



STATE OF CALIFORNIA

GRANT REQUEST FORM (GRF)

CEC-270 (Revised 12/2019)

CALIFORNIA ENERGY COMMISSION

A) New Agreement # OSW-21-001 (to be completed by CGL office)

B) Division	Agreement Manager:	MS-	Phone
Siting, Transmission, and Environmental Division	Rhetta DeMesa		916-628-1640

C) Recipient's Legal Name	Federal ID #
Humboldt Bay Harbor, Recreation and Conservation District	94-2262845

D) Title of Project
Humboldt Bay Offshore Wind and Heavy Lift Marine Terminal

E) Term and Amount

Start Date	End Date	Amount
4 / 1 / 2022	3 / 30 / 2026	\$ 10,450,000

F) Business Meeting Information

☐ ARFVTP agreements \$75K and under delegated to Executive Director

Proposed Business Meeting Date 03 / 09 / 2022 ☐ Consent ☒ Discussion

Business Meeting Presenter Rhetta deMesa Time Needed: 5 minutes

Please select one list serve. offshoreenergy - Offshore Renewable Energy

Agenda Item Subject and Description:

Proposed resolution approving Agreement OSW-21-001 with the HBHRCD for an up to \$10,450,000 grant to support infrastructure improvements at the Port of Humboldt, approving authority for the grant's scope of work Tasks 1 through 9, and adopting staff's determination that Tasks 1 through 9 are exempt from CEQA. After the appropriate work in Tasks 1 through 9 is complete, the CEC will consider approving Task 10 at a future business meeting. Grant funds will support repurposing the Redwood Marine Terminal to support offshore wind energy development in the North Coast region. The CEC's funding will primarily support preliminary environmental and design work. (General Fund Funding) Contact: Rhetta DeMesa (Staff Presentation: 5 minutes)

G) California Environmental Quality Act (CEQA) Compliance

1. Is Agreement considered a "Project" under CEQA?

☒ Yes (skip to question 2) ☐ No (complete the following (PRC 21065 and 14 CCR 15378)):

Explain why Agreement is not considered a "Project":

Agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because .

2. If Agreement is considered a "Project" under CEQA:

a) ☐ Agreement **IS** exempt.

☐ Statutory Exemption. List PRC and/or CCR section number:

☒ Categorical Exemption. List CCR section number: 14 CCR § 15306

☐ Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why Agreement is exempt under the above section:

b) ☐ Agreement **IS NOT** exempt. (consult with the legal office to determine next steps)



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Check all that apply

- ☐ Initial Study
- ☐ Negative Declaration
- ☐ Mitigated Negative Declaration
- ☐ Environmental Impact Report
- ☐ Statement of Overriding Considerations

H) List all subcontractors (major and minor) and equipment vendors: (attach additional sheets as necessary)

Legal Company Name:	Budget
TBD, conduct planning studies, field investigations, engineering and design work, and preparing CEQA/NEPA documents.	\$ 10,450,000
	\$ 0.00

I) List all key partners: (attach additional sheets as necessary)

Legal Company Name:

J) Budget Information

Funding Source	Funding Year of Appropriation	Budget List Number	Amount
General Fund	2021-2022	700-128HP	\$10,450,000
Funding Source			\$
Funding Source			\$
Funding Source			\$
Funding Source			\$

R&D Program Area: N/A TOTAL: N/A

Explanation for "Other" selection

Reimbursement Contract #:

Federal Agreement #:

K) Recipient's Contact Information**1. Recipient's Administrator/Officer**

Name: Larry Oetker

Address: PO Box 1030

City, State, Zip: Eureka, California, 95501-0765

Phone: 707-443-0801

E-Mail: loetker@humboldtbay.org

2. Recipient's Project Manager

Name: Larry Oetker

Address: PO Box 1030

City, State, Zip: Eureka, California, 95501-0765

Phone: 707-443-0801

E-Mail: loetker@humboldtbay.org

L) Selection Process Used



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☐ Competitive Solicitation Solicitation #: - -

☐ First Come First Served Solicitation Solicitation #: - -

Other: Funds were directly allocated from the General Fund in the 2021-2022 Budget.

M) The following items should be attached to this GRF

- | | | |
|---|-------------------------------------|-----------------------------------|
| 1. Exhibit A, Scope of Work | <input checked="" type="checkbox"/> | Attached |
| 2. Exhibit B, Budget Detail | <input checked="" type="checkbox"/> | Attached |
| 3. CEC 105, Questionnaire for Identifying Conflicts | <input checked="" type="checkbox"/> | Attached |
| 4. Recipient Resolution | <input type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 5. CEQA Documentation | <input type="checkbox"/> N/A | <input type="checkbox"/> Attached |

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

Exhibit A SCOPE OF WORK

TASK LIST

	Task #	Task Name
Phase 1	1	Agreement Management
	2	Overall Project Management
	3	Project Work Plan
	4	Development Project Concept Refinement
	5	Master Project Description and Preliminary Engineering
Phase 2	6	Special Studies and Site Surveys
	7	CEQA and NEPA
	8	Permits, Consultations, and Approvals
	9	Engineering and Design of Dock Facility and Eel Grass Mitigation
	10	Implementation of Dock Facility and Eel Grass Mitigation

ACRONYMS/GLOSSARY

Specific acronyms and terms used throughout this scope of work are defined as follows:

Acronym/Term	Definition
CAM	Commission Agreement Manager
CEQA	California Environmental Quality Act
PM	Recipient Project Manager
BOEM	Bureau of Ocean Energy Management
HBHRCD	Humboldt Bay Harbor, Recreation, and Conservation District
NEPA	National Environmental Policy Act

BACKGROUND/PROBLEM STATEMENT

The federal government announced in May 2021 a goal to deploy 30 gigawatts (GW) of offshore wind in the United States by 2030. California Assembly Bill 525 directs state agencies to develop a strategic plan and to set statewide goals for maximum feasible offshore wind production by 2030 and 2045. Further, United States Bureau of Ocean Energy Management (BOEM) has initiated the formal process to lease sites off Morro Bay and the Port of Humboldt Bay as ideal for wind energy development, and the federal and state governments have agreed that BOEM will move forward with lease sales for the sites in 2022. These production goals and lease agreements will drive industry development, including the development of port infrastructure that is purpose-built to support the deployment of offshore wind projects in the Pacific Ocean.

BOEM announced their intention to issue floating offshore wind energy leases of approximately 1.6 gigawatts (GW) off the North Coast of California, approximately 30 miles offshore of Humboldt Bay. Services required to support the offshore wind energy industry generally include an offshore wind turbine fabrication and assembly facility, deployment port, and maintenance site. The components and final assembled floating offshore wind devices are very large structures that depend heavily upon the adequacy of the port infrastructure, which must support a range of activities, including but not limited to: vessel delivery and offload or fabrication of the wind turbine components, storage of the components, delivery or fabrication and float-off of the floating substructure, assembly of the wind turbine generator components on the substructure, and tow-out of the fully erect assembled devices (up to 500 feet tall).

According to the Port Infrastructure Assessment Report (Port Report) prepared by The Mott MacDonald Group and published by the Schatz Energy Research Center in December 2020, Humboldt Bay is California's northernmost deep-water shipping port and is the only North Coast port potentially able to support floating offshore wind farms in the North Coast region. Unlike the San Francisco Bay, for example, the Port has no overhead barriers such as power lines or bridges. Additionally, the Port's existing 38-foot deep federally maintained "Samoa" navigation channel and 48-foot deep "bar and entrance" channels can accommodate large marine vessels and meet the needs of the offshore wind industry.

The Samoa Peninsula, on the western side of the Humboldt Bay, has hundreds of acres of underutilized coastal-dependent industrial lands. These coastal-dependent industrial lands, including the existing dock, were developed as pulp and lumber mills to serve the timber/forest product industries and have been largely underutilized in recent years due to the need for significant modernization to adapt to sea level rise, tsunamis, and new modern industries such as the offshore wind industry. The Port Report (2020) identified the Redwood Marine Terminal areas I and II as the preferred locations for an offshore wind energy support terminal. However, these terminals, including the existing wood piling dock that is now past its useful life, require significant investments to meet the needs of modern industries, including offshore wind energy.

GOALS OF THE AGREEMENT

The goal of this agreement is to support upgrades at the Port of Humboldt Bay which are necessary to support offshore wind development on the North Coast. The Humboldt Bay Harbor, Recreation, and Conservation District (District) has initiated environmental and engineering work but has identified a need for additional resources to complete this work. In addition to environmental work, the District has prepared an application for \$56 million in federal funding from the Department of Transportation, which is part of the Biden Administration's move to support offshore wind deployment. This federal funding opportunity includes a 20 percent match requirement.

This agreement will 1) provide necessary resources to complete additional environmental and engineering work, and 2) make funding available towards the District's match requirement.

FORMAT/REPORTING REQUIREMENTS

Deliverables/Reports

The CAM shall dictate the format and reporting requirements for invoicing, funding drawdowns, quarterly reports, and final reports. The District Project Manager will coordinate with the CAM to determine the appropriate format for other reports and project deliverables.

Electronic File Format

The Recipient shall deliver an electronic copy (CD ROM or memory stick or as otherwise specified by the CAM) of the full text in a compatible version of Microsoft Word (.doc) or Adobe Acrobat (.pdf).

The following describes the accepted formats of electronic data and documents provided to the Energy Commission as contract deliverables and establishes the computer platforms, operating systems and software versions that will be required to review and approve all software deliverables.

- Data sets shall be in Microsoft (MS) Access or MS Excel file format.
- PC-based text documents shall be in MS Word file format.
- Documents intended for public distribution shall be in PDF file format, with the native file format provided as well.
- Project management documents shall be in MS Project file format.

Software Application Development

If this scope of work includes any software application development, including but not limited to databases, websites, models, or modeling tools, recipient shall utilize the following standard Application Architecture components in compatible versions:

- Microsoft ASP.NET framework (version 3.5 and up) Recommend 4.0
- Microsoft Internet Information Services (IIS), (version 6 and up) Recommend 7.5
- Visual Studio.NET (version 2008 and up) Recommend 2010
- C# Programming Language with Presentation (UI), Business Object and Data Layers
- SQL (Structured Query Language)
- Microsoft SQL Server 2008, Stored Procedures Recommend 2008 R2
- Microsoft SQL Reporting Services Recommend 2008 R2
- XML (external interfaces)

Any exceptions to the Software Application Development requirements above must be approved in writing by the Energy Commission Information Technology Services Branch.

This Agreement is divided into 2 funding phases called Phase 1 and Phase 2. In addition, Phase 2 has two parts based on Pre- and Post- CEQA and, as applicable, NEPA approvals.

Phase 1

Upon execution of this Agreement, Recipient only has authority to receive up to \$782,532 in CEC funds and can only perform Technical Tasks 2-5 and Task 1 activities to support these technical tasks.

Phase 2A. Pre-CEQA and, as applicable, NEPA Approval

Only upon written approval of the CAM does the Recipient have the authority to perform Technical Tasks 6-9, and Task 1 activities to support these technical tasks, and to receive the funds to perform said tasks, up to the budgeted amounts associated thereto.

Phase 2B. Post-CEQA and, as applicable, NEPA Approval

Only upon further approval of the CEC at a business meeting after considering CEQA, and if applicable, only after the federal government has approved after considering NEPA, does the Recipient have the authority to perform Technical Task 10 and Task 1 activities to support it, and to receive the funds to perform said tasks, up to the budgeted amounts associated thereto.

PHASE 1

TASK 1- AGREEMENT MANAGEMENT

Task 1.1 Kick-off Meeting

The goal of this task is to establish the lines of communication and procedures for implementing this Agreement.

The Recipient shall:

- Attend a “kick-off” meeting with the CAM, the Contracts Officer, and a representative of the Accounting Office. The meeting will be held via Web-Ex or teleconference or in-person. The Recipient shall include their Project Manager, Contracts Administrator, Accounting Officer, and others designated by the CAM in this meeting. The administrative and technical aspects of this Agreement will be discussed at the meeting.
- If necessary, prepare an updated Schedule of Deliverables based on the decisions made in the kick-off meeting.

The CAM shall:

- Arrange the meeting including scheduling the date and time.
- Provide an agenda to all potential meeting participants prior to the kick-off meeting.

Deliverables:

- An Updated Schedule of Deliverables (if applicable)

Task 1.2 Invoices

The Recipient shall:

- Prepare invoices for all reimbursable expenses incurred performing work under this Agreement in compliance with the Exhibit B of the Terms and Conditions of the Agreement. Invoices shall be submitted with the same frequency as progress reports (task 1.4). Invoices must be submitted to the Energy Commission’s Accounting Office.

Deliverables:

- Invoices

Task 1.3 Manage Subcontractors

The goal of this task is to ensure quality products, to enforce subcontractor Agreement provisions, and in the event of failure of the subcontractor to satisfactorily perform services, recommend solution to resolve the problem.

The Recipient shall:

- Manage and coordinate subcontractor activities. The Recipient is responsible for the quality of all subcontractor work.

Task 1.4 Progress Reports

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of this Agreement.

The Recipient shall:

- Prepare progress reports which summarize all Agreement activities conducted by the Recipient for the reporting period, including an assessment of the ability to complete the Agreement within the current budget and any anticipated cost overruns. Each progress report is due within 15 calendar days after the end of the reporting period. The CAM will provide the format for the progress reports.

Deliverables:

- Quarterly Progress Reports

Subtask 1.5 State Agency Coordination Committee (SACC)

The goal of this subtask is to create a state agency coordination committee (SACC) for this Agreement. The SACC will be comprised of representatives from various state agencies who have an interest in following and/or engaging in this project. The purpose of establishing the SACC is for state agencies to receive regular updates on the project and to provide guidance on project direction where appropriate. At the kick-off meeting, the CAM and the Recipient will work to identify appropriate SACC members and establish the frequency and/or identify key project milestones for SACC meetings.

Deliverables:

- Draft and Final meeting materials including but not limited to agendas, presentations, and list of attendees.

Task 1.6 Final Report

The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work completed under this Agreement. The Final Report shall be prepared in language easily understood by the public or layperson with a limited technical background.

The Final Report must be completed before the termination date of the Agreement in accordance with the Schedule of Deliverables.

The Final Report shall be a public document. If the Recipient has obtained confidential status from the Energy Commission and will be preparing both a public and a confidential version of the Final Report, the Recipient shall perform the following subtasks for both the public and confidential versions of the Final Report.

Task 1.6.1 Final Report Outline

The Recipient shall:

- Prepare and submit a draft outline of the Final Report for review and approval. The CAM will provide written comments to the Recipient on the draft outline. The Recipient shall review the comments and discuss any issues with the recommended changes with the CAM.

- Prepare and submit the final outline of the Final Report, incorporating CAM comments.

Deliverables:

- Outline of the Final Report

Task 1.6.2 Final Report

The Recipient shall:

- Prepare the draft Final Report for this Agreement in accordance with the approved outline.
- Submit the draft Final Report for review and comment. The CAM will provide written comments to the Recipient. The Recipient shall review the comments and discuss any issues with the recommended changes with the CAM.
- Prepare and submit the Final Report, incorporating CAM comments.

Deliverables:

- Draft Final Report
- Final Report

TECHNICAL TASKS

TASK 2 – OVERALL PROJECT MANAGEMENT

The goal of this task is to ensure consistent and timely communications between the District Project Manager, and other project team members, maintain the project schedule, and track and adjust the project budget.

The Recipient Shall:

- Establish a District Project Manager (PM) or Project Management team to serve as the primary point of contact in all communications with responsible agencies, cooperating agencies, regulatory agencies, and other stakeholders as designated by staff. The District PM will consult, communicate, and meet with District staff as often as necessary to verify, refine, and complete the project requirements and review the progress of the project. District PM will initiate consultation with responsible agencies and other local, state, and federal agencies.

Deliverable:

- Project Status Reports in Quarterly Grant Reporting

Task 3 -- DEVELOP A PROJECT WORK PLAN

The goal of this task is to develop a detailed workplan that will at a minimum include project scope, timeline, and assumptions.

The Recipient Shall:

- Select a consultant to support project planning, permitting, and preliminary design work. The District has developed and advertised a Request for Qualifications (RFQ) to solicit consultant expertise to support the project planning, permitting, and preliminary design

process which is the basis for this grant scope of work. The RFQ has asked the prospective consultants to submit a proposal which outlines the approach that the consultants would take to accomplish the tasks and objectives of the RFQ. Using the process outlined in the RFQ, the District will select the consultant to prepare all the tasks outlined in this scope of work except the grant management, road construction and mitigation components.

The proposal and subsequent contract with the selected RFQ consultant will serve as the Initial Detailed Work Plan, and will include project scope, timeline, and assumptions,

- If desired by the California Energy Commission (CEC), conduct a coordination meeting between CEC, District, and other interested state agencies to present the Initial Work Plan. This would likely to consist of a one-hour to half-day workshop to establish communication protocols and refine the Initial Work Plan. This meeting could be independent or concurrently with the kick-off meeting with the State's Interagency Permit Streamlining Working Group.
- Based on input received in the coordination meeting, a revised Work Plan will be prepared. Overall workplan development will be a public process, completed by public agencies and with a great deal of public participation. As such, the Work Plan and project schedule will be a flexible document and will likely be amended several times as needed throughout the life of the project by the District.

Deliverables:

- Detailed Work Plan
- Updated Detailed Work Plan as amended over course of project, submitted with quarterly reporting as necessary

TASK 4 – PRELIMINARY PROJECT DESCRIPTION

The goal of this task is to refine the current project concept as needed into a preliminary project description. The project description will reflect the current project status and proposed configuration, layout, components, and site constraints.

The Recipient Shall:

- Produce a Preliminary Project Description (PD) to guide the early stages of regulatory permits, California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) documentation, and associated preliminary engineering.
- Produce illustrative site concepts, basic site layout diagrams, and preliminary photo-realistic visual simulations. The refined concepts/diagrams/simulations may be used in subsequent tasks, such as in the Master Project Description. The refined concepts/diagrams will also be utilized by the Recipient for several other purposes, including: marketing and recruitment of offshore wind industry tenants, initial communication with regulatory and cooperating agencies, preliminary identification of required permits and permit requirements, presentations to stakeholders, press releases to local media, public engagement, etc.

- Lead communications with potential offshore wind industry tenants, regulatory agencies, stakeholders, local media, and the general public for input on needed refinements.

Deliverables:

- Preliminary Project Description (PD) and associated illustrations, diagrams, or photo simulations

Task 5 – DEVELOP MASTER PROJECT DESCRIPTION AND PRELIMINARY ENGINEERING

The purpose of this task is to develop a master project description and preliminary engineering design to a level suitable to support project permitting and environmental analysis. As the project permitting and design process is conducted, resource agencies and other regulatory entities are consulted, and site-specific data is generated, the Project Description will be continually refined to reflect the physical, environmental, and regulatory constraints within which the project will be constructed.

The Recipient Shall:

- Prepare a Master Project Description for the Development Project concurrently with the work conducted for the regulatory permits, CEQA, NEPA, and associated preliminary engineering. The Recipient assumes this task will be iterative and that updates to the Master Project Description will be required as the CEQA, NEPA, and permitting processes unfold. This sub-task may require further refinements to the Illustrative Site Concepts and Basic Site Layout Diagrams described in Task 4.
- Produce final photo realistic visual simulations to be used for permitting processes, including public engagement. Final visual simulations may also be utilized for other purposes, including: marketing and recruitment of offshore wind industry tenants, communication with regulatory and cooperating agencies, presentations to stakeholders, press releases to local media, etc.
- Prepare preliminary engineering designs to support a suite of regulatory permits, CEQA, and NEPA. The level of preliminary engineering design required for this purpose is assumed to fall in the range of 10%-30% design plans.

Deliverables:

- Master Project Description for the Development Project including visual simulations
- Preliminary Engineering Designs

PHASE 2A PRE-CEQA AND, AS APPLICABLE PRE-NEPA

Phase 2 work shall not utilize CEC funds until the recipient receives written approval from the CAM. Any Phase 2 work completed prior to receiving written approval shall not be eligible for reimbursement with CEC funds. The District may use non-CEC-funds to conduct Phase 2 work without authorization from the CAM.

TASK 6: CONDUCT SPECIAL STUDIES AND SITE SURVEYS

The purpose of this task is to complete necessary site surveys and studies in support of design engineering and environmental analysis required in advance of the date they are needed to keep the Agreement schedule on track.

The Recipient Shall:

- Develop a list of and prepare all necessary site surveys, special studies, and technical studies, which may include, but are not limited to:
 - Traffic Study, which may include Level of Service (LOS) analysis to be developed in collaboration with appropriate agencies
 - VMT (Vehicle Miles Travelled) Analysis
 - Biological Surveys and Studies – Terrestrial (flora and fauna)
 - Biological Surveys and Studies – Aquatic
 - Biological Surveys and Studies – Additional Species-specific Studies
 - Wetland Surveys and Studies
 - Geology and Geotechnical Suitability Surveys and Studies
 - Greenhouse Gas (GHG) Analysis (CalEEMod)
 - Hydrologic and Stormwater Analysis Surveys and Studies
 - Tsunami Hazard Analysis
 - Sea Level Rise Analyses
 - Noise and Vibration Analysis (construction and operation)
 - Cultural/Archaeological Studies
 - Water Supply Analysis (WSA)
 - Navigation Channel Hydrology
 - Localized widening of the Entrance Channel may be needed to facilitate higher throughput rates (e.g. Large Buildout Scenario) or larger devices (e.g. 300ft+ beam).
 - Dredging to provide sufficient depth for wet-storage areas may be needed, depending on device geometry, throughput targets, and marine terminal capacity.
 - Application of bridge simulation model of Humboldt Bay to refine navigation constraints for device towing in the Entrance Channel and Inner Channel.
 - Completion of a Navigation Safety Risk Assessment and a study to assess changes to in aids to navigation (ATONs) in coordination with the USCG.
 - Wave analysis within the bay to determine suitable locations for a wet anchoring of fully erect platforms in increment weather.
 - Utility Infrastructure Assessment
 - Other studies as determined to be required by local, State, and Federal Regulatory Agencies
 - Topographic survey
 - Hazardous Materials
 - The entire project site is included in the US Environmental Protection Agency (EPA) Brownfields Program and EPA contractors are in the process of completing a Phase I Environmental Site Assessment (ESA) for each property in the project area.
 - The EPA may also complete Phase II sampling and provide other technical assistance e to the District in order to revitalize the property.
 - Interim Measures Work Plan, if required, which may include the following:

- Monitoring and Reporting Program—Evaluates the groundwater monitoring network and determines the extent of the program following redevelopment.
- Construction Storm Water Pollution Prevention Plan—Identifies best management practices, inspection requirements, and responsible parties.
- Sampling and Analysis Plan (SAP)—Describes the soil and debris characterization program to determine disposal and reuse options.
- Soil Gas Monitoring Program—Describes the soil gas monitoring program to comply with Title 27 California Code of Regulations Section 20925 because of the adjacent Samoa Solid Waste Disposal Site.
- Health and Safety Plan—Describes the requirements for the health and safety program for the redevelopment project.
- Demolition Plan—Describes the approach and processes to be implemented by the selected contractor.
- Hazardous Materials Management Plan (HMMP)—Describes the management of lead-based paint, asbestos-containing material, and universal wastes.

The studies and surveys described in this section do not represent an exhaustive list. The Recipient expects to refine this list after securing a consultant team and developing the project work plan. Generally, this list will need to include all efforts required to satisfy all regulatory agencies that will have authority over approving the ultimate buildout of the Development Project.

Deliverables:

- List of necessary site surveys, special studies, and technical studies to be completed.
- Prepared site surveys, special studies, and technical studies to be provided within Task 7 Deliverables.

TASK 7 – Prepare Materials for CEQA and NEPA

The purpose of this task is to prepare materials and take actions needed to satisfy the project environmental review requirements under CEQA and NEPA.

The Recipient Shall:

- Lead the CEQA and NEPA development processes, including the scope items listed below. This scope of work assumes the appropriate level of CEQA analysis will be an EIR and that the appropriate level of NEPA analysis will be an Environmental Assessment (EA). Should an Environmental Impact Statement (EIS) pursuant to NEPA be required for the project, additional actions and studies may be required, along with a Notice of Decision (NOD). The sub-tasks listed below may not represent an exhaustive list. This task will be inclusive of all efforts involved in securing the required NEPA and CEQA approvals needed for the ultimate buildout of the Development Project.
- Prepare the Notice of Preparation (NOP) pursuant to CEQA and Notice of Availability (NOA) pursuant to NEPA, if applicable.

- Circulate the NOP and publish the NOA for the required CEQA/NEPA time periods. At least two (2) public scoping meetings will be coordinated during the public comment period. Additionally, Recipient will host community update meetings and/or project update presentations.
- Organize Responsible Agency meetings as part of the NOP/NOA process to obtain early input and address initial agency concerns. Agencies to be contacted include but are not limited to:
 - California Coastal Commission (CCC)
 - California Department of Fish and Wildlife (CDFW)
 - California Department of Transportation (CalTrans)
 - Regional Water Quality Control Board (RWQCB)
 - State Historic Preservation Office (SHPO)
 - State Water Resources Control Board (SWRCB)
 - US Army Corps of Engineers (ACOE)
 - US Fish and Wildlife Service (USFWS)
 - US Maritime Administration (MARAD)
 - Humboldt Bay Harbor, Recreation, and Conservation District (HBHRCD) (a Responsible Agency under NEPA)
 - Others
- Engage with the state's interagency offshore wind environmental analysis process and stakeholder outreach as appropriate. The State of California has committed to conducting interagency offshore wind environmental analyses in support of the proposed offshore lease area and has allocated funding to the Ocean Protection Council (OPC), CCC, and CDFW. The CEC will also lead a community outreach, engagement, and technical analysis process intended to engage with all stakeholders frequently.
- Prepare a Notice of Determination under CEQA and a Finding of No Significant Impact (FONSI) or Notice of Decision under NEPA, as applicable.
- Prepare Draft Chapters of the EIR/EA. The chapters to be required may include but are not limited to:
 - Aesthetics
 - Air Quality
 - Biological Resources (terrestrial and aquatic)
 - Cultural Resources
 - Energy
 - Environmental Justice
 - Geology and Soils
 - Greenhouse Gas Emissions
 - Hazards and Hazardous Materials
 - Hydrology and Water Quality
 - Land Use and Planning
 - Noise
 - Population and Housing
 - Public Services
 - Recreation
 - Transportation
 - Tribal Cultural Resources
 - Utilities and Service Systems

- Wildfire
- Mandatory Findings of Significance
- Circulate for public review the Draft EIR and EA for the appropriate timeframes and solicit public comment. At least one additional public meeting shall be held during the circulation period to solicit public comments on the documents.
- Prepare an Administrative Draft Final EIR/EA in the form of response to comments/errata addendum to the Draft EIR/EA, following the close of the comment periods
- Prepare the Final EIR/EA which will include at a minimum, the following:
 - A list of all persons, organizations, and public agencies commenting;
 - The Draft EIR/EA; and copies of all written comments received on the Draft EIR;
 - Responses to all environmental issues raised in the review process, including revisions to the Draft EIR based on responses.
- Publish all Final documents in accordance with CEQA and NEPA timelines.
- Lead the Public Hearing preparation process, developing necessary presentations, statements, and documents, including necessary noticing.

Deliverables:

- Draft EIR/EA
- Final EIR/EA

TASK 8 – PERMITS, CONSULTATIONS, AND APPROVALS

The purpose of this task is to obtain all necessary permits, consultations, and approvals through a variety of State and Federal resource and regulatory agencies.

The Recipient Shall:

- Develop and submit permit applications, initiate and conduct resource agency consultations, and secure necessary approvals pursuant to the regulations listed below, including, but not limited to:
 - Army Corps of Engineers (ACOE) Section 10/404 of the Clean Water Act (CWA)
 - ACOE Section 408
 - USFWS Biological Opinion
 - Section 106 of the National Historic Preservation Act
 - Coastal Zone Management Act (CZMA) Concurrence
 - Federal Aviation Administration (FAA) Obstruction Evaluation
 - Private Aids to Navigation (PATON)
 - Marine Mammal Protection Act
 - Migratory Bird Treaty Act
 - Bald/Golden Eagle Protection Act
 - Section 401 Water Quality Certification
 - 1602 Streambed Alteration Agreement
 - Incidental Take Permit

- Coastal Development Permit
 - HBHRCD Development Permit
 - Stormwater Pollution Prevention Plan and Water Quality Management Plan
 - California Air Resources Board Operating Permit
 - Others to be determined by the Recipient during the project development process.
- Develop and maintain a list of necessary permits including type, permitting jurisdictions or lead agencies, and schedule for applying for and obtaining these permits

Deliverables:

- List of Necessary Permits (include updated list with quarterly progress reports as needed)
- Permit Application Materials and Documentation of Final Decision by Permitting Agency
- Copies of approved permits submitted to CAM, if requested

TASK 9: ENGINEERING AND DESIGN OF DOCK FACILITY AND EEL GRASS MITIGATION

The purpose of this task is to complete the final design of the initial 400 linear foot (lf) dock facility.

The Recipient Shall:

- Develop and complete final designs for the new 400 linear foot dock facility and the initial project road access improvements and eel grass mitigation area.
- Complete bid documents and specifications for the access road improvements and eel grass mitigation

Deliverables

- Final Design Plans for the 400 linear foot Dock Facility
- Construction Plans and Bid Documents for access road and eel grass mitigation area

PHASE 2B POST-CEQA AND, AS APPLICABLE POST-NEPA

Only upon further approval of the CEC at a business meeting after considering CEQA, and if applicable, only after the federal government has approved after considering NEPA, does the Recipient have the authority to perform Technical Task 10 and Task 1 activities to support it, and to receive the funds to perform said tasks, up to the budgeted amounts associated thereto .

TASK 10: IMPLEMENTATION OF DOCK FACILITY AND EEL GRASS MITIGATION

The purpose of this task is to implement specific components of the dock project's early phases including the access road improvements and to initiate mitigation efforts for eel grass impacts.

The Recipient Shall:

- Implement early phases of the dock project including reconstructing and realigning truck access road at the intersection of Vance Avenue and Cookhouse Road including pavement improvements, widening, striping, drainage, fencing, gates, and necessary infrastructure including wet and dry utilities
- Implement mitigation for impacts to existing eel grass, at ratios to be determined in consultation with the relevant agencies as determined under Tasks 6-8.
- Manage the implementation and construction of access road and mitigation improvements

Deliverables:

- Site photos depicting completed access road suitable for heavy freight traffic and eel grass mitigation area

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION
DISTRICT (HBHRCD).**

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement OSW-21-001 with the HBHRCD for an up to \$10,450,000 grant to support infrastructure improvements at the Port of Humboldt, approving authority for the grant's scope of work Tasks 1 through 9. After the appropriate work in Tasks 1 through 9 is complete, the CEC will consider approving Task 10 at a future business meeting. Grant funds will support repurposing the Redwood Marine Terminal to support offshore wind energy development in the North Coast region. The CEC's funding will primarily support preliminary environmental and design work; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on March 9, 2022.

AYE:

NAY:

ABSENT:

ABSTAIN:

Liza Lopez
Secretariat