models that look at potential offshore wind impacts and looking at things like oceanographic processes

and upwelling impacts through all stages of the -- all stages of construction and operation and post-construction monitoring will be needed as well.

And finally, recommending the development of pilot projects to monitor impacts and inform adaptive management and technological changes.

And I think I'll stop there to allow other panelists an opportunity to speak. Thank you so much.

MR. HARLAND: Okay. Thank you, Rikki. And, you know, if you're able to stay on for any Q&A, that would be great.

DR. ERIKSEN: Absolutely.

MR. HARLAND: Yeah.

DR. ERIKSEN: Absolutely.

MR. HARLAND: Cool. Thanks.

And so we'll move on to Daniel Chandler.

So next slide.

And, Daniel, if you're able to put your camera on, appreciate that, and we'll pass it over to you.

MR. CHANDLER: Thanks very much, Eli.

I'm Daniel Chandler. I represent 350 Humboldt and Climate Action California, our statewide partner organization. I thank CEC for inviting me and for all their work in the last year or so.

The Revised Permitting Report is a very

considerable improvement on the first version. Nonetheless, climate activists can have a different perspective based on the IPCC's Assessment Report 6 released last year. AB 525 requires a Strategic Plan containing two fundamental elements. The number of gigawatts we believe can be attained in the timeframe for doing so.

Next slide, please. Yeah, thank you.

According to the IPCC, the relevant timeframe should be 2030, because that is when the carbon budget for not exceeding 1.5 degrees Celsius runs out. The 400 billion tons budget of CO2 we had in 2020 is likely to be exhausted by the end of 2030, if not earlier.

Next slide, please.

Here's a reminder of what happens if we exceed 1.5 degrees. We lose our island nations.

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In addition, the number of people who will be living outside of the human climate niche of average temperatures of 55 to 81 degrees Fahrenheit will increase from 419 million at 1.5 degrees Celsius to 2 billion people if we continue on our current 2.7 degrees trajectory. That is a billion and a half more people and an additional 55 countries will be living at average temperatures of over 81 degrees Fahrenheit.

Next slide, please.

Another consequence of exceeding the 1.5 degree budget is that we are far more likely to trigger irreversible tipping points. Here is a 2022 list of them in line with the IPCC's findings. The tipping point for CO2 and methane released from melting permafrost has already been passed, and we may have already passed two others. One degree Celsius would have been a safe stopping point.

Most people don't know that as temperatures increase linearly, climate models show damage from global warming increases at a much faster rate. Some models show a near exponential rate. So paying for adaptation and reconstruction after climate disasters is going to take up more and more of our resources.

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That's why the Bezos $10 billion Earth Fund CEO Andrew Steer warned in a May interview,

> "This is the decisive decade. If we don't get it right this decade, actually next decade it will be impossibly expensive to do anything and will, quite frankly, be too late."

So the question is, will the current AB 525 planning help keep warming to 1.5 degrees? The revised permitting report is highly ambiguous.

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The best case under current planning is reflected in Elizabeth Huber's statement that California's goal is to get 4.5 gigawatts operating by 2030 and reduce the seven to ten-year permitting process to under seven years.

What would a 1.5 degree Strategic Plan look like? The primary ingredient is a commitment to try to achieve far more than 4.5 gigawatts of floating offshore wind by 2030. This would include at least a CPUC sensitivity portfolio of 5 gigawatts on the Central Coast and 8 on the North Coast for a total of 13.4 gigawatts by 2030, which is about equivalent to our current solar installations. With appropriate mobilization of resources, 25 gigawatts by 2035 could be possible.

Next slide, please.

As far as permitting itself goes, we should emulate the European Union's Repower EU Action Plan, which adopted language of overriding public interests and reduced permitting from four to nine years to one to two years.

In addition, we need integrated permitting, centralized one-stop shopping for developers, and legislative and budget actions. Although the legislature has seemingly rejected the governor's budget trailer bill streamlining CEQA, offshore wind has such broad support that it is likely that SB 619 or AB 3, for example, could

be amended to include streamlining for offshore wind. The Strategic Plan should call for that but proceed apace until it occurs.

We also need broad community benefits so that we don't repeat the social injustices of fossil-based development.

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I'm very aware of the technical and scientific, not to mention bureaucratic, problems in a faster pace. And I'm also aware that many stakeholders want to slow things down, but that is not what is needed by the world's people and the earth itself.

I thank you very much for considering a more urgent point of view. We hope offshore wind will actually be a societal tipping point. Thank you.

MR. HARLAND: Thank you, Daniel, for your presentation. And also thank you for staying engaged, you know, throughout our public process. I know, as you said, I think part of that invitation was a lot of the participation and the perspective that you wanted to share today, so appreciate you being here as well. And hopefully you can stick around for a Q&A.

Two more to go. So we have Eddie Ahn from Brightline Defense.

I think, Jack, you're going to pull up Eddie's

slides, I believe, but if you can do that, that's the time to go.

And, Eddie, just let us know when you're ready. Oh, your video's on. Good.

MR. AHN: Thanks, Eli. And thanks again to the California Energy Commission for having us.

Next slide, please.

In case for people who don't know, Brightline Defense is an environmental justice nonprofit. And this slide, in 15 seconds or less, encapsulates a little bit of what we do, ranging from the job training program for transitional age youth, located on the left, to air quality monitoring in the middle photos, to the right-hand side, some of the on-the-ground partnerships that we build, whether it's with low-income, single-room occupancy tenants and the Tenderloin of San Francisco, to when it comes to offshore wind.

Next slide.

With, particularly, North Coast and Central Coast, where offshore wind's being proposed, we've been really heartened by the progress over the last few years. When, you know, AB 525 was first passed, it was a very high-level goal. But since then, it seems like a lot of local communities are now starting to organize and form coalitions around this. And to understand how offshore

wind, as well as transmission in seaports, affect their communities, will be an important part in moving these, you know, projects forward.

So on the left-hand side, you'll see a policy report that Brightline did, just released a month ago, that shows some of the progress to date. And on the right-hand side is some Central Coast work around the Morro Bay field hearing that happened, where congressional leaders convened to discuss offshore wind and what it meant for local communities.

Next slide, please.

And just, you know, at its core, what Brightline is really interested in is ensuring equity and community benefits on these projects. And earlier, you've heard speakers talk about a number of mechanisms to do this, whether it's, when Jen Miller earlier talked about, the BOEM auction bid credit and, you know, the first-of-its-kind ability of the federal government to essentially attach a specific percentage to community benefits agreements. For our onshore impacted communities, that's a big deal.

Also, you know, state-led enforcement, and then looking at community benefits in the context of procurement, which is a very active discussion right now in Sacramento, as well as permitting processes, you know, the

focus of today's workshop, are going to be really important.

So next slide, please.

And then, you know, just also outlining what do community benefits even look like. And, you know, our perspective is it really should be defined by the local communities that are affected by the projects. They can include things like infrastructure, community developments ranging from housing, roads, government services. Of course, workforce development plays a role in this, making sure that local communities can share in the economic development and job benefits of these projects. And there are policy mechanisms to do so, like targeted and local hiring.

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Also, making sure that tribal sovereignty is affirmed and that cultural resources are respected and maintained are really important.

Overall, there should be upfront capacity building resources just to make sure that people can engage and that, you know, eventually, you know, these projects should be created through, you know, decision-making powers rooted in the community so that ultimately there's no problems later on. I think it's in the best interest of everybody that this recognizes, you know, as least

contentious of a process as can be.

And, you know, that photo maybe just to recognize is the California Energy Commission convening with tribes in the North Coast and, of course, announcing their landmark agreement. And this was just a few months ago that happened.

Next slide.

And this recognizes some of the advocacy that's ongoing. Of course, there are future leases in play at the federal level. And, you know, whether community benefits will continue to be a part of leases will be an ongoing discussion with BOEM, permitting processes, as we've discussed today. I mean, there have been, you know, questions about how adaptive management, for instance, can be adapted as part of this.

And then, you know, you'll see also some of these advocacy letters, you know, on the left-hand side there's the CORE Hub letter. The CORE Hub, for those, again, who don't know, it's a coalition in the North Coast that represents a number of groups very interested in offshore wind and its policy processes and making sure that community benefits, again, are attached to these processes.

And then on the right-hand side is perhaps a broader statewide coalition letter that also engages on this and makes sure that, you know, the projects can move

forward but, again, with a vision around everything from project labor agreements, so, in other words, high-road labor standards to, again, community benefits, however they're defined by the local communities.

Next slide, please.

And then just on a concluding note, responding to what some of the other speakers have talked about, you know, I think the final report was good in the sense that it, as of now, seems to be moving away from the approach of consolidating everything into a single agency, which doesn't seem to be either efficient or appropriate, you know, in a political sense. Coordinated permitting, in other words, makes a lot more sense where agencies, you know, recognizing that they do have different jurisdictions for a reason and there are different priorities and relationships in play too.

One thing that heartened us more recently at Brightline was when we did a presentation at the California Coastal Commission a few weeks ago through Sarah Xu, our senior policy associate, had multiple Commissioners, for instance there had really emphasized environmental justice and how they wanted to make sure that the energy transition involved was just itself. And that's the example of a forum where these things are brought up repeatedly.

I think another thing maybe to mention is the

idea of mitigation and data collection, making sure it's really properly done. You know, I noticed, for instance, the NRDC letter and environmental NGO letters to California Energy Commission about this, talking about how adaptive management practices really need to not just throw a bunch of information out there, but make sure that they're interpreted in an appropriate way, gathered, and then, you know, utilized in an effective way.

Two last points is on decommissioning, just making sure that, you know, both on water and later on land, that as these are set up, that it's roped into -- it's part of the permitting processes that were not just, you know, as, for instance, offshore wind turbines reach their end of life stage, that they're not just left out there decaying is really important. And even up front, if there are opportunities to remove fossil fuel infrastructure that are decaying, you know, into essentially correct current environmental injustices, that's really important.

And I really appreciated, you know, 350 Humboldt talking about, you know, how they want to make sure that injustices that have occurred in the past are hopefully rectified with this ongoing new economy.

And then finally, the notion of dashboard, which was also discussed earlier today. That FAST-41 Dashboard

is pretty good by our estimation. You know, one, you know, smaller comment that we would have maybe for state government agencies to consider is ways for the public to engage in the process, you know, displaying that appropriately on the dashboard would be really good too. FAST-41 is really good at consolidating the information, but again, for members of the public or, you know, people who are not policy experts, it's harder to assess, like, how to engage in these products to begin with.

And with that, I'll conclude. Thanks again.

MR. HARLAND: Great. Thanks, Eddie. And I hope you're able to stick around for Q&A, which we're going to do in just a bit. And thank you for mentioning the decommissioning piece.

I will say on the graphic I shared, we both focused on that on our fourth phase, but in the one we shared, we didn't go out that far, but it's a good reminder that as we're developing these timelines that we're thinking through, this is where BOEM is addressing something in the state, you know, and local, we're trying to create something that matches up with that, so thank you for bringing that back up.

And we'll shift over to our -- back to our PowerPoint slides.

Mike Conroy, if you can, if you're still with us,

can you put on your video? And you're up for making remarks. Thank you.

MR. CONROY: Yeah. Can you see me and hear me?

MR. HARLAND: Yes and yes.

MR. CONROY: Perfect. Thanks, Eli.

Yeah, my name is Mike Conroy. I'm the West Coast Director of the Responsible Offshore Development Alliance. We're a national association representing the fishing industry, an industry and community that will be both directly and significantly impacted by offshore wind developments. Presently, we have over 240 members representing well over a thousand small businesses. I am also the Co-Chair of the Pacific Fishery Management Council's Marine Planning Committee and Vice Chair of its highly migratory species advisory sub-panel.

At the outset, I want to thank you, Eli, along with Kristy, Scott, Danielle, and Rachel from the Energy Commission and the other state agencies for their commitment to meaningful engagement with the fishing industry.

I want to specifically call out Kate, Holly, and Amanda, if you're listening, for their work in assuring the conditional concurrence on the lease sales included a requirement to establish a working group that included the fishing industry, both commercial and the recreational

fleets. This working group will be charged with developing a statewide strategy for avoidance, minimization and mitigation of impacts, the fishing and fisheries that prioritizes fisheries productivity, viability, and long-term resilience.

Prior to this workshop today, I asked a handful of California's fishing industry participants if they had any thoughts about the permitting process. One response in particular was reflective of the perceptions of the many, and that is that the BOEM process is a failed process, including siting decisions, mitigation as an afterthought, and before and after monitoring as an afterthought.

I briefly want to touch on the community benefit agreements as those been mentioned throughout. These could be helpful. But absent a financial commitment, which we saw in the California lease sales, there is less certainty in their ability to be responsive to the needs of the fishing industry and other dependent communities.

Very much appreciate consideration of development of a programmatic EIR. As noted in the final report, the fishing industry and others have been asking BOEM to develop a programmatic EIS looking at potential offshore wind developments along the entirety of the West Coast. Draft wind energy areas are imminent off Oregon, and there are two unsolicited lease requests off the Washington Coast

totaling over 700 square miles. When analyzing impacts and meeting the state's long-term planning goals, we have to understand the cumulative and regional impacts of so doing.

I also want to highlight an agency that's been missing from the workshops over the last two days, and that's NOAA NMFS. The permitting process from the state identification -- from the site identification stage has to include consideration of their scientific surveys. Those surveys produce data sets that are foundational to a number of efforts, including but not limited to informing on ecosystem health, as well as managing marine species, habitats, and fisheries.

They are also instructive and informative for NOAA when determining mitigation strategies in compliance with a myriad of federal laws, including the Endangered Species Act, Marine Mammal Protection Act, and Magnuson-Stevens Act.

Fully support what we've heard regarding a dashboard. I won't go more on to that.

You know, given the amount of unknowns about the impacts of offshore wind, particularly impacts to the marine environment and ecosystem, there needs to be off-ramps built into the permitting process. If yet-to-be-conducted science shows that ecosystem function will be compromised to the extent that a collapse is possible, we

have to look elsewhere.

An underlying theme of many of the panelists that preceded me has been the lengthy timeframe of the permitting processes. I really appreciate the comments made by Jen Mattox that we have to go slow in order to go fast. You know, the need to identify what the baseline information needs are, and then to begin to collect that data, is of paramount importance, especially as it relates to setting the table to convert some of the unknowns into knowns. I think this directly addresses one of the examples of the failed processor and the fishing industry members.

Given that there are no large-scale floating offshore wind facilities anywhere in the world, and no developments within the broader California current large marine ecosystem, we've been pushing to use these first five lease sites as demonstration projects. Let them operate for a period of time, three to five years, and actually learn from them before rushing to permit more operations.

One plea. As you figure out ways to streamline the process, keep in mind the burden of the interested public. The draft EISs that we've seen on the East Coast are thousands of pages, including the appendices. Much of this is technical in nature.

And I do appreciate the commenter before me when Eddie spoke of environmental justice. When we look at offshore wind development off the California coast it's, based upon the workshop we saw yesterday, it's going to be highly localized in the Central and Northern California coast. You know, we have to look at the justice impacts, both socially and environmentally, on putting the burden of generating all of the state's renewable energy needs, or a great portion of it, on the shoulders of our northern and southern -- northern and central California seafood suppliers.

And with that, I'll be quiet. Thanks, Eli.

MR. HARLAND: Okay. Thanks, Mike. And appreciate, also, you making some of the connections to the workshop yesterday. So did Susan.

So we're going to do some Q&A with the panel. So if any of the panelists have any questions for others, please don't be shy. You can chime in and ask those. If we don't see any questions and answers from the panelists, then we're going to go to the audience after that and ask for any questions and answers. And then following that, this panel will conclude and we will go into the public comment opportunity. So just so everyone knows, we're sort of close to the end of the workshop and wrapping this panel up.

But if there was a question, please unmute and go for it if you're on the panel.

DR. ERIKSEN: Yeah, this is -- can you hear me? This is Rikki. Am I supposed to --

MR. HARLAND: Yeah, Rikki, we can hear you.

DR. ERIKSEN: Okay. Great. Yeah, I had one question about sort of standardization of methodology between projects. I understand that there will be some, you know, specific kind of scientific methodology and approaches and tools that will be specific to a particular site. But is there kind of a standardization of different methodologies so that data from monitoring can be standardized and compared across pilot projects to inform adaptive management more broadly in California?

MR. HARLAND: That, I'm going to maybe pick on someone here, but I don't know, Whitney or Denise, if that's something you might be able to comment on?

MS. FIORE: And I was looking for Jen Miller. I don’t see her on the list anymore.

MR. HARLAND: Yeah, I think she might have had to drop off. I know, so was I.

MS. TOOMBS: Yeah, I’d agree. That would be appropriate really.

DR. ERIKSEN: Yeah. Yeah, just given, you know, I mean we often, as a scientist, we also often come ten

years down the road after something and we can't make comparisons and make analysis that provide the kind of decision-making information and adaptive management, you know, recommendations that are needed for such a project. And so it would just be something to consider, you know?

And I think, you know, with the development of, you know, some sort of science entity, you know, I mean, I know there's a lot of talk about a lot of different components, but I think that that would be something to be considering, you know, so that we can do, you know, I'm thinking 10, 20, 30 years down the line, you know, if there's some emphasis on trying to standardize then our ability to make larger scale ecosystem-wide, more comprehensive kind of recommendations and mitigation strategies would be improved, so --

MS. TOOMBS: Yeah. It would tie in though, too, to having a permitting checklist that would be at the front end of that. And, you know, if there are specific requirements or methodologies that need to be incorporated into data collection, that would be an ideal place to incorporate that --

DR. ERIKSEN: Yeah.

MS. TOOMBS: -- so that that, you know, could be implemented at the very front.

MR. CONROY: Eli, can I jump in real quick?

MR. HARLAND: Yeah. Please go.

MR. CONROY: Thanks. Yeah, to answer your question, Rikki, I would say I hope so. I hope that it can be standardized.

DR. ERIKSEN: Well, right. Right. And again, you know, with oceanographic and upwelling and atmospheric, you know, I think those are key unknowns that, you know, we all know and we're all trying to do the best possible job; right? And I just think that that is an area where that's just going to be tough and have to make the best decisions available with it.

But, you know, if we start collecting that data now, you know, we're going into a change of shift in, you know, to El Nino and, you know, that kind of impacts and responses by the ecological communities is going to be different than, you know, three to however many years when we shift back to others. So it just would be great to start some of that kind of larger scale oceanographic monitoring that's going to be needed as well.

MR. CONROY: No, I totally agree, and understanding there's going to be regional elements that probably can be standardized, but there's probably also going to be localized things that we're going to be wanting to monitor based upon the unique geography, the unique conditions, the unique setting of the specific lease sites.

DR. ERIKSEN: Absolutely. And I think that, you know, there's a lot of research that needs to be conducted, I think, in collaboration with the fishing community, because we have no idea, you know, in terms of, you know, the number of vessels and maintenance and noise. And, you know, and so having -- you know, I think this is just so heartwarming, and I'm glad I'm in a democracy where things happen like this, you know, is that, you know, for the fishing community to inform and be a part of, I think, is going to be really critical. And I commend the state taking such an inclusive approach that has been made about, you know, take your time to be cautious later on. So, yeah.

MR. HARLAND: Great. Thanks for that question, Rikki, and the dialogue there.

Are there any other questions from panelists?

I think the only thing I would add to that last one is that, as I was trying to show earlier, that a lot of the timelines we look at, at some point they're sort of BOEM-driven and almost BOEM-owned timelines in collaboration with the state, but then at some point you get to areas that are leased. And so some of those timelines, you have to have those for, you know, five individual lease areas. And so I think --

DR. ERIKSEN: Yeah.

MR. HARLAND: -- it's up to us to think about, like, where are the best places to, you know, be able to handle these issues at more, I don't know, it's like programmatic or program level, or just very comprehensive thinking. And then there's some parts of those timelines that are going to be individually driven by, you know, project decisions and investment decisions.

So we'll open it up, Hilarie, I think, to see if the audience has any Q&A. And after we do the audience Q&A, then we will be moving into a public comment opportunity. So go for it, Hilarie.

MS. ANDERSON: Great. So as Eli just said, we're going to do some questions from the audience for a moment, so use the raise hand function. If you're calling on the phone, that is star nine to raise your hand, star six to unmute. When you're called upon, I'll open your line. Please make sure to unmute on your end, state your name, any affiliation, if you have any, and then ask your questions.

The first one we have is Leslie. Leslie, your line should be open. State your name, any affiliation, and state your comments.

MS. PURCELL: Yeah, it's Leslie Purcell. I am a Sierra Club member, but I am speaking as an individual. I had a couple quick questions.

For Mike, I think you mentioned that there was a scientific entity that was not included that you thought was important, and I missed the name of that. If you could give me that, I'd appreciate it. And --

MR. CONROY: Yeah.

MS. PURCELL: -- the second -- go ahead. Yeah.

MR. CONROY: No, just NOAA National Marine Fisheries Service.

MS. PURCELL: Oh, okay. I know. I know of NOAA, of course. Thank you.

And the second question, for those of us that did not attend yesterday's sessions, is that available as a recording for the public?

MR. HARLAND: Yeah, the recording will be made available if it has not already. The materials from the workshop, just like this one, will be available there. And we have a court reporter transcribing, so there will also, at some point, be a transcript available.

MS. PURCELL: So that's at the California Energy Commission?

MR. HARLAND: Yeah. We'll work on putting a link into the chat so that you can find all of our public workshops and public information related to 525, because it's even larger than today's workshop and yesterday's workshop that we've been working through.

MS. ANDERSON: Yes. It should be in the chat already. There's a couple links in there. I will put it in there again.

MR. HARLAND: Cool. Thanks, Hilarie.

MS. ANDERSON: Okay, so we'll move on to Molly Croll.

Molly, you should be able to open your line.

MS. CROLL: Hi. Thank you. Molly Croll with American Clean Power Association.

I had a question about the joint document process. At the top, Holly referred to the State Lands' and Coastal Commission's need to look at the whole of the project while primarily looking at activities in state waters. And then of course, the Department of Interior has primary responsibility in federal waters. And then Susan Lee was talking about the differences and the different requirements under CEQA and NEPA.

So my question is do you think -- and maybe this is a question for Jennifer Mattox who talked a little bit about joint review, or maybe for Susan -- my question is: Do you think a joint document process would help coordinate or avoid duplicative review of the federal waters components of the project by both state and federal agencies, or would it necessarily expand the scope of review or the intensity of work in what state agencies

would otherwise do by requiring that higher level of review to meet the joint document higher standard?

I know that was a long question. So --

MS. LEE: Yeah.

MS. CROLL: -- if you want me to rephrase, I can try.

MS. LEE: I can take a first shot at it. I don't know if Jennifer Mattox is still on.

But the standard of review really isn't different, that both CEQA and NEPA require looking at the whole of the project. The language in the two laws is a little bit different. What would drive the way a joint or programmatic document or a combined one is framed is what is the project or the proposal that's being evaluated? You know, how is that framed itself?

And the one that I think BOEM is originally -- is looking at now, and sadly, I don't think BOEM is still on the line, is looking at impacts broadly associated with the five leases that have already been that were issued yesterday, somebody said. So really, it's the way that each process is framed that defines how -- the extent of it.

I personally think it's hard to narrow the offshore wind world down to looking at just federal waters because you can't do anything that is just in federal

waters. Literally, you must go through state waters, you have to touch land, you have to get transmission. So there's a lot of logic to doing these jointly and there's no reason not to do it except that it adds some time and a lot of staff commitment from state and other agencies.

MS. CROLL: Thank you.

MS. ANDERSON: Okay. Thank you so much. We are going to move on to the last hand I see raised, which is Councilwoman O'Connell.

You should be able to unmute on your end.

MS. O'CONNELL: Hi again. Thank you. I'm Amanda O'Connell, Councilwoman with Tolowa Dee-ni' Nation.

So I have an additional, I guess, comment/question regarding the CEQA NEPA joint process, and that is, if the Energy Commission or whoever will possibly be offering training or workshops specific to that joint coordination on CEQA NEPA, I realize the state, I think, has put out, you know, a guidance document on that, but it's just not the same as, you know, getting that information through training from a live person, whether that's virtual or in person. But I think that that would be a suggestion for stakeholders and agency staff and tribes or anybody that might be interested in learning more about the joint process.

So that's all I want to say.

MS. ANDERSON: Okay. Thank you.

And with that, I'm going to hand it back to Eli because I do not see any more raised hands.

MR. HARLAND: Great. Well, if you could go to the next slide, I'd appreciate that.

So that concludes our second panel. So thank you to all the panelists for your participation, both your prep work and also your on the spot responses to questions and answers here. We greatly appreciate it.

So for the Permit Roadmap specifically, we are asking for written comment on this public workshop to be submitted by June 19th. The instructions for that will be on the next slide. I do believe that Hilarie put into the chat, as well, information on how to access that.

And then in the workshop notice for today, there's information on how to submit written comments. We're asking for those by June 19th because we're busy developing a draft Strategic Plan that’s comprehensive and covers all of the topics that are required to be covered within AB 525. And there will be a permitting chapter in that draft Strategic Plan. So comments for us coming in by June 19th will help us be able to synthesize those and get a broad view of all the perspectives on the reactions to today's workshop. And so appreciate everybody working through those.

Also, I just want to thank everybody who's been attending the CEC's AB 525 workshops. We had two workshops last week. We had a workshop yesterday and then you're here holding on into Friday. So we were hoping to be able to send people out at about midday today instead of keeping you too late on a Friday after a series of workshops and I think we have got pretty close to that.

So I'm going to turn it back here in a second to Hilarie for our public comment period. And after we're done with the public comment period, we'll conclude this workshop. But thanks again to all of our panelists, all our presenters, everybody who's listening in today and actively asking questions and staying engaged. We do appreciate it.

So Hilarie, I'm going to pass it back your way and we're going to do the comment -- public comment period.

MS. ANDERSON: Thank you so much.

So hello, everyone, again. For the record, I'm Hilarie Anderson with the STEP Division. We're going to begin our public comment section now. And this is an opportunity for the attendees of this workshop to give their comments.

Each person will have up to three minutes or less to speak. Comment times might be reduced to ensure that we're able to hear from everyone.

To make a comment, individuals on Zoom should click on the raise-hand icon. For those of you calling in by phone, press star nine to raise your hand and then star six to unmute. When you're called upon, I will open your line. Please make sure to unmute on your end. And for the record, please state and spell your name and give your affiliation, if any, and then begin your comment. We'll show a timer on the screen and we'll alert you when your time is up. All comments will become part of the public record. And I will go in order of hands raised that I see.

So with that, we will go to our first hand that I see, and so Molly Croll, your line is open. Please state and spell your name for the record, give your affiliation, if any, and then begin your comment.

MS. CROLL: Thank you. Molly Croll again, C-R-O-L-L, with American Clean Power Association.

Thank you to the CEC for putting on an excellent workshop. The state has really led a very thorough process for considering different permitting models and for seeking input from stakeholders.

Now we are eager for state agencies to begin developing a more detailed version of the Permitting Roadmap that will provide offshore wind leaseholders and stakeholders clear information about when different components of the permitting process will occur, as well as

what data and information will be required and assessed in those processes. Much of this detail will be essential to ensuring an efficient and effective process, regardless of which model or models the state pursues, such as shared survey protocols, process dashboards, and approaches for shared problem solving.

However, the CEC should absolutely include a recommendation on the preferred model as part of the final chapter adopted in the Strategic Plan. ACP California supports the coordinated approach presented in the roadmap.

We also support many of the elements articulated in the December conceptual Permitting Roadmap, which include commitment to develop a single permitting application checklist, an integrated process for submittal and review of material, schedules for inter-agency coordination or review, milestones and timelines for completing permitting, close coordination, and potential joint review with the federal government, and processes for problem solving. In addition, we recommend the state identify a lead coordinator who can manage timelines and ensure the state is meeting its commitments. Some of these elements can be effectuated through MOUs as Scott presented.

I also appreciate Scott's comments about the need to keep momentum up. This is going to be a number of years

in the making and we'll need the state to provide sufficient and sustained funding for agency staff.

So in conclusion, we urge the Commission as part of the final Permitting Roadmap included in the AB 525 Strategic Plan to move forward with a plan to implement the coordinated permitting approach, including defining the next steps for state agencies to build out each element of that approach.

Thank you.

MS. ANDERSON: Thank you so much.

I am not seeing any other raised hands, so I will do a last call for public comments, and that will be use the raise-hand function at the bottom of your screen if you're on Zoom, star nine, if you're on the phone. And I'll give it just a second to see if we have anybody pop up. Okay, I am seeing no more raised hands.

So this is going to conclude our public comment period. I just want to thank you for public comments today. And as a reminder, we're accepting written comments by June 19th. The information is on the screen on how to submit your written comment.

And with that, I will turn it back to Eli Harland.

MR. HARLAND: Thanks, Hilarie.

And I'll say that concludes the workshop today.

So thank you again, everybody, and have a wonderful weekend. And we are adjourned.

(Off the record at 1:35 p.m.)

CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of June, 2023.

Martha L. Nelson

MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

MARTHA L. NELSON, CERT**367

June 22, 2023