

HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT

PERMIT AMENDMENT # 1

Permit No. 13-03

601 Startare Drive
Woodley Island Marina
P O Box 1030
Eureka, CA 95502-1030

Permittee:

Humboldt Bay Harbor District
601 Startare Drive
Eureka, CA 95501

Humboldt Bay Mariculture Pre-Permitting Project
Amendment # 1

Permit # 13-03 for the Humboldt Bay Mariculture Pre-Permitting Project is hereby amended as follows (additions in *italics*, subtractions in ~~strike~~through):

PROJECT

Humboldt Bay Mariculture Pre-Permitting Project

The Board of Commissioners of the **Humboldt Bay Harbor, Recreation and Conservation District** hereinafter referred to as "**District**", having considered the Application herein, number 13-03, received by the **District** on May 3, 2013, and the **Humboldt Bay Harbor, Recreation and Conservation District**, hereinafter referred to as "**Permittee**", and the Board of Commissioners of the **District** having on February 25, 2016, passed Resolution No. 2016-04 establishing findings relative to the Application by the **Permittee** for the Humboldt Bay Mariculture Pre-Permitting Project provided for in this Permit, the **Permittee** is hereby authorized to perform the work of improvement, as more particularly described in the Application filed with the **District**.

You are hereby authorized to perform work of improvement described in the Permit 13-03 as well as the removal of 21 pilings that were required as part of the Coastal Development Permit for this project.

~~You are hereby authorized to perform work of improvement described in the Permit Application as modified by the revised project description depicted in Attachment A of **Permittee** consisting of:~~

~~Installation and operation of subtidal shellfish nurseries and macro-algae culture.~~

That the location of the proposed work of improvement shall be located in Humboldt County, California, in Humboldt Bay adjacent to the Samoa Peninsula.

SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. That all work authorized by this Permit shall further be subject to the approval of the following public agencies:
 - A. U.S. Army Corps of Engineers
 - B. California Coastal Commission
 - C. North Coast Regional Water Quality Control Boardand you shall fully comply with all regulations and conditions affecting such work as imposed by the above agencies.
2. That there shall be no unreasonable interference with navigation by the work herein authorized.
3. That no attempt shall be made by the **Permittee** to interfere or forbid the full and free use by the public of all navigable waters at or adjacent to the work.
4. That the mitigation measures described in the Final Environmental Impact Report for the Humboldt Bay Mariculture Pre-Permitting Project are made conditions of this permit by reference:
5. *This permit shall expire within 12 months from the date of its approval unless said permit is activated. "Activated" shall mean when development, construction, or use activity authorized by this permit have commenced.*

~~That this Permit, if not previously revoked or specifically extended, shall cease and be null and void and terminate on the 25th day of February 2017. This permit may be extended in annual increments for up to a total of nine (9) years at the discretion of the **District**.~~

6. That the Board of Commissioners of the **District** may revoke this Permit at any time upon a finding by the **District** of a violation by the **Permittee** of any condition of this Permit.
7. That the **Permittee** shall comply with any regulations, condition, or instructions affecting the work hereby authorized if and when issued by the Federal Water Pollution Control Administration and/or the State of California Water Resources Control Agency having jurisdiction to abate or prevent water pollution. Such regulations, conditions, or instruction in effect or prescribed by Federal or State Agencies are hereby made a condition of this Permit.
8. That **Permittee** shall furnish to the **Humboldt Bay Harbor, Recreation and Conservation District** a written annual progress report and upon completion, a written completion report describing the completion of the project. **Permittee** shall at all times notify the **Humboldt Bay Harbor, Recreation and Conservation District** in writing of all locations, including new locations, in Humboldt Bay, that **Permittee** proposes to install the uses permitted herein, prior to said installation.

9. That this Permit is valid as of the 25th day of February 2016, and is made subject to the **Permittee** approving and agreeing to the conditions above set forth and executing said approval as hereinafter provided.

10. *Minor deviations from approved plans may be approved by the Executive Director.*

EXECUTED on this 24th day of January 2019, by authority of the Board of Commissioners of the **Humboldt Bay Harbor, Recreation and Conservation District.**

, President
Board of Commissioners
Humboldt Bay Harbor, Recreation and
Conservation District

The Humboldt Bay Harbor, Recreation and Conservation District, Permittee, in the above Permit, hereby accepts and agrees to all of the conditions hereinabove set forth.

Dated: January 24, 2019

Humboldt Bay Harbor, Recreation and
Conservation District

By _____

Title _____