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EPIC Comments on POPD Grants May 22nd

Additional submitted attachment is included below.



May 22, 2026

California Energy Commission
Docket No. 26-POPD-01
715 P Street
Sacramento, CA 95814

Re: EPIC Comments on the Proposition 4 Offshore Wind Ports Development Program (POPD)
Docket No. 26-POPD-01

Dear Commissioners:

The Environmental Protection Information Center (EPIC) appreciates the opportunity to provide comments regarding the California Energy Commission's Proposition 4 Offshore Wind Ports Development Program (POPD). EPIC is a nonprofit environmental organization based in Humboldt County that has worked for decades to protect and restore the forests, watersheds, wildlife, and communities of California's North Coast. Because EPIC is located on the North Coast, our comments are focused on POPD's relevance to the Humboldt Bay Harbor, Recreation, and Conservation District's (Humboldt Harbor District) proposed Offshore Wind Heavy Lift Marine Terminal Project.

EPIC supports responsible offshore wind development as a necessary component of California's transition away from fossil fuels. Climate change is a singular threat to our oceans, rivers, forests, communities, and ecosystems. Humboldt Bay is experiencing the fastest relative rate of sea level rise in California, droughts are becoming more frequent and severe, and ocean heatwaves are devastating crucial foodwebs. At the same time, we recognize that offshore wind infrastructure, if poorly planned, could potentially cause significant environmental impacts. Accordingly, California must ensure that investments in offshore wind port infrastructure prioritize not only industrial readiness and economic development, but also environmental remediation, pollution reduction, and habitat protection. The CEC's PODP grants have incredible potential to make sure that these new investments are done in an environmentally responsible manner.

Environmental Protection Information Center
145 G Street, Suite A, Arcata, CA 95521
(707) 822-7711
www.wildcalifornia.org



I. PODP Grants Should Consider The Strategic Locations Of Grant Recipients In Furthering California's Offshore Wind Goals

In 2024, the CEC adopted a planning goal of 25 GW of offshore wind energy by 2045. That ambitious goal will require the sale, permitting, and development of additional lease sites to the ones already leased by the federal government. The majority of the wind energy areas identified in the AB 525 planning efforts are located on the North Coast of California. Future wind energy areas contemplated by the Federal government have also been located on the North Coast of California or in Southern Oregon. Towing turbines longer distances would translate to increased risks, ship miles travelled, fuel use, and a host of other impediments to successful offshore wind development. Importantly, turbines would also potentially have to be towed back into port for periodic maintenance. So, the increased length of towing would actually be doubled in those instances. Longer tows would mean increased costs for offshore wind developers. The increased cost of towing could then translate to more expensive electricity contracts for offshore wind energy, harming California ratepayers. The future of the California offshore wind industry is on the North Coast and California should continue to invest public resources into that future.

II. PODP Grants Can Make Ports More Attractive To Investors By Funding Robust Environmental Review & Permitting

The Humboldt Bay Harbor, Conservation, & Recreation District's project has already initiated environmental review and planning processes and is well-positioned to leverage additional investment. The District demonstrated that capability when it was awarded a \$426.7 million federal INFRA grant in January, 2024. While that grant has since been rescinded by the Trump Administration as part of its all out war against the offshore wind industry, future federal administrations will likely consider the same factors that made Humboldt an attractive investment in the first place.

Under the next federal administration, California needs to be ready to demonstrate that the State has remained committed to its offshore wind goals in order to increase California's competitiveness for future federal grant opportunities. A future federal administration that is supportive of the offshore wind industry will likely look to restart and reinvest into projects, like the Harbor District's, that were unfairly targeted by the Trump Administration. By providing



funding for project design, permitting, environmental review, site preparation, and remediation the PODP grants can make the project “shovel ready.” Completing a robust environmental review in particular will significantly derisk the project from the perspective of the state and federal governments as well as private investors.

By maintaining momentum on offshore wind port planning and permitting, California can mitigate the harm being done to the offshore wind industry by the Trump Administration. The urgency of climate change has not changed because of an unfavorable federal administration. California needs to spend the next few years preparing so that it is ready to move quickly. That includes spending funds to complete robust environmental review, community engagement, and permitting of staging and integration ports like the Humboldt Bay Offshore Wind Heavy Lift Marine Terminal.

At the same time, EPIC would emphasize that offshore wind port readiness cannot be measured solely by industrial capacity. A truly successful offshore wind port must also demonstrate environmental readiness including cleanup of legacy contamination, protection of ecological resources, reduction of greenhouse gas emissions and diesel pollution, and incorporation of strong mitigation and monitoring measures. Those components are essential to protecting the health of ecosystems and communities around Humboldt Bay. By funding those activities, the CEC can simultaneously make the projects more attractive to future federal and private investment while ensuring that communities and ecosystems are protected.

III. PODP Grant Funds Should Be Available For Environmental Protection and Remediation

The proposed Offshore Wind Heavy Lift Marine terminal site at Redwood Marine Terminal One is located on a contaminated former industrial site adjacent to the ecologically sensitive Humboldt Bay estuary. Historic lumber operations around Humboldt Bay utilized pentachlorophenol wood treatment processes that resulted in extensive contamination of soil and groundwater with dioxins and other toxic pollutants. Humboldt Bay remains listed under Clean Water Act section 303(d) for dioxin contamination.

Redevelopment of Redwood Marine Terminal 1 presents a rare opportunity to achieve meaningful environmental cleanup while simultaneously advancing California’s clean energy



transition. If done successfully, a dilapidated, contaminated former job site could become a source of well paying jobs for a struggling rural community that helps build California’s clean energy future.

As part of site preparation, the Humboldt Bay Harbor District plans to fully remediate the site, removing the toxic pollution thus benefitting the bay. Similarly, the Harbor District is planning to design the terminal using a green terminal strategy that protects air quality and reduces greenhouse gas emissions. In addition, the Harbor District is planning to protect important habitats near the project as part of project design. These aspects of the project design are inherent to the project and should not be considered ineligible “mitigation” for purposes of Prop 4 POPD funding.

EPIC strongly urges the CEC to explicitly recognize environmental remediation, habitat protection, and pollution reduction as eligible and priority uses of POPD funding. The text of the Climate Bond approved by the legislature stated “[f]unds provided by this division shall not be expended to fulfill any environmental mitigation requirements or compliance obligations imposed by law.”¹ However, California case law is clear that “[t]he distinction between elements of a project and measures designed to mitigate impacts of the project may not always be clear.”²

Elements that are part of the project design itself, although they may inherently avoid, minimize, or mitigate environmental impacts, should not be considered ineligible “mitigation” for purposes of Prop 4 POPD funding. To do otherwise would lead to an unfortunate outcome wherein the State of California was requiring projects to be designed not to avoid, minimize, and mitigate environmental harms. The Humboldt Harbor District’s project is a clear example of why this must be the case. The CEC should be using the POPD grant funds to ensure the project is developed with as few environmental impacts as possible, not refusing to fund aspects of the project that reduce environmental harms.

In particular, it is important that in redeveloping the site we do not repeat the mistakes of the past. Humboldt Bay lacks baseline data on the environmental conditions which will be impacted by port development. POPD funds should be used to fill data gaps and consult with local experts to tailor baseline studies to local conditions and needs. Ideally, baseline studies would

¹ Cal. Pub. Res. Code § 90105 (West 2025).

² *Lotus v. Dep’t of Transportation*, 223 Cal. App. 4th 645, 657, (2014)



be performed by academic institutions, Native Nations, or other experts not under the control or influence of project proponents to minimize developer bias in the results. Working with local experts has the added benefit of contribution to community engagement and buy-in into the project. At a minimum, project proponents and their teams of scientific consultants should work with local experts on the design of baseline studies to ensure that the data they capture is meaningful and useful.

In addition to baseline data collection, environmental monitoring during construction and operations is crucial to ensuring that impacts do not cross environmental significance thresholds. Both baseline data and environmental monitoring should be shared transparently with the public so that fears about environmental impacts of the projects can be reduced.

These investments are not secondary or optional components of responsible port development. They are foundational requirements for ensuring that offshore wind infrastructure produces net environmental benefits rather than simply shifting environmental burdens onto different communities. EPIC encourages the CEC to clarify that these kinds of project design elements that do in fact mitigate environmental impacts are eligible for PODP funding and to prioritize funding them in upcoming PODP grants.

PODP funding should therefore explicitly support the following:

- Baseline Data Collection on existing contamination, water quality, and air quality
- Brownfield remediation and toxic site cleanup;
- Sediment and water quality protection measures;
- Habitat restoration and mitigation;
- Stormwater treatment and sea-level-rise resilience improvements;
- Air quality and water quality monitoring
- Air quality protection measure such as Port electrification planning and implementation, zero-emission equipment, and electrical capacity upgrades,
- Environmental review and mitigation planning; and
- Long-term environmental monitoring and adaptive management.
- Data transparency with the public

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IV. POPD Investments Should Deliver Meaningful and Direct Benefits to Disadvantaged Communities

The Climate Bond Act requires that 40% of funds provide meaningful and direct benefits to disadvantaged and severely disadvantaged communities. According to CNRA's Climate Bond disadvantaged communities map, all of Humboldt County qualifies as disadvantaged. Particularly of note for purposes of POPD funds, the Town of Samoa and several census tracts in Eureka qualify as severely disadvantaged communities. These two communities are located quite near the proposed Offshore Wind Heavy Lift Marine terminal.

EPIC believes the Harbor District's project has the potential to deliver substantial benefits to North Coast communities if it is implemented responsibly and paired with robust environmental safeguards. Potential benefits include:

- Cleanup of contaminated industrial lands;
- Reduction of greenhouse gas emissions through offshore wind development;
- Creation of high-road local jobs and workforce development opportunities;
- Climate resilience investments;
- Community benefit agreements;
- Tribal co-management and stewardship opportunities; and
- Long-term economic diversification in a historically extractive-resource-dependent region.

However, these benefits must be real, measurable, and enforceable. In order to qualify as meaningfully and directly benefitting communities, the CEC should require applicants to demonstrate how projects will avoid causing long-term degradation of environmental resources or quality of life in those same disadvantaged communities. We encourage the CEC to require applicants to incorporate public input into project design to the extent feasible, thus building applicants' capacity to meaningfully engage and benefit the community.

EPIC further encourages the CEC to prioritize projects that incorporate:

- Meaningful Tribal participation including comanagement and costewardship;
- Community-led engagement processes;



- Public transparency and environmental monitoring;
- Strong labor and workforce standards;
- Commitments to avoiding disproportionate impacts on vulnerable populations.

V. Conclusion

California's offshore wind industry buildout presents a historic opportunity to pair climate action with environmental restoration and community investment. The State should seize this opportunity by ensuring that POPD funds support not only industrial development, but also the long-term health of Humboldt Bay's ecosystems and communities. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Simmons', with a long horizontal flourish extending to the right.

Matt Simmons, Climate Attorney
Environmental Protection Information Center (EPIC)
145 G Street, Suite A
Arcata, CA 95521