



CREATING GOOD JOBS, A CLEAN ENVIRONMENT, AND A FAIR AND THRIVING ECONOMY

December 16, 2022

Bridgette Duplantis
Bureau of Ocean Energy Management
Office of Leasing and Plans
1201 Elmwood Park Boulevard
New Orleans, Louisiana 70123

Re: Draft Wind Energy Areas – Commercial Leasing for Wind Power Development on the Central Atlantic Outer Continental Shelf (OCS) [Docket No. BOEM-2022-0072]

On behalf of the BlueGreen Alliance, our partners, and the millions of members and supporters they represent, we thank you for the opportunity to comment on the draft Wind Energy Areas (WEAs) for wind energy development on the Central Atlantic Outer Continental Shelf (OCS).

The mission of the Bluegreen Alliance (BGA) is to unite labor unions and environmental organizations to solve today's environmental challenges in a way that creates and maintains quality jobs and builds a clean, thriving, and equitable economy. Offshore wind energy presents a unique and integral opportunity to accomplish this mission if developed in a way that protects the environment and lifts up the working class with high-road employment practices, equitable career pathways and training support services, maximum job creation, and development of a robust domestic supply chain.

We appreciate BOEM's efforts to achieve the Biden-Harris Administration's national goal to deploy 30 GW of offshore wind energy by 2030 while continuing to scale the U.S. industry in the coming decades. As BOEM advances offshore wind processes from lease area identification to project development, it should utilize its authority under the Outer Continental Shelf Lands Act (OCSLA) and the National Environmental Policy Act (NEPA) to create a high-road, responsibly developed offshore wind industry that:

1. Maximizes the creation of family sustaining, union jobs throughout the lifespan of a project;
2. Expands domestic manufacturing along a robust domestic, regional, and local supply chains;
3. Delivers community benefits with attention to improving access to benefits and training support services (including access to technology, daycare, transportation, and other local identified needs) for disadvantaged and underrepresented communities, low-wealth communities, and Black, Brown, Indigenous, and People of Color (BIPOC),

4. Conducts robust and inclusive stakeholder engagement that includes labor organizations, Tribal nations, fisheries and other impacted ocean-users, underrepresented and disadvantaged communities, low-wealth communities, and communities of color; and
5. Protects wildlife and marine ecosystems by avoiding, minimizing, mitigating, and monitoring impacts over the course of site assessment and project development, utilizing best available science and data and adaptive management strategies, and committing to data sharing.

Maximizing family-sustaining union jobs and expanding domestic manufacturing

The White House has identified offshore wind energy as an opportunity to address the threats of climate change while spawning new supply chains, strengthening existing manufacturing capabilities, and creating tens of thousands of good-paying union jobs.¹ Support for unions is higher than it's been since 1965, with 68% of people supporting labor unions, and even higher rates of support for workers under 24 and workers of color.² If all of these workers had union representation, union membership would be four to five times higher than it is right now.³

Unionization can help to ensure safety for workers, which is one of the requirements of the OCSLA. One analysis from the Journal of Labor and Society found that higher rates of unionization results in greater worker safety.⁴ Another 2021 Canadian study found that unionization in institutional, commercial, and industrial construction, maintenance, and repair work was associated with a 25% lower lost-time injury rate, 23% lower incidence of musculoskeletal lost-time injury claims, and 16% lower incidence of critical lost time injury claims.⁵ Requiring supplier codes of conduct in manufacturing can also help improve worker conditions. Unionized suppliers are more likely to improve working conditions than non-union,⁶ especially following an audit.⁷

Maximizing the use of union labor for offshore wind development and manufacturing also supports the Biden-Harris Administration's equity goals and can also lead to a higher return on investment for taxpayers. Union households earn up to 20% more than non-union households and workers of color and workers with a less formal education see even greater advantages.⁸ Decline in union density has been cited as a reason for growing economic inequality, growing wage gaps for women and workers of color, and declining voice in our democracy for working class Americans.⁹ In particular, the decline in U.S. manufacturing has been devastating to the middle-class, especially for Black and Hispanic workers and other workers of color who disproportionately do not hold college degrees and whom experience discrimination limiting access to better-paying jobs. That's because manufacturing wages are substantially larger for median-wage, non-college-educated employees. Black workers in manufacturing earn 17.9% more than in non-manufacturing industries; Hispanic workers earn 17.8% more, Asian American Pacific Islander earn 14.3% more; and white workers earn 29% more.¹⁰

Although manufacturing has the proven ability to provide pathways into the middle class for millions of workers and families, and support millions of high-skill, high-wage jobs, it has not always delivered on that promise. Due to the offshoring of manufacturing, those opportunities are increasingly unavailable, and the stakes are high. Domestic manufacturing directly employs about one in eleven American workers and contributes \$2 trillion a year to the gross domestic product (GDP). And, GDP

data doesn't fully cover the impact of this critical sector that generates demand for other goods and services. According to 2014 data from the Bureau of Economic Analysis, manufacturing is by far the most important sector of the U.S. economy in terms of total output.¹¹

Building out a robust domestic supply chain for the growing offshore wind industry can help to reverse this trend and is necessary to meet our national goals. According to analysis from Brookings, having onshore suppliers is a "key tenet" of supply chain resilience.¹² One of the greatest threats to deploying 30 GW of offshore wind by 2030 is supply chain constraints and global bottlenecks, according to the National Renewable Energy Laboratory (NREL).¹³ NREL modeling also shows that average and maximum job creation utilizing 25% domestic content versus 100% domestic content in offshore wind projects results in a difference of approximately 30,000-40,000 jobs from 2023-2030.¹⁴

Outer Continental Shelf Lands Act (OCSLA)

In the OCSLA, Congress declared that it is the authority of the Secretary (delegated to BOEM) to "grant a lease, easement, or right-of-way on the [OCS]" for activities that "produce or support production, transportation, or transmission of energy from sources other than oil and gas" in a manner that provides for:

- (A) Safety;
- (B) Protection of the environment;
- (C) Prevention of waste;
- (D) Conservation of the natural resources of the Outer Continental Shelf;
- (E) Coordination with relevant Federal agencies;
- (F) Protection of national security interests of the United States;
- (G) Protection of correlative rights in the Outer Continental Shelf;
- (H) A fair return to the United States for any lease, easement, or right of way under this subsection;
- (I) Prevention of interference with reasonable uses (as determined by the Secretary) of the exclusive economic zone, the high seas, and the territorial seas;
- (J) Consideration of—
 - a. The location of, and any schedule relating to, a lease, easement, or right-of-way for an area of the Outer Continental Shelf; and
 - b. Any other use of the sea or seabed, including use for a fishery, a sea lane, a potential site of a deep-water port, or navigation;
- (K) Public notice and comment on any proposal submitted for a lease, easement, or right-of-way under this subsection; and
- (L) Oversight, inspection, research monitoring, and enforcement relating to a lease, easement, or right-of-way under this subsection."¹⁵

According to a 2021 Memorandum from the Principal Deputy Solicitor Robert T. Anderson regarding the pursuit of these numerous and potentially conflicting goals, the determination was made the statute "require only that the Secretary strike a rational balance between Congress' enumerated

goals, i.e. a variety of uses,” and “in making this determination, the Secretary retains wide discretion to weigh those goals as an application of her technical expertise and policy judgment.”¹⁶

As number of these twelve goals of OCSLA are aligned with the high-road, environmentally responsible development of offshore wind, measures should be taken to ensure that it is developed in a way that supports the maximum creation of union jobs, a robust domestic supply chain, equitable stakeholder engagement and access to project benefits, and environmental protection.

National Environmental Policy Act (NEPA)

In the National Environmental Policy Act (NEPA), Congress declared that “it is the continuing policy of the Federal Government...to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.” People in America are already seeing grave impacts of climate catastrophe,¹⁷ rising temperatures,¹⁸ and massive human impacts globally¹⁹ and in the U.S., with droughts²⁰ and water shortages,²¹ extreme weather,²² wildfires,²³ mental health,²⁴ and staggering costs.²⁵ To achieve the goals of NEPA in this context requires strong attention to the benefits that offshore wind can provide in terms of economic advancement, national security, and public health.

Domestic manufacturing plays a critical role here, as will maximize employment benefits, decrease carbon emission related to shipping²⁶ and could reduce emissions from the production of steel. Deploying 30 GW of offshore wind will require procuring substantial amounts of energy intensive products like steel and cement and U.S. energy intensive manufacturers are relatively clean compared to competitors. As one example, “[s]teel exporters to the U.S. emit 50-100+% more CO2 emissions per ton than US producers on average.”²⁷ In addition, across renewables, even a modest increase in manufacturing produces an additional 45,000 good manufacturing jobs per year and an additional \$5 billion in wages through the 2020s, as the U.S. continues greening its electricity grid.²⁸ Further, domestic content requirements are unlikely to influence wind power capital costs.²⁹ Ensuring workers in the manufacturing sector have access to joining a union plays a key role in creating jobs that are well-paying, prioritize safety, provide health benefits, and have accessible and equitable training pathways. This can be achieved by requiring developers to utilize suppliers that commit to union neutrality.

Unions provide world-class training and safety resources, including registered apprenticeships and pre-apprenticeships that combine on-the-job-training with classroom instruction. Pre-apprenticeships in particular have played a key role in improving diversity in the trades by ensuring workers can qualify for entry into apprenticeship programs. These programs are often designed to target underrepresented populations such as workers of color, low-income workers, women, system-impacted workers, and other marginalized groups and often support retention by providing wrap around services such as daycare, technology, or transportation. BOEM should require developers to utilize Project Labor Agreements (PLA) and union training programs to secure equitable training opportunities for a diverse workforce. PLAs also include provisions around apprenticeship utilization which is critical to ensure the U.S. can meet the growing offshore wind workforce demands.

President Biden Executive Orders

Several executive orders issued under President Biden further affirm the importance of achieving a high-road, environmentally responsibly developed industry. President Biden's January 27, 2021 Executive Order Executive Order, "Tackling the Climate Crisis at Home and Abroad" calls for a whole-of-government approach to the climate crisis that will "create well-paying union jobs to build a modern and sustainable infrastructure and deliver an equitable, clean energy future."³⁰ The Executive Order further emphasized that "[t]his Nation needs millions of construction, manufacturing, engineering, and skilled-trades workers to build a new American infrastructure and clean energy economy."

In the Executive Order on America's Supply Chains, the White House stated that "[t]he United States needs resilient, diverse, and secure supply chains to ensure our economic prosperity and national security."³¹ The Administration specifically cited the need to address supply chain risks and directed the Secretary of Energy to "submit a report on supply chains for the energy sector industrial base."³² Further, in its Executive order on climate change, the Administration directed agencies to "seek to increase the Federal Government's resilience against supply chain disruptions... [because] such disruptions put the Nation's manufacturing sector at risk, as well as consumer access to critical goods and services." President Biden's recent invocation of the Defense Production Act to spur domestic clean energy manufacturing and create family-sustaining jobs³³ highlights the critical importance of this issue. As national security is a key responsibility under OCSLA, BOEM should take action to ensure offshore wind energy utilizes domestic content and increases energy security in the U.S.

Conclusion

BOEM plays a key role in ensuring that offshore wind energy lives up to its potential to contribute to all of these national imperatives - resilient domestic supply chains, high-road employment practices, worker safety, equitable access to the benefits of a clean energy economy, and protection of wildlife and the environment each step of the way. When done right, offshore wind power will create thousands of high-quality, family-sustaining jobs in manufacturing, construction, operations and maintenance, and in the development of port facilities, transmission, and other associated infrastructure while also minimizing impacts to wildlife and the environment and providing equitable benefits to disadvantaged and underrepresented communities. We appreciate your effort to solicit stakeholder input to inform the offshore wind energy leasing process and thank you for considering our input.

Signed,



Jason Walsh
Executive Director,
BlueGreen Alliance

Endnotes

¹ White House, *FACT SHEET: Biden Administration Jumpstarts Offshore Wind Energy Projects to Create Jobs*, March 29, 2021.

Available online: <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/29/fact-sheet-biden-administration-jumpstarts-offshore-wind-energy-projects-to-create-jobs/>

² The White House, *White House Task Force on Worker Organizing and Empowerment Report*, February 2022. Available online:

<https://www.whitehouse.gov/wp-content/uploads/2022/02/White-House-Task-Force-on-Worker-Organizing-and-Empowerment-Report.pdf>

³ Ibid, page 12

⁴ Roland Zullo, *Right-to-work Laws and Fatalities in Construction*, Working USA: The Journal of Labor and Society, June 2011.

Available online: <https://deepblue.lib.umich.edu/bitstream/handle/2027.42/98283/j.1743-4580.2011.00334.x.pdf?sequence=1>

⁵ Lynda Robson, Victoria Landsman, Desiree Latour-Villamil, Hyunmi Lee, Cameron Mustard, *Updating a study of the union effect on safety in the ICI construction sector*, Institute for Work & Health, January 2021. Available online:

https://www.iwh.on.ca/sites/iwh/files/iwh/reports/iwh_report_union_safety_effect_construction_update_2021.pdf

⁶ Yanhua Bird, Jodi L. Short, Michael W. Toffel, *Coupling Labor Codes of Conduct and Supplier Labor Practices: The Role of Internal Structural Conditions*, Organization Science, April 30, 2019. Available online:

<https://pubsonline.informs.org/doi/10.1287/orsc.2018.1261>

⁷ Harvard Business Review, *Manage the Suppliers that Could Harm Your Brand*, March-April 2021. Available online:

<https://hbr.org/2021/03/manage-the-suppliers-that-could-harm-your-brand>

⁸ ILR School, *What Happened at the Amazon Warehouse on Staten Island?*, Cornell University, April 12, 2022. Available online:

<https://www.ilr.cornell.edu/news/faculty/what-happened-amazon-warehouse-staten-island>

⁹ Robert E. Scott, Valerie Wilson, Jori Kandra, and Daniel Perez, *Botched policy responses to globalization have decimated manufacturing employment with often overlooked costs for Black, Brown, and other workers of color*, Economic Policy Institute,

January 31, 2022. At page 2. Available online: <https://files.epi.org/uploads/239189.pdf>

¹⁰ Ibid, page 3

¹¹ Robert E. Scott, *The Manufacturing Footprint and the Importance of U.S. Manufacturing Jobs*, Economic Policy Institute, January

22, 2015. Available Online: <https://files.epi.org/2015/bp388-manufacturing-footprint.pdf>

¹² Eleftherios Iakovou and Chelsea C. White III, *How to build more secure, resilient, next-gen U.S. supply chains*, Brookings Tech

Stream, 2020. Available Online: <https://www.brookings.edu/techstream/how-to-build-more-secure-resilient-next-gen-u-s-supply-chains/>

¹³ Ibid, vii

¹⁴ Ibid, 45

¹⁵ 43 U.S.C. § 1337(p)(4)

¹⁶ Principal Deputy Solicitor, *Secretary's Duties under Subsection 8(p)(4) of the Outer Continental Shelf Lands Act When Authorizing Activities on the Outer Continental Shelf*, Department of Interior, April 9, 2021. Available Online:

<https://www.doi.gov/sites/doi.gov/files/m-37067.pdf>

¹⁷ Justin L. Penn, Curtis Deutsch, *Avoiding ocean mass extinction from climate warming*, Science, April 28, 2022. Available online:

<https://www.science.org/doi/10.1126/science.abe9039>

¹⁸ Damian Carrington, *New data reveals extraordinary global heating in the Arctic*, The Guardian, June 15, 2022. Available online:

<https://www.theguardian.com/environment/2022/jun/15/new-data-reveals-extraordinary-global-heating-in-the-arctic>

¹⁹ International Panel on Climate Change, *Climate change: a threat to human wellbeing and health of the planet. Taking action now can secure our future*, February 28, 2022. Available online: <https://www.ipcc.ch/2022/02/28/pr-wgii-ar6/>

²⁰ David Simeral, Richard Heim, *Southeast U.S. Drought Monitor*, National Drought Mitigation Center, December 1, 2022. Available Online: <https://droughtmonitor.unl.edu/CurrentMap/StateDroughtMonitor.aspx?Southeast>

²¹ Johanna Engström, Sarah Praskievicz, Bennett Bearden, Hamid Moradkhani, *Decreasing water resources in Southeastern U.S. as observed by the GRACE satellites*, Department of Interior, 2021. Available online: <https://iwaponline.com/wp/article/23/4/1017/82425/Decreasing-water-resources-in-Southeastern-U-S-as>

²² Matthew Cappucci and Jason Samenow, *Extreme weather is tormenting every U.S. region, and it's far from over*, Washington Post, June 14, 2022. Available online: <https://www.washingtonpost.com/climate-environment/2022/06/14/extreme-weather-lower48-heatwave-storms/>

²³ Virginia Gewin, *How a dangerous stew of air pollution is choking the United States*, Nature, December 6, 2022. Available online: <https://www.nature.com/articles/d41586-022-04333-9>

²⁴ Jennifer Giordano, Kim I. Mills, *Urgent need to address mental health effects of climate change, says report*, American Psychological Association, November 4, 2021. Available online: <https://www.apa.org/news/press/releases/2021/11/mental-health-effects-climate-change>

²⁵ Leslie Kaufman, *Storms, Floods and Fires caused \$260 Billion in Losses in 2022*, Bloomberg, December 1, 2022. Available online: <https://www.bloomberg.com/news/articles/2022-12-01/storms-floods-and-fires-caused-260-billion-in-losses-in-2022#xj4y7vzkg>

²⁶ C Trimmer, J Godar, *Calculating Maritime Shipping Emissions per Traded Commodity*, SEI Brief, Stockholm Environment Institute, 2019. Available online: <https://www.sei.org/publications/shipping-emissions-per-commodity/>

²⁷ CRU Group, *Leveraging a Carbon Advantage: Impacts of a Border Carbon Adjustment and Carbon Fee on the US Steel Industry*, For Climate Leadership Council, May 25, 2021. Available online: <https://clcouncil.org/reports/leveraging-a-carbon-advantage.pdf?v1>

²⁸ Erin N. Mayfield and Jesse D. Jenkins, *Working Paper: Influence of High Road Labor Policies and Practices on Renewable Energy Costs, Decarbonization Pathways, and Labor Outcomes*, April 13, 2021. Available online: https://www.dropbox.com/sh/ad9pzifo9w1a49u/AAC2milGD44MlwXo1Sk7EAgsa?dl=0&preview=Working_Paper-High_Road_Labor_and_Renewable_Energy-PUBLIC_RELEASE-4-13-21.pdf

²⁹ Ibid

³⁰ White House, *Executive Order on Tackling the Climate Crisis at Home and Abroad*, January 27, 2021. Available online: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

³¹ White House, *Executive Order on Americas Supply Chains*, February 24, 2021. Available online: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/02/24/executive-order-on-americas-supply-chains/>

³² Ibid.

³³ White House, *President Biden Takes Bold Executive Action to Spur Domestic Clean Energy Manufacturing*, June 6, 2022. Available online: <https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/06/fact-sheet-president-biden-takes-bold-executive-action-to-spur-domestic-clean-energy-manufacturing/>