

Energy and Technology Committee JOINT FAVORABLE REPORT

Bill No.: SB-383

AN ACT CONCERNING THE EFFECT OF OFFSHORE WIND FACILITIES ON

Title: STATE FISHERIES.

Vote Date: 3/21/2024

Vote Action: Joint Favorable

PH Date: 3/14/2024

File No.:

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SPONSORS OF BILL:

Rep. Bumgardner, 41st District.

REASONS FOR BILL:

After several contracting processes have passed without a mitigation fund or Oversight Committee, fishermen have felt vulnerable, where processes without the fund could hurt their industry. Neighboring states, including Rhode Island, Virginia, New Jersey, Massachusetts, and New York have established mitigation funds, where Connecticut would follow suit. This bill would implement language that would substitute subsection (a) of section 16a-3n of the Conn. Gen. Statutes to expand the existing offshore wind procurement authorization for up to 2,000 megawatts in the aggregate. A mitigation fund and an Oversight Committee for offshore wind projects would be established, effective on July 1st, 2024. This fund would regulate the potential impacts to the economy and environment, ensuring that energy structures can be built to help innovate the energy industry but also in tandem with long-term economic sustainability.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie Dykes, Commissioner, Department of Energy and Environmental Protection

(DEEP): DEEP is in opposition to the bill due to their existing procurement process which includes mitigation funding requirements along with collaborative regional processes being developed. These funds have been worked on by DEEP and 11 Atlantic coastal states. They include the commercial fishing industry and wildlife along with being actively engaged in regional discussions to continue ensuring impacts to fisheries and wildlife are avoided, kept to a minimal, and mitigated to OSW procurements across our region.

NATURE AND SOURCES OF SUPPORT:

Aziz Dehkan, Executive Director, Connecticut Roundtable on Climate and Jobs (CRCJ):

CRCJ supports this bill because of the environmental protection benefits along with it giving an opportunity to increase public trust and support on behalf of offshore wind. The bill would build community and stakeholder support and would attract project investment which is necessary to keep this industry long-term.

Aundr, Bumgardner, State Representative: Rep. Bumgardner presents testimony in favor of the bill because it paves the way for protecting vital fisheries and the communities that they sustain as well as upholding the quality of our water bodies considering the development of offshore wind.

Robert LaFrance, Director of Policy, National Audubon Society: The National Audubon Society is in support of the bill because it gives Connecticut's taxpayers and ratepayers a greater voice. Mr. LaFrance included background on the bill and previous statements from Commissioner Dykes, CES, Clare Coleman, and PURA.

Recommended Changes:

Amending a portion of statute section 16a-3n as a housekeeping measure to reflect current practice.

Nicole Verdi, NE Gov Affairs, Ørsted: Ørsted is in favor of the bill but states some concerns that they hope the committee will consider.

Recommended Changes:

For bill to put forth details about the mitigation fund's structure, administration criteria and performance standards (specify its language).

Allow for at least two members from Connecticut's fishing industry as well as two representatives from environmental nonprofits to Offshore Wind Energy Mitigation Fund Oversight Committee so it allows fair representation. (1)

Include environmental recommendations made by the Commission on Environmental Standards. (2)

Initial payment should be raised to four million dollars. (3)

The nine people listed below support the bill but expressed some insight on changes they think would enhance its effectiveness, as listed above.

Joseph Gilbert, Owner-Operator, Empire Fisheries (1,2)

Robert Smith Jr, President, Southern New England Fisherman & Lobsterman's Association (SNEFLA) (1, 2)

Daniel Malone, Owner, Santana Fishing LLC (1, 2, 3)

Kevin Debbis, Owner, Donna May Fisheries LLC (1, 2, 3)

Danielle Chesebrough (1, 2)

Peter Torres, East Lyme (1, 2)

Lyndsey Fairchild, Empire Fisheries (1, 2)

Jason Hine, Storeowner, The Ditty Bag LLC (1, 2)

Priscilla Wells, Mystic (1, 2)

NATURE AND SOURCES OF OPPOSITION:

Francis Pullaro, Executive Director, RENEW Northeast: RENEW opposes this bill because it will obstruct efforts by DEEP to form a multistate compensation fund. RENEW believes that the current state-by-state approach has many defections, and a regional arrangement would more greatly benefit offshore wind development and regional fisheries.

Natalie Treat, Director of Public Policy & Oliwia Krupinska, Policy and Regulatory Analyst, Northeast Clean Energy Council (NECEC): NECEC opposes because of the design being flawed and it would place a burden on offshore wind facilities. The bill risks putting forth influence on offshore wind developers for results that were driven by various range of variables.

Nathan Frohling, Director of External Affairs, The Nature Conservancy (TNC): TNC is testifying in opposition of the bill because the way it is written it poses more of a threat towards the protection of ocean integrity and biodiversity by adding the uncertainty of OSW than it offers in extra funds for mitigation of potential impacts. TNC also voices concern on the uncertainty of what the funds will be used for if there is a need for them and if they would be effective.

Tom Melone, President, ALLCO Renewable Energy Limited: Allco presents concern on whether offshore wind has any redeeming features. It costs 3-4 times the price of distributed solar. In addition, wind turbines were not constructed to survive a category 3 or higher hurricane. Allco then brings forth the question whether these turbines would be able to dodge these storms over the next few decades and who would end up paying for a cleanup.

Reported by:
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3/25/2024