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CADEMO comment on AB 525 Draft Strategic Plan

Additional submitted attachment is included below.



April 22, 2024

California Energy Commission
Docket Office
1516 Ninth Street
Sacramento CA 95814

Submitted electronically via CEC website to Docket 17-MISC-01

Re: Comments on Assembly Bill 525 Draft Offshore Wind Strategic Plan

CADEMO appreciates this opportunity to comment on the Commission's Draft Offshore Wind Strategic Plan.

First, as background: The CADEMO project comprises four 15 MW turbines, located off the coast of Vandenberg Space Force Base in northern Santa Barbara County. The CADEMO project application is underway at the California State Lands Commission (CSLC), and a joint state/federal environmental review process also is underway, with CSLC as lead agency for the state review and the Department of the Air Force as lead agency for the federal review. Our project is expected to be operational by 2029, years in advance of the earliest projects in federal waters. We are proud to have successfully engaged with local stakeholders and state agencies, with several pathbreaking partnerships that have resulted in agreements with labor, tribal, and military entities. Further information is available at our website, www.cademo.net.

Our specific comments are as follows:

Overall

The Draft Plan highlights a patchwork of to-do streams and stakeholder concerns without proposing a concrete plan of action. It provides no indication that CADEMO is a critical early step toward testing the monitoring and mitigation of environmental impacts of offshore wind turbines in real-life operations, because over 90 percent of the identified fish, avian, and marine mammal species in the Morro Bay lease zones are present in CADEMO's site, according to state and federal data.¹ The Draft Plan gives little acknowledgement of CADEMO's role as a trial run for the development of in-state content rather than full importation. Likewise, there is inadequate analysis of the need for California to phase projects to ensure that ports, yards, vendors, and communities do not experience waves of large-scale workload and employment followed by multiple-year gaps of inactivity and unemployment. California's history has been marred by



multiple boom-and-bust cycles, and the Draft Plan proposes no coherent action plan to avoid a repeat of this scenario.

CADEMO-Chumash CBA

The Draft Plan's chapter on Community Benefits Agreements (Vol. II, Chapter 7) includes no mention of CADEMO's CBA with the Santa Ynez Band of Chumash Indians.² This CBA, signed in November 2023, was the nation's first CBA between a tribe and an offshore wind developer, and it remains California's only active CBA of any sort in the offshore wind sector. These elements were highlighted in the AB 525 comment letter of April 8 from the Santa Ynez Chumash.³ The Tribe noted that the CADEMO-Chumash CBA will support the work of the newly created Santa Ynez Chumash Oceanographic Institute, which will develop tribal expertise and engagement in cooperative offshore environmental management for both the offshore wind sector and the proposed Chumash Heritage National Marine Sanctuary. The Draft Plan should discuss the Tribe's unprecedented engagement and should recommend that federal leaseholders and other tribes negotiate similar CBAs.

Especially in view of the anti-offshore wind comments made in the Commission's recent AB 525 Tribal Working Group sessions,⁴ as well as related tribal concerns discussed in the Draft Plan (Vol. I pp. 12-13; Vol. II, Chapter 4 pp. 67-74), the final Plan should examine the precedent and details of the CADEMO-Chumash CBA.

Military Cooperation

The Draft Plan omits the fact that CADEMO and the U.S. Department of Defense signed a Mitigation Agreement in August 2023⁵ to allow CADEMO's turbines to operate in close proximity to the military and space launch activity on Vandenberg Space Force Base. This agreement will develop experience and protocols for military activities around operating offshore turbines, and thus will help de-conflict and de-risk the relationships between California's offshore wind industry and the military. The Draft Plan mentions military concerns in various places (e.g. Vol. 1 pp. 14-15, and Vol. II pp. 10, 119, and 124), and recommends twice (Vol. II pp. 81 and 270) that "The state should continue to coordinate with the DOD to prevent potential offshore wind development from encroaching on military testing, training, and operations areas." But beyond these generalities, the CADEMO Mitigation Agreement offers a specific, real-world opportunity to practice and deepen this coordination, and it should be mentioned as such.

Regulatory Coordination

Further analysis is needed of the Draft Plan's recommendation for establishment of an Ocean Renewable Energy Policy Group (Ocean REPG) and an Ocean Renewable Energy Action Team



(Ocean REAT) to promote interagency coordination and facilitate timely decisions (Vol. 1 p. 29, and Vol. II pp. 257-258). CADEMO's experience in its own joint state-federal environmental review process is illustrative and merits discussion. Despite the relevant agencies' professed intent in synchronizing their efforts effectively, the lack of effective state-federal coordination has caused repeated delays in our process already totaling nearly two years. This has caused serious difficulties for our project – and is likely to be replicated with similar effect in the federal leaseholders' environmental reviews unless the CADEMO experience is evaluated.

CADEMO believes the Draft Plan should propose a detailed system of state and federal permitting coordination, including a binding process timeline and the creation of a programmatic, interagency Memorandum of Understanding (MOU) that will make the Ocean REAT/REPG process truly effective.

Port Facility Development

CADEMO endorses the Port of Los Angeles' April 4 letter advocating the release of funding from the CEC's Offshore Wind Waterfront Facility Improvement Program sooner rather than later to assist the Port of Los Angeles and other California ports to advance their planning for staging and integration terminal infrastructure.⁶ This \$45 million in funding was authorized two years ago, and further delay would be counterproductive.

Thank you in advance for your consideration of our comments.

Sincerely yours,

Mikael Jakobsson
Director
CADEMO Corporation

¹ https://downloads.regulations.gov/BOEM-2021-0044-0169/attachment_1.pdf
https://www.boem.gov/sites/default/files/documents/renewable-energy/state-activities/2022_0404_MorroB_DraftEA_FOR_PUBLICATION_0512.pdf
https://slcprdwordpressstorage.blob.core.windows.net/wordpressdata/2021/10/Vandenberg-Offshore-Wind-Final-PEA_webacc.pdf
<https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/BOEMs-Consistency-Determination.pdf>

² <https://cademo.net/cademo-and-santa-ynez-chumash-2/>

³ <https://efiling.energy.ca.gov/GetDocument.aspx?tn=255605&DocumentContentId=91423>

⁴ <https://efiling.energy.ca.gov/GetDocument.aspx?tn=255600&DocumentContentId=91418>



⁵ <https://cademo.net/mitigation-agreement-press-release/>

⁶ <https://efiling.energy.ca.gov/GetDocument.aspx?tn=255507&DocumentContentId=91255>