



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

February 26, 2024

Director Liz Klein
U.S. Bureau of Ocean Energy Management
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240
Submitted Electronically

Re: Draft Programmatic Environmental Impact Statement for Expected Wind Energy Development in the New York Bight

Dear Director Klein:

On behalf of the BlueGreen Alliance (BGA), our partners, and the millions of members and supporters they represent, we thank the U.S. Bureau of Ocean Energy Management (BOEM) for the opportunity to comment on the draft Programmatic Environmental Impact Statement (PEIS) for the New York Bight.

The mission of the 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, prosperous, and equitable economy. Offshore wind is a vital clean energy solution that presents a once-in-a-generation opportunity to advance this mission if projects are developed in an equitable and environmentally responsible manner, with high-road labor standards and attention to environmental justice. Offshore wind projects have the potential to lift up the working class with family-sustaining union jobs, deliver benefits to communities hardest hit by climate change and economic inequality, and protect wildlife and critical habitats at every stage of development.

We appreciate BOEM's draft PEIS analyzing the potential impacts of offshore wind energy development in the six leased areas in the New York Bight. The final sale notice for these lease areas included lease stipulations designed to promote the development of a robust domestic supply chain, advance flexibility in transmission planning, and create good paying union jobs. The leases require winning bidders to make efforts to enter into project labor agreements (PLAs); and require engagement with Tribes, underserved communities, ocean users, and agencies. The lease stipulations also incentivize the use of domestically sourced components and require developers to create plans for contributing to the creation of a robust domestic supply chain. While BGA continues to urge BOEM to include more robust stipulations and bidding credits in its future leases, these requirements and incentives—properly implemented—will help ensure that projects:

- Maximize the creation of quality, high-paying union jobs over projects' lifetime;
- Expand U.S. manufacturing along robust domestic, regional, and local supply chains;
- Deliver community benefits with attention to improving access to disadvantaged communities;
- Protect fisheries, wildlife, and marine ecosystems by utilizing data sharing, the best available science and data, and adaptive management strategies to avoid, minimize, mitigate, and monitor environmental impacts; and
- Are guided by robust and inclusive stakeholder engagement, including labor organizations, Tribal nations, historically underrepresented or disadvantaged communities, low-wealth communities, communities of color, and impacted ocean users.

We support BOEM's intent to use the PEIS as an opportunity to analyze the potential impacts of offshore development in the region, including environmental and socioeconomic impacts. This should include the potential beneficial climate, job creation, job quality, and community impacts of development in these lease areas as well as impacts to the regional supply chain. The future individual project environmental impact statements (EISs) should contain more detailed and project specific environmental and socioeconomic analysis. The PEIS can be beneficial in analyzing the impacts on a regional scale but should not undermine the gravity of BOEM's environmental and socioeconomic priorities, or developers' accountability for upholding them.

The draft PEIS includes important analysis of employment, demographics, environmental justice, and environmental mitigation. However, there are ways the final PEIS can be strengthened through a deeper analysis of these topics. In the following sections, we make several recommendations for preparing the final PEIS. To summarize, we strongly urge BOEM to provide details related to creating high-quality union jobs; training and employment benefits; domestic supply chains; ensuring environmental justice; and environmental protection.

Recommendations for the Programmatic Environmental Impact Statement

National Environmental Policy Act (NEPA)

We appreciate BOEM including an analysis of socioeconomic benefits in the PEIS. As part of the NEPA process, BOEM is required to review environmental, social, and economic data related to the proposed project. In NEPA, Congress declared: "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."

To create these conditions, it is imperative that BOEM plays a role in ensuring that the positive impacts of offshore wind projects are maximized and delivered equitably while using the best available science and data to establish measures to avoid, minimize, mitigate, and monitor environmental and wildlife impacts as well as their social implications. This will require that all offshore wind lease contracts and permitting activities ensure the application of high-road employment practices, community benefits agreements (CBAs), best management practices, and other means to ensure that projects are developed in an environmentally responsible manner and that benefits are maximized and equitable distributed.

We believe that this depth of assessment is aligned with NEPA guidance. BOEM’s July 2017 study, “Evaluating Benefits of Offshore Wind Energy Projects in NEPA,” states: “NEPA analyses (Environmental Assessments [EAs] or Environmental Impact Statements [EISs]) typically focus on adverse impacts to the environment. However, NEPA analyses also need to include environmental and socioeconomic benefits analyses.”ⁱ The study also states that benefits analysis should consider electricity system benefits, including injecting power into the existing grid; average retail cost of power; evaluating system benefits from offshore wind energy production; environmental benefits over key periods of a projects life-cycle, including water, wetlands, biological and cultural resources, recreation and tourism, fisheries, safety, soils, land use, air quality, noise, and raw materials used for construction; and socioeconomic considerations. The study describes that although NEPA does not specifically require a socioeconomic assessment, it does require an integrated use of the social sciences to assess impacts on the human environment.

These requirements, paired with President Biden’s commitments to union labor, environmental justice, and the protection of natural resources should result in a thorough analysis that ensures communities, workers, and Tribes realize project benefits while protecting communities, wildlife, and the environment from adverse impacts. Given this scope, we urge BOEM to consider the following recommendations to fully evaluate environmental and socioeconomic impacts in the PEIS.

Creating accessible, high-quality union jobs

The PEIS should analyze and provide information related to potential job creation—including direct, indirect, and induced jobs—from development in the lease areas. Furthermore, BOEM should analyze not only anticipated job creation, but the potential job quality impacts and benefits associated with this development.

The U.S. Department of Labor (DOL)’s Good Jobs Initiative highlights equity and job quality principles and metrics that should be strongly considered by BOEM for use in the PEIS and future EISs. The equity and job quality principles include proactively addressing racial equity; reducing barriers to opportunity; supporting the creation of good-paying jobs with the free and fair choice to join a union; providing opportunities for all workers—including underrepresented workers—to be trained and placed in good-paying jobs; utilization of

PLAs and/or local hire provisions, training and placement programs for underrepresented workers; and adopting an equity and inclusion program/plan focused on procurement, material sourcing, construction, inspection and hiring.ⁱⁱ These are great examples of metrics related to equity and job quality and should be considered for evaluating the job creation benefits of offshore wind development and should inform future BOEM review of project-specific construction and operations plans.

The draft PEIS includes the following information related to potential economic impacts:

- Overall size of the projects: full development of leases has potential to create 5.6-7 GW of offshore wind energy.
- BOEM estimates development of the six projects to total 1,103 turbines, 22 offshore substations, and thousands of miles of cable.
- The counties in New York and New Jersey most likely to experience economic impacts.
- The ports with potential to support construction, installation, and decommissioning; and
- The potential impacts to the commercial fishing and recreation and tourism industries.

The PEIS would benefit from analysis of potential job creation and job quality impacts of development in the region as well as workforce development needs. Specifically, the PEIS should provide an assessment of the following categories related to job creation, job quality, and job training:

Manufacturing

Maximizing the creation of manufacturing jobs across a domestic offshore wind supply chain is key for this industry to fulfill its economic benefit potential. Supply chain constraints caused by global bottlenecks are one of the greatest risks for achieving 30 GW of offshore wind by 2030.ⁱⁱⁱ According to the National Renewable Energy Laboratory (NREL), the 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.

The PEIS and future EIS should analyze the potential for projects to source domestically manufactured components. The PEIS should specify job categories as well as associated potential direct, indirect, and induced jobs; gross state product; and anticipated personal income anticipated from the development. The analysis should also include an assessment of education and certifications necessary to access each job category; the training, average wages, hours, career advancement, physical demands, and safety information; as well as any commitments developers have made or secured from suppliers to ensure workers have the free and fair choice to join a union, such as through a union neutrality agreement. This information is essential for the U.S. workforce to have equitable access to employment opportunities.

The PEIS should also include information about the material quality, standards, and certifications needed to secure a supplier contract with an offshore wind developer in the region. This information is critical for U.S. companies to access opportunities, especially minority, women, and veteran owned businesses. Finally, the PEIS and future EIS should

contain information about the offshore wind energy components that will be manufactured outside the United States, in order to understand the full potential of employment benefits from a mature domestic offshore wind supply chain.

Operations and Maintenance (O&M)

Similarly, for O&M job impacts, the assessment should specify O&M job categories, anticipated job numbers in each category, and associated potential direct, indirect, and induced jobs; gross state product; and anticipated personal income. It should also include an assessment of education and certifications necessary to access those jobs; training, average wages, career advancement, hours, physical demands, and safety information; as well as any commitments developers have made or secured from suppliers to ensure workers have the free and fair choice to join a union, such as through a union neutrality agreement. The PEIS should also indicate the number of jobs that, if any, require specialized experience that would prohibit workers in the United States from accessing those jobs, and the specific experience and training that is required. When it comes to training, the assessment should specify whether workers will need to go overseas to receive training, and the duration of that training. The PEIS should specify jobs categories related to the operation and maintenance of every aspect of offshore wind development, including the turbines, cables, and onshore and offshore substations.

Construction

This PEIS and future EIS should assess potential construction jobs associated with development in the lease areas, including any construction jobs anticipated to prepare ports for assembly, preparation of cable routes and interconnections, and the construction or site preparation of any manufacturing facilities. Consistent with the previous two categories, BOEM should specify job categories, job numbers in each category, and potential direct, indirect, and induced jobs; gross state product; and anticipated personal income. The PEIS should also include an assessment of education and certifications necessary to access each job category and training, average wages, hours, career advancement, physical demands, and safety information. If any construction jobs require specialized experience that prohibit workers in the United States from accessing these jobs, that should also be detailed, including the number of jobs, as well as the training and experience required. The PEIS should also specify whether workers will need to go overseas to receive training, and the duration of that training.

The PEIS should include a discussion of how PLAs and Community Workforce Agreements (CWAs) will help ensure job quality and community benefits in the region. The PEIS should also include the status of PLAs or CWAs associated with the projects in the region. A PLA is an instrument to predict and control project timelines and labor costs. A PLA establishes the terms and conditions of employment of workers on specific construction projects, including wages, hours, working conditions, and dispute resolution methods. These agreements can be utilized at the state and local level to ensure high-road labor standards

and timely project completion. PLAs promote safe, quality, cost-effective project delivery by providing project owners with unique access to the safest, most productive, best-trained skilled craft labor available in any given market. They can also help to ensure equitable access to jobs by including diversity, equity, and inclusion and local hire provisions. CWAs can go a step further on diversity, equity and inclusion and are negotiated with both unions and community partners. According to the AFL-CIO, CWAs “go well beyond the traditional experience and use of PLAs to explicitly address the legitimate needs and interests of urban communities that have historically been excluded from the benefits of economic development.” CWAs frequently include local hire provisions, targeted hire of low-income or disadvantaged workers, and the creation of pre-apprenticeship pathways.

Registered apprenticeship utilization should also be documented including the types of apprenticeships—to ensure that they are union programs or DOL-certified—and the ratio of apprentices to journeymen in each program.

Training and Employment Benefits

BOEM should include an analysis of existing or potential developer strategies in the state or region for investing in workforce training programs to support offshore wind development and include detailed information regarding training in the PEIS and future EIS.

Lessees should invest in training programs that are portable; accredited; have stackable credentials; include safety training standards and disaster response measures; and are industry recognized. BOEM should also analyze opportunities for developers to invest in programs that prioritize the training of Justice40 communities, as well as disadvantaged and displaced workers, and provide wrap-around support services to support their enrollment. Disadvantaged workers include workers dislocated from fossil-fuel jobs, workers of color, women, formerly incarcerated workers, workers who live in environmental justice communities, workers with disabilities, and veterans. Workforce training investments should provide the option to enter into a memorandum of understanding with community stakeholders, unions, and companies and other strategies to support recruitment, retention, interviews upon completion, and successful placement of graduates in apprenticeships or internships. Lessees should consult with labor unions and community groups to ensure training investments result in increased equitable access to safe, quality jobs that will also provide more efficient operations.

Many unions run high-quality, registered workforce development programs that train participants in various trades that have transferable skills to the offshore wind industry. However, for a U.S. workforce to access opportunities in offshore wind, developers must share information about the specific skills training and certifications required as well as information about employment opportunities. This information, along with specific commitments to develop durable pathways for minority contractors and workers into training and employment is invaluable.

Union-affiliated training, registered apprenticeship, and pre-apprenticeship programs, many of which offer wrap-around services to support trainees through the programs, are the premier mechanisms for building career pathways and help ensure that workers have a clear path towards skills advancement and career development. These programs can also help promote equity and fairness in the workplace by providing training and career advancement to individuals from underrepresented groups.

Pre-apprenticeship programs aim to ensure that workers can qualify for entry into an apprenticeship program and have the skills and support they need to succeed. These programs are generally designed to target certain populations or demographics such as low-income workers, workers of color, women, and other marginalized communities. Additionally, many unions offer training throughout a member's career to enable them to stay up to date with changes in technology. The most successful pre-apprenticeship programs are those affiliated with registered apprenticeships or other contractually agreed on-the-job training programs.

Apprenticeships are registered through a state apprenticeship agency or through the DOL. Registered apprenticeships are paid positions that combine on-the-job training with classroom instruction in a trade. Construction unions operate robust registered apprenticeship programs while industrial unions work with employers on joint labor management training programs that also provide a combination of classroom and on-the-job skills training. When these programs are paired with recruitment strategies such as partnering with a community group to provide information about workforce and training opportunities and providing wrap-around services, the benefits can be even greater. Many examples of programs providing such services can be found in the November 2022 workforce development White House fact sheet.^{iv}

BOEM should also analyze language access needs for local communities to access jobs benefits and how to address the needs. Demographics such as language or education should be taken into account to ensure jobs and training are accessible to a diverse workforce. Any agreements that developers have made to increase access—be it to jobs in manufacturing, O&M, construction, or otherwise—should be detailed to increase transparency and the local community's ability to access these resources and benefits.

Ensuring Environmental Justice

The draft PEIS includes the following information related to environmental justice:

- The counties where onshore infrastructure may be located, the counties with representative ports that may be used by the NY Bight projects, as well as the counties closest to the NY Bight lease areas that may be affected by construction and operation of the NY Bight projects.
- Factors that can impact communities including air emissions, cable emplacement/maintenance, lighting, noise, port utilization, and presence of structures.
- Avoidance, minimization, mitigation, and monitoring measures.

The draft PEIS provides a good initial framework for analyzing environmental justice impacts from offshore wind development, but more detailed and community specific analyses are needed as project planning progresses. Without known details for port, transmission, and turbine construction the specificity of the analysis is lacking.

The Biden administration has made historic commitments to environmental justice, including the goal for 40% of the overall benefits of federal investments to flow to disadvantaged communities. While benefits from offshore wind projects are not explicitly considered in Justice40, generally, any federal program that addresses climate change, clean energy and energy efficiency, clean transit, affordable and sustainable housing, training and workforce development, legacy pollution, and clean water infrastructure is considered a J40 covered program. BOEM should analyze how development in the lease areas can ensure that communities and Tribes receive the maximum possible benefits.

For example, CBAs are an important way to ensure that development projects provide real and meaningful community benefits. CBAs can be expansive in scope and are often negotiated with both union and community partners. Because they are legally-binding agreements, they provide a higher level of accountability and enforceability and can therefore help ensure that specific workforce and community benefits are provided. CBAs can ensure that developers are held accountable for providing the benefits they promise, and that community groups have a say in the development process. Local Hire provisions, often included in CBAs, are another important tool to support the hiring of workers from within the state or local community. Without this provision, work crews from out of state can be brought in, minimizing the job creation benefits for the local community. BOEM should analyze the benefits of requests made by local communities, such as requests for CBAs or community governance of offshore wind projects.

BOEM should detail information related to air and water quality impacts in the region associated with potential manufacturing, port activities, construction, and ongoing operations and maintenance. It should also include analysis of the benefits of community consultation related to adverse impacts and methods for continued community engagement around the oversight, monitoring, and structuring of mitigation plans including adaptive management strategies. BOEM should analyze the benefits derived from offshore wind developers conducting appropriate benthic surveys for cable routes and other activities that may exacerbate existing contamination from urban and storm runoff, industry, or historic use of the site. Pre-construction, construction, and post-construction monitoring should be conducted, especially in areas of known vulnerability such as those adjacent to known sources of contaminants or near environmental justice communities.

BOEM should analyze the extent of needed Tribal consultation. In line with the lease stipulations, developers must ensure that all impacted Tribes are properly consulted, including state-recognized Tribes, and non-federally recognized Tribes in a geographic analysis area that is representative of their historical presence in the region. Robust consultation with Tribes should be extended to relevant activities that take place out of the state or region. Ensuring the consultation of Tribes and ensuring the preservation of

cultural resources is critical for advancing the environmental justice goals set by the Biden-Harris administration.

Environmental Protection

The draft PEIS reviews potential environmental impact from offshore wind development in the New York Bight and measures that could avoid, minimize, mitigate, and monitor those impacts. The analysis explores potential impacts to bats, benthic resources, birds, fish, marine mammals, sea turtles, and wetlands.

Environmental protection is a key requirement under the Outer Continental Shelf Lands Act (OCSLA) and NEPA, and rigorous plans must be in place for offshore wind projects to comply with various state and federal statutes that projects are subject to. Offshore wind energy must be developed in an environmentally responsible manner that avoids, minimizes, and mitigates impacts to marine life and ocean users, meaningfully engages stakeholders from the start, and uses the best available science and data to ensure science-based and stakeholder-informed decision making. The PEIS should analyze potential cumulative impacts; benefits of mitigation measures; and adaptive management strategies. The analysis should include all relevant data and acknowledge relevant scientific disagreements and data gaps. Avoiding sensitive habitat areas, requiring strong measures to protect wildlife throughout each state of the development process, and comprehensive monitoring of wildlife and habitat before, during, and after construction, are all essential for the responsible development of offshore wind energy. The combination of alternatives should be chosen that ensures communities, wildlife, and the environment are protected while maximizing the creation of quality, high-paying jobs, and economic benefits.

High-road, Equitable, Environmentally Responsible Development

Outer Continental Shelf Lands Act

BGA believes that standards for high-road, equitable, and environmentally responsible development are consistent with federal statute. In Section 8 of OCSLA, Congress declared that it is the authority of the Secretary of the Interior (delegated to BOEM) to “grant a lease, easement, or right-of-way” 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;

- (I) Prevention of interferences with reasonable uses 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 related to a lease, easement, or right-of-way under this subsection.”^v

High road standards touch on many of these imperatives including safety; protection of the environment; conservation of natural resources; protection of national security; fair return to the United States; consideration of other uses; and oversight, inspection, and resource monitoring. Environmentally responsible development, robust stakeholder engagement, equitable distribution of benefits, and attention to quality job creation domestically are all foundational to OCSLA requirements.

In addition to the authority granted to BOEM to facilitate energy development on the Outer Continental Shelf (OCS), the president has authority to direct requirements on leases of the OCS and precedent exists for the president to do so. Current BOEM leases include terms mandated by presidential Executive Order 11246, which prohibits employment discrimination and establishes affirmative action requirements for nonexempt federal contractors and subcontractors.^{vi} Article II, § 1 of the U.S. Constitution provides that “executive power shall be vested in” the president. Such power gives the president the right—in the absence of an express congressional declaration to the contrary—to control the terms upon which public lands or property may be sold, leased, or used by private individuals or entities.^{vii}

Executive Orders on Domestic Manufacturing, Environmental Justice, and Union Labor

President Biden has reinforced in various executive orders that it is the policy of the federal government to pursue solutions to the climate crisis with attention to union labor, domestic manufacturing, environmental justice, and protection of natural resources. The announcement of the national offshore wind target to deploy 30 gigawatts (GW) of offshore wind by 2030 further underscored this approach. The White House fact sheet containing that announcement declared:

“The President recognizes that a thriving offshore wind industry will drive new jobs and economic opportunity up and down the Atlantic Coast, in the Gulf of Mexico, and in Pacific waters. The industry will also spawn new supply chains that stretch into America’s heartland, as illustrated by the 10,000 tons of domestic steel that workers in Alabama and West Virginia are supplying to a Texas shipyard where

Dominion Energy is building the Nation's first Jones Act compliant turbine installation vessel.

"Federal leadership, in close coordination with states and in partnership with the private sector, unions and other key stakeholders is needed to catalyze the deployment of offshore wind at scale.

"...the Administration is taking coordinated steps to support rapid offshore wind deployment and job creation:

1. Advance ambitious wind energy projects to create good-paying, union jobs
2. Investing in American infrastructure to strengthen the domestic supply chain and deploy offshore wind energy
3. Supporting critical research and data-sharing."^{viii}

In Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, issued January 27, 2021, President Biden stated that it is the policy of the United States:

"to organize and deploy the full capacity of its agencies to combat the climate crisis to implement a Government-wide approach that reduces climate pollution in every sector of the economy; increases resilience to the impacts of climate change; protects public health; conserves our lands, waters, and biodiversity; delivers environmental justice; and spurs well-paying union jobs and economic growth, especially through innovation, commercialization, and deployment of clean energy technologies and infrastructure."

This executive order further emphasizes that "[t]his Nation needs millions of construction, manufacturing, engineering, and skilled-trades workers to build a new American infrastructure and clean energy economy."^{ix} President Biden further states, "Agencies...shall seek to increase the Federal Government's resilience against supply chain disruptions. Such disruptions put the Nation's manufacturing sector at risk, as well as consumer access to critical goods and services." Additionally, President Biden directed all agencies to "adhere to the requirements of the Made in America Laws in making clean energy, energy efficiency, and clean energy procurement decisions" consistent with Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America's Workers*.^x

President Biden has also emphasized the need to maximize utilization of domestic content as we advance climate and clean energy solutions in order to strengthen U.S. manufacturing. President Biden's executive order on America's supply chains issued February 24, 2021 states, "[t]he United States needs resilient, diverse, and secure supply chains to ensure our economic prosperity and national security." It continues to say, "resilient American supply chains will revitalize and rebuild domestic manufacturing capacity, maintain America's competitive edge in research and development, and create well-paying jobs. They will also support small businesses, promote prosperity, advance the fight against climate change, and encourage economic growth in communities of color and economically distressed areas."

Utilizing Domestic Content Maximizes Benefits and Supports National Security

It is evident that utilization of domestic content in offshore wind projects is imperative for reaching our federal goals. The March 2022 offshore wind energy supply chain report by the NREL states that supply chain constraints caused by global bottlenecks are one of the greatest risks for achieving our national offshore wind goals.^{xi} The modeling in the report 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.^{xii} 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 United States continues greening its electricity grid.^{xiii} Further, domestic content requirements are unlikely to influence wind power capital costs.^{xiv} And, as emphasized in a number of President Biden's executive orders, national security is also protected by utilizing domestic content.

Recent global events have made it abundantly clear that our national security is strongly tied to our energy security, to which domestic manufacturing plays a critical role. The U.S. Department of Energy and the North American Electric Reliability Corporation, jointly-commissioned a report assessing risks to the U.S. electricity generation and distribution infrastructure. The summary of the report observed that the "bulk power system is dependent on long supply chains, often with non-domestic sources and links" and determined that the "increased reliance on foreign manufacturers, with critical components and essential spare parts manufactured abroad (e.g. HV transformers)" means the "supply chain itself represents an important potential vulnerability."^{xv} The report recommends that "efforts should be considered to bring more of the supply chain and manufacturing base for these critical assets back to North America."^{xvi}

Strengthening the nation's supply chains can result in environmental benefits as well. Energy intensive manufacturers in the United States 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 U.S. producers on average."^{xvii} Use of domestic content can also reduce shipping distance, and thus emissions resulting from long-distance maritime transportation. The International Maritime Organization estimates that maritime shipping generated 1 billion tons of greenhouse gases per year from 2007-2012. Another study estimates that maritime shipping emissions are forecasted to rise between 35% and 210% by 2050.^{xviii}

Supporting U.S. manufacturing also has equity implications. Data shows that 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 who experience discrimination limiting access to better-paying jobs.^{xix} Manufacturing wages are substantially larger than in non-manufacturing industries for

median-wage, non-college-educated employees, with Black workers in manufacturing earning 17.9% more; Hispanic workers earning 17.8% more, Asian American Pacific Islander (AAPI) earning 14.3% more; and white workers earning 29% more.^{xx}

Union Labor Benefits Workers and Projects

Across sectors, the DOL reports that unions raise wages for all workers and the Bureau of Labor Statistics reports that non-union workers earn just 83% of what unionized workers earn.^{xxi,xxii} It's no wonder that union approval is at its highest since 1965, with 68% approving of labor unions and even higher numbers of support specifically among young people and people of color.^{xxiii} The White House report on "Worker Organizing and Empowerment" says that support for a union increases to 74% for workers aged 18 to 24, 75% for Hispanic workers, 80% for Black workers, and 82% for Black women workers.^{xxiv} The report also contains guidance for how unions advance equity for underserved populations, including greater transparency around pay and higher wages, greater job security, and increased access to career pathways for women and workers of color.^{xxv} PLAs are a proven way to ensure workers in the construction sector have access to the benefits and protections of unions.

Moreover, ensuring developers negotiate a PLA supports BOEM's proprietary interest in ensuring orderly and efficient operations. President Biden's Executive Order 14063, *Use of Project Labor Agreements for Federal Construction Projects*, issued February 4, 2022 underscores the benefits of utilizing PLAs for large-scale construction projects.

"Project labor agreements...provide structure and stability to large-scale construction projects...[and] avoid labor-related disruptions by using dispute-resolution processes to resolve worksite disputes and by prohibiting work stoppages, including strikes and lockouts. They secure the commitment of all stakeholders on a construction site that the Project will proceed efficiently without unnecessary interruptions."^{xxvi}

PLAs have been demonstrated to reduce project costs for developers, save public funds in the long run, and produce increased economic benefits for the local community.^{xxvii} In addition, PLAs often lead to safer working conditions as a result of a more skilled workforce that union training programs provide.^{xxviii} A 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.^{xxix} Data also suggests that accidents in the construction industry are more common in states with low-road contractors.^{xxx} Union firms are also 16% less likely to report difficulty in filling open positions, 13% less likely to fail in retaining skilled workers and 21% less likely to report project delays due to retention issues, which is key to timely and efficient deployment during construction labor shortages.^{xxxi} Because PLAs often include provisions around apprenticeship utilization and recruitment of women, minorities, veterans, and other underrepresented workers, they also contribute to more equitable career pathways for a

diverse workforce. These data points are important to consider as BOEM undergoes the NEPA review process.

Conclusion

When done right, offshore wind power will create thousands of high-quality, family-sustaining jobs in manufacturing, construction, and O&M while also avoiding, minimizing, and mitigating environmental impacts. Thank you for considering how BOEM might further strengthen its role in ensuring that offshore wind energy is developed responsibly, with attention to equity, maximizing quality jobs and career pathways, and protecting the environment by including our recommendations in a robust PEIS. We appreciate your effort to solicit stakeholder input to inform the offshore wind energy leasing process.

Signed,



Jason Walsh
Executive Director
BlueGreen Alliance

ⁱ U.S. Department of Interior, Evaluating Benefits of Offshore Wind Energy Projects in NEPA. July 2017. <https://www.boem.gov/sites/default/files/environmental-stewardship/Environmental-Studies/Renewable-Energy/Final-Version-Offshore-Benefits-White-Paper.pdf>

ⁱⁱ U.S. Department of Labor (DOL), Previous Bipartisan Infrastructure Law (BIL) grants with focus on equity and job quality. <https://www.dol.gov/general/good-jobs/making-good-jobs-through-federal-investments>

ⁱⁱⁱ National Renewable Energy Laboratory (NREL), The Demand for a Domestic Offshore Wind Energy Supply Chain, January 2022. <https://www.nrel.gov/docs/fy22osti/81602.pdf>.

^{iv} The White House: FACT SHEET: President Biden Celebrates New Commitments toward Equitable Workforce Development for Infrastructure Jobs, November 2, 2022. <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/02/fact-sheet-president-biden-celebrates-new-commitments-toward-equitable-workforce-development-for-infrastructure-jobs/>

^v U.S. Code, § 1337 - Leases, easements, and rights-of-way on the outer Continental Shelf. <https://www.law.cornell.edu/uscode/text/43/1337>

^{vi} DOL, Executive Order 11246 — Equal Employment Opportunity, Sept. 24, 1965. <https://www.dol.gov/agencies/ofccp/executive-order-11246/as-amended>

^{vii} Casetext, *United States v. Midwest Oil Co.*, Feb. 23, 1915. Available online: <https://casetext.com/case/united-states-v-midwest-oil-co>

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