

**DOCKETED**

<b>Docket Number:</b>	17-MISC-01
<b>Project Title:</b>	California Offshore Renewable Energy
<b>TN #:</b>	255181
<b>Document Title:</b>	Letter to California Legislature
<b>Description:</b>	Letter to California Legislature for AB 209 Voluntary OSW Program
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<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	3/19/2024 4:01:36 PM
<b>Docketed Date:</b>	3/19/2024



March 19, 2024

Honorable Members of the California Legislature  
California State Capitol  
10th and L Streets  
Sacramento, California 95814

Dear Honorable Members of the California Legislature:

The California Energy Commission (CEC) is pleased to provide this letter that outlines the progress and status of CEC's administration of the Voluntary Offshore Wind Program which was established in Assembly Bill (AB) 209 (Chapter 251, Statutes of 2022) and amended in AB 1373 (Statutes of 2023).

The program statutes are Public Resource Code ([PRC\) Section 25992 – 25992.22.](#)

PRC Section 25992.22 requires the CEC on or before March 15, 2024, and each January thereafter concurrent with the submission of the Governor's Budget, to submit a report to the Legislature and the relevant policy and fiscal committees of the Legislature on the moneys received and allocated pursuant to this chapter. The report shall include, but not be limited to, a description and information on the use of funds, geographic distribution of fund allocation, program activities, and awardees.

The purpose of this letter is to provide the first report as required by PRC Section 25992.22. The Voluntary Offshore Wind program became law in 2023, the same year that the CEC was meeting the requirements of AB 525 (Chiu, Chapter 231, Statutes of 2021) to develop an offshore wind strategic plan. With that plan now under [public draft review](#) and on track to be finalized before summer, the CEC will be initiating a public process to implement the Voluntary Offshore Wind Program.

The statutes include two components: the 1) Voluntary Offshore Wind and Coastal Resources Protection Program [PRC Sections 25992.10 - 25992.11] and, the 2) Voluntary Offshore Wind and Coastal Resources Protection Fund [PRC Section 25992.20 - 25992.22].

### **Voluntary Offshore Wind and Coastal Resources Protection Program**

The stated purpose of the program is to support state activities that complement and are in furtherance of federal laws related to the development of offshore wind facilities, including federal laws providing for offshore wind lease conditions set by the Bureau of Ocean Energy Management (BOEM).

The statutes allow for providing funding for multifaceted purposes that are described in detail in the statutes. Generally, the areas relate to workforce, infrastructure, environmental, and state agency staffing resources.



## **Voluntary Offshore Wind and Coastal Resources Protection Fund**

The program includes a new fund (the Voluntary Offshore Wind and Coastal Resources Protection Fund) and an account within that fund (the Private Donations Account). These are allowed to accept donations from private and federal sources. The statutes allow the CEC to enter into an agreement with a donor to use the donation for a specific purpose so long as it is consistent with the program statutes.

Notwithstanding [Section 13340 of the Government Code](#), the fund and account are appropriated without regard to fiscal year. To date, no donations or other deposits have been made into the fund or account and the balances of each are zero.

## **Going Forward**

The statute allows the CEC to adopt guidelines or other standards to implement the program. The statute provides an exemption from the Administrative Procedure Act for those guidelines or standards. The CEC is required to provide an opportunity for public input and at least one public workshop in developing guidelines or standards.

CEC staff plans to initiate the program through an informal process to develop guidelines that would apply to both the Voluntary Offshore Wind and Coastal Resources Protection Program and the Voluntary Offshore Wind and Coastal Resources Protection Fund. CEC staff does not anticipate receiving funds for the program or issuing awards until after the guidelines to implement the program are in place.

CEC staff is developing a conceptual description for the program that will kick off a public process to develop draft guidelines. The conceptual description and program information will be available on a program webpage, docket, and listserve hosted by the CEC. CEC staff will work with stakeholders, tribes, and other state and federal agencies throughout the development of the guidelines.

As required by the authorizing statutes, the CEC will provide a report concurrently with the submission of the Governor's Budget in January. An electronic copy of this letter is also available for download on the CEC's website at:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=17-MISC-01>.

If you have any follow-up questions or to request additional printed copies of this letter, please contact Director of the Office of Governmental and International Affairs Brady Borcharding at [brady.borcharding@energy.ca.gov](mailto:brady.borcharding@energy.ca.gov) or 916-890-7019.

Sincerely,

Drew Bohan  
Executive Director