

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 525

**Introduced by Assembly Members Chiu, Cunningham, and
Friedman**

(Principal coauthor: Senator Eggman)

**(Coauthors: Assembly Members Bennett, Calderon, Quirk, and
Ting)**

(Coauthor: Senator Wiener)

February 10, 2021

An act to add Chapter 14 (commencing with Section 25991) to Division 15 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 525, as introduced, Chiu. Energy: offshore wind generation.

The 100 Percent Clean Energy Act of 2018 established as a policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. The act requires the Public Utilities Commission (PUC), State Energy Resources Conservation and Development Commission (Energy Commission), and State Air Resources Board to, as part of a public process, issue a joint report to the Legislature by January 1, 2021, and every 4 years thereafter, that includes specified information relating to the implementation of the policy.

Existing law requires the PUC and the Energy Commission to undertake various actions in furtherance of meeting the state's clean energy and pollution reduction objectives.

This bill would require the Energy Commission, in coordination with specified agencies, to develop a strategic plan to achieve a goal of at

least 10,000 megawatts of offshore wind energy developments installed off the California coast by 2040, with an interim target of 3,000 megawatts installed by 2030. The bill would require the Energy Commission to submit the strategic plan to the Natural Resources Agency and the Legislature on or before June 1, 2022. The bill would impose various requirements on the Energy Commission in relation to the strategic plan and would require the strategic plan to include specified information relating to identification of sea space, economic and workforce development, transmission planning, and permitting.

The bill would require the Energy Commission, in consultation with relevant state and local agencies, to assess and develop a plan to improve existing waterfront facilities that could support a range of floating offshore wind energy development activities, and would require the PUC, in consultation with the Energy Commission, to include offshore wind energy as a resource for full consideration in the PUC's integrated resource planning process. The bill would require the Energy Commission, in consultation with the PUC and Independent System Operator, to assess the transmission investments and upgrades necessary to support at least 10,000 megawatts of offshore wind energy developments by 2040, and would require that assessment to include the consideration of eligible renewable energy resource technologies, including, but not limited to, offshore wind energy, as a resource for achieving the above-described policy established in the 100 Percent Clean Energy Act of 2018. The bill would require the Energy Commission to convene a working group that includes all relevant state agencies to facilitate, as specified, the permitting process for offshore wind energy facilities and associated electricity and transmission infrastructure off the coast of California.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) If developed and deployed at scale, the development of
- 4 offshore wind energy can provide economic and environmental
- 5 benefits to the state and the nation.
- 6 (b) Offshore wind energy can advance California's progress
- 7 toward its statutory renewable energy and climate mandates.

1 (c) The joint agency report issued pursuant to Section 454.53
2 of the Public Utilities Code demonstrated both of the following:

3 (1) That California will need at least 10 gigawatts of offshore
4 wind energy developments to achieve its climate goals at least
5 cost.

6 (2) That California will need to build at least 34 gigawatts of
7 new renewable energy and energy storage developments by 2030
8 and at least 140 gigawatts of new renewable energy and energy
9 storage developments by 2045 to achieve the goals established in
10 SB 100 (2017-18) (Chapter 312 of the Statutes of 2018).

11 (d) Offshore wind energy development presents an opportunity
12 to attract investment capital and to realize community economic
13 development and workforce development benefits in California,
14 including the development and preservation of a skilled and trained
15 construction workforce to carry out projects, long-term job creation,
16 and development of an offshore wind energy supply chain.

17 (e) Offshore wind energy can contribute to a diverse, secure,
18 reliable, and affordable renewable energy resource portfolio to
19 serve the electricity needs of California ratepayers and improve
20 air quality, particularly in disadvantaged communities.

21 (f) Subsea electricity transmission could reduce transmission
22 congestion and provide transmission capacity for diverse clean
23 energy development.

24 (g) With existing technology, each 1,000 megawatts of offshore
25 wind energy will require between 100 and 120 square miles of sea
26 space for development.

27 (h) The Ocean Protection Council's strategic plan for 2020 to
28 2025, inclusive, sets an objective for development of a commercial
29 scale offshore wind energy project in California that minimizes
30 impacts on marine biodiversity and habitat, currents and upwelling,
31 fishing, cultural resources, navigation, aesthetics and visual appeal,
32 and military operations by 2026.

33 SEC. 2. Chapter 14 (commencing with Section 25991) is added
34 to Division 15 of the Public Resources Code, to read:

35
36 CHAPTER 14. OFFSHORE WIND GENERATION
37

38 25991. (a) The commission, in coordination with the California
39 Coastal Commission, the Ocean Protection Council, the State
40 Lands Commission, the Office of Planning and Research, the

1 Governor’s Office of Business and Economic Development, and
2 the Public Utilities Commission, and other relevant federal, state,
3 and local agencies as needed, shall develop a strategic plan to
4 achieve a goal of at least 10,000 megawatts of offshore wind energy
5 developments installed off the California coast by 2040, with an
6 interim target of 3,000 megawatts installed by 2030.

7 (b) (1) The commission shall submit the strategic plan to the
8 Natural Resources Agency and the Legislature on or before June
9 1, 2022.

10 (2) The plan submitted to the Legislature pursuant to paragraph
11 (1) shall be submitted in compliance with Section 9795 of the
12 Government Code.

13 (c) The strategic plan shall include, at a minimum, the following
14 four chapters:

15 (1) Identification of sea space, including the findings resulting
16 from activities undertaken pursuant to Section 25991.1.

17 (2) Economic and workforce development, including the
18 findings resulting from activities undertaken pursuant to Section
19 25991.2.

20 (3) Transmission planning, including the findings resulting from
21 activities undertaken pursuant to Section 25991.3.

22 (4) Permitting, including the findings resulting from activities
23 undertaken pursuant to Section 25991.4.

24 (d) (1) The strategic plan shall emphasize and prioritize
25 near-term actions, particularly related to port retrofits and
26 investments and the workforce, to accommodate the probable
27 immediate need for jobs and economic development.

28 (2) In considering port retrofits, the strategic plan shall strive
29 for compatibility with other harbor tenants and ocean users to
30 ensure that the local benefits related to offshore wind energy
31 construction complement other local industries.

32 (3) The strategic plan shall emphasize and prioritize actions that
33 will improve port infrastructure to support land-based work for
34 the local workforce.

35 (e) The development of the strategic plan regarding workforce
36 development shall include consultation with representatives of key
37 labor organizations and apprenticeship programs that would be
38 involved in dispatching and training the construction workforce.

39 25991.1. The commission shall work with key stakeholders,
40 state and federal agencies, and the offshore wind energy industry

1 to identify suitable sea space for wind energy areas in federal
2 waters sufficient to accommodate at least 10,000 megawatts of
3 offshore wind generation off California's coast, with a plan to
4 assess and address environmental impacts and land use conflicts
5 in accordance with California's long-term renewable energy and
6 greenhouse gas emission reduction goals.

7 25991.2. (a) The commission, in consultation with relevant
8 state and local agencies, shall assess and develop a plan to improve
9 existing waterfront facilities that could support a range of floating
10 offshore wind energy development activities, including
11 construction and staging of foundations, manufacturing of
12 components, final assembly, and long-term operations and
13 maintenance facilities.

14 (b) The assessment undertaken pursuant to subdivision (a) shall
15 include a detailed assessment of the necessary investments in
16 California seaports to support offshore wind energy activities,
17 including construction, assembly, and operations and maintenance.
18 The assessment shall detail the potential availability of land and
19 water acreage at each seaport, including competing and existing
20 uses, infrastructure feasibility, access to deep water, and bridge
21 height restrictions.

22 (c) The assessment undertaken pursuant to subdivision (a) shall
23 analyze workforce development needs for the California offshore
24 wind energy industry, including occupational safety requirements,
25 and the need to require the use of a skilled and trained workforce
26 to perform all work. The assessment shall also analyze the need
27 for the Division of Apprenticeship Standards to develop curriculum
28 for in-person classroom and laboratory advanced safety training
29 for workers.

30 (d) The assessment undertaken pursuant to subdivision (a) shall
31 consider and make recommendations for workforce standards for
32 offshore wind energy facilities and associated infrastructure,
33 including, but not limited to, prevailing wage, skilled and trained
34 workforce, apprenticeship, local hiring, and targeted hiring, that
35 ensure sustained and equitable economic development benefits.

36 (e) The assessment undertaken pursuant to subdivision (a) shall
37 include consultation with representatives of key labor organizations
38 and apprenticeship programs that would be involved in dispatching
39 and training the construction workforce.

1 25991.3. (a) The commission, in consultation with the Public
2 Utilities Commission and the Independent System Operator, shall
3 assess the transmission investments and upgrades necessary to
4 support at least 10,000 megawatts of offshore wind energy
5 developments by 2040.

6 (b) The assessment undertaken pursuant to subdivision (a) shall
7 include consideration of eligible renewable energy resource
8 technologies, including, but not limited to, offshore wind energy,
9 as a resource for achieving the policy described in subdivision (a)
10 of Section 454.53 of the Public Utilities Code.

11 (c) The Public Utilities Commission, in consultation with the
12 commission, shall include offshore wind energy as a resource for
13 full consideration in the Public Utilities Commission’s integrated
14 resource planning process.

15 25991.4. (a) (1) The commission shall convene a working
16 group that includes all relevant state agencies to collectively
17 develop and produce guidelines, timeframes, and milestones for
18 a coordinated, comprehensive, and efficient permitting process for
19 offshore wind energy facilities and associated electricity and
20 transmission infrastructure off the coast of California.

21 (2) The working group shall meet no less than once per month
22 to develop a comprehensive and efficient state and federal
23 permitting program for floating offshore wind energy developments
24 in federal waters, to be incorporated into the strategic plan. The
25 program shall include a goal for the permitting timeframe, clearly
26 define state agency roles, responsibilities, and decisionmaking
27 authority, and include interfaces with federal agencies, including
28 timing, sequence, and coordination with federal permitting
29 agencies, and coordination between reviews under the California
30 Environmental Quality Act (Division 13 (commencing with Section
31 21000)) and the federal National Environmental Policy Act of
32 1969 (42 U.S.C. Sec. 4321 et seq.).

33 (b) The commission, in coordination with the State Air
34 Resources Board, shall explore and identify how offshore wind
35 energy development, to the scale identified in the strategic plan,
36 could provide environmental and air quality benefits to the state
37 and to disadvantaged communities.