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To: California Energy Commission
California Energy Commission
715 P Street
Sacramento, CA 95814
Submitted via electronic commenting system

Re: **Docket No. 25-AB-03: Assembly Bill 3 (Offshore Wind Advancement Act) Staff Workshops on Seaport Readiness (11/13-14/25)**

Dear Commissioners,

I submit these comments on behalf of Humboldt Waterkeeper, which works to safeguard coastal resources for the health, enjoyment, and economic strength of the Humboldt Bay community. While we strongly support the State of California's goal of developing 25 GW of offshore wind energy to address climate change, it is critical that port development is planned with the least direct, local impacts as possible. We appreciate the CEC's extensive opportunities to engage in the AB 3 report preparation process. **Most recently, we were grateful for the opportunity to participate on the "Minimizing Impacts and Incorporating Equity and Environmental Justice in Seaport Development" panel.** Based on our participation in the panel discussion and our review of the other panels, we offer the following comments.

I. Data

a. Baseline Data

Given the current lack of baseline data for Humboldt Bay, which is critical for accurately assessing environmental impacts, **we recommend the CEC set minimum standards for data collection prior to construction.** This could look like setting a minimum time period or seasons baseline data should cover, or a set of topics on which to collect baseline data (e.g., benthic community composition, marine species site use, etc.).

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This data should be comprehensive enough to assess potential impacts and made publicly available through binding data transparency agreements. **At a minimum, the Port Readiness Report should acknowledge the gap in baseline data as a key factor contributing to uncertainty in siting the Humboldt Bay port in the least environmentally impactful location.**

The CEC, port authorities, and developers should **utilize existing groups, networks, and documentation to inform best practices and standards for data collection and sharing.** For example, the Pacific Offshore Wind Consortium, the California Marine Science Foundation's upcoming Environmental Monitoring Guidance for offshore wind, and the future West Coast Science Collaborative convened by the Ocean Protection Council all offer valuable resources. **The CEC and other state agencies supporting offshore wind development should collaborate with local governments and experts.**

b. Data Transparency

Data transparency throughout port and offshore wind development will help build and maintain community trust. It is not only integral to coordination of the projects across the state, but a fundamental right of Californian taxpayers who are subsidizing offshore wind port development. **We recommend sharing data through existing open data portals like Data Basin or the California State Geoportal. These portals would ensure unrestricted public access to the data, managed by reliable, unbiased entities.**

In relation to the proposed port site in Humboldt Bay, it is unclear how ongoing studies will result in changes to the project design to avoid and minimize impacts. Additionally, we have not been able to access the data generated by monitoring, sampling, and modeling. **We request that the CEC clarify how port development will incorporate findings from modeling and monitoring to adapt the project design to avoid and minimize impacts. We also request that the CEC establish a mechanism to ensure public access to data generated through CEC-funded projects.**

II. Impact Analysis & Mitigation

a. Environmental Impacts in Humboldt Bay

AB 525 identified broad categories of impacts, but environmental impacts can be highly site-specific, thus we recommend incorporating the following Humboldt-specific concerns.

Humboldt Bay undergoes relatively minimal dredging, which has resulted in the bay supporting 45% of the remaining eelgrass population in the state.[1] We are concerned about the increased extent and frequency of dredging associated with port development causing **erosion and remobilization of legacy contaminants** that have settled in bay sediments. The clean up of

[1] Barnhart, R. A., M. J. Boyd, and J. E. Pequegnat. 1992. The Ecology of Humboldt Bay, California: An Estuarine Profile. January. Biological Report 1. U.S. Fish and Wildlife Service, Washington, D.C.

legacy contaminants on the proposed terminal site also carries **risk of remobilization** of dioxins and furans, PCBs, heavy metals, and petroleum hydrocarbons.

Currently, our region lacks baseline information on marine invasive species or pathogens, which pose a serious threat to the $10 million aquaculture industry Humboldt Bay supports. **The risks of marine invasive species introduction and/or pathogen spread increase significantly with port development,** as supplies and equipment will likely be shipped in via vessels from other West Coast and international ports, creating new pathways for introduction.

b. Adaptive Management Frameworks

One of the lessons our east coast colleagues have shared with us on offshore wind development is the need to establish, as early in the planning process as possible, standardized frameworks for impact analysis, long-term monitoring, and adaptive management.

First, **the CEC could recommend an impact analysis framework with prioritized categories of impact and standard methods of analysis.** Second, **the CEC could recommend a standard framework for long-term monitoring coupled with adaptive management.** These frameworks should be guided by experts and include input from local stakeholders. For communities to trust these monitoring frameworks, regulatory agencies must hold developers and permittees accountable for utilizing such frameworks.

These frameworks would create consistency across projects, help identify issues early in the planning process, and contribute to efficient coordination of adaptive management across West Coast offshore wind projects. **If the AB 3 reports are not an appropriate place for frameworks for impact analysis, long term monitoring, and adaptive management, we recommend the CEC collaborate with other state agencies to publish and make enforceable or required such frameworks.**

AB 525 outlined a prioritization of avoidance in the mitigation hierarchy. We are grateful to the CEC for their continued advocacy of the mitigation hierarchy of avoid, minimize, mitigate, monitor and adaptive management. We look forward to seeing the CEC hold port authorities responsible for avoidance and adaptive management, to the extent its authority allows.

c. Cumulative impacts

The AB525 Offshore Wind Energy Strategic Plan Volume II Main Report identified a Programmatic Environmental Impact Report (PEIR) as a tool to comprehensively address cumulative impacts, from individual projects and on a regional scale. We support the use of a PEIR to facilitate adequate assessment of cumulative impacts, and we agree with the statement on page 259 of the Report, which addresses the needs and benefits of a PEIR: “In addition, a PEIR would enable a more comprehensive assessment of the cumulative impacts of multiple offshore wind projects and allow for the consideration of potential interactions and amplification effects between projects on ecosystems, wildlife, and coastal communities.”

III. Seaport Siting Criteria

a. Siting Criteria as a Planning Framework

While some have begun referring to our small harbor as a port, the reality is Humboldt Bay has not seen the degree of industrialization required to support offshore wind in over 50 years, when the timber industry went into decline. It is integral to consider Humboldt Bay's minimal industrial infrastructure in the assessment of port readiness. **While the CEC's focus is currently on infrastructure within the port site itself, the seaport siting criteria can still highlight when regional readiness factors should be considered in planning decisions.** Incorporating this context early on can prevent the inappropriate siting, design, and scale of a port site.

Since the siting criteria will serve as planning guidance rather than regulatory requirements, **the CEC could provide a comprehensive planning framework that considers regional readiness for port development.** A truly comprehensive framework would include regional land uses and infrastructure. For example, Humboldt Bay supports tribal cultural practices; subsistence, recreational, and commercial fishing; aquaculture; and sensitive species habitat. Soft infrastructure looks like local emergency service capacity and housing stock, while hard infrastructure includes transportation networks, transmission line capacity, and marine navigation networks. Providing this planning framework via the siting criteria would ensure consistent siting across the state, enable coordination and collaboration among lessees, and support thorough analysis of potential seaport sites–all goals laid out in the AB 525 Strategic Plan.

b. Scaling Development to Avoid Environmental Impacts

The scale of port development—and the resulting environmental impacts—will vary depending on the size of the wind farm it is intended to support. Many of the environmental impacts specific to Humboldt Bay could be avoided or significantly minimized if smaller turbines are used. **We recommend the siting criteria incorporate multiple scale options for turbines and wind farms, as well as analysis of alternative locations for novel port sites.** If this analysis doesn't fit within the siting criteria itself, the CEC could incorporate it into port development funding requirements or provide feasible scale options to ease the analysis burden on ports. This approach would support AB 525's recommendations to prioritize "avoidance strategies" for environmental impacts.

Additionally, siting criteria should capitalize on areas of overlap between various human uses and ecosystem services at each location to avoid environmental impacts. For example, in Humboldt Bay the future of commercial shellfish and fishing industries relies on the Bay's water quality. Thus, protecting the Bay's water quality will ensure avoidance and minimization of environmental impacts while also protecting the shellfish and fishing industries. Highlighting these interconnections would help decision-makers apply criteria more effectively. **We encourage the CEC to consult with local experts and stakeholders to identify these areas of overlap.**

IV. Require Green Port Strategies

Strategies to minimize air pollution through “greening” of ports (i.e., green port strategies) should be considered an integral factor of seaport readiness. California’s ambitious GHG reduction strategies can best be achieved by front-loading investments in green port infrastructure, rather than having to retrofit dirty fossil fuel technology down the road. Pacific Northwest National Laboratory's Port Electrification Handbook (2024) identifies the following technologies to support green port strategies: shore power, zero-emission cargo handling equipment, microgrid and renewable energy generation, and transmission enhancements to enable port electrification. Rather than relying on individual port locations to implement these technologies, the CEC has an opportunity to require standards for green port development. **We recommend that funding provided by the CEC for offshore wind ports require quantifiable port emission reduction strategies, and future requests by offshore wind ports for funding should require the demonstrated implementation of those strategies.**

Conclusion

As California pioneers floating offshore wind energy development, we believe the state has a chance to chart a new course—one that doesn't continue the legacy of resource extraction that has historically sacrificed both people and place. The CEC is uniquely positioned to work with port authorities, developers, and local communities to create a port development model that protects rather than extracts. We look forward to the publication of the Seaport Readiness Report.

Sincerely,

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