

Introduction to the Humboldt Bay Management Plan

SECTION I

1.0 General Setting

Humboldt Bay is located approximately 265 miles north of San Francisco, California, and approximately 250 miles south of Coos Bay, Oregon. Humboldt Bay is located in the heartland of California's majestic Redwood forest region. The area contained within the Humboldt Bay watershed is rich in rolling farmlands, scenic beaches and dunes, creeks, lush woodlands, and diverse wetlands.

The approximately 225-square-mile watershed that drains into Humboldt Bay consists of land areas that contribute groundwater and stormwater runoff into the major tributaries and into Humboldt Bay directly. Humboldt Bay has numerous ecosystems that are home to many plant and animal species, including several classified as endangered or threatened under federal or state law.

Bountiful aquatic organisms support commercial and sport finfishing and shellfishing, and the Bay supports many other water-dependent and water-related activities. Tourism and recreation are central to Humboldt County's local economy, including businesses such as restaurants and marinas that cater to recreational fishermen, birders, boaters, bathers, hunters, and nature enthusiasts.

Both residents and visitors enjoy the numerous ecological, cultural, and economic assets of Humboldt Bay. Arcata, located on Humboldt Bay's northern section, is home to approximately 16,651 people;¹ Eureka, in the central portion of the Bay, has a population of about 25,866; and Loleta/Table Bluff, in the southern section of the Bay, supports about 750 people. This population, and associated development and land uses, puts pressure on the area's natural resources and affects water quality. In recent years, many stakeholder groups have expressed concern about the impacts of population growth, proposed new development, and natural resource exploitation on the overall health of Humboldt Bay's ecosystem.



Recreation



Conservation



Harbor (Photo by Sy Beattie)

¹Population numbers are estimates, based on 2000 Census.

Historically impacts from population growth and unchecked development have not been as severe around Humboldt Bay as those seen in other coastal regions of California. However, there is a growing awareness of the need for efforts to address existing problems and to enact proactive efforts to prevent degradation of Humboldt Bay's ecosystem.

2.0 Purpose of the Humboldt Bay Management Plan

The purpose of the Humboldt Bay Management Plan ("Plan" or "HBMP") is to serve as a management guide, planning tool, and policy strategy, as well as to be a reference document for the Humboldt Bay Harbor, Recreation and Conservation District (hereinafter referred to as the "District" or "HBHRCD") and other resource management agencies and organizations interested in Humboldt Bay.

The management plan is intended to guide new projects around the Bay, such as project planning, master plans, mitigation strategy development, compliance with California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Coastal Zone Management Act (CZMA), and Clean Water Act (CWA), and to assist in daily resource management work.

To accomplish this, an inventory of bay resources was first established to identify status, establish indicators of environmental quality, identify trends over time, and determine probable trends of concern. This plan is formulated in such a way as to set objectives for resource management and identify recommend approaches that will reduce the potential for future problems and user conflicts.

State and federal agencies, local governments, business and industry, academia, environmental organizations, commercial and recreational users, and the general public have joined together to identify Humboldt Bay's resource issues and to provide guidance on scientific studies to characterize the issues. The Management Plan identifies resource management needs, and sets out a mechanism to identify priorities and to develop

partnerships in order to achieve this goal over the next ten years.

The Humboldt Bay Management Plan is intended to be a long-term strategy for resource management around and within Humboldt Bay. The intention of the HBMP is to provide direction, facilitate partnerships, and promote the stewardship of Humboldt Bay's natural and environmental resources, in the HBHRCD's continued management strategy of Humboldt Bay. The HBMP ventures beyond the District's jurisdictional boundaries in order to evaluate the interconnections among human uses and the natural and environmental resources of Humboldt Bay.

As the various management strategies for the Humboldt Bay Management Plan are implemented, their results monitored, and additional scientific information gathered, this HBMP will evolve, like Humboldt Bay. This plan is meant to be a living and changing document.

There is more information pertaining to Humboldt Bay than most individuals can grasp. If the phenomena and interrelationships among elements at any given time were not enough to boggle our intellects, there are constantly changing complexities occurring within the ecosystems that we are trying to understand.

The Humboldt Bay Management Plan seeks not only to provide information to resource managers on the current state of Humboldt Bay's biological and physical resources but also to provide a guideline for future resource management strategies that will ensure compatibility with Humboldt County's need for economic stability.

3.0 Geographical Coverage of This Plan

The District has identified a geographical region of coverage for the Humboldt Bay Management Plan. In the broadest sense, the Plan coverage area reflects the District's general interests in the Public Trust lands near Humboldt. The District's interests, however, are not uniform throughout this broadly defined region.

3.1 The Plan Boundary— Primary Area of Concern

The legislation that created the District² established the District’s authority to act within a specified area within the Humboldt Bay watershed. Generally, this area of primary District jurisdiction includes the region of Humboldt Bay that is wetted by the tides. This region includes: (1) all of Humboldt Bay bayward of existing levees, (2) most of Mad River Slough, (3) the region of Eureka Slough (including Freshwater Slough and Ryan Slough) approximately to the limit of tidal action (which is generally identified as the location of Myrtle Avenue), (4) Elk River to the limit of tidal action, and (5) the tidally influenced parts of Hookton Slough and Salmon Creek in South Bay. As discussed further below, the District’s authority also includes a number of District-owned parcels (including areas of uplands) at Woodley Island, the Park Street mitigation site, the Fields Landing Boat Repair Facility (Kramer Dock) site, the Redwood Dock parcel on the Samoa Peninsula, a small parcel within the mouth of the Elk River, and a restoration area at Buhne Point in King Salmon.

This area (shown in Figure 1-1) should be considered the District’s “primary” area of concern under this Plan. The District has decision-making responsibility for this region, and the policy framework in this document specifically applies to, and constitutes the basis for, the decisions that the District will make in this region.

3.2 The Sphere of Interest— Secondary Area

As discussed further in Section II, focusing only on a portion of the Humboldt Bay ecosystem on the basis of a “political” boundary, based on the locations of levees that separate tidelands and diked former tidelands, does not sufficiently encompass the ecological dynamics that affect District concerns within the Bay ecosystem. In consequence, the District has also identified an area of “secondary” concern for the District’s planning considerations, the “Sphere of Interest” (also shown in Figure 1-1).

²Appendix 2 of the California Harbors and Navigation Code (Chapter 1283 of the Statutes of 1970), as amended, which created the Humboldt Bay Harbor, Recreation and Conservation District. See Appendix B in Volume II of this Plan.



Jetty construction, circa 1920

The “secondary” area encompasses the remainder of the Public Trust lands.³ This area generally includes the region that was subject to tidal action when California became a state; this is, conceptually, the area behind levees and tidegates that would be subject to District jurisdiction if the levees were not present. This Plan includes policy elements that express the District’s interests within the “secondary” area, reflecting the District’s relationships with other local governments, and to some extent with state and federal agencies, regarding management in the “secondary” area of concern.

3.3 The Watershed—Tertiary Area

Activities and land uses that take place in the larger Humboldt Bay watershed, the larger geographical area that includes the District’s “primary” and “secondary” areas of concern, may also directly or indirectly affect the subjects addressed in this Plan; such activities are, however, outside of both the District’s area of direct or “primary” jurisdiction and the Public Trust lands that constitute the District’s “secondary” area of concern.

³The boundary of the lands subject to the Public Trust near Humboldt Bay is nearly coincident with the Coastal Zone boundary near Humboldt Bay; this would be an alternative perspective useful in understanding the District’s “secondary” area of concern.



Abundant animals



Tugs



A spectacular sunset

Accordingly, the District has identified the remainder of the Humboldt Bay watershed as a “tertiary” area of concern. The watershed area is shown in Figure 1-2.

4.0 Humboldt Bay as Three Bays

Following its establishment in 1970, the District commissioned a master plan for Humboldt Bay (Koebig and Koebig 1975) that identified conceptually important geographic distinctions within Humboldt Bay. The central part of Humboldt Bay that was associated with the Bay’s entrance, channels, and wharfage was identified as the part of the Bay of greatest significance for commercial and coastal-dependent industrial uses (the “Development – Water”), while the northern and southern parts of the Bay and large areas in the central part of the Bay were identified as having greater importance as habitat or natural areas (the “Conservation – Water”).

This plan also addresses Humboldt Bay management in terms of these three sub-areas, shown in Figure 1-3. The general kinds of activities that the District anticipates will occur in each of these primary sectors of Humboldt Bay represent a broad policy framework with respect to uses in the Bay. That is, the segregation of Humboldt Bay into three geographically distinct areas represents the first “layer” of the District’s management approach. However, the separation is “for management purposes only,” and the District’s staff and decision-makers are aware that the elements that constitute the Humboldt Bay ecosystem cross these artificial jurisdictional boundaries.

4.1 Arcata Bay

The northern part of Humboldt Bay is often identified as Arcata Bay. The generally recognized southern boundary of Arcata Bay is the Highway 255 bridge between Eureka and the Samoa Peninsula, owing to the extension of maintained dredged Eureka and Samoa channels to the location of the bridge.⁴

⁴In general, the planning boundaries adopted in Section III should not be interpreted as strict geographical limits for the biophysical elements described in Section II. The planning boundaries reflect districts in which various management policies apply. These districts approximately correspond to biophysically relevant regions in Humboldt Bay, but this Plan does not intend to identify congruence between the planning designations and the biophysically defined regions.

Humboldt Bay Plan Boundary

This map shows the extent of the Harbor District Management Plan's jurisdiction as the "Primary" Area of Concern and the Harbor District Management Plan's "Secondary" Sphere of Interest.



Figure 1-1: Humboldt Bay Primary & Secondary Boundaries

Humboldt Bay Watershed (Major Tributary Stream Basins)

Humboldt Bay Drainage Boundary

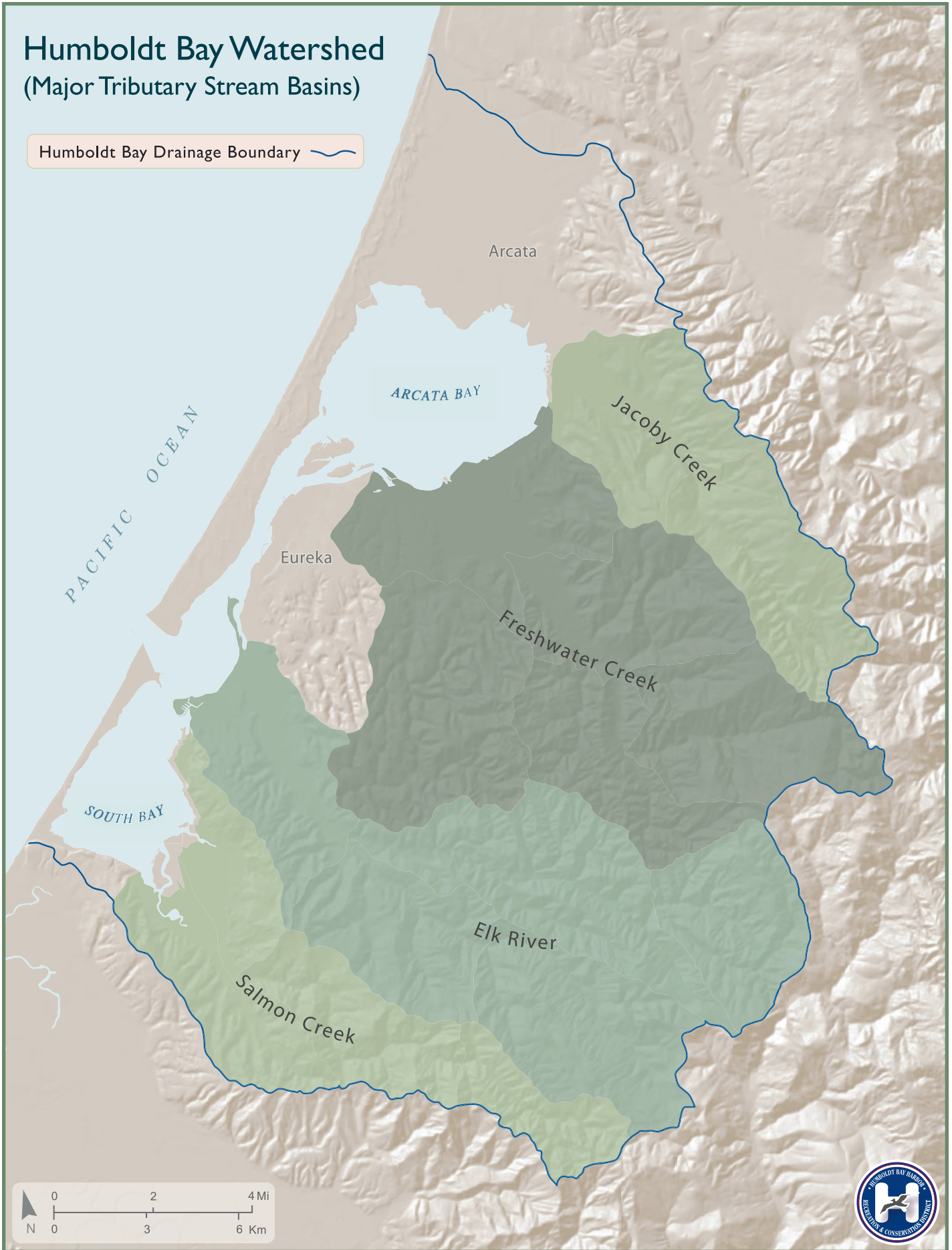


Figure 1-2: Humboldt Bay Watershed Area

The District’s Management Plan Task Force ordained that the Management Plan should identify the generalized uses that would be preferred in Arcata Bay to be: (1) a continued or heightened protection of Arcata Bay’s environmental resources, as well as (2) the continued use of Arcata Bay for aquaculture or mariculture, and (3) the continuance and enhancement of recreational opportunities.



Shipbuilding circa 1890—Shaw & Lambert Boatyard

4.2 Entrance Bay

The central part of Humboldt Bay is often identified as “Entrance Bay.” Generally this region extends from approximately the Highway 255 bridge through the narrow central part of the Bay. The southern margin of Entrance Bay may be thought of most effectively as including the deeper waters inside the Bay opposite the mouth, extending to the vicinity of the Pacific Gas and Electric Company (PG&E) plant. Entrance Bay includes the dredged channel to King Salmon and to the southern extent of the Fields Landing Channel (as in Figure 1-3).

The Management Plan Task Force determined that management in Entrance Bay should be focused on: (1) harbor-related uses, (2) maintenance or enhancement of Entrance Bay’s environmental resources, and (3) maintenance and enhancement of recreational opportunities.

4.3 South Bay

The remaining part of the Bay, South Bay, includes extensive tidal flats and eelgrass meadows. South Bay generally is considered to include the shallows and tidal channels south of the deeper Entrance Bay.

The Management Plan Task Force identified the predominant preferred uses in South Bay as: (1) protection and enhancement of South Bay’s environmental resources; and (2) port-related uses, in terms of the dredged channel to King Salmon and Fields Landing and the associated harbor-related facilities. Since the latter are identified in this plan as included in Entrance Bay, the predominant preferred uses in South Bay are: (1) the protection and enhancement of the South Bay’s environmental resources, and (2) maintenance and enhancement of recreational opportunities.



Humboldt Bay contains approximately half of California’s eelgrass resource

Humboldt Bay Three Bays Map



Figure 1-3: Humboldt Bay Three Bays Map

5.0 Roles and Responsibilities of the District

5.1 Regulatory Responsibilities and Authorities

The District was legislatively created as a local agency under California law. This mode of creation invested in the District the legal powers and responsibilities of a local government, in addition to establishing the enumerated powers identified in the establishing legislation. These powers create in the District the regulatory authority needed to implement the provisions of a Humboldt Bay Management Plan, akin to the powers vested in the cities and the County.

The general authority of the District includes the following:

- “acquisition, construction, maintenance, operation, development and regulation of harbor works and improvements, including rail, water, and air terminal facilities;
- “development, operation, maintenance, control, regulation and management of Humboldt Bay upon the tidelands and lands lying under the inland navigable waters of Humboldt Bay;
- “promotion of commerce, navigation, fisheries, and recreation thereon;
- “development and protection of the natural resources of the area.”

The District is governed by a Board of Commissioners, elected at large by voters in Humboldt County. The District is subject to the Brown Act and other laws regulating the conduct of government business. The District has taxing authority and the power of eminent domain.

In implementing these powers, the District has adopted a number of ordinances, including several that implement the District’s authority for Bay management:

- Ordinance 4: this ordinance authorizes the District to issue emergency and administrative permits for uses in Humboldt Bay.
- Ordinance 7: Ordinance 7 establishes the current

planning and policy framework for managing the District’s responsibilities.⁵

- Ordinance 11: this ordinance prohibits the use of vehicles, including off-highway vehicles, within District-owned land at Buhne Point/King Salmon.
- Ordinance 14: this ordinance authorizes the District to issue permits, leases, and other authorizations for uses of Humboldt Bay.
- Ordinance 17: this ordinance regulates anchoring and related uses in Humboldt Bay.

The District, as with other local agencies, acts in accordance with applicable state and federal laws, and this Plan incorporates policy directions that will help in guiding Humboldt Bay’s management consistently with the state and federal laws and the associated regulations.

In implementing this Plan, the District will exercise the authorities granted to it under state law, including those briefly synopsized here and others not fully enumerated.

5.2 Trust and Stewardship Responsibilities

The District is explicitly authorized, in its establishing legislation, to plan for, regulate, and/or protect many environmental resources that occur in Humboldt Bay, including “fisheries” and “natural resources;” to control the impacts from “pollution” and “dredging and filling;” and to protect “wildlife habitats” and “open space areas.” The establishing legislation clearly establishes the District’s authority, and its obligation, to manage and protect environmental resources.

The District is also explicitly authorized, in its establishing legislation, to plan for and implement “harbor works and improvements” of many kinds, relating to “commerce,” “navigation,” and “fisheries,” among other uses of the Bay.

All of these considerations are allied with a common-law doctrine covering the state’s “sovereign” lands

⁵ Ordinance 7 is, effectively, the District’s current Humboldt Bay Management Plan.

known as the “Public Trust Doctrine,” which reflects the obligations of state government to maintain and protect uses of tidelands for the citizens of the state. The legislation that established the District formally transferred ownership of tidelands in Humboldt Bay to the District; this act also transferred to the District a portion of the state’s obligations for maintaining the Public Trust, although the Public Trust may not be alienated from state government and the State Lands Commission retains a residual role in overseeing the District’s management with respect to Trust purposes.

The State Lands Commission (SLC) has enunciated a policy regarding the Public Trust⁶ that includes the following:

“Uses of trust lands, whether granted to a local agency or administered by the State directly, are generally limited to those that are water dependent or related, and include commerce, fisheries, and navigation, environmental preservation and recreation. Public trust uses include, among others, ports, marinas, docks and wharves, buoys, hunting, commercial and sport fishing, bathing, swimming, and boating. Public trust lands may also be kept in their natural state for habitat, wildlife refuges, scientific study, or open space. Ancillary or incidental uses, that is, uses that directly promote trust uses, are directly supportive and necessary for trust uses, or that accommodate the public’s enjoyment of trust lands, are also permitted. Examples include facilities to serve visitors, such as hotels and restaurants, shops, parking lots, and restrooms. Other examples are commercial facilities that must be located on or directly adjacent to the water, such as warehouses, container cargo storage, and facilities for the development and production of oil and gas. Uses that are generally not permitted on public trust lands are those that are not trust use related, do not serve a public purpose, and can be located on non-waterfront property, such as residential and non-maritime related commercial and office uses. While trust lands cannot generally be alienated from public ownership, uses of trust lands can be carried out by public or private entities by lease from this Commission or a local agency grantee. In some cases, such as some industrial leases, the public

may be excluded from public trust lands in order to accomplish a proper trust use.”

The District has been authorized by the State of California to manage Humboldt Bay in all ways and for all uses that are consistent with the Public Trust. The District is authorized to weigh, and balance, potentially competing or conflicting uses. These authorities will be exercised by the District according to the policies included in this Plan.

5.3 District Multi-Use Areas

In addition to its role in managing the Public Trust lands and waters of Humboldt Bay, the District also owns and manages several properties and facilities that are used for a variety of purposes, consistent with the District’s multiple functions in managing Bay resources and activities. The following is a summary of the main properties and facilities owned and operated by the District in and around Humboldt Bay.

5.3.1 Woodley Island

Woodley Island is divided into three functional components that are managed by the District. These three components are the Woodley Island Marina, the on-shore marina support facilities, and the Gerald O. Hansen Wildlife Area.

The Woodley Island Marina is a major Bay-user destination site, a visual focus point, and an important node of recreational use and Bay access on Humboldt Bay. The Marina, constructed in 1981, provides 237 slips for recreational and commercial vessels and related on-shore support facilities. On-shore facilities include U.S. Coast Guard, U.S. Army Corps of Engineers, and U.S. Weather Service offices; the Marina office and District headquarters; restroom facilities; laundromat; ship’s chandlery; work yard; work dock with one and two-ton hoists; marine storage yard; a canoe/kayak launch area; parking; restaurant/bar and scenic views of wildlife areas, boats, open water, and waterfront buildings. Services provided at Woodley Island Marina include vessel sewage pumpout facility, oily bilge water pumpout stations throughout the marina; waste oil disposal facilities; water; electricity; and forklift

⁶ See URL: http://www.slc.ca.gov/Policy_Statements/Public_Trust/Public_Trust_Policy.pdf (viewed February 2007).

rental. Concessionaires provide other recreation-related functions, including kayak and canoe rentals and charter sportfishing.

The marina consists of nine docks (identified by letters A-I) a work dock, and a floating breakwater. Slips increase in size from east to west and range from 30' to 70'. End-ties are located at the Eureka channel side of the docks and range from 70' to 150'. The marina has two depth zones; Docks A-E are maintained at a depth of -14' (MLLW) and Docks F-I are maintained at a depth of -10' (MLLW). As Woodley Island Marina is located on the Eureka Channel, which is for all intents and purposes an extension of Eureka Slough draining the Freshwater Creek/Ryan Slough watersheds, periodic maintenance dredging is required in order to maintain the original depths and functions at the marina. Typically, approximately 120,000 cubic yards of accumulated sediment is maintenance-dredged every 7-10 years. A cutter-head suction dredge has been determined to be the most effective, efficient, and cost-effective method of maintenance-dredging the marina. Dredge material is then pumped from the dredge through a flexible, temporary pipeline for discharge onto Samoa beach during the late fall, winter, and early spring months only.

The southern half of Woodley Island, including and south of Startare Drive, is managed for visitor-serving purposes. This area includes landscaped turf areas and planters filled with a variety of plant materials designed for durability, diversity, and color. This area also includes all of the services, offices, parking, access, and interpretive displays. Interpretive displays located on Woodley Island include the original 1892 Table Bluff lighthouse, a whistle buoy, Fishermen's memorial, Fishermen's statue, Indian Island Massacre historic site plaque, and a variety of displays depicting the various techniques used in commercial fishing and mariculture.

The northwestern half and eastern end of Woodley Island comprise the Gerald O. Hansen Wildlife Area. This wildlife area, named in the memory of the District's former Treasurer of 27 years, was set aside

during the construction of Woodley Island Marina. The District manages this area for native plant species, through revegetation and actively removing and controlling invasive non-indigenous species. The District restricts use to this area for seasonal vegetation maintenance and scientific study. The wildlife area is used extensively by waterfowl, egrets, herons, and small mammals. The wildlife area is also home to a small resident deer herd. Use rules and regulations for Woodley Island are codified in District Ordinance 9.

5.3.2 Park Street Mitigation Site

The District acquired, in 1979, an approximately 20-acre property at the foot of Park Street in Eureka as a mitigation site to compensate for loss of wetlands and other habitats associated with development of Woodley Island Marina and related dredging, east of Samoa Bridge. The property is located adjacent to, and includes a portion of, Freshwater Slough, an estuarine element of Humboldt Bay. The approximately 14-acre mitigation site is located in the area of an abandoned log pond, formerly a tidal salt marsh, and also includes a freshwater marsh area created by the construction of an interior dike. The salt marsh portion of the site was re-created by breaching the dike adjacent to Freshwater Slough in 1981. Primary use of the property is for wildlife habitat. Public use of the site is low; schools occasionally use the site for science education purposes. Use restrictions and regulations are codified in District Ordinance 12.

5.3.3 Fields Landing Boat Repair Facility/ Kramer Dock, Fields Landing

The Fields Landing Boat Building and Repair Facility was constructed by the District in the early 1980s. This facility is located at the southern end of the Fields Landing Channel and was a former mill site and lumber export facility. The approximately 18-acre site including the five-acre boat yard is designated by the local coastal plan for coastal-dependent industrial uses. Although the primary use of the site is for the only boat yard on Humboldt Bay and marine terminal use, the site's proximity to the Bay has historically provided a low level of public access to South Bay for hunting, fishing, and kayaking. Additionally, the

District provides a small building on this property for use by the local Sea Scout program.

The boat yard operation was contracted to a private operator until 1999. Since 1999, the District has staffed, operated, and maintained the boat yard facility. The boat yard's current facilities include approximately five acres of paved and fenced area. Within the paved area includes several power and water stations, yard lighting, an 8,000 square-foot building to house the 150-ton marine travelift or straddle-carrier, and office and restroom facilities. Under the District's current operation, District staff will haul and launch vessels and provide facility maintenance and security during business hours. Contracted security is utilized during night and weekend hours. Boat repairs are carried out by owners/crews or by contracted labor. The rules and regulations and fee structure is determined by the District's Board of Commissioners and through District Ordinance 16.

5.3.4 King Salmon Beach and Dunes Recreation Area

This District-owned site is located northwest of Buhne Drive in the unincorporated community of King Salmon on the South Bay. Due to excessive shoreline erosion in the late 1970s and early 1980s, the District partnered with the U.S. Army Corps of Engineers to install two rock groins and rebuild the beach area. After construction, the majority of the new beach and dunes area was fenced and vegetated with native dune plants. In 1997 the fences were removed and the beach/dune area was opened to the public. The District presently works to attempt to control the spread of non-indigenous dune plants; it also maintains two fire rings and a portable bus stop for local school-children. The original plans also included some of the infrastructure to add a ballpark on the southern end of the property in the future.

Motor vehicles are prohibited on this property and other use restrictions are enforced through District Ordinance 11. The general area of King Salmon Beach is an open sandy beach used for walking, birdwatching, launching small boats, and general outdoor enjoyment.

Roadway improvements by the County allow parking along Buhne Drive.

6.0 Relationships with Other Local Planning Actions and Planning Documents for the Humboldt Bay Region

The framework for this Plan incorporates areas of primary, secondary, and tertiary District interest, as noted above. Local planning actions carried out pursuant to this Plan, and the District's expected interactions with other local planning jurisdictions, will differ according to the area under consideration.

6.1 Areas of Primary Interest

The District is the principal regulatory agency with local jurisdiction within the Bay for the majority of the Bay's tidelands [the lands below mean higher high water (MHHW), including lands in the undiked major streams/sloughs] according to the terms of the legislation that created the District. Within these tidelands the District will serve as the "lead agency" for application reviews, environmental assessments, and other reviews and approvals authorized for "local agencies" under state law.

Some tidelands were, however, granted to the City of Eureka and other tidelands to the City of Arcata; accordingly, these cities exercise some original jurisdiction over the primary area covered by this Plan.⁷ The City of Eureka and the City of Arcata have General Plans (including Local Coastal Plan coverages that implement the Coastal Act's requirements) that have been updated within the past decade. These General Plan documents constitute the primary policy guidance for the cities' regulation of the tidelands within Humboldt Bay that fall under the cities' jurisdiction.

The Humboldt Bay National Wildlife Refuge (U. S. Fish and Wildlife Service) also owns some tidelands,

⁷The legislation that established the District also authorized to District to negotiate for, and to accept, conveyance of these tidelands from the cities to the District. This Plan does not presume that such conveyances will take place; conveyances of the city tidelands to the District would not likely change many of the policies in the Plan, but the implementation elements of some policies would likely differ.

including saltmarsh and mudflat, in Arcata Bay and in South Bay. Uses in these tidelands are guided by the Refuge's management plan.

In 2004 the Wiyot Tribe, Table Bluff Reservation, acquired title to approximately 61.5 acres of Indian Island north of Highway 255, upon conveyance of title by the City of Eureka. The Wiyot lands include upland areas, marshlands, and tidelands. The Tribe's status as a sovereign government entity creates intergovernmental responsibilities with respect to baylands management, and the District, together with the Tribe, will develop additional working understanding with respect to tribal relations as the HBMP is implemented.

The District expects to work collaboratively with the cities, the Tribe, and the Refuge to assure that the policies in the cities' General Plans, the Refuge's management plan, Tribal management plans, and the District's policies regarding the tidelands in Humboldt Bay are considered mutually and inclusively in decision-making regarding the management of the tidelands in the Bay. The District will seek to formalize working relationships with the cities, the Refuge, and the Tribe regarding tidelands management as part of the implementation of this Plan.

6.2 Areas of Secondary Interest

The District's area of secondary interest for the Plan, which includes the "Public Trust lands" near Humboldt Bay (that is, the additional lands that were subject to tidal action at the time California became a state, but which are now located behind levees and are no longer subject to the direct ebb and flow of the tides) are within the local land use jurisdiction of three other local agencies, the City of Eureka, the City of Arcata, and the County of Humboldt (the County exercises land use authority over lands outside the limits of the incorporated cities).

The District does not have regulatory authority within this secondary area of concern. This separation of regulatory responsibilities at the levees does not, however, reflect the fact that the underlying physical and biological processes that affect many of the District's

concerns do not stop at the levees. That is, many of the District's interests, such as those in water quality and ecological productivity, extend throughout the area of secondary concern; actions within the secondary area of concern may affect District interests in the primary area substantially.

The General Plans of the cities of Eureka and Arcata, noted previously with respect to tidelands, also form the primary policy guidance for the cities' regulation of the lands in the District's secondary zone of interest that also are within the city limits for these cities. As noted above, these adopted General Plans include policy guidance for the cities that covers many of the elements addressed by this plan for District consideration.

The County of Humboldt is currently preparing an update for its own General Plan, including the Coastal Plan elements that implement the Coastal Act's requirements. The County's General Plan does not address tideland uses within Humboldt Bay, but the County's General Plan does regulate land uses throughout much of the Humboldt Bay region (i.e., the part of the region not within city limits) that lies within the District's secondary zone of interest. As with the cities, the District exercises no regulatory authority over these lands.⁸

The District expects to work collaboratively with the City of Eureka, the City of Arcata, and the County to identify the District's concerns for the Public Trust lands within the jurisdictions of these other local agencies. The District will identify its concerns on the basis of the policies in this Plan, and may offer suggestions for addressing the events or practices within the Public Trust lands; the District may, in addition, enter into agreements or "partnerships" with the cities and the County in support of city or County projects. The District does not, however, expect to be significantly involved in this expanded geographical area from a regulatory perspective.

⁸The District apparently would reclaim jurisdiction for any areas within the diked former tidelands that are returned to tideland status. That is, the restoration of former tidelands near Humboldt Bay apparently would restore the District's direct jurisdiction over the restored areas.

6.3 Areas of Tertiary Interest

As noted previously, activities that take place in the Humboldt Bay watershed may affect subjects identified in this Plan as direct or indirect concerns for the District. Subjects that might be included in this category include water-quality impacts within the watershed that affect physical or biological properties or uses in Humboldt Bay, potential direct or indirect effects on habitat for fish species that fall under District jurisdiction within Humboldt Bay, and similar relationships with primary management concerns identified in this plan.

The District's interests in these subjects overlap with those of both cities and the County, and the policy framework identified in this Plan is intended by the District to complement the policy frameworks in the adopted plans of these other local agencies.

The District will monitor events in this tertiary area of concern, and may, if appropriate, comment to other governments regarding events or practices in this area that may significantly affect the District's management in Humboldt Bay. The District will identify its concerns on the basis of the policies in this Plan, and may offer suggestions for addressing the events or practices within the watershed; the District does not, however, expect to be involved in this expanded geographical area from a regulatory perspective.

7.0 Relationships with State and Federal Requirements

The District exercises jurisdictional responsibility over tidelands in Humboldt Bay. However, agencies of both the State of California and the federal government have constitutionally established authority over certain kinds of "resources" or certain kinds of regulatory concerns. These state and federal agencies enjoy limited or no direct control over potential land uses on privately owned lands, such as the authority exercised by the County and the cities. These state and federal agencies do, however, exercise land use control over lands that the agencies own, and the agencies also wield considerable authority over other uses in the Bay, because they act as regulatory agencies with the legal responsibility to implement one or more of a number of state or federal laws.

The authorities of these agencies overlap with the District's authority, in the sense that actions that are approved by the District (pursuant to the policies in this Plan) may also require approvals from one or more of these state or federal agencies (pursuant to policies established by statute or by regulation). While these agencies may amend or remove requirements established by regulation, these changes are subject to prolonged administrative processes. The requirements that are established in legislation may only be altered by additional legislative acts.

The result of this set of circumstances is that the District's desire to serve as a clearinghouse for applicants, and to streamline regulatory processes affecting Humboldt Bay (see Chapter 3.0 in Section III), will not be easily implemented, since many of the state and federal agencies may have regulatory requirements that are legislatively established or are otherwise difficult to alter.

The following brief summaries reflect the general authorities and concerns of several state and federal agencies that are particularly germane for activities in Humboldt Bay. It is stressed here that the following summaries are not intended to fully describe the roles, responsibilities, or authorities of any of the named agencies as they exist at the present time or may exist in the future. In implementing this Plan, the District will seek consensus among the agencies where agency concerns overlap with those covered by the Plan. In implementing this Plan, the District may seek to develop formal arrangements (e.g., memoranda of understanding, etc.) or informal processes (e.g., collaborative development of application standards for District actions that also address the requirements of other agencies) with various agencies to implement the policies in this Plan where the roles of those agencies and the District's management interests coincide.

7.1 State Agencies

While many state agencies may have relatively minor regulatory concerns that might arise for specific aspects of Humboldt Bay's management (e.g., the concerns of the State Historic Preservation Office, with respect to impacts to historical and archaeological resources),

the following selected agencies may assert substantial control over aspects of the Bay’s management because of the requirements of California laws (it should be noted that these agencies also have other roles that are not described here).⁹

7.1.1 California Coastal Commission

The Coastal Commission is a significant regulatory agency with respect to Humboldt Bay. The Coastal Commission’s powers, and the subject areas that the Commission regulates, are identified in the 1976 California Coastal Act (Public Resources Code Section 30000 *et seq.*). Many of the actions and concerns that are the District’s responsibility pursuant to its establishing legislation are also subject to regulation under the Coastal Act.

The Coastal Commission’s jurisdiction includes the Public Trust lands that make up both the District’s area of jurisdiction (the Plan Boundary) and the District’s Sphere of Interest. The Coastal Act’s coverage includes essentially all of the “coastal-dependent uses,” conservation concerns, and public recreation concerns that are the District’s concerns.

The Commission retains “original jurisdiction” over the Public Trust lands in Humboldt Bay with respect to the Coastal Act. The Coastal Commission’s authority does not pre-empt the District’s authority with respect to managing Humboldt Bay pursuant to District responsibilities. However, projects that are authorized by the District are subject to a separate, independent permit review by the Coastal Commission, in which the standard of review is the Coastal Act. Coastal Commission reviews do not always result in approvals for projects that meet local jurisdiction requirements, resulting in differing results for the same project. Thus, differences between Coastal Commission approval requirements and those of the District and other local agencies have emerged as a concern with respect to Bay management.

⁹It should also be noted that there are state agencies that have little or no regulatory authority, such as the California State Coastal Conservancy or the Department of Boating and Waterways, which have substantial influence on actual management or development actions through their requirements for awarding funds. These agencies are not considered in this Section in detail.

7.1.2 California State Lands Commission

The State Lands Commission (SLC) retains an oversight role with respect to California’s sovereign lands. The Commission’s specific regulatory areas include offshore oil and gas development, marine oil terminals, ballast water regulation, and state lands leasing and permitting. While the District is legislatively authorized to manage the lands that have been transferred to District ownership, the SLC retains the legal right to intervene in the management process for Humboldt Bay tidelands if the SLC determines that an action taken, or proposed to be taken, by the District may be inconsistent with the SLC’s perspectives regarding Public Trust uses of tidelands.

The District generally consults with the State Lands Commission when the District considers proposals for uses of Humboldt Bay tidelands. Copies of draft environmental documents prepared pursuant to the California Environmental Quality Act (CEQA) for proposed tidelands uses are also circulated to the SLC. Owing to the long-standing working relationship between the District and the SLC, and to the District’s understanding of the requirements of SLC concerns, the SLC generally accedes to the District’s determinations about tidelands uses.

7.1.3 California Department of Fish and Game

The California Department of Fish and Game (CDFG) is a trustee agency for fish and wildlife resources under California law. The Department generally lacks direct permit authority for activities that are subject to the District’s jurisdiction. The CDFG Marine Region is, however, directly involved with ocean-related concerns in the Humboldt Bay area, including fishing-related and aquaculture-related activities that are subject to the District’s direct jurisdiction. The Department also requires “agreements” from applicants for alterations of stream or lakebed crossings. The Department interprets and enforces the requirements of the California Endangered Species Act (ESA) and other state laws and regulations within Humboldt Bay, and provides comments to the relevant federal agencies pursuant to the federal ESA and other federal

laws. The Department also exercises law enforcement powers with respect to California’s fish and game codes, including both sport and commercial fisheries (including shellfishing) and hunting.

The CDFG regulatory involvement in the District’s management of Humboldt Bay is indirect. However, as the state’s primary trustee agency with respect to fish and wildlife resources, the Department sends its judgements about proposed management activities or projects to other state agencies (including the Coastal Commission and the SLC) and to federal agencies with responsibility (see below). The Department therefore exercises considerable influence over planning and management activities within the District’s areas of jurisdiction and interest.

The Department is responsible for managing four wildlife areas on or in close proximity to Humboldt Bay. Like other such throughout the state, these areas were acquired for protection and enhancement of wildlife habitat, the protection of sensitive species, and to provide public outdoor recreational use and access opportunities, including hunting, fishing, hiking, birdwatching, and nature study.

7.1.4 North Coast Regional Water Quality Control Board

The North Coast Regional Water Quality Control Board (RWQCB) is the primary water quality regulatory agency in the Humboldt Bay region.¹⁰ Owing to an agreement between the state and federal governments, the RWQCB interprets and enforces both the relevant California water quality law [the Porter–Cologne Act (California Water Code, Division 7)¹¹] and the federal Clean Water Act sections regarding water quality. The

Regional Board has adopted a “basin plan”¹² that identifies “beneficial uses” for the Humboldt Bay watershed; these identified uses and the water quality criteria in the Basin Plan constitute the primary water quality standards for Humboldt Bay (although California Department of Health Services standards affect such uses as aquaculture production).

The RWQCB also has a role in the implementation of the wetland regulatory process carried out under the federal Clean Water Act by the U. S. Army Corps of Engineers (see below). Section 401 of the Clean Water Act requires a “certification” by state water quality regulators that permits granted pursuant to Section 404 of the Act are consistent with the state’s water quality laws.

7.1.5 California Resources Agency

The Resources Agency consists of more than 30 departments and subsidiary entities; generally, the agency is responsible for conserving, enhancing, and managing the state’s natural and environmental resources, including parks, wildlife, minerals, lands, and historic sites. The Department of Parks and Recreation is among the several Agency departments that directly provide recreational areas and opportunities; others provide regulatory oversight, financial assistance, and resource protection functions. The Department of Parks and Recreation is a cooperating agency with the Bureau of Land Management (BLM) in the management of the Samoa Dunes Recreation Area, particularly for the management and funding of off-highway vehicle (OHV) activities through its Off-Highway Motor Vehicle Recreation Division.

7.2 Federal Agencies

A number of major federal laws affect or apply to proposed management or development proposals for Humboldt Bay; as was true for state laws, a number of federal agencies wield substantial authority. The following brief synopses address some of the roles performed by federal agencies that affect the management of Humboldt Bay. Additional federal

¹⁰The significance of this fact should not be underestimated. The Regional Board is the designated agency for regulating water quality pursuant to the Porter–Cologne Act. While the District may adopt policies or programs to assist in achieving desired water quality goals, the goal-setting responsibility and the regulatory authority to achieve the water-quality goals reside in the Regional Board, not in the District.

¹¹The Act is available online at URL: http://www.swrcb.ca.gov/water_laws/docs/portercologne.pdf (viewed February 2007).

¹²The Plan is available online at URL: <http://www.swrcb.ca.gov/rwqcb1/programs/basinplan/basin.html> (viewed February 2007).

agencies have regulatory roles that are less expansive than those summarized here.

7.2.1 U. S. Army Corps of Engineers

The U. S. Army Corps of Engineers (Corps) is involved in two separate and significant ways in Humboldt Bay's management. The Corps is the federal agency that funds and carries out maintenance dredging in the channels and basins in Humboldt Bay.¹³ Without the Corps' involvement, it is unlikely that Humboldt Bay would be able to function for an extended period as a harbor for commercial shipping vessels. Moreover, the maintenance dredging performed by the Corps in the Entrance Bay channels is often extended to the existing marinas, and it is possible that without the Corps' role that even small craft uses in Humboldt Bay would be more limited. Finally, the Corps is responsible for maintaining the jetties protecting the entrance to Humboldt Bay.

The other major role that the Corps plays in Humboldt Bay results from the Corps' primary regulatory role in implementing the federal permit processes required pursuant to the Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The Corps exercises an independent permit authority over uses in Humboldt Bay that are subject to the District's jurisdiction. Generally the Corps' reviews are carried out following approvals of proposed uses by the local jurisdiction (such as the District). As with the Coastal Commission, differences in review standards between those used by the District and those of the Corps have sometimes been an issue.

7.2.2 U. S. Fish and Wildlife Service

The U. S. Fish and Wildlife Services (FWS), an agency of the Department of the Interior, is a federal trustee agency for wildlife (and some fishery) resources, and provides advisory comments to the Corps and other federal agencies regarding proposed actions before those agencies, including state and private actions that include federal participation or approval, pursuant to the Fish and Wildlife Coordination Act. The primary

¹³The Corps was the federal agency that funded the majority of the costs for, and subsequently the agency that carried out, the deepening project in Humboldt Bay in the 1990s.

role that FWS plays in Humboldt Bay's management stems from the FWS's role in working with the public and other federal agencies in the recovery of species listed under the requirements of the federal Endangered Species Act (ESA) for wildlife, plants, and some fish. The FWS's regulatory role in the District's management of Humboldt Bay is relatively indirect, although there are some plant species that occur in salt marshes which fall under District jurisdiction, and there is at least one (non-commercial) fish species that occurs in tidal waters subject to District authority.

The FWS is also a land-managing agency. In the Humboldt Bay area, the FWS manages the Humboldt Bay National Wildlife Refuge (NWR), which consists of several non-contiguous units adjacent to Humboldt Bay and its tributaries. From north to south, the Humboldt Bay NWR units are: Lanphere Dunes, Ma-le'l Dunes, Jacoby Creek, Eureka Slough, Indian Island, South Bay, White Slough, Salmon Creek, Hookton Slough, and Table Bluff. The refuge offices and visitor center are located the Salmon Creek Unit, adjacent to the South Bay. Humboldt Bay NWR conserves and enhances wetland and upland habitat values in and around Humboldt Bay for many species, and also provides wildlife viewing, environmental education and interpretation, hunting, and fishing opportunities. The Humboldt Bay NWR protects and enhances wetland and Bay habitats for migratory waterbirds, especially Pacific brant (*Branta bernicla*). The Lanphere and Ma-le'l units protect sensitive dune and estuarine plant communities and endangered species. The Hookton Slough Unit includes a public Bay-access facility for small, non-motorized watercraft.

7.2.3 NOAA's National Marine Fisheries Service

NOAA's National Marine Fisheries Service (NMFS), an agency in the Department of Commerce, is responsible for implementing portions of several federal laws that overlap with District interests. NMFS's primary responsibility is the stewardship of the nation's living marine resources and their habitats.

NMFS achieves its responsibility through authority

under several federal laws, including consultations regarding “take” of species regulated by the federal Endangered Species Act (ESA). As noted in Section II, there are at least three such species in Northern California coastal waters; in consequence, NMFS is involved in estuarine ecosystems, including Humboldt Bay. The primary role that NMFS plays in these contexts is effectively related to the ESA regulations affecting the Corps’ Section 404 permit process.

NMFS also has additional roles in Humboldt Bay, related to the federally established Magnuson-Stevens Act requirements that NOAA Fisheries craft recommendations for “Essential Fish Habitat” (EFH) for species covered by management plans prepared pursuant to that Act. There are 25 fish species that are covered by one or more of three management plans that occur in Humboldt Bay.

The role that NMFS will play in Humboldt Bay management is evolving. Some habitat for some of the fish species subject to NMFS oversight may be directly affected by activities that are under the District’s jurisdiction (see Section II). NMFS also has responsibilities under the federal Marine Mammal Protection Act and the Fish and Wildlife Coordination Act.

7.2.4 U. S. Coast Guard

The Coast Guard, formerly in the Department of Commerce and now in the Department of Homeland Security, is responsible for many aspects of marine safety in Humboldt Bay. These responsibilities include the primary responsibility for marine search and rescue operations in and outside of Humboldt Bay. Other significant Coast Guard responsibilities include monitoring and maintaining navigational safety and aids to navigation in and outside of the Bay, monitoring and responding to marine pollution events, and monitoring and addressing the potential threats to marine and estuarine waters resulting from exotic species.

Because a number of the District’s management concerns overlap with the Coast Guard’s areas of federal responsibility, the District maintains working

relationships with the Humboldt Bay units and with the 11th District headquarters in Alameda.

7.2.5 Bureau of Land Management

The Bureau of Land Management (BLM), an agency in the Department of the Interior, administers public lands for multiple uses, including outdoor recreation. There are 15 BLM field offices responsible for lands in California; the local office which includes the Humboldt Bay area is located in Arcata. In addition to land management responsibilities, the BLM also administers various federal programs, including those related to the Recreation and Public Purposes Act and the Payments in Lieu of Taxes Act. Under the latter program, hundreds of thousands of dollars in payments are made annually to Humboldt County to compensate for revenue losses from tax-exempt federal lands. In the Humboldt Bay area, the BLM administers substantial public land areas, including the Samoa Dunes Recreation Area on the North Spit, and, in conjunction with other agencies, the South Spit Cooperative Management Area, as discussed further in Section II.

7.3 Independent Governments

7.3.1 Wiyot Tribe

The recent acquisition by the Wiyot Tribe, Table Bluff Reservation, of approximately 61.5 acres of land within the Humboldt Bay watershed establishes a degree of uncertainty regarding the long-term management of these lands. The Wiyot Tribe is recognized by the federal government as a tribal organization under the general protection of the federal government, with sovereign rights of self-determination. The Tribe’s ownership of land in the Bay does not, *per se*, indicate that the land would warrant management differently from land held by other landowners, and the HBMP’s policies would apply to these lands as to other lands. Should the Tribal lands be brought under federal trust status, then the policies in this Plan would no longer apply (nor would the Coastal Act or other local or state laws).

The District will work with the Tribe to develop

a mutual understanding of shared trust interests. The Tribe has expressed concern that the District should adopt policies that appropriately emphasize cultural resources and environmental resources that are important for Tribal members. In addition, the Tribe has expressed concerns regarding decision-making processes, and wishes to assure that Tribal interests are considered when siting potential activities that may be harmful to people or to the environment (i.e., considerations generally identified as an element of “environmental justice” concerns). The District is aware of the Tribe’s concerns, and the Humboldt Bay Management Plan recognizes the necessity of future direct contacts with the Tribe.

8.0 Humboldt Bay Harbor, Recreation and Conservation District Current Strategic Plan

8.1 General Humboldt Bay Management Plan Objectives

As noted in the Executive Summary, the current **Mission Statement** for the Humboldt Bay Management Plan is:

Provide a comprehensive framework for balancing and integrating conservation goals and economic opportunities in a cooperative manner for the management of Humboldt Bay’s resources.

The mission statement resulted from substantial discussion among members of the District’s advisory committees during the development of the Strategic Plan and the HBMP. The following general objectives were identified in the Strategic Plan¹⁴ to expand upon the mission statement. The objectives provide a more detailed description of the services and competencies that the District must develop and deliver in order to fulfill its mission:

¹⁴The Strategic Plan, updated by the District at five-year intervals, provides programmatic recommendations for District actions, but the Strategic Plan does not include specific policy directives. The Strategic Plan development process is an internal District planning process, incorporating substantial public involvement, but the recommendations developed in the process are implemented following their incorporation in the Humboldt Bay Management Plan.

- To represent the various constituencies equally and fairly within the responsibilities as stated in the enabling legislation
- To coordinate and provide leadership to federal, state and local entities on issues relevant to the District mission
- To promote regulatory and legislative action favorable to the District
- To expand and promote the economic and entrepreneurial activities of Humboldt Bay that are compatible with the District’s adopted Management Plan and/or other related documents
- To generate adequate revenues to fund on-going District programs
- To manage all tide and submerged lands within the District’s jurisdiction
- To promote and create recreational opportunities within the District’s jurisdiction that are compatible with the District’s adopted Management Plan and/or related documents
- To promote the protection of the bay and other tidelands
- To promote public knowledge of the bay
- To improve public awareness of and confidence in the District, its Commissioners and its staff
- To attain a high level of competency and efficiency in the operation of the District
- To regularly update the District’s operating and long range plans

8.2 Strategic Plan Vision Statement

The Strategic Plan’s **Vision Statement** is:

Bay leadership for the benefit of all

8.3 Strategic Plan Direction

8.3.1 Harbor

- Identify the need for permit process streamlining of historic uses of the bay and its margins with the overall goal of maintaining historic uses that are compatible with the findings of the Humboldt Bay Management Plan and Harbor Revitalization Plan.

- Identify and implement those elements of the Harbor Revitalization Plan, which would be needed to build the foundation for a real increase in the cargo handling capacity of the bay.

8.3.2 Recreation

- Facilitate a substantial increase in recreational facilities available throughout the District.

8.3.3 Conservation

- Provide leadership in enhancing and protecting the bay environment.

Based on the authority provided to the Humboldt Bay Harbor, Recreation and Conservation District in Appendix II of the California Harbors and Navigation Code, and the direction provided through the District’s 2002–2006 Strategic Plan, the District has the statutory authority and support to pursue planning efforts affecting Humboldt Bay.

Ultimately, information contained in the Humboldt Bay Management Plan could, wholly or in part, become an updated amendment to the Humboldt Bay Master Plan, an amendment to ordinances, and provide policy and regulatory guidance to the District’s Board of Commissioners.

9.0 Relationship with Other Plans

The County of Humboldt, the City of Eureka, and the City of Arcata planning jurisdictions overlap the District’s “Sphere of Interest” (SOI). Both cities, as well as the County, have prepared and adopted the state’s required general plan, as well as a Local Coastal Plan (LCP) for property within the coastal zone. As required by the California Coastal Act, the California Coastal Commission (CCC) provides oversight for the LCPs. Once the CCC certifies these plans, cities and counties may issue development permits.

The Humboldt Bay Management Plan has been prepared within the framework established by the Humboldt Bay Master Plan (1975). The Humboldt Bay Management Plan examines the guidelines established in the Humboldt Bay Area Plan (1982), the Humboldt

County General Plan (1984), the current Eureka City General Plan, the City of Arcata General Plan, and other appropriate agency management plans for lands falling within the HBMP SOI to determine consistent land management techniques and identify areas where conflicts may exist. Locally adopted coastal plans implement statewide coastal management guidance within local regions. The standards for local coastal plans are the requirements in the Coastal Act, as interpreted by the Coastal Commission; local coastal plans map and provide specific guidance on issues identified by the Coastal Act. Generally, the Humboldt Bay Management Plan will be read and implemented in terms of its consistency with the requirements of the Coastal Act.

The Humboldt Bay Management Plan will also operate alongside a range of other plans and policies at the federal, state, and local levels. The HBMP is intended to establish a policy framework to assist and guide the integration of these plans and policies and



Curious Harbor Seal

other relevant planning and decision-making activities. The HBMP prescribes custom tailored management initiatives to meet the challenges facing Humboldt Bay's resource managers, utilizing a comprehensive ecosystem-based approach. Therefore, the result is intended to be a balanced but protective public policy framework that will assure that Humboldt Bay continues to provide a wide range of beneficial uses, conservation values, and continued enjoyment by future generations of Californians.

10.0 Development of the Humboldt Bay Management Plan

In order to collect and analyze the input necessary for the development of a useful management plan, the District formed the Humboldt Bay Management Plan Task Force (Task Force) made up of agency land managers and representatives of various stakeholder groups within the sphere of interest.

Over the last several years, the Task Force has worked on integrating existing scientific data, citizen input, and agency mandates into a comprehensive management plan. Using a "bottom up" approach, the Task Force heard public comments first, as knowledgeable citizens shared their responsible visions at a series of stakeholder workshops. Stakeholder groups identified by the Task Force are detailed in Table 10-1. Stakeholder workshops were held in 2001-2002 to address the following topics: commercial/ industrial waterfront development, agriculture, environment, recreation, education, commercial fishing, and mariculture. Citizen participation at these workshops lead to the input of more than 350 ideas, which the Task Force boiled down into the following issue categories for Humboldt Bay Management Plan to address:

- Habitat and Living Resources
- Human Activities and Competing Uses
- Water Quality and Sediment Control
- Public Participation and Education
- Research and Monitoring



Humboldt Bay Harbor, Recreation and Conservation District, Annual Maritime Expo fishermen/Coast Guard tug of war



Dredge Nehalen

10.1 Key Milestones in the Evolution of the Humboldt Bay Management Plan

August 5, 1997	Interagency Committee Formed
January 22, 1998	GIS mapping efforts under way
February 26, 1998	HSU contract to create parcel map
August 24, 1998	EPA Grant awarded to fund GIS efforts
July 8, 1998	CSU GIS Natural Resources
November 1999	HBMP Task Force Formed
February 24, 2000	HSU GIS Physical Characteristics
May 25, 2000	CA Coastal Conservancy Grant funded for GIS work and analysis
December 7, 2000	CSU Contract Amendment
January 25, 2001	HSU Amendment Web-Based Data Repository
December 11, 2001 through May 2002	Stakeholder Meetings Held
June 11, 2004	Contract with consultants Roberts, Kemp and Associates
March 17, 2005	Public Release, Draft Humboldt Bay Management Plan
April 28, 2005	Comment period closes for Draft HBMP
August 2005	Notice of Preparation for Draft EIR, HBMP
April 2006	Public Release, Draft EIR
August 2006	Board of Commissioners adopts Humboldt Bay Management Plan



The U.S. Coast Guard cutter Barracuda and the Madaket open for tours during Humboldt Bay Maritime Expo

Table 10-1. Original List of Bay Stakeholders

LANDOWNERS/LAND MANAGERS

Louisiana-Pacific
Simpson Timber Company
Sierra-Pacific Industries
CA Department of Fish & Game
Humboldt Bay National Wildlife Refuge
Pacific Gas & Electric
Northcoast Railroad Authority

RECREATION GROUPS

United Anglers
Klamath Management Zone Coalition
Humboldt Bay Yacht Club
CA Waterfowl Association
Ducks Unlimited
HSU Crew/University Center
OHV Clubs
Humboldt Surfriders
Humboldt Rowers Association
HumBoats

ENVIRONMENTAL GROUPS

Audubon Society
Northcoast Environmental Center
Sierra Club
HSU/Wildlife Care Center
Friends of the Dunes
Dunes Forum

ACADEMIC/EDUCATION

Local schools
Humboldt State University
College of the Redwoods
UC Cooperative Extension

AQUACULTURE

Coast Seafoods
Aqua Rodeo
Kuiper Mariculture
North Bay Shellfish

OTHER NGOs

Humboldt Bay Watershed Advisory Committee
Redwood Community Action Agency

WATERFRONT COMMERCIAL/INDUSTRIAL

Chamber of Commerce
Marine Suppliers
Humboldt Builders Association
Waterfront Landowners Association
Citizens for Port Development
Longshoremen
Humboldt Seatrade

COMMERCIAL FISHERMAN

Humboldt Fishermen's Marketing Association
Local Herring Fishermen
Local Rock Crab Fishermen

LOCAL AGENCIES & COMMITTEES

City of Eureka
City of Arcata
County of Humboldt
Humboldt County Fish & Game Advisory Committee

FEDERAL/STATE AGENCIES

USFWS/Humboldt Bay National Wildlife Refuge
North Coast Geographic Information Cooperative
Caltrans
US Army Corps of Engineers
CA Coastal Conservancy
CA Coastal Commission
CA Department of Fish and Game
US Environmental Protection Agency
Humboldt County Environmental Health
Humboldt County Public Health
US Army Corps of Engineers
California Department of Food and Agriculture

AGRICULTURE

Farm Bureau
Humboldt County RCD
Cattlemens Association
Dairy & Beef

10.2 Task Force Contributions

The District’s Board of Commissioners sought to involve Bay stakeholders in the planning process early in the Plan–development process. Stakeholders were asked to participate from diverse backgrounds, and included groups with economic, recreational, environmental, or other stakes in the health and viability of the Bay. Representatives from the business community, agriculture, mariculture, recreational and commercial fishermen, the educational community, cultural and environmental organizations, citizens, and others were invited to participate in the development of the management plan for Humboldt Bay. Table 10-2 below details the stakeholder group information.

Table 10-2. Stakeholder Group Information

Stakeholder Group	Workshop Date	Attendees	Comments/ Actions Suggested
Commercial/ Industrial	12/11/01	16	44
Agriculture	1/8/02	31	41
Environmental	1/22/02	24	79
Recreation	2/12/02	26	61
Education	2/26/02	5	44
Commercial Fishing	3/12/02	13	38
Mariculture	4/9/02	9	51
Totals		124	358

The District, early in the development process of the Management Plan, sought the public to have a voice in the decision-making process. Stakeholder meetings were held early in the planning process so that the public was given the opportunity to have input; the Task Force developed management policies based on this, rather than merely receiving comments on the prepared document at the end of the process (as in a top-down approach).

The Task Force thus heard from diverse groups, offering a wide perspective of opinions, knowledge, and vision. Issues discussed at stakeholder meetings require both planning for the future and working cohesively for solutions. They require the input of local government,

businesses, groups, agencies, and citizens. It is the cumulative effect of everyone’s individual actions that may threaten or damage the Bay’s ecosystem, and it will likewise take collective action to effect positive change. Planning for the future must take into account what is valued, balancing values and thoughts and beliefs to find a common-sense middle ground.

For positive management and protection to occur within Humboldt Bay watershed, three things need to happen:

- Awareness — People need to be informed about the issues facing Humboldt Bay. While many people understand that they live in a watershed, they are not quite sure what it is or which one they live in. Awareness of the interconnectedness of estuaries and waterways must be fostered.
- Motivation — People need to understand how their behavior impacts, positively or negatively, Humboldt Bay and its resources.
- Action — People need to be given an opportunity to change their behaviors (increase the positive, decrease the negative) that play a role in Humboldt Bay issues.

10.3 Plan Development

Resource management in the 21st Century appears fundamentally different from resource management in the past. Members of local communities have broadened the knowledge base as they became increasingly involved with management decision-making; no longer is resource management an exercise of having “managers” applying technical knowledge through mandated regulations and enforcement. In the current process, local communities have been helped to become true stewards of their own resources. Local communities are now tackling problems such as pervasive habitat loss, diffuse sources of pollution, and changes to freshwater inflow through a coordinated regional approach. Problems such as these are complex and interrelated; they involve major water bodies like estuaries, but they also creeks, sloughs, rivers, and entire watersheds that drain into our estuaries. As a result, ecosystem-based management has become a key to pursuing economic growth that is compatible with maintaining the natural environment.

The Management Plan development process used the National Estuary Program’s (NEP) stakeholder participation process as a model to develop the Humboldt Bay Management Plan, in order to protect, restore, or enhance the quality of water, sediments, and living resources.

This plan is designed to complement and coordinate existing resources management programs and plans. It will not affect private property rights, nor supersede existing local, state, or federal authority in any way. Rather, the management plan will attempt to focus the Districts’ limited financial and technical resources in a goal-directed manner to effect resource management over the ecosystem.

The mission statement helped to develop the vision for the Management Plan and continued to serve as a reminder of the interdependent roles of the economy and environment, and thus the ultimate goal to attain a sustainable balance between the needs of the environment and those of the human community on the North Coast.

Many of the management issues for Humboldt Bay are covered by the authority or responsibility of agencies other than, or in addition to, the District, and collaborative approaches are required. A full understanding of the interactions of the complex ecosystems that comprise Humboldt Bay remains elusive. It is clear that there are many gaps in the technical knowledge about the Humboldt Bay environment, but management may (in fact, must) proceed in the absence of complete knowledge. While it is the intent of this Plan to identify and coordinate efforts and resources to close data gaps in a timely manner, resource managers, policy makers, and local governments in Humboldt County must effectively manage the local environment based on the best science available while providing ample public participation.

10.4 Plan Organization

This Humboldt Bay Management Plan consists of three elements, the Executive Summary, Volume I, and Volume II. Volume I of the Management Plan includes

three sections. This document (Section I) introduces the background, history, and need for the Plan. It describes the District’s three areas of management responsibility and concern; it also describes the “three bays” concept. Section I further describes the role and make-up of the Management Plan Task Force and the development process of this Plan.

Sections II and III of Volume I address the District Board of Commissioners’ three main areas of focus and responsibility — harbor, recreation, and conservation. Section II – State of the Bay – provides chapters that describe existing resources and uses (harbor, recreation, and conservation) within the plan area to the extent necessary to provide a context for the policies in Section III.

Section II includes a general summary of the physical and biological conditions present in Humboldt Bay based on previously published documents and data developed early in this planning process. It reflects general changes in understanding that have arisen in recent years about the relative significance of information not previously known or considered significant. New information has been incorporated based on recent publications and ongoing studies and research. This discussion is not encyclopedic in nature, but provides a synthetic portrait of what is now generally known about Humboldt Bay, its watershed, and the nearby Pacific Ocean.

Section II addresses specific setting conditions for the District’s three focus areas. The Harbor chapter includes shipping and non-cargo uses; some of the information in the Harbor chapter has been abstracted from the recent Humboldt Bay Harbor Revitalization Plan and other recent planning documents. The Recreation chapter identifies recreational uses and opportunities throughout the Humboldt Bay sphere of interest. The discussion in the Conservation chapter is focused on important environmental conditions and resources; the topics in this chapter are key issues for the policy document (Section III). As in other setting sections, this chapter presents the current understanding of basic and applied scientists, agency



The Humboldt Bay Maritime Expo provides an opportunity to meet a wide variety of bay professionals serving the community



Harbor Seals haul out

staff, and informed members of the public regarding ecological processes and the biological and physical conditions in Humboldt Bay that have been used to develop the policy framework in Section III.

Section III identifies the policy directions and an implementation program for the District's management actions in Humboldt Bay. The policies are organized by the three primary management areas, the Harbor (Chapter 3.0), Recreation (Chapter 4.0), and Conservation (Chapter 5.0). Section III includes (Chapter 2.0) water use designations that will be used by the District in implementing the plan. In Chapter 6.0, specific implementation protocols are identified for action by the District's Board of Commissioners in order to enact and enable the Plan's recommendations. Section III concludes with a discussion of the basic approaches to implementing the plan, including the roles of the participants and the several procedural pathways for reviewing proposed projects and decisions.

Finally, the third element of the Management Plan, Volume II, provides a glossary, a copy of the District's enabling legislation, additional information pertaining to state and federal agencies, an overview of various statutes and regulations, a partial listing of selected species groups, maps, and public comment documents, including copies of the comments received by the District addressing the March 17, 2005 Draft HBMP.



Bat Star