MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF SCOTLAND AND THE CALIFORNIA ENERGY COMMISSION
hereby jointly referred to as "the Participants"

WHEREAS,
Climate change represents an urgent and potentially irreversible threat to human societies, particularly the poor and vulnerable, as well as to the environment and our global economy;

WHEREAS,
Scotland and California have both committed to fighting climate change at the subnational level as part of the Under2 Coalition. The Coalition was formed in 2015 by the states of California and Baden-Württemberg, Germany to mobilize and galvanize bold climate action from like-minded city, state and regional governments around the globe. Coalition members pledge to limit greenhouse gas emissions to 2 tons per capita or 80 to 95 percent below 1990 levels by 2050. Scotland signed the Under2 MOU in July 2015;

WHEREAS,
The Government of California and Government of Scotland entered into a Letter of Cooperation on Ambitious Action on Climate Change and the Low Carbon Economy in April of 2017. The Letter of Cooperation supports the efforts of the Under2 MOU and both governments agreed to share ideas and best practices to reduce greenhouse gases, expand renewable energy development, plan for de-carbonization; and raise international attention on the action and ambitious reduction goals of climate leaders at a subnational level around the globe;

WHEREAS,
Scotland has experience and history in developing offshore wind energy facilities and California is exploring the feasibility, potential impacts, and appropriate locations of, and for, wind facilities offshore the California Coast;

NOW THEREFORE, the Participants have reached the following understanding:

SECTION 1. OBJECTIVE

The objective of this Memorandum of Understanding is to fulfill the tenets of the Letter of Cooperation and to share knowledge, experiences, data, and best practices relevant to the development of offshore wind energy.

SECTION 2. AREAS OF COOPERATION

The Participants intend to cooperate on the following priority areas:

1. Constraints and challenges of permitting and constructing offshore wind energy facilities;
2. Environmental challenges associated with offshore wind energy facilities;

3. Best practices, regulatory approaches and scientific models with regard to protection of the environment, including, but not limited to, the effects of offshore wind energy facilities on fish, marine mammals, migratory birds and cultural resources;
4. Impacts to commercial and recreation fishing industries from offshore wind energy facilities;
5. Sharing data and information on mitigation measures implemented for wind projects offshore Scotland;
6. Knowledge transfer and sharing on a wide range of offshore wind energy issues including supply chain, off take, grid integration/interconnection to optimize offshore wind energy deployment and data on the benefits and impacts of offshore wind; and
7. Workforce development and port development requirements/management issues.

SECTION 3. FORMS OF COOPERATION

Forms of cooperation under this Memorandum of Understanding may include, but are not limited to, the following:

1. Exchange of data, information, and documentation;
2. Intergovernmental and international visits involving policy makers, regulators, academic institutions, and businesses; and
3. Joint organization of and participation in seminars, workshops, and meetings to share information and practices, and to educate key stakeholders, including stakeholders within the supply chain for offshore wind energy.

SECTION 4. THIRD PARTY PARTICIPATION

If the Participants deem it helpful or convenient, by common decision of the Participants, individuals and entities from the private, public, academic, research, and other sectors may be invited to support the cooperative activities described herein, provided that they can directly and meaningfully contribute to achievements of the objectives of this Memorandum of Understanding.

SECTION 5. FINANCIAL ARRANGEMENTS

Nothing in this Memorandum of Understanding represents a commitment of funds by either of the Participants.

SECTION 6. DISPUTE RESOLUTION

Any differences arising from implementation of this instrument shall be resolved in good faith, through consultations between the Participants.

SECTION 7. MODIFICATION PROCEDURE

This Memorandum of Understanding may be modified at any time by mutual written consent of the Participants.

SECTION 8. DURATION

Cooperation under this Memorandum of Understanding is effective upon signature by the Participants and approval of this Memorandum of Understanding at an Energy Commission business meeting. This Memorandum of Understanding shall be in effect for five (5) years from the date of business meeting approval-and may be renewed thereafter by mutual agreement of the Participants. Either Participant may discontinue this Memorandum of Understanding through written communication to the other Participant. Discontinuation shall take effect thirty (30) calendar days following the date of notification and should not affect activities already under implementation.

SECTION 9. FINAL PROVISIONS

The Participants acknowledge that this Memorandum of Understanding is only intended to provide for cooperation between the Participants and does not create any legally binding rights or obligations. To the extent that any other provision of this Memorandum of Understanding is inconsistent with this paragraph, this paragraph shall prevail.

The Participants commit themselves in good faith to implement this Memorandum of Understanding to the fullest extent possible, subject to any changes in policy that they may adopt, and subject to the governing laws where the activities will be carried out.

For the Scottish Government

CHRIS STARK
Director of Energy & Climate Change Directorate

Signed on 15 January 2018
in Glasgow, Scotland

For the California Energy Commission

KAREN DOUGLAS
Commissioner
California Energy Resources Conservation and Development Commission

Signed on 12/21/17
in sacramento, california