

Staff Report 68

PARTIES

The City of Long Beach, acting by and through the Port of Long Beach (Port)

The Humboldt Bay Harbor, Recreation, and Conservation District (Harbor District)

The State of California, acting by and through the California State Lands Commission (Commission)

PROPOSED ACTION

Consideration of a Memorandum of Understanding (MOU) between the Port of Long Beach, the Humboldt Bay Harbor, Recreation, and Conservation District, and the California State Lands Commission to create a communication and collaboration framework to facilitate the development of vital port infrastructure for staging and integration sites crucial for assembling offshore wind turbines.

BACKGROUND

Offshore wind energy is a key component of California's transition to renewable energy and to achieve its carbon neutrality goals. [AB 525 \(Chiu, Chapter 231, statutes of 2021\)](#) directed the California Energy Commission to develop a strategic plan for offshore wind energy development off the California coast in federal waters. The [Strategic Plan](#) established a goal of installing between two and five gigawatts of offshore wind by 2030 and 25 gigawatts by 2045—enough to power 3.75 million homes in the short term and 25 million homes by 2050. It also estimates that an \$11 billion to \$12 billion investment is required to build out ports to support offshore wind energy development.

In June 2023, the federal Bureau of Ocean Energy Management awarded five offshore wind energy leases in federal waters offshore California, two in Northern California and three in Central California.

The Port and Harbor District are at the forefront of efforts to support offshore wind energy off the California coast for several reasons; chief among them is that they can accommodate staging and integration sites that are critical to offshore wind energy development. The AB 525 Strategic Plan defines a staging and integration site as a site to receive, stage, and store offshore wind components and assemble floating turbines to tow to an offshore wind area. It also identifies staging and integration sites as the most critical port infrastructure required to enable the development of offshore wind energy off the California coast. Offshore wind development is not possible without staging and integration sites.

The Port has proposed the development of a 400-acre staging and integration terminal, known as Pier Wind, to assemble and deploy floating offshore wind turbines. According to the Port, Pier Wind would allow for the staging, storage, and assembly of some of the world's largest offshore wind turbines, standing as tall as the Eiffel Tower. The turbines would be towed to sea from the Port to wind lease areas off the Central and Northern California coast. Earlier this year, the Governor signed [legislation](#) that authorizes the City of Long Beach to procure contracts and use alternative delivery methods to build the Pier Wind Project. The Port has begun the environmental review process for this project and has been conducting public outreach and engagement.

The Harbor District has proposed a 180-acre heavy lift marine terminal project to support offshore wind energy development. The staging and integration terminal is expected to be capable of handling large heavy cargo vessels, offshore wind floating platform development, and other activities. In January 2024, the U.S. Department of Transportation granted \$426 million to the Harbor District to construct the terminal project. This followed \$8.7 million and \$10.5 million grants from the Department of Transportation and California Energy Commission, respectively, to collectively support engineering and design work, site surveys, environmental impact document preparation, and other purposes. The Harbor District has begun the environmental review process for this project and has been conducting public outreach and engagement.

The Commission is the California Environmental Quality Act (CEQA) lead agency for offshore wind energy projects and has been a key state agency involved in the role of ports in offshore wind energy development. The Commission was a major

contributor to the AB 525 Strategic Plan and published three reports that informed it, including the “[Alternative Port Assessment to Support Offshore Wind Final Assessment Report](#),” the “[Port Readiness Plan](#),” and the “[Workforce Development Readiness Plan](#)”. The Harbor District Heavy Lift Terminal Project is located partly on legislatively granted tide and submerged lands under the Commission’s residual oversight authority. The Port’s Pier Wind Project is on legislatively granted tide and submerged lands also under the Commission’s residual oversight authority.

A lot needs to happen to facilitate offshore wind energy development off the California coast. It will take funding, collaboration, partnerships, and meaningful community engagement. It will also take a commitment to uplifting tribal governments and historically underserved communities. Commission staff has worked with the Port and Harbor District this past year to develop an MOU that encapsulates these goals. The MOU memorializes the importance of staging and integration sites for the successful development of offshore wind energy in California as part of its transition away from fossil fuels. The MOU also accounts for the foundational elements necessary to develop staging and integration sites at the Port and Harbor District—the environment, equity, public engagement, and the economy. It is an opportunity for the Commission, Port, and Harbor District to harness their leadership and commitment to responsibly, equitably, and sustainably develop staging and integration sites in California.

MEMORANDUM OF UNDERSTANDING

The MOU formalizes a collective vision and shared commitment to support offshore wind energy development off the California coast through collaboration, communication, and coordination. Its purpose is to confirm the intent of the Commission, Port, and Harbor District to support the responsible, equitable, and sustainable development of port infrastructure to support offshore wind energy to advance climate goals, improve public health, increase energy independence, advance energy equity, and support a clean energy economy. Key elements of the MOU are as follows:

- Emphasize that the Port and Harbor District are uniquely suited to provide the necessary staging and integration sites to assist California in meeting its offshore wind energy production goal.
- Memorialize that the responsible development of staging and integration sites at the Port and Harbor District will have a positive impact on the competitiveness,

effectiveness, and success of California's offshore wind energy development and attract investment capital to establish a robust and sustainable domestic offshore wind supply chain throughout California and the West Coast, unlocking new jobs and wider economic benefits.

- Memorialize that wind energy development off California's coast is poised to create significant opportunities to advance electrification and zero-emission projects at the Port and Harbor District to meet broader climate goals.
- Memorialize that coordinated and expeditious permitting processes to develop staging and integration sites that include meaningful public engagement and stringent environmental stewardship are critical to developing port infrastructure to support offshore wind energy development.
- Recognize that disadvantaged communities have experienced disproportionate impacts from industrial development and port operations, and that offshore wind energy development is an opportunity to prioritize infrastructure projects that have co-benefits to communities while avoiding and minimizing contributions to existing impacts,

The MOU identifies 11 areas that the Commission, Port, and Harbor District will confer, cooperate, and exchange information consistent with the AB 525 Strategic Plan. The cooperation and collaboration areas include:

- Staging and integration site planning and permitting
- Green port strategies
- Clean energy infrastructure
- California Native American Tribes and meaningful collaboration
- Meaningful community engagement
- Environmental justice
- Staging and integration site funding and financing
- Support for implementing the AB 525 Strategic Plan
- Workforce development
- Climate ready design
- Data and knowledge sharing

ENVIRONMENTAL JUSTICE AND TRIBAL CONSULTATION

The Commission's [Environmental Justice](#) and [Tribal Consultation](#) policies affirm the Commission's commitment to an informed and open decision-making process and that all people should be treated equitably and with dignity. As part of outreach for the MOU, staff met with the Trade, Health, and Environment (T.H.E.) Impact Project and Redwood Region Climate and Community Resilience Hub (CORE Hub). T.H.E. Impact Project includes community-based organizations, environmental justice groups, academic institutions, national environmental non-governmental organizations, and community members living near ports, highways, railyards, and warehouses that facilitate goods movement in Southern California. The CORE Hub convenes the North Coast Offshore Wind Community Benefits Network and related working groups. It is a network of Tribal Nations, local government agencies and educational institutions, labor leaders, local community-based organizations, and community residents who believe that if the North Coast region hosts offshore wind development, it must include critical protections, benefits and investments for communities, the environment, and economy to create an equitable and secure future for generations to come.

T.H.E. Impact Project and the CORE Hub submitted comments on the MOU on behalf of the Natural Resources Defense Council, Earthjustice, Pacific Environment, East Yard Communities for Environmental Justice, Blue Lake Rancheria, Sacred Places Institute for Indigenous Peoples, and Surfrider Foundation. The comments focus on “the importance of safeguarding public health and developing mechanisms to create strong enforceable community and environmental protections and benefits associated with offshore wind and its required port infrastructure.” They ask that the MOU “requires that both staging and integration facilities are developed responsibly, with robust environmental review and strong science-based protective measures in place to avoid, minimize, mitigate, and monitor impacts on coastal and marine habitats, wildlife, and surrounding communities disproportionately impacted by port pollution, truck traffic, and industrial operations.” The comments focus on the following seven areas:

1. Strengthening community and Tribal leadership in port wind projects
2. Creating pathways for community protection, investment, and benefits
3. Requiring updates to the Port of Long Beach Port Master Plan and strategic plans to reflect community and environmental protections
4. Advance targeted local hiring for economic empowerment

5. Phase out fossil fuel infrastructure and require zero-emission mandates
6. Eliminate pollution and improve health conditions for local communities
7. Ensure robust environmental review to identify and prevent environmental harms and health hazards; request that the Commission serve as CEQA lead agency

Strengthening community and Tribal leadership in port wind projects.

The proposed MOU acknowledges Governor Newsom's [Statement of Administration Policy on Native American Ancestral Lands](#). Staff believe that cooperation area 2.4 in the MOU addresses the spirit of this comment to the extent possible. Cooperation area 2.4 calls for early, meaningful, and frequent government-to-government consultations with California Native American Tribes.

Staff added a reference to "Wigi," the traditional Wiyot name for Humboldt Bay, to the MOU as requested by the Blue Lake Rancheria, a California Native American tribe located in Humboldt County. Staff also added a clause addressing policies to reduce the risk of missing and murdered Indigenous people, as requested by the Blue Lake Rancheria. Another comment was to revise the MOU to acknowledge that the port terminal projects "will strengthen regional economies and provide opportunities for rural resilience through job creation, manufacturing opportunities, and supply chain." Staff believe this issue is already addressed in section 2.8 of the MOU, the second whereas clause on page one, and the 11th whereas clause on page three.

Governor Newsom signed [AB 1284](#) in September 2024, encouraging the California Natural Resources Agency and its departments, boards, commissions, and conservancies to enter into co-governance and co-management agreements with federally recognized tribes. AB 1284 does not apply to the Port or Harbor District. Any co-management or co-governance requirements for staging and integration sites at the two ports would require legislation or action by the applicable port governing body.

During the development of the AB 525 Strategic Plan, the California Energy Commission and coordinating agencies engaged in tribal consultations with California Native American Tribes. A consistent theme Tribes expressed was a strong desire to have a direct role in the decision-making process throughout the planning, permitting, operation, and decommissioning of offshore wind projects and associated infrastructure. The AB 525 Strategic Plan outlines several recommendations based on comments from Tribal governments including that, "The study, development, and operation of offshore wind related projects should

include early, often, and meaningful consultations with California Native American tribes and collaborative development of appropriate avoidance, minimization, and mitigation strategies for impacts to tribal cultural resources, natural resources, cultural, social, economic, and other interests.”

With respect to strengthening community leadership in port wind projects, staff added the phrase “early and frequently” to cooperation area 2.5 in the MOU per T.H.E. Impact Project and CORE Hub’s suggestion. Staff appreciates the specific recommendations in the letter about mechanisms to enhance meaningful engagement (e.g., “regular interpretation at meetings and translated materials”). Staff believe focusing on the shared goals, rather than the mechanism to achieve the goals, is appropriate for the MOU.

Create pathways for community protection, investments, and benefits.

The goals and concerns reflected in this comment will be met through the AB 525 strategic plan and are captured in the MOU. Creating pathways for community protection, investments, and benefits is a foundational component of California’s offshore wind energy development. According to an [April 2024](#) report from the Berkeley Law Center for Law, Energy, and the Environment, community benefits agreements are tools that can enable local communities to have a voice in the development of new projects and ensure that the state’s development of offshore wind creates sustainable, equitable economic opportunity, and local investment.

The AB 525 Strategic Plan finds that offshore wind energy development should benefit communities such as California Native American tribal and underserved communities, the fishing industry, subsistence and cultural fishing, longshoremen, coastal visitors, nearby communities, and those historically impacted by the energy industry, and those potentially impacted by the new offshore wind energy industry. The AB 525 Strategic Plan assesses the impacts on each of these communities and strategies to address them, including prioritizing infrastructure projects that have co-benefits for communities, supporting enforceable community benefit agreements, and supporting training, hiring, and recruiting for employment in underserved and impacted communities.

The goals and concerns reflected in this comment will be met through the AB 525 strategic plan and are captured in several areas of the MOU.

Require updates to the Port of Long Beach Port Master Plan and strategic plans to reflect community and environmental protections.

The [Coastal Act](#) sets forth a process by which California's deep water ports, including the Port of Long Beach, can develop a port master plan (PMP). The Act also sets forth a process by which cities and counties in the coastal zone, including the City of Eureka and the County of Humboldt, may develop a local coastal program (LCP). If the California Coastal Commission approves a PMP or an LCP (or amendments to either), permit authority under the Coastal Act is transferred to that port, city or county, respectively. The State Lands Commission generally does not have a role in the development or implementation of PMPs or LCPs, apart from informal consultation. It would therefore be inappropriate to include language in the MOU pertaining to port master plan updates.

The Port of Humboldt Bay, while not a specified port under the Coastal Act, is developing a Baywide Master Plan to comprehensively evaluate Humboldt Bay for near and longer-term offshore wind energy related projects. As a trustee agency, and as part of its granted lands oversight, the Commission will review the Baywide Master Plan as it proceeds. Although the MOU does not address these planning processes, staff support the Port and Harbor District having robust community and environmental protections in their plans.

Advance targeted local hiring for economic empowerment.

Cooperation area 2.9 in the MOU addresses the spirit of the comment, as it references "equitable economic development benefits." The Commission lacks authority regarding workforce development. Staff notes that many of the recommendations in Chapter 7 of the AB 525 Strategic Plan are intended to achieve the same goals outlined by T.H.E. Impact Project and CORE Hub, and are accounted for in cooperative action 2.8, which calls for supporting the implementation of the state's Strategic Plan.

Phase out fossil fuel infrastructure and require zero-emission mandates.

Phasing out fossil fuel infrastructure and requiring zero emission mandates are reflected in cooperation areas 2.2 and 2.3 in the MOU. In response to suggestions from T.H.E. Impact Project and CORE Hub, staff included language in cooperation area 2.3 regarding the promotion of affordable, reliable energy in surrounding communities. Staff also included "clean energy infrastructure" in the list of issues the parties commit to working on together to aid communities deserving of environmental justice (cooperative action 2.6). The MOU also has a clause about offshore wind energy development being poised to create significant opportunities to advance electrification and zero emissions projects at the Port and Harbor District to meet the broader climate goals of decarbonization and electrification.

Mandates to phase out fossil fuel infrastructure and require zero emission infrastructure, however, are outside the scope of this MOU. The Commission lacks authority over emissions; that is the responsibility of the California Air Resources Board and local air districts. Offshore wind energy and the staging and integration sites that will support it are intended to bring new, cleaner energy sources to California to meet our future clean energy demands. This MOU is intended to help facilitate the communication and collaboration necessary to succeed in the deployment of large-scale wind energy and responsibly transition away from our dependency on fossil fuels.

Eliminate pollution and improve health conditions for local communities.

Cooperation area 2.11 addresses shared knowledge and data exchange to benefit surrounding communities and the environment, including as it relates to green port policies, sustainability practices, and zero emission port equipment. The AB 525 Strategic Plan also discusses strategies and considerations to reduce and mitigate potential pollution burdens from offshore wind energy development, all of which will be applicable to the development of staging and integration sites.

Ensure robust environmental review to identify and prevent environmental harms and health hazards; request that the Commission serve as CEQA lead agency.

CEQA requires robust environmental review of projects, public disclosure of impacts, and the development of mitigation measures to minimize those impacts. In response to T.H.E. Impact Project and CORE Hub's suggestion that the Commission serve as lead agency under CEQA, ([SB 286, 2023](#)) exempts ports in Public Resources Code section 30700, which includes the Port of Long Beach, from the Commission lead agency role for projects taking place exclusively within lands granted to the Ports. Although the Port of Humboldt is not included under Public Resources Code section 30700, the Harbor District initiated CEQA on the heavy lift marine terminal project before SB 286 took effect, and SB 286 is not retroactive.

OTHER PERTINENT INFORMATION

1. This action is consistent with the "Meeting Evolving Public Trust Needs" and "Committing to Collaborative Leadership" strategic focus areas of the Commission's Strategic Plan.
2. The Port and Harbor District are trustees of sovereign tide and submerged lands granted by the Legislature and overseen by the Commission.

3. Approval of this MOU is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

EXHIBIT

A. Proposed Port MOU

RECOMMENDED ACTION

It is recommended that the Commission:

AUTHORIZATION:

Authorize the Executive Officer, or designee, to execute the Memorandum of Understanding, in substantially the same form as attached as Exhibit A, between the California State Lands Commission, the Port of Long Beach, and the Humboldt Bay Harbor, Recreation, and Conservation District.

Exhibit A



MEMORANDUM OF UNDERSTANDING BY AND AMONG THE CALIFORNIA STATE LANDS COMMISSION, PORT OF LONG BEACH, AND HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT ON A CALIFORNIA FLOATING OFFSHORE WIND STAGING AND INTEGRATION PARTNERSHIP

The California State Lands Commission, the City of Long Beach, a municipal corporation, acting by and through its Board of Harbor Commissioners (“Port of Long Beach”), and Humboldt Bay Harbor, Recreation, and Conservation District (“Port of Humboldt Bay”), each herein sometimes referred to individually as a “Party” and, collectively, as the “Parties” enter into this **Memorandum of Understanding** (“MOU”) on this ____ day of _____ (“**Commencement Date**”) to coordinate and collaborate regarding floating offshore wind turbine staging and integration port facilities to enable the development of floating offshore wind in California.

RECITALS

WHEREAS, offshore wind is a renewable energy resource that can help transition the State of California (State) to a clean energy economy and reduce the emission of greenhouse gases and other harmful air pollutants;

WHEREAS, under Assembly Bill 525 (AB 525) the Legislature found that developing and deploying offshore wind energy at scale can provide economic and environmental benefits to the State and the nation by helping California meet its renewable energy and climate goals; contribute to a reliable and affordable energy portfolio to serve California's electricity needs; improve air quality, particularly in disadvantaged and underserved communities; and create job opportunities, including a skilled long-term construction workforce;

WHEREAS, the AB 525 Offshore Wind Energy Strategic Plan (AB 525 Strategic Plan), adopted by the California Energy Commission on July 10, 2024, and the AB 525 Port Readiness Plan identified staging and integration (S&I) sites for the assembly of floating offshore wind turbines as the most critical port infrastructure required to enable the development of offshore wind in California;

WHEREAS, no single port site in California can serve all the needs of the floating offshore wind industry, and the development of S&I sites must be prioritized as they are an essential foundation to the implementation of a coordinated multiport strategy to floating offshore wind development;

WHEREAS, the California State Lands Commission provides the people of California with effective stewardship of the lands, waterways, and resources entrusted to its care based on the principles of equity, sustainability, and resiliency, through preservation, restoration, enhancement, responsible economic development, and the promotion of public access, as well as overseeing the management of sovereign public trust lands and resources granted in trust by the Legislature, including many of the major ports and harbor districts that manage tide and submerged lands on behalf of the state;

WHEREAS, the Commission views collaboration and successful partnerships with ports and harbor districts as foundational to equitably serving the people of California and achieving the state's strategic goals;

WHEREAS, the Port of Long Beach is a trustee of the sovereign tide and submerged lands located in the Long Beach Harbor District; an international gateway for the reliable, efficient, and sustainable movement of goods for the benefit of the local and global economies; a leader in sustainable port development and operations, establishing landmark environmental policies, including the 2005 Green Port Policy, the Clean Air Action Plan, and the Zero Emission, Energy Resilient Operations Policy; and has developed a plan for a new 400-acre purpose-built S&I and floating foundation assembly facility named Pier Wind;

WHEREAS, the Port of Humboldt Bay is a trustee of the sovereign tide and submerged lands located in and adjacent to Wigi (also known as Humboldt Bay), including all rivers, sloughs and estuaries, and tide and submerged lands in the bay; is a recipient of several state grants to develop a new 180-acre offshore wind S&I heavy lift terminal; and has adopted Resolution No. 2024-01 committing the Port of Humboldt Bay to developing and adopting a green terminal strategy and roadmap for the Heavy Lift Terminal;

WHEREAS, the AB 525 Strategic Plan and the Port Readiness Plan describe how the Port of Long Beach and Port of Humboldt Bay are uniquely suited to provide the necessary S&I sites to assist the State in meeting its offshore wind energy production goal of 25 gigawatts by 2045;

WHEREAS, studies by the Bureau of Ocean Energy Management and the National Renewable Energy Laboratory independently corroborate the findings of AB 525 and associated plans in describing how the Port of Long Beach and the Port of Humboldt Bay are uniquely suited to provide the necessary S&I sites to assist the State in meeting its offshore wind energy production planning goal of 25 gigawatts by 2045 and the immediate needs of the lessees that secured five sites in the PACW-1 lease sale auction;

WHEREAS, the Parties agree the responsible development of S&I sites at the Port of Long Beach and Port of Humboldt Bay will have a positive impact on the competitiveness, cost-effectiveness, and success of California's offshore wind energy development, and will be critical in attracting investment capital to establish a robust and sustainable domestic offshore wind supply chain throughout California and the West Coast, including manufacturing, floating

foundation assembly and operations and maintenance facilities, which will unlock new jobs and wider economic benefits for the State and the West Coast;

WHEREAS, offshore wind energy development off of California's coast is poised to create significant opportunities to advance electrification and zero emissions projects at the Port of Long Beach and Port of Humboldt Bay to meet the broader climate goals of decarbonization and electrification;

WHEREAS, the California Energy Commission has funding programs for supporting the preparation of ports for offshore wind development. The Port of Humboldt Bay is a current recipient of funds through the California Energy Commission (CEC) to support development of their S&I terminal. The CEC is administering a \$42.75 million grant funding opportunity to fund projects that plan for the development and operation of floating offshore wind projects. The CEC is directed in Proposition 4, the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, to administer a \$475 million funding program for offshore wind activities at ports and harbors.

WHEREAS, the CEC is implementing Assembly Bill 3, which establishes the California Offshore Wind Advancement Act and requires the CEC to prepare a second-phase plan and strategy that builds from the AB 525 Strategic Plan for seaport readiness and a study on the feasibility of achieving 50 percent and 65 percent in-state assembly and manufacturing of offshore wind energy projects.

WHEREAS, coordinated, comprehensive, efficient, and expeditious permitting and authorization processes for developing S&I sites, founded on robust and meaningful public outreach and engagement and coupled with stringent environmental stewardship to address potential adverse impacts on marine and coastal ecosystems, tribal cultural resources, and disadvantaged and underserved communities are critical to developing the necessary port infrastructure to meet the State's offshore wind energy goals;

WHEREAS, the Parties recognize that with the emergence of zero emission strategies, the electrification of ships, and increased electrified traffic onshore (e.g., drayage) and in shipping, ports may require significant clean power, necessitating landside, electrical service, distribution grid, or transmission upgrades at California ports;

WHEREAS, the Parties recognize the importance of transparency and public engagement in environmental protection efforts and will ensure that all permitting and authorization processes include opportunities for meaningful, early, and consistent public input so that decision-makers understand the important perspectives, priorities, and values of those communities most affected; and

WHEREAS, the Port of Humboldt and Port of Long Beach have separately conducted, and continue to promote, extensive outreach and engagement regarding their respective projects, and have been coordinating on various offshore wind related issues with State Lands Commission and other state and federal agencies, and the Parties recognize these efforts would be enhanced as they advance their projects through a strong partnership, close collaboration, and a whole of government approach;

WHEREAS, the Newsom Administration has prioritized equity in decisions regarding infrastructure investments and, through the publication of the [Equity Foundation Checklist](#), has identified actions to work toward this goal of ensuring all communities are clean, green, and safe;

WHEREAS, the Parties recognize and acknowledge there has been historical crisis of Missing and Murdered Indigenous People (MMIP), that development projects on or near Tribal communities have led to increased incidents of MMIP, and the importance of working with local Tribes to elevate awareness, prevention, and response, such as: the Port of Humboldt Bay's Resolution [2024-04](#) directing staff and developers and contractors to take specific action to help prevent MMIP, violent crime, drug abuse, and sex trafficking; the State's Budget Act of 2022 establishing the MMIP Grant Program to support efforts to identify, collect case-level data, publicize, and investigate and solve cases;

WHEREAS, Governor Newsom issued a [Statement of Administration Policy on Native American Ancestral Lands](#) to encourage State entities to seek opportunities to support California tribes' co-management of and access to natural lands that are within a California tribe's ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs;

WHEREAS, the Parties recognize that marginalized, disadvantaged, and underserved communities, which are predominantly low-income, residents of color, and Indigenous communities, have experienced disproportionate impacts such as air pollution related to industrial facilities, including oil and gas operations, power plants, refineries, and port operations, and offshore wind offers unique opportunities to prioritize infrastructure projects that have co-benefits to communities while avoiding and minimizing contributions to existing impacts;

NOW THEREFORE:

SECTION I PURPOSE

This MOU is to confirm the intent of the Parties, through mutual collaboration, communication, and coordination, to support the responsible, equitable and sustainable development of offshore wind energy in California to advance our climate goals, improve public health, increase energy independence, advance energy equity, and support a clean energy economy.

SECTION II AREAS OF COOPERATION

The Parties will confer, cooperate, and exchange information, to the extent that each Party in their sole discretion deems appropriate and consistent with the AB 525 Strategic Plan, on subjects including, but not limited to:

2.1 S&I Site Planning and Permitting:

- i. Pursuing a coordinated, efficient, and expeditious multi-agency permitting and decision-making approach for each S&I port terminal at the Port of Long Beach and Port of Humboldt Bay.
- ii. Developing a site specific permitting strategy and roadmap for each Party's S&I port terminal, consistent with the AB 525 Strategic Plan frameworks, goals and objectives, that: clearly sets forth the various permitting activities associated with the specific S&I port terminal development to be integrated; identifies the associated State permitting agencies and their roles, responsibilities, and jurisdictions; and establishes shared timelines, anticipated processing times for review, communication protocols, and coordination and dispute resolution processes in order to facilitate expeditious review processes to meet the State's offshore wind energy production planning goals in a timely manner.
- iii. Designating one or more points of contact among the Parties to coordinate implementation of this MOU. The points of contact will (1) assist with identifying knowledgeable and experienced staff with decision-making authority and responsibility, (2) be knowledgeable of which decisions need to be made at what level and when within each Party's organization, and (3) assist in ensuring that responsibilities and timelines are satisfied.
- iv. Participating in initial and regular meetings at a frequency to be determined by the Parties with key regulatory agency staff and subject matter experts.

2.2 Green Port Strategies: Collaborating on the planning and development of green port infrastructure, sharing experiences and lessons learned, and providing suggestions and considerations on each other's policies, programs, and CARB regulations. This collaboration encourages businesses and organizations operating in the Port of Long Beach and Port of Humboldt Bay to strengthen their efforts in promoting research, development, and deployment of green port maritime technologies, as well as facilitating exchanges and further collaboration related to other relevant green technologies and green infrastructure development.

2.3 Clean Energy Infrastructure: Collaborating on sustainable energy solutions such as grid and electrical service upgrades, microgrids, hydrogen fuel options, and energy storage to support the ports' operations and resilience, promoting affordable, reliable renewable energy in surrounding

communities, enhancing their capacity to handle future energy demands in line with emerging technologies and regulatory frameworks.

- 2.4 California Native American Tribes and Meaningful Consultation: Coordinating and collaborating on early, frequent, and meaningful government-to-government consultation to identify and maximize tribal community benefits consistent with applicable federal, state, and local laws, including but not limited to the public trust doctrine.
- 2.5 Meaningful Community Engagement: Coordinating and collaborating early and frequently to meaningfully engage community members and other interests to maximize community benefits consistent with applicable federal, state, and local laws, including but not limited to the public trust doctrine.
- 2.6 Environmental Justice: Coordinating and collaborating early and frequently on local community benefits programs, clean energy infrastructure, and promoting an inclusive decision-making process that integrates environmental justice considerations into the planning, permitting, and operation of the S&I sites consistent with applicable federal, state, and local laws, including but not limited to the public trust doctrine.
- 2.7 S&I Funding and Financing: Collaborating and sharing information related to existing and potential funding and financing strategies for the development of S&I sites in California, and jointly advocating for the investment of significant federal funding in S&I sites at the Port of Long Beach and Port of Humboldt Bay.
- 2.8 Assembly Bill 525 Offshore Wind Energy Strategic Plan: Supporting the ongoing evolution and implementation of the comprehensive Strategic Plan for offshore wind energy production in California that aligns the delivery of S&I sites with the broader offshore wind market formation activities, such as transmission, power purchasing, workforce development, wind turbine manufacturing, floating foundation design and manufacturing, vessel manufacturing and other supply chain developments, ecosystem adaptive management strategies, science, research, and technology innovations, and sea space leasing, which will attract private investment in California that will maximize jobs and economic benefits as California transitions to a clean energy economy.
- 2.9 Workforce Development: Coordinating on joint advocacy to attract and train the skilled and diverse workforce to meet the varied and specific demands of the offshore wind industry and related sectors (e.g., electrical transmission) and ensure sustained and equitable economic development benefits through regional economic and workforce development planning partnerships with industry, educational and training institutions, labor organizations, apprentice programs, government entities (state, federal, tribal, and local), California Native American Tribes, and community members.

- 2.10 Climate Ready Design: Exploring and identifying opportunities to integrate climate ready strategies into the design, development, and planning of the new port elements and upgrades and workforce training. Sea level rise, intensifying storms, and other climate change related impacts may threaten port activities and associated offshore wind development. Integrating climate ready strategies into design and planning elements will enhance the climate resilience of port infrastructure and activities and help better safeguard investments into offshore wind related infrastructure and workforce developments.
- 2.11 Data and Knowledge Sharing: Sharing knowledge and exchanging data and information on subjects of shared interests to improve port businesses and the environment for the benefit of the surrounding communities and ecosystems at the Port of Long Beach and Port of Humboldt Bay, including but not limited to: technical, regulatory, and engineering information; green port policies and sustainability practices; zero emission port equipment and vessel technology advancements and supporting port infrastructure; professional expertise; and best practices.

SECTION III COOPERATION FRAMEWORK

- 3.1 The Parties shall discuss cooperation activities as set forth in this MOU as needed.
- 3.2 The Parties may expand or focus the scope of this MOU through amendments based on the mutual written consent of all Parties, signed by their authorized representatives, including through the inclusion of additional ports and harbor districts in California and nationwide.
- 3.3 The Parties acknowledge that specific projects and programs requiring financial or staff commitment may require approval by their respective governing authorities.
- 3.4 Nothing herein shall prohibit any Party from entering into separate collaborations with other entities or partners of a similar or identical nature or otherwise.

SECTION IV TERM OF MOU

- 4.1 This MOU shall commence on the Commencement Date and shall automatically lapse and cease to have any further effect after 5 years from the Commencement Date ("**Expiry Date**") unless the Parties mutually agree in writing, signed by their authorized representatives, to extend the Expiry Date to such date as may be agreed by the Parties.
- 4.2 Any Party may terminate its involvement in this MOU, without the need to assign any reason by giving the other Parties thirty (30) days prior written notice.

- 4.3 The termination of this MOU shall not affect any cooperative efforts undertaken or any agreement executed pursuant to this MOU prior to the effective date of such termination.

SECTION V GENERAL

- 5.1 This MOU only serves to set out the broad principles of cooperation intended between the Parties with the view of promoting and achieving the objectives and activities detailed herein. This MOU does not represent an exhaustive statement of the Parties' scope of cooperation and does not prohibit the Parties from extending the same. The Parties acknowledge that this MOU does not create any legally binding rights or enforceable obligations.
- 5.2 This MOU does not constitute approval or other commitment to any specific project or program, and thus is not subject to the California Environmental Quality Act (CEQA). The Parties acknowledge that, unless and until environmental review is completed in compliance with the CEQA, each Party retains the full discretion to approve, deny, or condition their respective projects. Further, the Parties acknowledge that this MOU does not constrain any Party's ability to consider or adopt particular mitigation measures or alternatives, including the alternative of not proceeding with a project or component thereof.
- 5.3 All notices, notifications, and other correspondence shall be directed to the Parties at the addresses set out in this MOU.

- (a) If to the State Lands Commission:

STATE LANDS COMMISSION
100 Howe Avenue, Suite 100 South
Sacramento CA 95825

- (b) If to the Port of Long Beach:

PORT OF LONG BEACH
415 W. Ocean Blvd.
Long Beach, CA, USA 90802

- (c) If to Port of Humboldt Bay:

**HUMBOLDT BAY HARBOR, RECREATION, AND
CONSERVATION DISTRICT**
601 Startare Drive
Eureka, CA USA 95501

THE PARTIES HERETO have caused this MOU to be duly executed on the day and year first above mentioned.

Signed
For and on behalf of
**STATE LANDS
COMMISSION**

Jennifer Lucchesi
Executive Officer

Signed
For and on behalf of
**PORT OF LONG
BEACH**

Mario Cordero
Chief Executive Officer

Signed
For and on behalf of
**HUMBOLDT BAY
HARBOR,
RECREATION, AND
CONSERVATION
DISTRICT**

Chris Mikkelsen
Executive Director