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**EPIC & Humboldt Waterkeeper Response to Offshore Wind  
Waterfront Facility Improvement Program Workshop & Grant  
Program Design**

*Additional submitted attachment is included below.*



Comments submitted at  
<https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=23-MISC-01>

November 30, 2023

Eli Harland  
California Energy Commission

Re: EPIC & Humboldt Waterkeeper Response to Offshore Wind Waterfront Facility  
Improvement Program Workshop & Grant Program Design

Dear Mr. Harland,

## I. Introduction

The Environmental Protection Information Center (EPIC) was founded in 1977. EPIC advocates for the science-based protection and restoration of Northwest California's ecosystems with an integrated approach combining public education, citizen advocacy, and strategic litigation. We work on behalf of over 18,000 supporters located predominantly in Northwest California.

Humboldt Waterkeeper was founded in 2004 to safeguard coastal resources for the health, enjoyment, and economic strength of the Humboldt Bay community through education, scientific research, and enforcement of laws to fight pollution. Humboldt Waterkeeper is a member of the California Coastkeeper Alliance and the international Waterkeeper Alliance.

EPIC and Humboldt Waterkeeper support the goal of responsible development of a Heavy Lift Terminal in Humboldt Bay for the purposes of supporting a future floating offshore wind industry. We view floating offshore wind as a necessary component of California's low carbon energy future and that redevelopment of former industrial waterfront facilities around Humboldt Bay will be necessary to make that future a reality.

However, we also believe that not all development is environmentally or socially responsible and that safeguards must be in place to protect Humboldt Bay's ecosystems and communities. This is particularly true given the historic track record of large scale port developments throughout the State and country, as well as the track record of large-scale development and natural resource extraction in our region. We see offshore wind as an opportunity for the State to correct for past mistakes and develop the port in an environmentally and socially responsible way. This will mean avoiding environmental impacts to the fullest extent possible, remediating legacy contamination, meaningful and effective tribal consultation, and robust engagement with port-side communities, adhering to strong environmental justice principles.

## II. Priorities for Grant Funding

EPIC and Humboldt Waterkeeper believe the following categories of grant funding are essential to ensuring that port development related to offshore wind is done in an environmentally and socially responsible manner.

A. Funding to develop strategies to address environmental impacts of port development

Port development in Humboldt Bay will have significant environmental impacts. Humboldt Bay's historic port infrastructure comes nowhere close to the amount of infrastructure necessary to support floating offshore wind development. When thinking about new impacts from offshore wind terminal development, it is important to keep Humboldt Bay's relatively low level of current industrial activity in mind.

Before any construction can begin, contamination from past industrial activities located at sites proposed for offshore wind terminal development will need to be fully assessed and remediated to protect ecosystems and communities located within the Humboldt Bay region.

Site preparation will then be necessary to accommodate sea level rise for the life of the proposed project, since the site is currently vulnerable to rising sea level and groundwater in the foreseeable future. This will likely entail importing clean fill to raise the site elevation, along with compaction to prevent soil liquefaction in the event of a large seismic event.

Humboldt Bay is not a natural deep-water port and current port activities require the Army Corp of Engineers to dredge 1.5 million cubic yards of sediment from the entrance and navigational channels every year. Supporting an offshore wind terminal and industry is anticipated to require new dredging adjacent to the Heavy Lift Terminal site as well as wet storage areas near Tuluwat Island, which is likely to produce considerable impacts to the vast eelgrass meadows, water quality, birds and marine mammals, fish and shellfish, tribal cultural resources, commercial oyster and seaweed industries, commercial and recreational fishing, water-based recreation, and other beneficial uses of Humboldt Bay. It is also likely to increase shoreline erosion, which has increased since the Army Corps of Engineers' deepening project doubled annual dredging volumes beginning in 2000. Given these challenges, it is important for the CEC to fund grants to develop strategies to address and fully mitigate these environmental impacts.

B. Funding for ports to hire environmental experts

The first step in addressing environmental impacts related to offshore wind terminal development is identifying them. The Humboldt Bay Harbor, Recreation, and Conservation District ("District") currently lacks sufficient staff with expertise in environmental science, water quality, biology, fisheries, geology, etc. to adequately assess the environmental impacts of offshore wind terminal development. Employing scientists and giving them the resources they need to conduct research is the first step in identifying and mitigating the environmental impacts of these projects. Without taking this step, the District will not be able to gather enough information to adequately conduct environmental analysis.

For that reason, we strongly urge you to fund grants for ports and port operators (including the Humboldt Bay Harbor District) to hire experienced environmental analysts.

C. Funding to support green manufacturing and materials shipping related to offshore wind

The demand for floating offshore wind development off of California's coast is driven by the need to fight climate change by developing low carbon forms of electricity. Given that underlying purpose, a goal with offshore wind development should be to make the entire supply chain as low carbon as possible. Manufacturing, constructing, and installing floating offshore wind turbines will certainly require some carbon emissions. However, new and developing technologies can potentially dramatically decrease those emissions and thus the carbon footprint of the entire floating offshore wind sector.

Similarly, shipping materials also currently produces considerable carbon emissions. Funding should be provided to support green materials shipping related to the offshore wind supply chain. For these reasons, we support funding to support green manufacturing at all stages of the offshore wind supply chain and green shipping.

D. Funding to support zero emissions ports

Likewise, we support funding to support zero emissions port development. This issue is particularly important for our organizations because port related emissions could dramatically impact Humboldt Bay ecosystems and communities, including construction, operations, and maintenance workers. Instead of repeating the mistakes of the past and burdening these ecosystems and communities with disparate, port-related emissions and increased risks of fuel spills, offshore wind terminal development is an opportunity to develop state of the art, green ports that are environmentally friendly and healthy for port communities.

E. Funding for ports to develop strategies to combat the epidemic of Missing and Murdered Indigenous People (MMIP) in coordination with impacted Tribes

The epidemic of Missing and Murdered Indigenous People (MMIP) is currently devastating Native American communities throughout the country. A 2016 study by the National Institute of Justice (NIJ) found that more than four in five American Indian and Alaska Native women (84.3 percent) have experienced violence in their lifetime, including 56.1 percent who have experienced sexual violence.<sup>1</sup> Research has shown that large scale development projects, such

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<sup>1</sup> Rosay, André B., Violence Against American Indian and Alaska Native Women and Men: 2010 Findings from the National Intimate Partner and Sexual Violence Survey (pdf, 82 pages). Washington, D.C.: U.S. Department of Justice, National Institute of Justice, 2016, NCJ 249736.

as oil pipelines, are positively correlated with increased incidents of MMIP.<sup>2</sup> This is the result of large numbers of out-of-area men moving into an area. Local tribes in the Humboldt Bay region have expressed serious concerns regarding what redevelopment of Humboldt Bay could mean for MMIP. Humboldt is already an epicenter of the epidemic and we need to ensure that this development does not worsen the situation.

Fortunately, the Yurok Tribe has prepared a report detailing strategies to prevent MMIP.<sup>3</sup> We strongly recommend that the CEC provide funding to ports to work with local Tribes to implement these strategies and develop additional ones.

#### F. Agency Coordination

Any funding for mitigating impacts to eelgrass, wetlands, listed species, and other mitigation that requires state and federal agency approval should incorporate input from these agencies prior to awarding funding. This should include close coordination with the California Coastal Commission, California Department of Fish & Wildlife, North Coast Regional Water Quality Control Board, State Lands Commission, U.S. EPA, Fish & Wildlife Service, NOAA-Fisheries, and Army Corps of Engineers, among others. Too often projects are awarded funding and/or permit approval without adequate consultation with trustee and responsible agencies, resulting in unnecessary and frustrating delays and duplicative efforts that could be avoided with better coordination.

#### III. Conclusion

EPIC and Humboldt Waterkeeper generally support the goals of responsible development of a Heavy Lift Terminal in Humboldt Bay for the purposes of supporting a future floating offshore wind industry. However, we know that successful and responsible port development will require investments in many areas of science, technology, and societal protection. For these reasons, we strongly encourage the CEC to provide ports with grants in the above referenced areas.

Thank you for the opportunity to comment on this important program.

Sincerely,

Matt Simmons, Climate Attorney  
Environmental Protection Information Center  
matt@wildcalifornia.org

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<sup>2</sup> Julia Stern, Pipeline of Violence: The Oil Industry and Missing and Murdered Indigenous Women, May 28, 2021, available at <https://lawblogs.uc.edu/ihr/r/2021/05/28/pipeline-of-violence-the-oil-industry-and-missing-and-murdered-indigenous-women/>.

<sup>3</sup> Katherine Katcher & Chief Judge Abby Abinanti, How to Protect Native Women, Girls, and People in Humboldt & Del Norte County as Offshore Wind Enters the Region: MMIP Prevention Planning and Recommendations, June 21, 2023, available at <https://shorturl.at/jorv1>

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