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Humboldt Bay Harbor,
Recreation and Conservation District
(707) 443-0801
P.O. Box 1030
Eureka, California 95502-1030

Date: **May 3, 2023**

Re: **Humboldt Bay Offshore Wind Heavy Lift Multipurpose Marine Terminal Project – Draft Project Description**

Background

The Humboldt Bay Harbor, Recreation and Conservation District (District) is currently designing the Humboldt Bay Offshore Wind Heavy Lift Multipurpose Marine Terminal ("Project"). The marine terminal will support offshore wind energy development and other activities. The District plans to release a California Environmental Quality Act (CEQA) Notice of Preparation for the proposed project in June 2023. Project design is ongoing, and details will be developed concurrent with development of the CEQA Environmental Impact Report. This memo describes the Project based on the current level of design.

Project Location

The proposed project is located on the Samoa Peninsula of Humboldt Bay in Humboldt County California (Figure 1). The site was formally used by the forest product industry for wood processing and shipping. Existing uses include storage of commercial fishing equipment, commercial fish landing / holding, limited forest product storage and mariculture. The vast majority of the site is currently vacant. There are remnants from the forest product industry at the site including utilities, buildings, docks, and other structures. This infrastructure is generally failing and in need of repair or replacement.

Project Purposes

The proposed project will serve several purposes, including:

A. Redevelop and repurpose a blighted and largely unutilized industrial site that formerly operated for decades as a major regional employment center.
B. Create a diversity of new jobs and stimulate regional economic development.
C. Develop a project that establishes Humboldt Bay as a global leader in addressing climate change and energy decarbonization by providing a critical role in offshore wind renewable energy development.
D. Develop a facility that can contribute to the Federal goal of deploying 30 GW of offshore wind energy by the year 2030, the State goal of deploying 5 GW of offshore wind energy by 2030, and the State goal of deploying 25 GW of offshore wind energy by 2045.
E. Provide the facilities and infrastructure required for Humboldt Bay to serve as the first floating offshore wind "staging and integration" port in California. According to the "California Floating Offshore Wind Regional Ports Assessment" study published by BOEM in January of 2023, Humboldt Bay is the only port capable of serving all three of the primary port needs of the offshore wind industry, which are: staging and integration (S&I), onsite manufacturing/fabrication (MF), and operations and maintenance (O&M). In addition, according to the BOEM study, only the Ports of Humboldt Bay, Los Angeles, and Long Beach are capable of conducting S&I functions. Among these three ports, only Humboldt Bay has immediately

available developable space. Thus, a major purpose of the proposed project is to serve as California's initial S&I port.

F. Design and construct the site in such a way that it can serve multiple purposes either simultaneous with the offshore wind energy functions described above or following the conclusion of the need for those offshore wind energy functions. Additional purposes could include breakbulk uses, dry bulk, wood product manufacturing/shipping, cargo laydown/storage/transport, and/or other related maritime transport uses that require heavy-lift wharfs and large laydown yards.
G. Create incentives and funding streams for continued and improved maintenance of Humboldt Bay port facilities, including year-round maintenance of channel and marina depths.
H. To the degree feasible, develop a marine terminal site with modern environmental standards related to minimization of greenhouse gas emissions, onsite renewable energy generation, green building materials, the electrification of terminal operations, and the facilities needed to accommodate vessel shore power.
I. Prepare the site for sea level rise.
J. Establish a modern eco-friendly shoreline transition between the marine environment and the upland development.
K. Address any residual soil contamination that currently exists at the site.
L. Generate revenue for the Harbor District that can be used for general District purposes throughout the rest of the Bay, including dredging, conservation, ecological restoration, and recreation programs.

Project Description

The Harbor District is proposing to redevelop the ~168-acre site on the Samoa Peninsula to provide a new multipurpose, heavy-lift marine terminal facility to support the offshore wind energy industry and other coastal-dependent industries. Diagram 1 shows the general dimensions of a fully assembled offshore wind turbine and its various components. When all of these individual components are "vertically integrated" together on top of a floating foundation, this collectively is referred to as a "Wind Turbine Device" (WTD). Once vertically integrated, the WTD is ready to be deployed to the ocean.

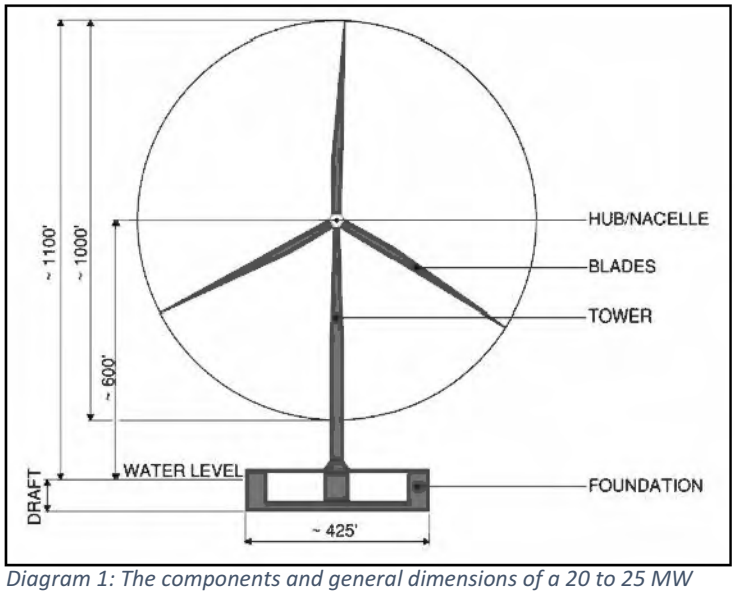


Diagram 1: The components and general dimensions of a 20 to 25 MW "Wind Turbine Device" (WTD).

Consistent with the "California Floating Offshore Wind Regional Ports Assessment" study published by BOEM in January of 2023 and the "2023 Alternative Port Assessment to Support Offshore Wind Final Report" published by the California Energy Commission on 2/10/23, the Project will include the facilities required to service the offshore wind industry, including:

a. Onsite manufacturing/fabrication (MF) facilities that:
    i. Receive deliveries of raw materials and large offshore wind components primarily via waterborne transport.

   ii. Create larger components in the offshore wind supply chain, such as blades, towers, nacelles (turbine hubs), mooring lines, anchors, transmission cables, and/or floating foundations.
   iii. Include factories, transit sheds, and/or warehouse buildings.
   iv. Space for storage of completed components.

b. Staging and integration (S&I) facilities that include:
   i. Wharf/terminal/yard facilities designed to receive, stage, and store offshore wind components, including ship-to-shore unloading capability, fixed position ring crane unloading capability, crawler crane unloading capability, and/or roll-on / roll-off capability.
   ii. Heavy-lift wharfs with high bearing capacities that can support large cranes capable of:
      1. Conducting the final assembly of floating foundations.
      2. Vertically integrating the various offshore wind components into deployment-ready fully-constructed floating offshore wind turbines (WTDs).
      3. Performing major maintenance on previously-deployed WTDs that must be towed back to port for repairs that cannot otherwise be performed in the offshore wind area, such as replacement of a nacelle or blade.
      4. Decommissioning, disassembling, recycling, and disposing of WTDs that are at end of life.
   iii. Berths adjacent to the heavy-lift wharfs within which:
      1. Floating foundations can be launched, potentially with a sinking basin.
      2. All components can be vertically integrated together on top of a floating foundation.
      3. WTDs can be repaired, maintained, and/or decommissioned.
      4. WTDs can be towed out of the bay and into the ocean.

c. Operation and Maintenance (O&M) facilities that can serve as a base of wind farm operations with warehouses/offices, spare part storage, and marine facility to support vessel provisioning and refueling/charging for O&M vessels during the operational period of the offshore wind farm.

d. Wet storage space in which floating foundations or WTDs can be temporarily moored to mitigate the risk of weather downtime, vessel traffic, entrance channel congestion, and other transportation risks. These will take two forms:
   i. On-terminal wet storage occurs immediately offshore of the site and is accessed via small piers and gangways in which workers and small wheeled equipment can access floating turbines, typically fully-integrated WTDs that are near-ready to deploy to the ocean.
   ii. Off-terminal wet storage occurs away from the immediate site, but also outside of the Federal navigation channels.

In order to accomplish the above, the Project includes demolition of existing structures, site preparation, marine terminal construction, dredging, establishment of wet storage sites, habitat restoration, relocation of existing tenants currently in the Project Area, and Project operations.

The project site will primarily serve as a facility for the vertical integration, launching, and long-term maintenance of fully assembled WTDs. The terminal will also serve as a facility for the manufacturing, import, staging, and preassembly of various WTD components. Marine infrastructure and upland improvements are

required to prepare the terminal for use by offshore wind developers to conduct the above activities. While the offshore wind energy industry is the proposed anchor tenant(s) of the modernized marine terminal project, the multipurpose facilities could accommodate a variety of vessels and traditional port-based industries, including breakbulk cargo and forest products. Importantly, the proposed project will provide facilities that are required for the development of offshore wind energy equipment to meet federal and state renewable energy goals.

Project design is ongoing. Project elements are described below based on the Project Subareas within which they will occur (Figure 2). Three example conceptual plans of how the site might be developed are presented in Figures 3.1, 3.2 and 3.3. These figures show examples of what the project may look like per the project description above, including for multipurpose uses, and the proposed project components outlined below. These examples do not represent development alternatives or CEQA alternatives. Instead, the figures are representations of possible site layouts and arrangements. Project design will be refined concurrent with development of the DEIR and will reflect input on this NOP from agencies and the public. Construction of the Project will likely be phased, and a phasing plan will be developed concurrently with EIR development.

Proposed Project Components

The Project site has been divided into the following subareas within which specific types of activities will occur (Figure 2).

1. The **Upland Development Subarea** is landward (west) of the top of the bank. All non-marine development will occur in this area.
2. The **Marine Development Subarea** extends from the top of the bank into the bay to the federal navigation channel. Assembly and launching of the floating foundations will occur in this area, as will the final vertical integration of the various offshore wind components into deployment-ready fully-constructed floating WTDs. Most of the marine development will occur in this area, except for off-terminal wet storage that will occur in the Wet Storage Subarea.
3. Within the off-terminal **Wet Storage Subarea**, areas for short-term temporary mooring of WTDs (referred to as wet storage sites) will be developed.
4. The **Habitat Restoration Subarea** is where wetlands and environmentally sensitive habitat areas (ESHA) will be created or restored as mitigation for biological impacts in the Upland Development Subarea.

Upland Development Subarea

The following activities will occur within the Upland Development Subarea.

1. Vegetation clearing and grubbing.
2. Demolition.
    a. Demolish and remove existing buildings and structures. Major buildings and structures to be demolished are shown in Figure 4.
    b. Demolish existing asphalt, concrete, and remnant foundations of previously demolished buildings/structures. Some of these materials may be ground on site and re-used as fill material. Unused material will be disposed of at an appropriately permitted location.
3. Remove, reuse, relocate, update, and/or modernize existing utilities including:
    a. Water storage tanks.
    b. Power poles and lines.
    c. Underground industrial water lines.
    d. Underground domestic water lines.
    e. Underground baywater water lines.
    f. Telecommunication lines.

   g. Gas lines.
   h. Sanitary sewer.
   i. Storm water systems.
4. Cut, fill, and site regrading in anticipation of sea level rise to obtain final ground elevations between +14 to 17 feet NAVD. Dredge material and/or upland sources may be used as imported fill.
5. Import and install compacted gravel throughout the site (see the Figure 3 series for examples of where this could potentially occur) for a finished wear surface.
6. Asphalt roads and asphalt in certain discrete areas (e.g., a 200-space parking lot and areas near buildings).
7. Construct approximately 650,000 square feet of building space for manufacturing, repairs, offices, restrooms, and storage (see the Figure 3 series for examples of where these could potentially be sited).
8. Construct internal transportation network of paved and/or compacted gravel roads.
9. If needed, improve up to two intersections on New Navy Base Road and the intersection of Cookhouse Road and Vance Avenue (Figure 5).
10. Install high mast terminal lighting (approximately 150' high) around the perimeter of the site and other, shorter lighting as needed (see the Figure 3 series for examples of where high mast lighting could potentially be sited).
11. Make drainage improvements for stormwater which may include retention ponds, detention ponds, bioswales, and subsurface detention (see the Figure 3 series for examples of where these could potentially be sited).
12. Install charging infrastructure for electric vehicles and electrified construction equipment such as forklifts.
13. Install fueling stations.
14. Install connection to electricity substation currently located directly south of the Project site (Figure 6).
15. Install solar panels on ash landfill and connect to substation (Figure 6).

Marine Development Subarea

The following activities will occur within the Marine Development Subarea. See Figures 3.1 through 3.3 for examples of where various project elements may potentially be sited. Note that these figures serve merely as representative examples of potential layouts and do not represent planned scenarios or alternatives.

1. Demolish an existing ~6-acre wooden dock at Terminal I and No Name Dock (Figure 4).
2. Construct up to three wharfs totaling a maximum of approximately 2,500' along the shoreline. In this case, the wharfs will consist of pile supported, vessel berth structures. This will include installation of steel and/or concrete piles. These wharfs could be discontinuous from one another or cojoined to another another.
3. Dredge berths between the newly constructed wharfs and the federal navigation channel to approximately -40' Mean Low Lower Water (MLLW) for deep draft cargo vessel access and WTD construction activities. Dredged material may be disposed of at the Humboldt Open Ocean Disposal Site (HOODS), beneficially used or disposed of elsewhere.
4. Dredge a sinking basin to approximately -60' MLLW to accommodate semi-submersible vessel operations for device float off. Dredged material may be disposed of at the HOODS, beneficially used or disposed of elsewhere.
5. Construct a pier and associated gangways to an on-terminal wet storage facility. An on-terminal wet storage berth will be dredged between the pier/gangways and the federal navigation channel to a depth of up to -40' MLLW. This on-terminal wet storage area will temporarily contain floating foundations that do not yet have the towers or blades installed on them. In addition, the on-terminal wet storage area may also temporally contain fully-integrated WTDs for preparation prior to towing them to sea. The pier and gangways will allow

land-based access of workers and small wheeled equipment to these temporarily-stored units. This new pier will be in the same general location as and will replace an existing ~160' wooden dock known as "Red Tank Dock." There is a bay water intake currently located at the end of Red Tank Dock, which includes a sea chest suspended into the water. As a part of the Project, the existing baywater intake infrastructure will be relocated in approximately the same location, but suspended from the new pier instead of from Red Tank Dock. Potential examples of the layout and infrastructure of the on-terminal wet storage pier and berth are shown in Figures 3.1 though 3.3.

Wet Storage Subareas

Within the Wet Storage Subareas, floating foundations may be temporarily stored prior to having the towers and blades installed on them. In addition, the fully assembled WTDs (floating foundation, tower, nacelle, and blades) may also be temporarily staged in the wet storage subareas prior to towing them to sea. See Figures 3.1 through 3.3 for examples of where these could potentially be sited. The following activities will occur within the Wet Storage Areas.

1. Relocate federal aids to navigation if needed.
2. Install aids to navigation.
3. Dredge to approximately -40' MLLW.
4. Install multi-point mooring structures (i.e., buoys and/or pile supported dolphins).

Habitat Restoration Subarea

The Habitat Restoration Subarea includes areas that are ruderal and dominated by non-native invasive plant species. Habitat restoration will mitigate for project impacts to wetlands and ESHAs. Habitat restoration will develop a mosaic of habitat types that is significantly higher quality than what will be impacted by the Project. The following activities will occur within the Habitat Restoration Subarea.

1. Create and enhance wetland and ESHA habitats at a sufficient replacement ratio to Project impacts to ensure no net loss of wetlands and ESHA.
2. Areas may be lowered in elevation to introduce tidal influence and develop salt marsh habitat.
3. Freshwater wetlands may be created at the margins of salt marsh to mimic natural salt marsh to freshwater marsh ecotones in Humboldt Bay.
4. Freshwater wetland will be developed by excavating geomorphic low points to intercept groundwater; placing clay soils in the bottom of geomorphic low points to intercept groundwater; and/or placing clay soils in the bottom of geomorphic low points to capture and retain rainwater.
5. Salt marsh, freshwater wetlands and ESHA will be planted with suitable native plant species.

Tenant Relocation

There are existing tenants within the Project Area that will be relocated to make space for Project construction and operation. Relocation plans are currently being developed. The Harbor District will provide relocation assistance to (1) shellfish and seaweed farms currently operating in the Marine Development Subarea; (2) commercial fishermen storing gear within the Upland Development Subarea; (3) a small boat repair facility in the Upland Development Subarea; and (4) a hagfish holding facility that spans the the Marine Development Subarea and Upland Development Subarea.

Dredge Material Dewatering Area (Samoa Lagoons)

The proposed project includes three or more berth areas and some wet storage areas, all of which will need to be initially dredged and then periodically re-dredged in the future (known as maintenance dredging). Each

maintenance dredging event will generate substantial amounts of dredge material that will need to be reused, disposed of, de-watered and/or stored.

As shown in Figure 6, an existing dredge material dewatering area is located just north of the Upland Development Subarea. Known as "Samoa Lagoons," this site was designed and constructed to receive dredge materials, drain residual water back to the bay, and then temporarily store the dried sediment. The "de-watered" dredge material can then be hauled offsite for beneficial use or disposal. The site was originally used as a dewatering and storage site for the dredging of a berth to the east of the large redwood dock that is scheduled to be demolished as a part of the proposed project (see the Marine Development Subarea section). The proposed project will modernize the Samoa Lagoons Dredge Materials Dewatering Area to be used for either the initial dredging and/or the maintenance dredging of the proposed berths and wet storage areas. The project will also either amend existing permits associated with the Samoa Lagoons site or acquire new required permits.

Operations

Following construction, the following operations will occur throughout the Project Area:

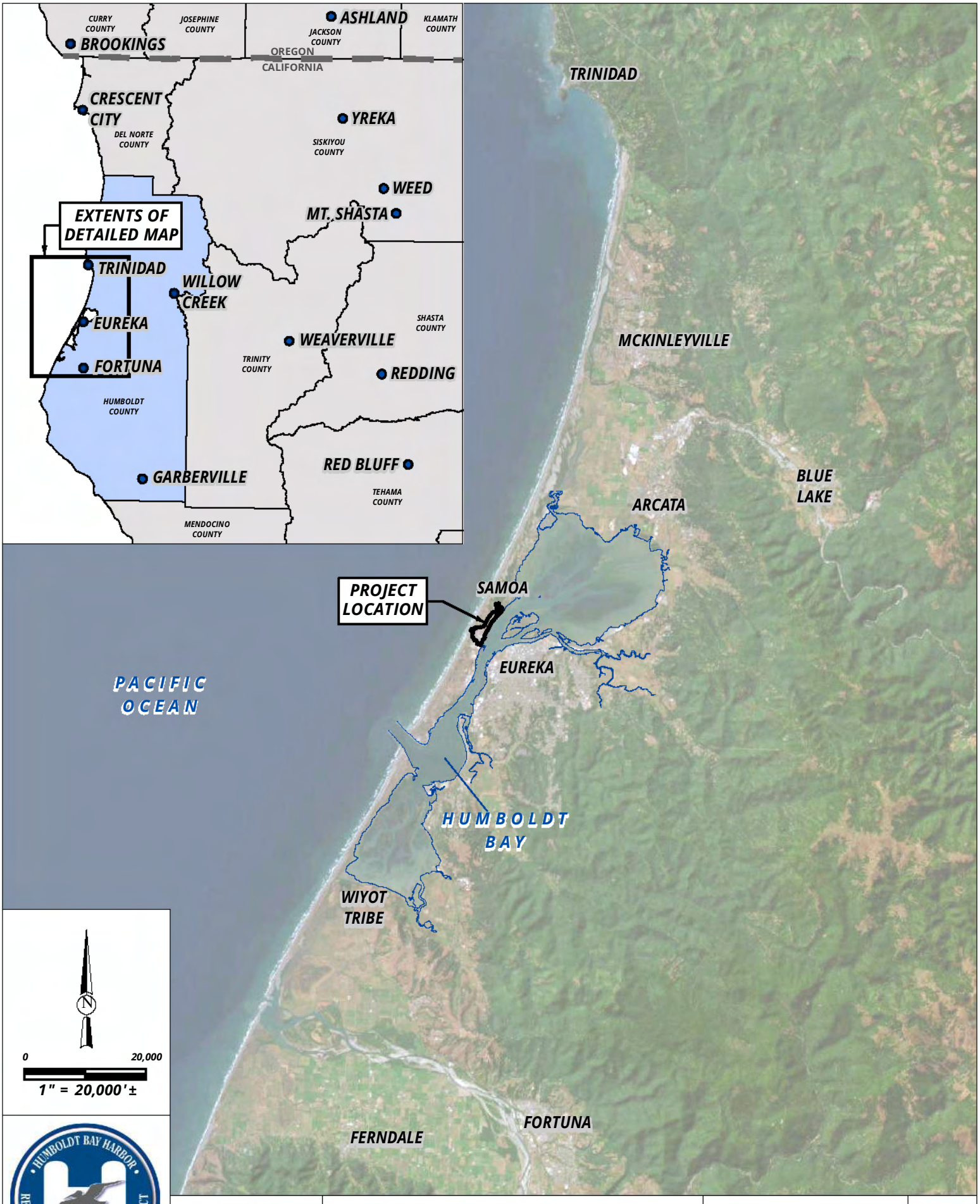
1. Offshore wind terminal operations including:
    a. Marine terminal import of blades, towers, floating foundations, and other turbine components.
    b. General terminal operations such as use of crawler cranes and fixed position ring cranes and loading and unloading of turbine components via ships.
    c. Manufacturing of turbine components.
    d. Staging of turbine components.
    e. Staging of turbine device mooring equipment (anchors, mooring lines, chain).
    f. Fabrication and assembly of turbine device substructure.
    g. Assembly and vertical integration of components to produce fully integrated and operational turbines (WTDs).
    h. Launching of WTDs.
    i. Towing of WTDs from site, along the Federal Navigation Channel, and out the entrance of Humboldt Bay (Figure 7). This component of the project ends at the entrance of Humboldt Bay. Towing of the components beyond the entrance of the Bay is not a part of this project and is covered under other environmental documents, such as those being developed by the Bureau of Ocean Energy Management (BOEM) for offshore wind energy development. Offshore operations of the turbines is also not a part of this project and is covered under other environmental documents, such as those being developed by BOEM.
    j. Long-term maintenance of fully operational turbines if operational turbines that are in the ocean need to be temporally towed back into Humboldt Bay.
    k. Decommissioning of fully operational turbines if operational turbines that are in the ocean need to be towed back into Humboldt Bay for deconstruction and repurposing.
    l. Temporary staging/storage of floating foundations and fully operational turbines within wet storage sites.
2. On-going maintenance dredging of berths and wet storage areas.
3. Monitoring and management of habitat restoration site.
4. Possible additional operations:
    a. Breakbulk cargo operations.

b. Forest product manufacturing, loading, offloading, and storage.
c. Operation of hagfish holding facility.

Humboldt Bay Area Plan Amendments

The Project will assess the environmental effects of making required amendments to the Humboldt Bay Area Plan ("HBAP", Local Coastal Program). The following aspects of the HBAP may need to be amended:

1. Recognizing the Project as a Priority 1 Site for the proposed Coastal-dependent industrial use. Resolve conflicting language in relationship to other coastal act policies that are addressed in the HBAP and with other current uses including policies regarding natural resources, viewsheds, and recreation.
2. An area designated NR-W by Humboldt County is within the Harbor District's primary regulatory jurisdiction and is contrary to the purposes of the tidelands granted in 1970 to the Harbor District by the California State Lands Commission. This inconsistency will need to be resolved.
3. Differentiate between buildings and non-building structures (e.g. cranes, high mast lighting and assembly of wind turbines) and increase maximum building and structure height allowances to accommodate the Project.
4. Modify limitations of industrial performance standards, including, noise, lighting, vibrations, dust control, and enclosed manufacturing to meet the needs of this Project and surrounding land uses.
5. With the need to amend the HBAP regarding this Project, HBAP policies would need to be resolved that conflicted with policies of the Coastal Act for the area within the State Retained Jurisdiction, Chapter 3 Coastal Resources Planning and Management Policies apply.



HUMBOLDT BAY HARBOR RECREATION & CONSERVATION DISTRICT

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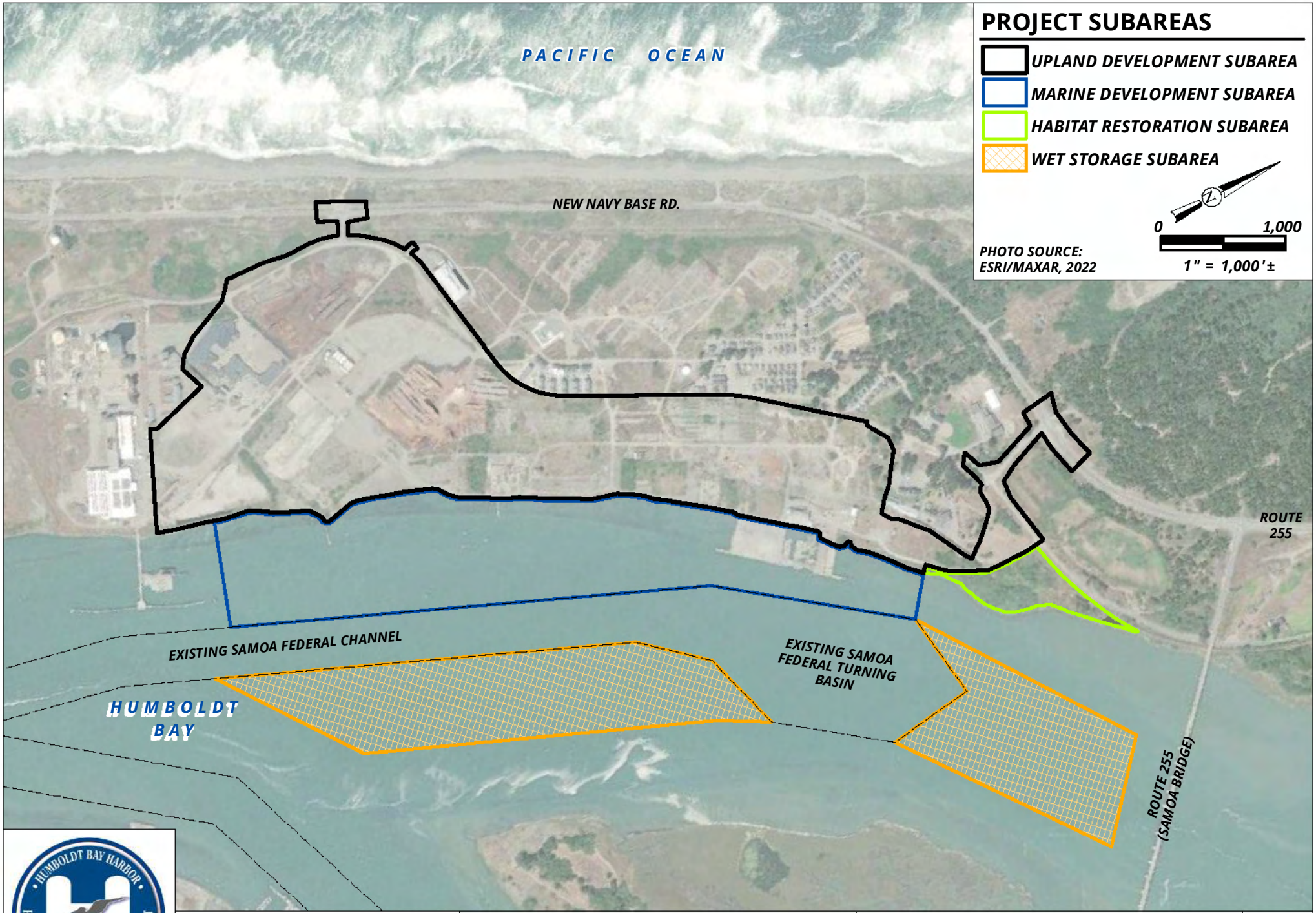
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Vicinity Map

March 2023

Figure 1



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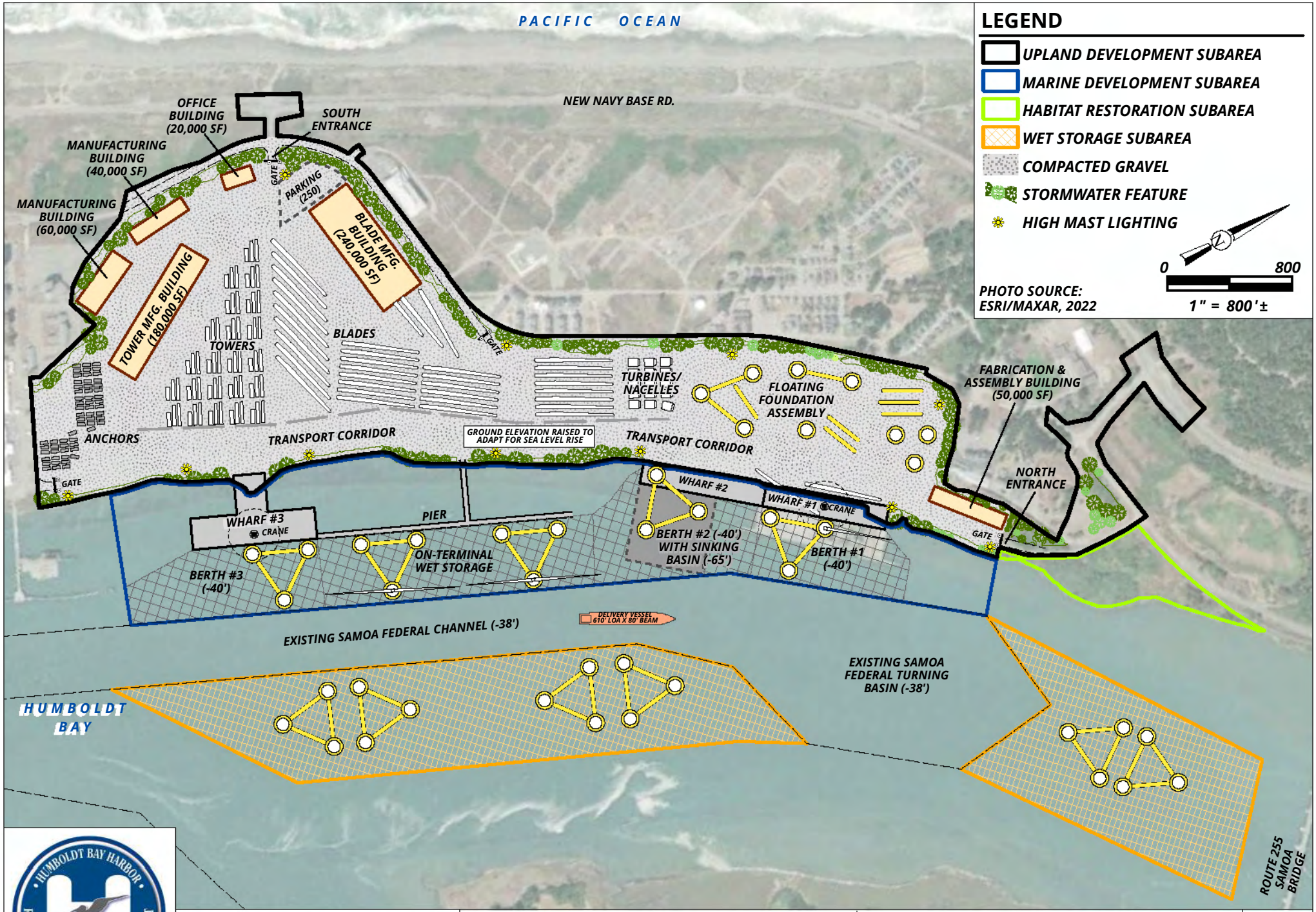
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Project Subareas

April 2023

Figure 2



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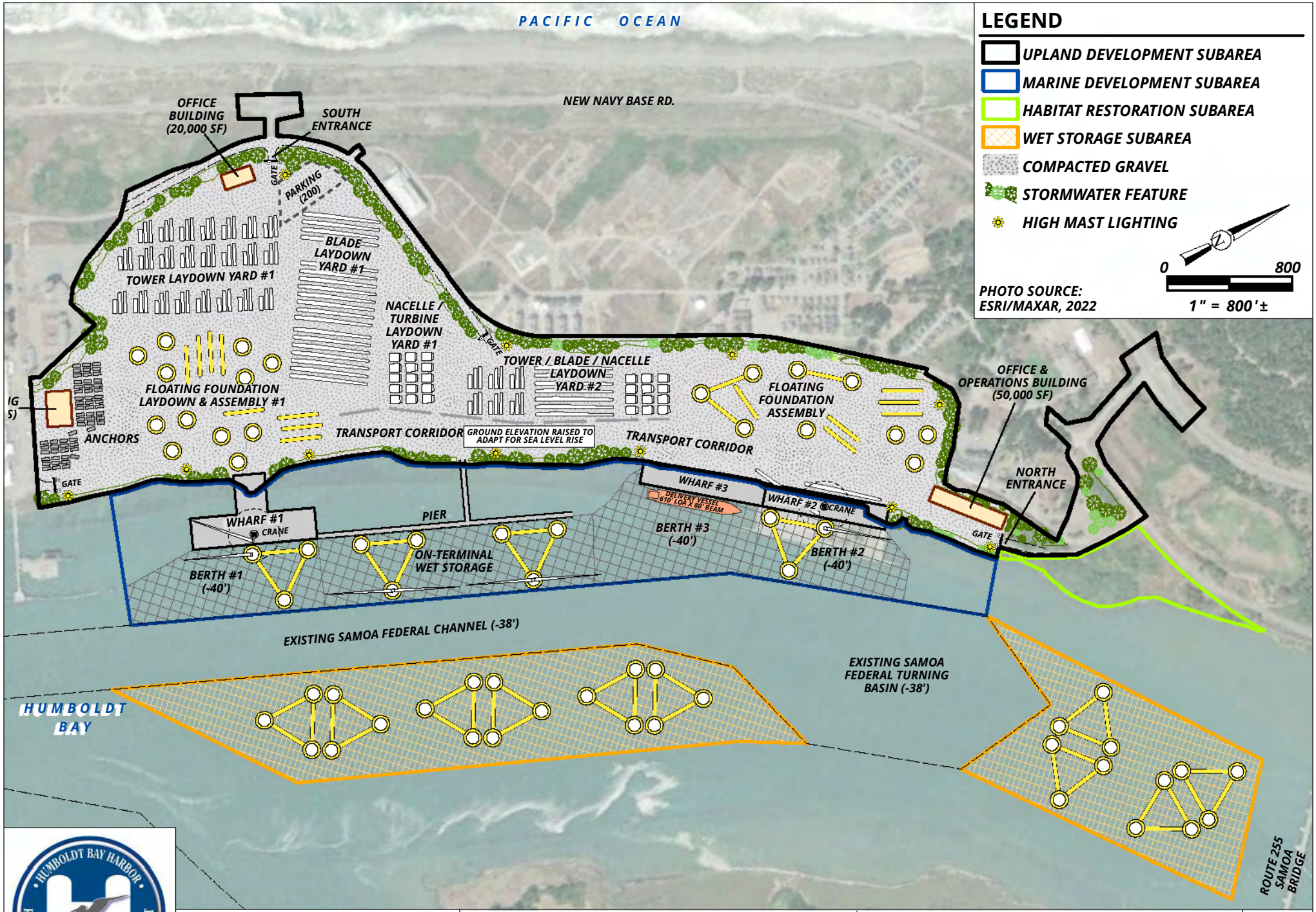
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Project Example #1

April 2023

Figure 3.1



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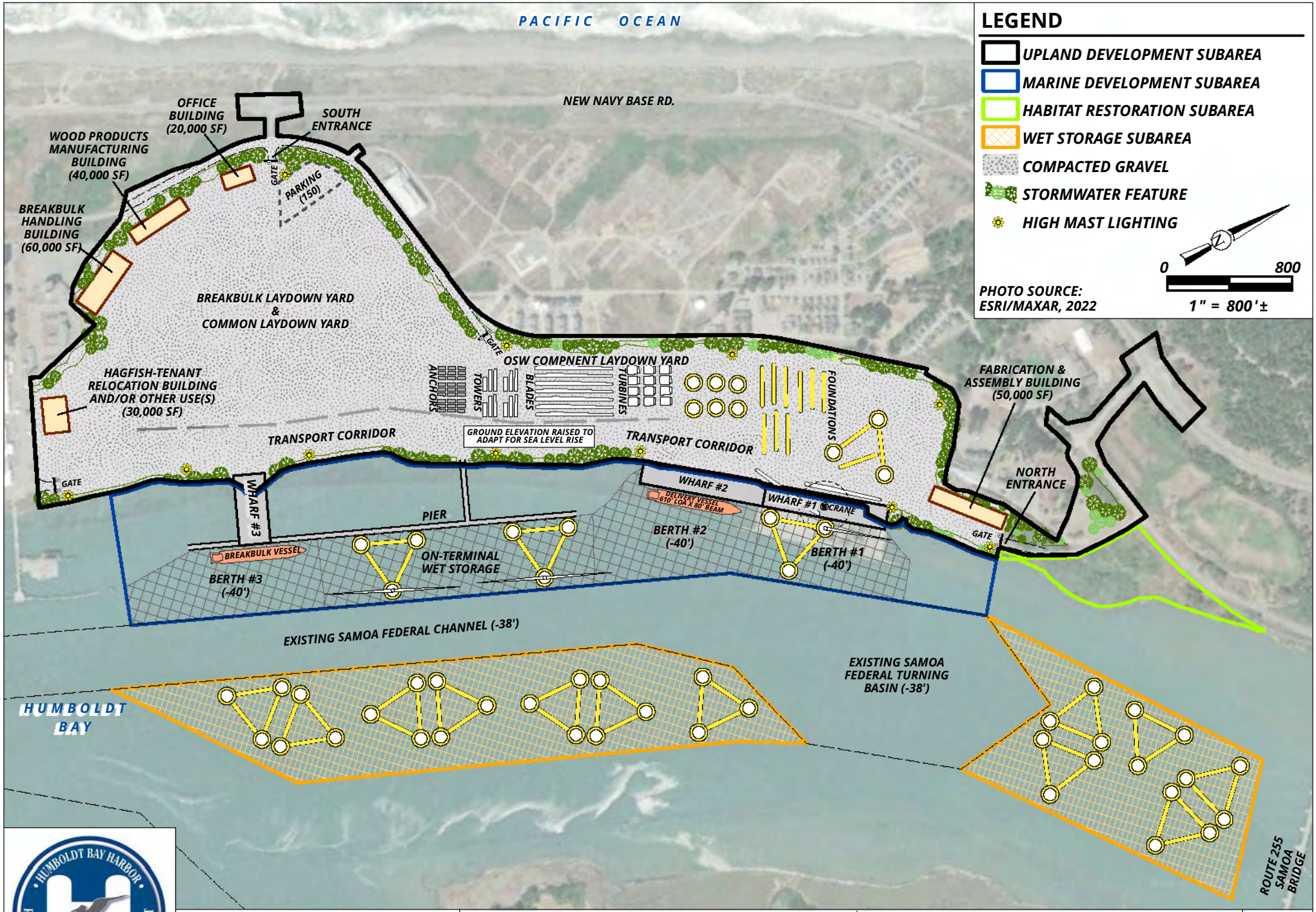
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Project Example #2

April 2023

Figure 3.2



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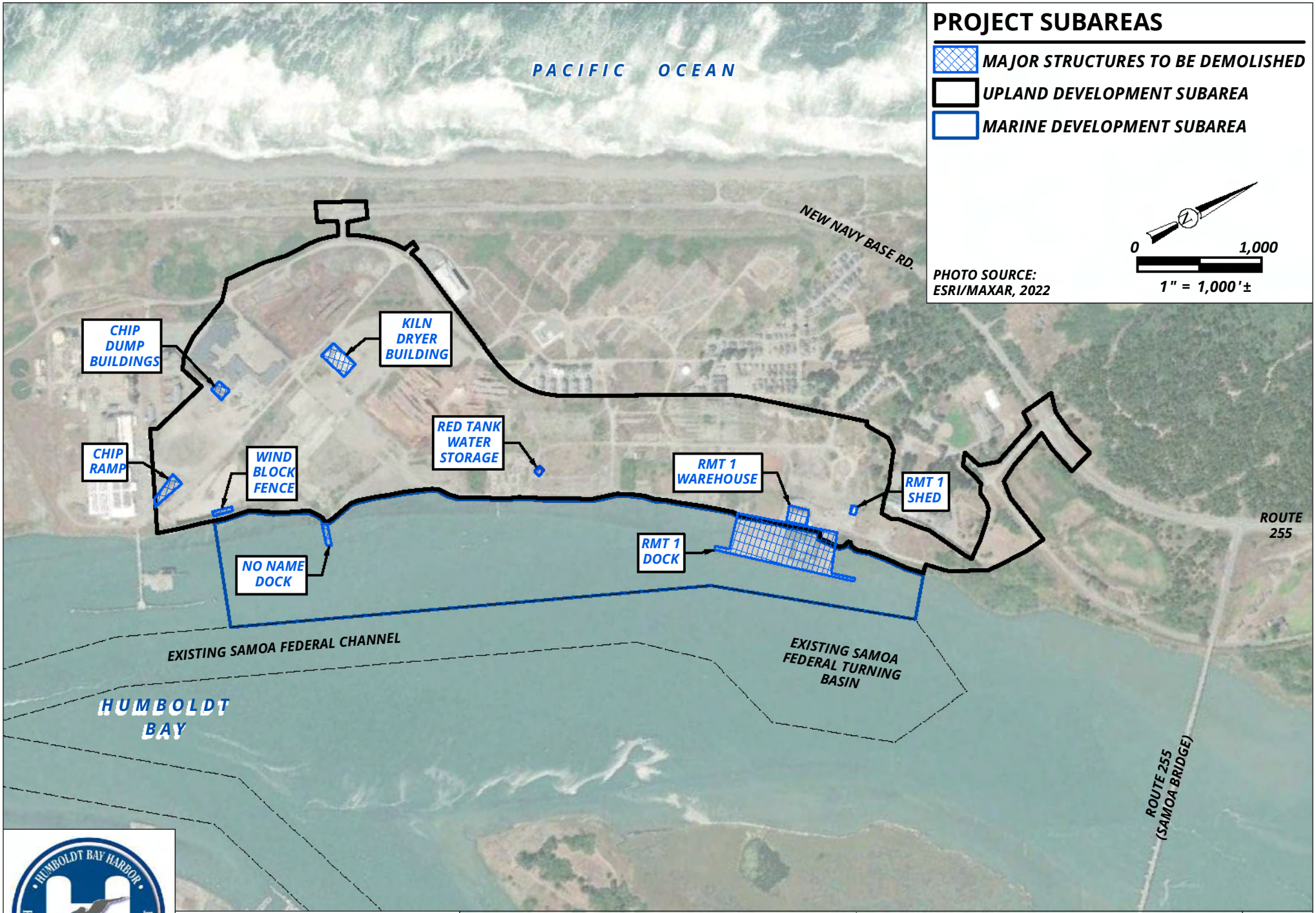
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Project Example #3

April 2023

Figure 3.3



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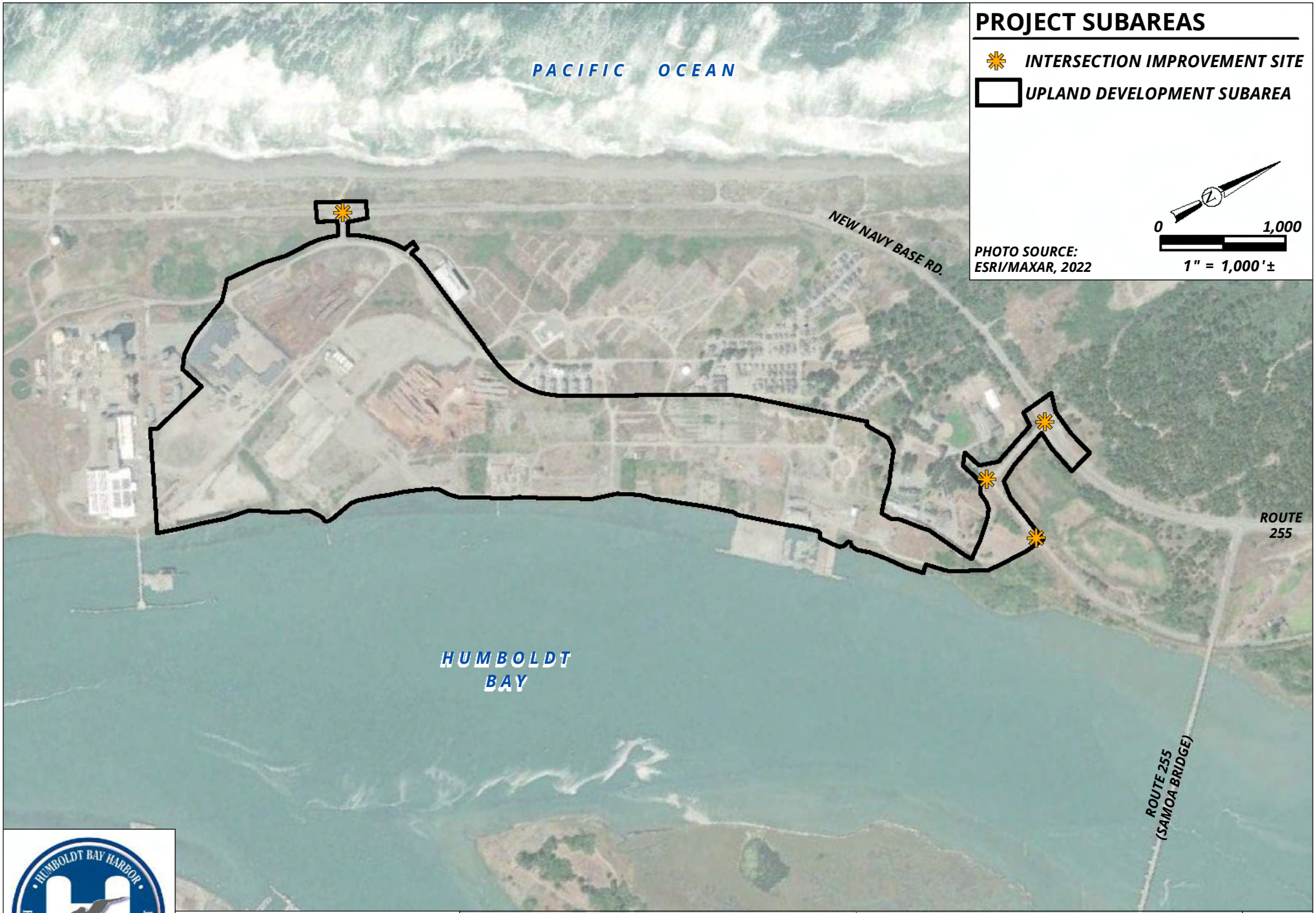
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Major Structures to be Demolished

May 2023

Figure 4



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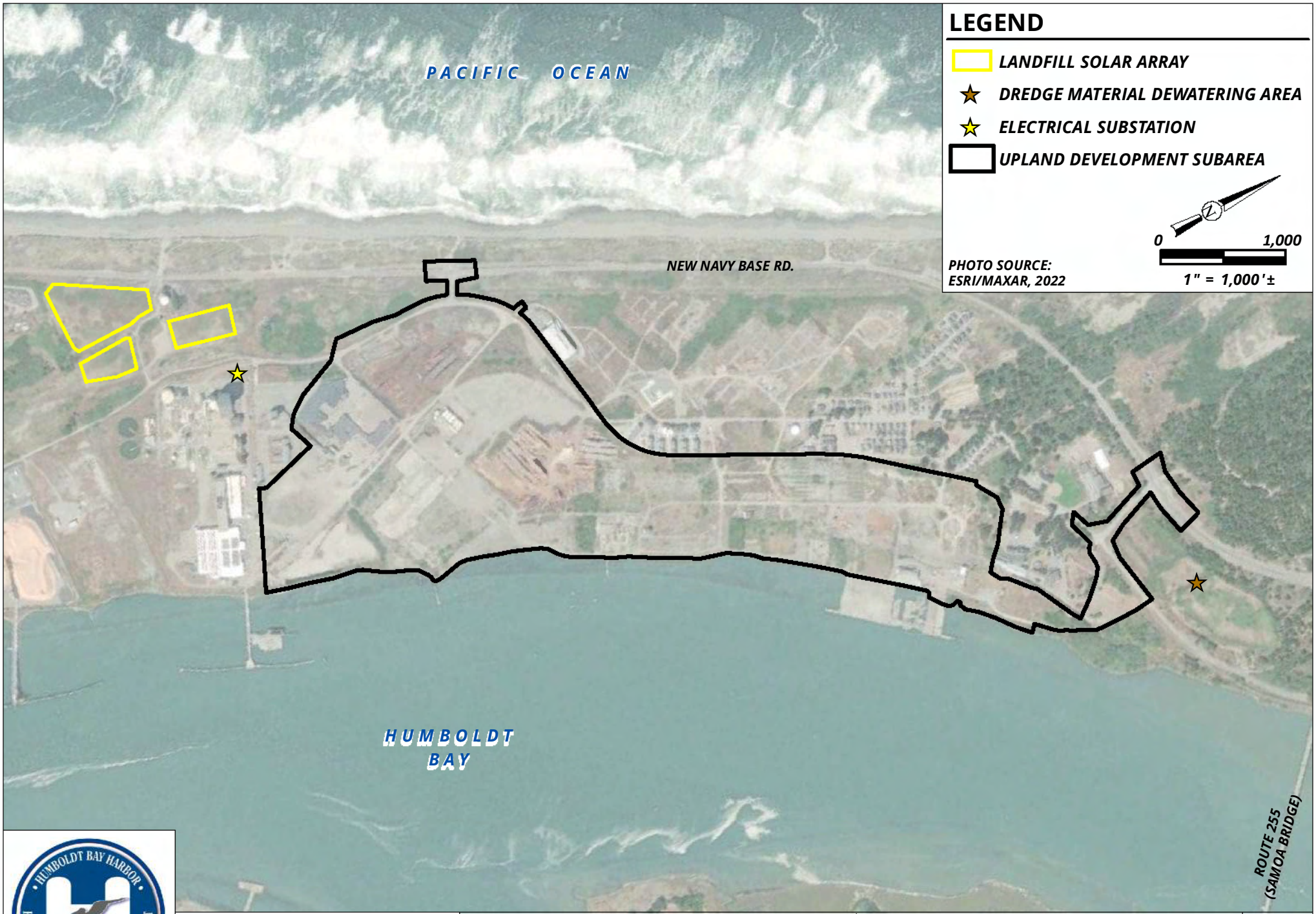
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Potential Intersection Improvements

May 2023

Figure 5



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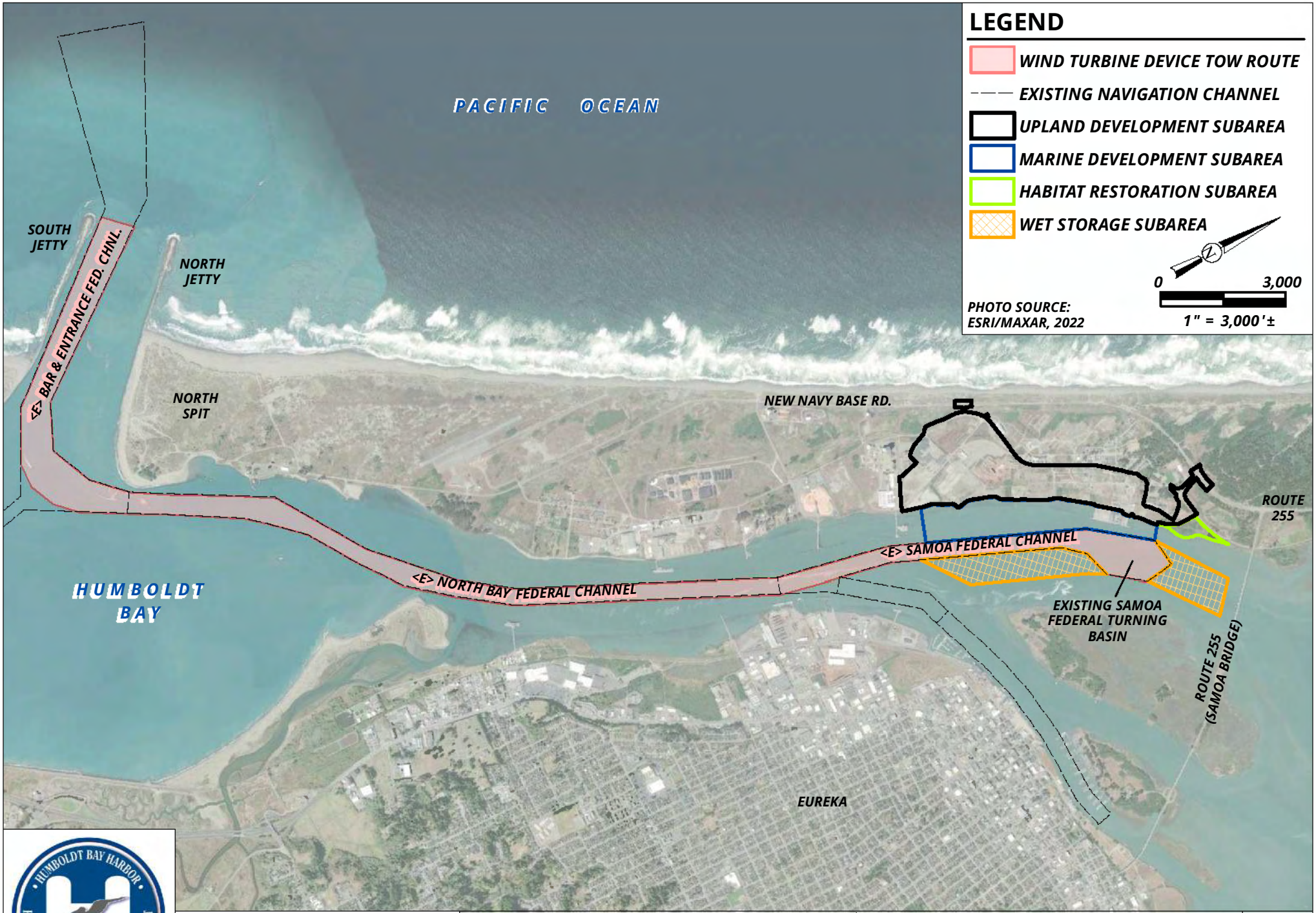
Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Potential Landfill Solar Array, Potential Dredge Material Dewatering Area, & Existing Electrical Substation

May 2023

Figure 6



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Humboldt Bay Offshore Wind Heavy Lift Marine Terminal

Wind Turbine Device Tow Out Route

May 2023

Figure 7

Attachment B

Boundary Line Agreement between the Harbor District and Louisiana Pacific

MINUTE ITEM
This Calendar Item No. 43
was approved as Minute Item
43 by the State Lands
Commission by a vote of 3
to 0 at its 10/28/82
meeting.

CALENDAR ITEM

43

10/28/82
W 503.825
Grimes
Graber
Stevenson
BLA 227

APPROVAL OF BOUNDARY LINE AGREEMENT
AND AUTHORIZATION TO SETTLE LAWSUIT;
HUMBOLDT BAY HARBOR,
RECREATION AND CONSERVATION DISTRICT V.
LOUISIANA PACIFIC CORPORATION

The Humboldt Bay Harbor Recreation and Conservation District is successor to the State's interest in tide and submerged lands in Humboldt Bay area pursuant to Chapter 1283, Statutes of 1970, as amended.

Chapter 1040 of the Statutes of 1976 authorizes the District to settle disputes regarding sovereign claims within its boundaries subject to the approval of the State Lands Commission. This Calendar Item seeks such an approval. The predecessors in interest of Louisiana Pacific began occupying the tide and submerged lands involved in this boundary line agreement in the late-1800's for lumber mill purposes. A portion of the lands had been patented into private ownership pursuant to Tideland Survey No. 75. The remainder of the lands were never conveyed into private ownership. However, a great amount of filling and construction of improvements was done on the lands by the predecessors of Louisiana Pacific after the statutorily established Board of Harbor Commissioners for the Port of Eureka purportedly issued permits. Louisiana Pacific and its predecessors have developed the lands as a major lumber mill and shipping facility and have continued in possession of the lands to the present day.

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S 2

(Revised 10/20/82)

CALENDAR PAGE 229
MINUTE PAGE 2777

The District sued Louisiana Pacific in 1976 to resolve the dispute regarding the boundaries of land claimed by Louisiana Pacific in fee and the right to occupation of adjoining unpatented land. The District claimed ownership in fee of all the land lying bayward of the last natural position of the line of mean high water, excepting the land within Tideland Survey No. 75. The District contended that such patented land is subject to the public trust easement and that the District is the owner in fee of all lands lying bayward of the last natural position of the line of mean low water. Louisiana Pacific responded that, irrespective of the last natural positions of the lines of high mean and mean low water, it has the right to occupy all unpatented land subject to the lawsuit under an irrevocable license for the useful life of the lumber complex. The District, in conjunction with the Commission's staff, undertook studies to establish the last natural position of the lines of mean high and mean low water along the subject land. The determinations of the District and Commission staff are acceptable to Louisiana Pacific and are incorporated in the boundary line agreement.

The proposed settlement, involving a boundary line and settlement agreement settling lands on the west side of Humboldt Bay, would substantially resolve this lawsuit. No exchange of sovereign lands or termination of the public trust easement for commerce, navigation, and fisheries is comtemplated by the agreement.

Under the proposed boundary line agreement, boundaries would be established along more than 10,750 feet of the shoreline of Humboldt Bay as to lands (a) owned in fee by Louisiana Pacific free of the public trust easement (b) owned by Louisiana Pacific subject to the public trust easement, and (c) owned by the District as grantee in trust subject to State reversionary interests. The agreement will resolve the boundaries along one of the largest privately owned parcels on Humboldt Bay under the District's jurisdiction.

The District has approved the settlement and boundary line agreement. The Commission's staff and Attorney General's Office were actively involved in negotiating the proposed settlement and recommend its approval by the Commission.

The essential elements of the boundary line agreement are:

1. The last natural position of the line of mean high water will be established

(Revised 10/20/82)

along approximately 10,750 feet of Humboldt Bay.

2. The last natural position of the line of mean low water will be established along the bayward boundary of Tideland Survey No. 75.

The major benefits flowing to the District from the settlement and boundary line agreement include the following:

1. There will be an end to complex and burdensome litigation.

2. The water boundaries of one of the largest privately owned waterfront parcels on Humboldt Bay under the District's jurisdiction will be resolved.

3. The District's fee title to approximately 54.75 acres of filled tide and submerged lands will be resolved.

4. The District will receive $150,000 in consideration for past occupation of the filled tide and submerged lands.

5. Louisiana Pacific will lease the filled tide and submerged lands together with adjacent docking areas, from the District, at an initial rental of $75,000 per year.

6. The settlement will enable Louisiana Pacific to continue its major lumber milling and shipping operations.

7. At the termination of the lease between the District and Louisiana Pacific, the District will receive additional enhanced upland access to its filled tide and submerged land waterfront parcel via a dedicated road.

A copy of the proposed settlement and boundary line agreement is on file in the Commission's staff office and is incorporated by reference as a part of this Calendar Item.

(Revised 10/20/82)

AB 884: N/A.

EXHIBITS: A. Site Map.
B. Map showing approximate location of settlement lines.

IT IS RECOMMENDED THAT THE COMMISSION IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 1040, STATUTES OF 1976:

1. APPROVE THE BOUNDARY LINE AND LEASE AGREEMENTS SUBSTANTIALLY IN THE FORM ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AS OUTLINED ABOVE BY AND BETWEEN THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT AND LOUISIANA PACIFIC CORPORATION, PURSUANT TO AND IN ACCORDANCE WITH SECTION 3(b) OF CHAPTER 1040, STATUTES OF 1976.

2. APPROVE THE ADEQUACY OF CONSIDERATION WITH RESPECT TO THE SETTLEMENT, CONVEYANCES AND AGREEMENTS PROVIDED FOR IN THE PROPOSED SETTLEMENT AGREEMENT, PURSUANT TO AND IN ACCORDANCE WITH SECTION 4 OF CHAPTER 1040 STATUTES OF 1976.

3. AUTHORIZE EXECUTION OF AND DELIVERY INTO ESCROW FOR RECORDATION IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF HUMBOLDT, A MINUTE ITEM AND CERTIFICATE EVIDENCING THE APPROVAL OF THE COMMISSION OF THE SETTLEMENT AND THE LEASE AND BOUNDARY LINE AGREEMENTS PROVIDED FOR THEREIN.

4. AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO FILE, IN ANY PENDING ACTION TO QUIET TITLE TO THE SETTLEMENT LANDS, A STIPULATION DISCLAIMING BY THE STATE OF CALIFORNIA ON BEHALF OF THE STATE LANDS COMMISSION OF ANY RIGHT, TITLE OR INTEREST IN OR TO LANDS LOCATED LANDWARD OF THE LAST NATURAL POSITION OF THE MEAN HIGH WATER LINE AS DESCRIBED IN THE SETTLEMENT AGREEMENT, EXCEPTING THE ACCESS ROAD PROVIDED FOR IN THE AGREEMENT.

5. AUTHORIZE THE EXECUTIVE OFFICER OR HER DESIGNEE AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS WHICH THEY DEEM NECESSARY OR APPROPRIATE TO EFFECTUATE THE PROPOSED SETTLEMENT AND BOUNDARY LINE AGREEMENT; INCLUDING, BUT NOT LIMITED TO JOINING AS A PARTY TO THE AGREEMENT, IF NECESSARY.

6. FIND THAT THE PROPOSED AGREEMENT IS IN SETTLEMENT OF TITLE AND BOUNDARY LITIGATION AND THE PROVISIONS OF CEQA ARE INAPPLICABLE.

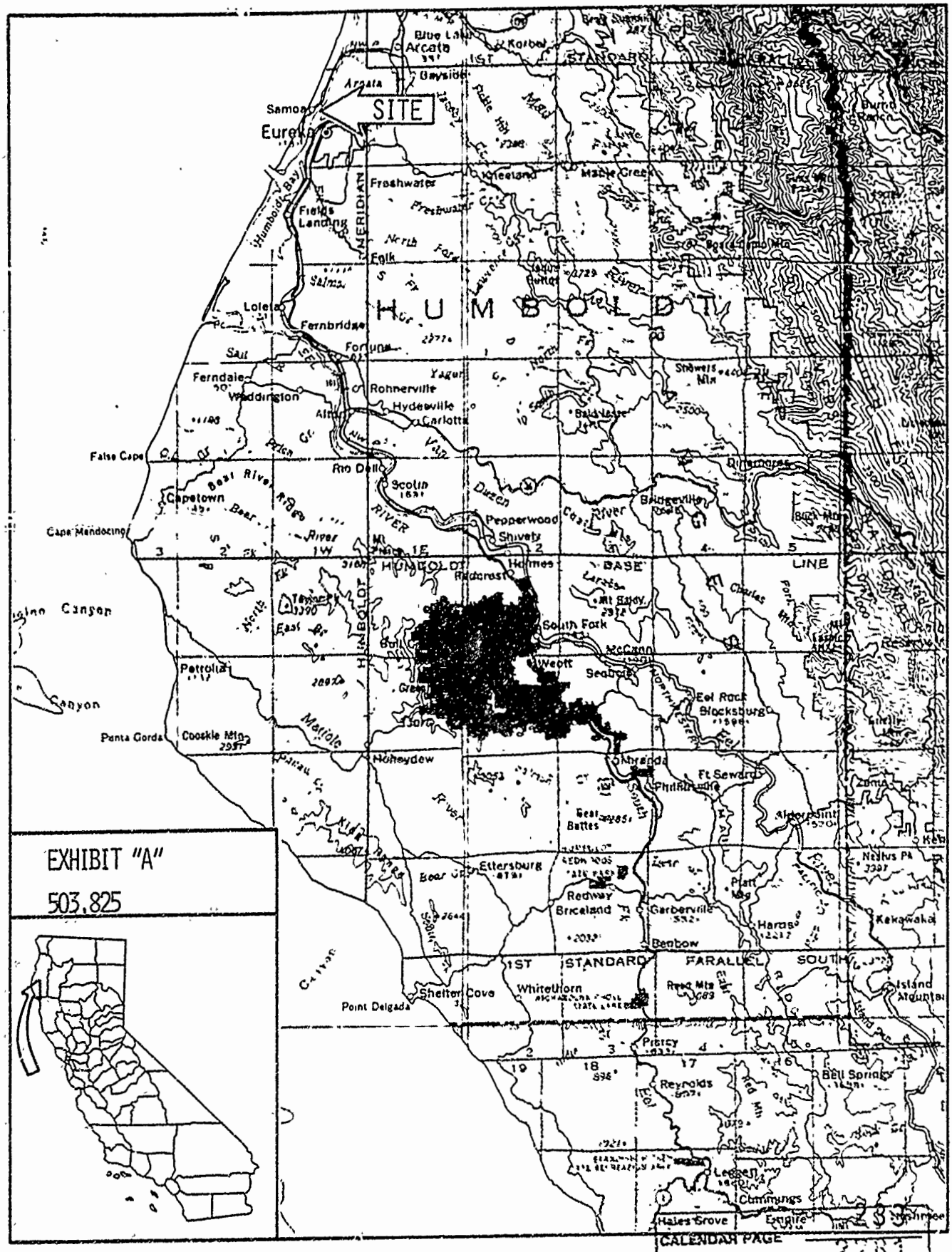

EXHIBIT "A"

503.825

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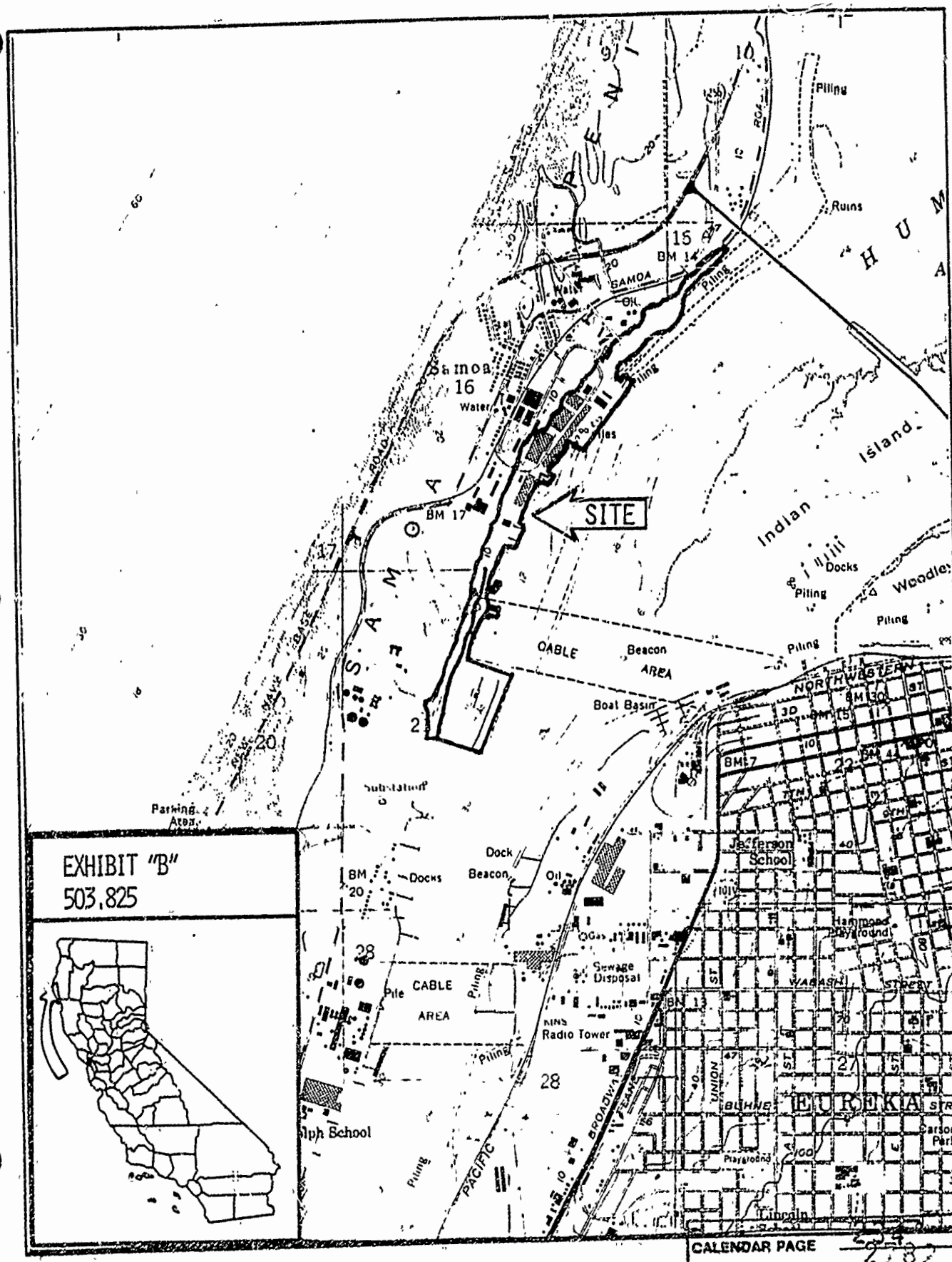

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