



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

C-5

For the meeting of: February 7, 2017

Date: January 24, 2017

To: Board of Supervisors

From: Supervisor Rex Bohn

Subject: Letter to the Humboldt Bay Harbor, Recreation, and Conservation District requesting that any reference to the Humboldt County Fish & Game Advisory Commission as a source for developing the Conservation Measure REC-1 be deleted in the Coast Seafood North Bay Aquaculture Expansion Project Final Environmental Impact Report (FEIR).

RECOMMENDATION(S): That the Board of Supervisors send a letter to the Humboldt Bay Harbor, Recreation, and Conservation District requesting that any reference to the Humboldt County Fish & Game Advisory Commission as a source for developing the Conservation Measure REC-1 be deleted in the Coast Seafood North Bay Aquaculture Expansion Project FEIR.

SOURCE OF FUNDING: N/A

DISCUSSION: On January 17, 2017, the Humboldt County Fish & Game Commission (HCF&GC) voted to request the Board of Supervisors send a letter to the Humboldt Bay Harbor, Recreation, and Conservation District requesting that any reference, using HCF&GC as a source for developing the Conservation Measure REC-1, be deleted in the Coast Seafood FEIR.

In referencing the Coast Seafood FEIR, Conservation Measure REC-1 was developed based on conversations with several sources knowledgeable of Humboldt Bay hunting sites, including meeting with the Humboldt County Fish and Game Advisory Commission on April 21, 2015. However, the HCF&GAC

Prepared by Kathy Hayes

Signature [Signature]

REVIEW:

Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Sundberg Seconded by Supervisor Fennell

Ayes Sundberg, Fennell, Bass, Bohn, Wilson
Nays _____
Abstain _____
Absent _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: Feb. 7, 2017

By: [Signature]
Kathy Hayes, Clerk of the Board

took no action at that meeting and made no recommendations to the Board of Supervisors related to the Coast Seafood FEIR. Therefore, as an advisory body to the Board of Supervisors in all matters concerning fish and wildlife within the County of Humboldt, the HCF&GAC is requesting the Board of Supervisors send a letter to the Humboldt Bay Harbor, Recreation, and Conservation District requesting that any reference to the HCF&GAC as a source of developing the Conservation Measure REC-1 be deleted in the Coast Seafood North Bay Aquaculture Expansion Project FEIR

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: Humboldt Bay Harbor, Recreation, and Conservation District

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS: Proposed Letter



BOARD OF SUPERVISORS

COUNTY OF HUMBOLDT

825 5TH STREET

EUREKA, CALIFORNIA 95501-1153 PHONE (707) 476-2390 FAX (707) 445-7299

February 7, 2017

Jack Crider, Executive Director
Humboldt Bay Harbor, Recreation, and Conservation District
P.O. Box 1030
Eureka, California 95502-1030

Dear ~~Director Crider~~: *Jack*

On behalf of the Humboldt County Board of Supervisors, I am writing to request that the Humboldt Bay Harbor, Recreation, and Conservation District remove any references to the Humboldt County Fish & Game Advisory Commission (HCF&GAC) as a source for developing the Conservation Measure REC-1 in the Coast Seafood North Bay Aquaculture Expansion Project Final Environmental Impact Report (FEIR).

The Fish & Game Advisory Commission advises the Board of Supervisors on all matters concerning fish and wildlife within Humboldt County. However, the HCF&GAC is an advisory body of the Board of Supervisor and can make no recommendations without Board approval.

While the HCF&GAC received information on the Coast Seafood North Bay Aquaculture Expansion Project at their April 21, 2015 meeting, the HCF&GAC took no action or made any recommendations to the Board following that presentation.

Therefore, we are respectfully requesting that any reference to the Humboldt County Fish & Game Advisory Commission in the Conservation Measure REC -1 be removed.

Sincerely,

Virginia Bass, Chair
Humboldt County Board of Supervisors

VB:kh

REC - 1:

Coast shall avoid operations in the mapped area of the EBMA from midnight until sunset on days designated by CDFW as brant hunting days, including season opening and closing days (typically brant hunting is limited to Wednesdays, Saturdays, and Sundays between November 15 and December 15). This conservation measure shall not apply in the case of emergency conditions or other operations, such as marine debris removal, required by Coast to comply with other conditions of approval or mitigation measures, or ensure the safety of its operations.

Because this alternative represents an unreasonable financial risk to the applicant, is not operationally or economically feasible, and does not meet the basic project objectives, it is rejected from further consideration.

Topical Response No. 6: Hunting Impacts

Comments received on the R-DEIR included concerns that the project would restrict access to Humboldt Bay hunting grounds and that the project would reduce brant and waterfowl populations available for hunting. As noted in the R-DEIR, the project may result in the sporadic flushing of birds due to noise from boats and Coast's operations; however, this impact is considered less than significant because the increase in boat trips would only be two to three additional boat trips per day. To reduce impacts to brant hunting, the R-DEIR incorporates Conservation Measure REC-1, where Coast will avoid primary brant hunting areas in the EBMA during brant hunting season. To further address this concern, the FEIR incorporates discussion of an additional alternative that does not include any expansion of Coast's operational footprint within the EBMA. For additional analysis of this alternative, see FEIR Section 4, Revisions to the R-DEIR.

Conservation Measure REC-1 was developed based on conversations with several sources knowledgeable of Humboldt Bay hunting sites, including meeting with the Humboldt County Fish and Game Advisory Commission on April 21, 2015. Further, the Humboldt Bay Management Plan ("HBMP") identifies the designated hunting areas for waterfowl and brant, including the Eel River Wildlife Area, the Humboldt Bay National Wildlife Refuge, Mad River Slough Wildlife Area, and the Fay Slough Wildlife Area (Harbor District 2007). Overlap between the proposed project footprint and these areas is shown in Figure 2.6. The HBMP also notes that South Bay is a key area for brant hunting.

The total overlap between the proposed project footprint and hunting areas identified in the HBMP is approximately 335 acres, which represents approximately 5.7% of the identified hunting areas. However, comments from several hunters indicate that they use the entire North Humboldt Bay for hunting. See, e.g., Comment 28-13; Romo, personal communication, 2016. If these statements are correct, the project overlaps with 8.5% of the total available intertidal and subtidal hunting area in North Bay and 5.2% of the total available Humboldt Bay hunting area (including Entrance Bay and South Bay).

While the project would expand Coast's operational footprint within North Bay, it would not eliminate the availability of those areas for brant hunting. As noted in the R-DEIR § 4.3.7, each longline plot is visited infrequently, and many plots will not be visited at all during hunting season. Further, as noted in Impact REC-2 and Topical Response 7, below, Coast's expanded footprint would not limit boat access. The increased 10-ft spacing incorporated into the R-DEIR would permit passage through areas planted with longlines for most boats used for hunting. Even if hunters choose not to hunt within Coast's planted footprint, there are still ample areas available for hunting in North Bay and South Bay, including all areas designated as prime hunting areas by the Harbor District.

As noted in Topical Responses 4 and 8, impacts to brant and other waterfowl are considered less than significant and the project is not anticipated to result in reductions in brant or waterfowl populations available for hunting. As described R-DEIR § 6.5, the Pacific Flyway black brant population size from 2004-2014 ranged from approximately 112,000-177,000 birds with an average

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Minutes January 17, 2017 Humboldt County Fish and Game Advisory Commission.

Present: Chairman John Clark, Commissioners Mike Zamboni, Kim Watson, Harry Vaughn, Casey Allen, Phil Grunert, Brad Smith, Ted Romo, and secretary Nancy Kaytis-Slocum.

The meeting was called to order by Chairman John Clark at 6:35 pm.

There were no public speakers. Coast Oysters EIR was added to the agenda.

Grants: Our grant process will begin in May when we begin discussing the process. The secretary will attempt to get an amount of funding budgeted for the year. Requests for Proposals will be published at the beginning of June and due by the beginning of July. The RFPs will be evaluated at the July meeting and forwarded to the Board of Supervisors for approval. As soon as approval is received applicants will be notified.

Public Access: Access behind Hanson's on the Eel River - Kenny Priest not here to discuss.

Abalone season: April and November have been cut.

Coast Oysters: Ted Romo reported that the following paragraph is on page 27, Section 2-18 of the FEIR that describes topical response No. 6: Hunting Impacts.

"Conservation Measure REC-1 was developed based on conversations with several sources knowledgeable of Humboldt Bay hunting sites, including meeting with the Humboldt County Fish and Game Advisory Commission on April 21, 2015. Further, the Humboldt Bay Management Plan (HBMP) identifies the designated hunting areas for waterfowl and Brant, including the Eel River Wildlife Area, the Humboldt Bay National Wildlife Refuge, Mad River Slough Wildlife Area, and the Fay Slough Wildlife area (Harbor District 2007). Overlap between the proposed project footprint and these areas is shown in Figure 2.6. The HBMP also notes that South Bay is a key area for brant hunting"

Ted Romo then asked the secretary to read the pertinent section of the April 21, 2015 minutes which showed that no action was taken during that meeting. Also noted is that the HCF&GAC does not make recommendations directly, but must go through the Board of Supervisors to have them make recommendations.

MOTION: (Romo/Casey) That the HCF&GAC request that the Board of Supervisors send a letter to HBHRC District requesting that any reference using the Humboldt County Fish and Game Advisory Commission as a source for developing the REC-1 be deleted in the FEIR. Copies should be sent to Jack Crider, Executive director, HBHRC District; Greg Dale, Coast Seafoods Company, Operations manager. Motion carried with a nay from Commissioner Mike Zamboni.

MOTION: (Romo/Casey) That Ted Romo read the above motion at the HBHRC District meeting on January 19, 2017, during the FEIR section. All in favor.

HASA will have a general membership meeting on February 9, 2017 at Grace Baptist Church on Bunne in Eureka.

PFMC: Deeper water will be opened up in November and December.

MLPA: Waiting for results of the baseline monitoring project.

Sediment abatement solution: The harbor district is being asked to pay \$1.5 million for a sediment study. Dredging at King Salmon: \$1.5 million eel grass mitigation project before they can dredge a man-made channel. Fields Landing boat launch - nothing happening on this at the moment.

Announcements: Casey Allen is running for the Harbor District in June. Razor Clams: season is closed.

Next agenda: Ask someone from the Coastal Commission to speak to us on access.

The next meeting will be February 21, 2017. Meeting was closed at 7:40 pm.

Respectfully submitted

Nancy Kaytis-Slocum, secretary
HCF&GAC

DRAFT. DRAFT. DRAFT

Humboldt County Fish & Game Advisory Commission MINUTES April 21, 2015

The Commission meets the THIRD Tuesday each month from 6:30pm through 8:30pm. Agenda items and supporting info should be mailed to HCF&GAC; PO Box 922; Ferndale, CA 95536; Phone 707.786.4902 email: nkaytis4@gmail.com up to two weeks following previous meeting. Meetings are held at The Farm Bureau, 5601 S. Broadway, Eureka

	Attendance	Dist	Supervisor
x	Reid Aiton	4	Virginia Bass
x	Tom Cleary	3	Mark Lovelace
x	Phil Grunert	2	Estelle Fennel
x	Denver Nelson	1	Rex Bohn
x	Mike Zamboni	5	Ryan Sundberg
x	Nancy Kaytis-Slocum, Secretary		

	Attendance	Dist	Supervisor
x	Gene Morris	4	Virginia Bass
--	OPEN	3	Mark Lovelace
ex	Kevin McGrath	2	Estelle Fennel
x	Ted Romo	1	Rex Bohn
x	Harry Vaughn	3	Mark Lovelace

	Attendance	Dist	Supervisor
x	John Clark; Chair	2	Estelle Fennel
--	OPEN	4	Virginia Bass
x	Loren Furber	5	Ryan Sundberg
x	Kim Watson	5	Ryan Sundberg
ex	Brad Smith	1	Rex Bohn

Chairman John Clark opened the meeting at 6:37pm. Steve Rosenberg is a guest.

Greg Dale, Aquaculture policy advisor spoke to the Commission on the Oyster expansion proposal. Coast Oyster has done an Initial Study and will do an Environmental Impact Report (EIR). Eel grass now covers the largest area in Humboldt Bay in recorded history. As part of the previous permit process, Coast Oyster shrunk production from 900 acres to 300 acres. He presented a map that showed the areas they wanted to expand back into with different culture methods (ground culture changed to off-bottom culture). They are proposing four lines spaced one foot apart with a five foot space between. The lines are ten inches off the ocean floor. The Draft EIR will be available this summer. The Harbor Commission is proposing to lease different areas. Commissioner comments included (1) Cease operations on Wednesdays and weekends during legal hunting days. (2) Leave the east bay during duck and Brandt seasons. (3) Use PVC pipe to mark the areas of culture so that hunters will know the boundaries. Coast Oyster wants to expand into an additional 900 acres; the Harbor District wants to lease an additional 600 acres.

MOTION: (Morris/Grunert)The minutes from the March 17, 2015 meeting were accepted as presented. All in favor.

Area River Updates: the state is mandating that all of California cuts water use by 25%. Commissioner Denver Nelson went to the Board and suggested 10% instead of 25%.

Public Access: Commissioner Loren Furber read a letter he'd written regarding Clam Beach access. The secretary will return with the letter for approval at the next meeting.

Sudden Oak Death: Commissioner Harry Vaughn noted that the 10th Annual North Coast Sudden Oak Death Coordination Meeting will be 4/23/15 from 9:30am to 5pm.

PFMC: Commissioner Morris reported that the salmon season will open May 1 and close September 7; Halibut season will open 5/1.

Regulation 1.45 regarding processing of fish. Chair John Clark asked the secretary to write a similar letter as the one written by the Sonoma County Fish & Wildlife Commission to our Board of Supervisors.

The meeting was adjourned at 8:40 pm. The next meeting will be June 16, 2015.

Respectfully Submitted;

Nancy Kaytis-Slocum, Secretary