AGENDA
MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

DATE: July 26, 2018
TIME: Executive Closed Session – 6:00 PM
       Regular Session – 7:00 PM
PLACE: Woodley Island Marina Meeting Room

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings
for people with other handicaps must be requested of the Director of Administrative Services
at 443-0801 at least 24 hours in advance of the meeting.

1. Call to Order at 6:00 PM
   Move to Executive Closed Session pursuant to the provisions of the California Government Code Sections 54956.8
   (Conference with Real Property Negotiator) and 54957(b)(1) (Public Employee Performance Evaluation).
   a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential acquisition of real property in
      King Salmon, Humboldt County, with Assessor’s Parcel Numbers, 305-162-012, 305-162-004 California
      pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and
   b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential acquisition of real property in
      King Salmon, Humboldt County, with Assessor’s Parcel Numbers, 305-162-010 California pursuant to
      California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso,
   c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND EMPLOYMENT CONTRACT RENEWAL
      pursuant to Government Code section 54957(b)(1).
      1. Title: Director of Harbor Operations and Bar Pilot- Tim Petrusha
      2. Title: Director of Operations and Facilities Maintenance- Alan Bobillot
   d. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential Right of Way
      acquisition through APN: 108-171-023 and 108-171-023R and sublease of District’s lease interest
      by District under lease between the District and Mario’s Marina LLC dated April 1, 2016 for the real
      property commonly known as Mario’s Marina in Shelter Cove, Humboldt County, California
      pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive
      Director and Paul Brisso, District Counsel. Negotiating party: Mario Marina LLC, Shelter Cove,
      CA. Under negotiation: price and payment terms.

2. Call to Order Regular Session at 7:00 P.M. and Roll Call

3. Pledge of Allegiance

4. Report on Executive Closed Session

5. Public Comment
   Note: This portion of the Agenda allows the public to speak to the Board on the various issues not itemized on this Agenda. A
   member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately.
   Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited
   to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three
   (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on
   the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not
   be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of
   Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3)
   minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of
   the Board of Commissioners at the regular meeting of the District.

6. Consent Calendar
Agenda for July 26, 2018 Regular Board Meeting

a) Consideration of approval of minutes for April 26, 2018
b) Consideration of approval of minutes for May 10, 2018
c) Consideration of approval of minutes for May 24, 2018
d) Consideration of Approval of Permit 2016-08 Renewal for sediment sampling adjacent to PG&E’s Humboldt Bay Power Plant.

7. Communications and Reports
   a) Staff Reports
   b) District Counsel, District Planner, District Engineer and District Treasurer Reports
   c) Executive Director’s Report
   d) Commissioner’s Reports
   e) Standing/Ad Hoc Committee Reports

8. Unfinished Business –
   a) Consideration of Resolution 2018-04 Adopting Fiscal Year 2018-2019 Budget and Goals

   Summary: This budget represents the Humboldt Bay Harbor, Recreation and Conservation District’s (District) financial plan for the upcoming fiscal year. The Board held a series of regular and special meetings where they reviewed the District’s major properties and budget categories previous and projected income, expenditures, and goals. The Board adopted a preliminary budget on June 14, 2018 and noticed their intent to adopt this final budget pursuant to California Harbors and Navigation Section 6093.1.

b) Authorize Staff to Release of a Request for Proposal to Dredge Woodley Island Marina and Fields Landing Boat Yard and Other Actions Required to Finance the Proposed Multi-year Dredging Program.

   Summary: A SUPPLEMENTAL AGENDA PACKET WILL BE AVAILABLE BY 5:00 PM ON MONDAY JULY, 23, 2018.

9. New Business
   a) Consideration of contract renewal with Alan Bobillot, Director of Operations and Facilities Maintenance.
   b) Consideration of contract renewal with Tim Petrusha, Director of Harbor Operations and Bar Pilot.
   c) Consideration of appointment of Labor Relations Committee.

   Summary: As per Section 2.03 of the Collective Bargaining Agreement with the International Longshore and Warehouse Union Local 14, Unit A, a Labor Relations Committee is composed of two members of the District Harbor Commission and the CEO and two members of the Unions Employee Liaison Committee. The Union Liaison Committee has requested a meeting to initiate renegotiation discussions.

10. Administrative and Emergency Permits
    a) Administrative Permit A-2018-01 Schneider Dock Industrial Park - Maintenance Dredging

   Summary: Maintenance dredging is proposed adjacent to the Schneider Dock to restore and maintain sufficient draft depth for moorage and shipping operations to continue at the dock. The project proposes to remove a maximum of 5,000 cubic yards of sediment during the initial dredging event, and the total volume dredged under this project will not exceed 10,000 cubic yards. Dredging will be performed using an excavator and/or crane with a clamshell bucket positioned on a floating work barge. Material will be scooped from the bay floor and deposited in a scow situated adjacent to the work barge. Once full, the scow will be transported to the Humboldt Open Ocean Disposal Site (HOODS) where the dredged material will be deposited.

   District staff determined that the project is exempt from CEQA pursuant to a Class 4 categorical exemption (Section 15304. (g) Minor Alterations to Land), which exempts maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies. A Notice of Exemption will be filed with the County.

    b) Administrative Permit A-2018-02 Woodley Island Marina and Fields Landing Maintenance Dredging

   Summary: HBHRCD is proposing regular maintenance dredging within Humboldt Bay at Woodley Island Marina (WIM) and Fields Landing Boat Yard Travel Lift. Permit coverage is being requested for a total volume of 300,000
cubic yards (cy) over ten years at WIM and up to 25,120 cy over ten years at Fields Landing. Dredging will be performed using a crane and/or excavator with a closed clamshell bucket. Material will be scooped from the bay floor and deposited in a scow and will be transported to the Humboldt Open Ocean Disposal Site (HOODS) where the dredged material will be deposited.

District staff determined that the project is exempt from CEQA pursuant to a Class 4 categorical exemption (Section 15304. (g) Minor Alterations to Land), which exempts maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies. A Notice of Exemption will be filed with the County.

11. Adjournment
The Humboldt Bay Harbor, Recreation, and Conservation District met in regular session on the above date, 6:00 P.M. Closed Session, 7:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

1) CLOSED SESSION - 6:00 P.M.
The Commission met in closed session to discuss the following items:
   a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential sublease of District’s lease interest by District under lease between the District and Mario’s Marina LLC dated April 1, 2016 for the real property commonly known as Mario’s Marina in Shelter Cove, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso, District Counsel. Negotiating party: Tony Miller, Shelter Cove, CA. Under negotiation: price and payment terms.
   b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential new lease of District property at Fairhaven, Humboldt County, California that is subject to the current lease of June 25, 1965 between State of California as lessor and Crown Simpson Pulp Mill Co., currently occupied by successor tenant Sequoia Investments X, LLC., pursuant to California Government Code section 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso, District Counsel. Negotiating party: Sequoia X, LLC. Under negotiation: price and other consideration for lease and payment terms.

2) ADJOURN EXECUTIVE CLOSED SESSION

3) OPEN SESSION – 7:00 P.M.
ROLL CALL:
PRESENT: MARKS, DOSS, KULLMANN, HIGGINS
ABSENT: DALE
QUORUM: Yes

4) PLEDGE OF ALLEGIANCE

5) REPORT ON EXECUTIVE CLOSED SESSION
   a. No action report out on.
   b. No action report out on.

6) PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting’s agenda: No members of the public commented.

7) CONSENT CALENDAR:
   a) Approval of Meeting Minutes for January 25, 2018 Regular Board Meeting
   b) Approval of Meeting Minutes for February 22, 2018 Regular Board Meeting
   c) Authorize purchase & installation of 12’ wide by 14’ tall cylinder type roll up door at RMT II for $13,196.78
   d) Approval of Permit and Agreement to Operate a Charter Service Business with Steve Helton dba Judah Paul Sport Fishing.

   I.COMMISSIONER HIGGINS MOVED TO APPROVE OF THE CONSENT CALENDAR. COMMISSIONER DOSS SECONDED.
   II.Chair Marks then opened up public comment on the item. No members of the public commented.
   III.Chair Marks then moved the discussion back to the Commission.
   VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
   Ayes: MARKS, KULLMANN, HIGGINS, DOSS
   Noes: NONE
   Absent: DALE
   Abstain: NONE
COMMISSIONER KULLMANN MOVED TO MOVE THE PRESENTATION BY JOHN HUMMER, U.S MARITIME ADMINISTRATION, TO BEFORE THE COMMUNICATIONS AND REPORTS. COMMISSIONER HIGGINS SECONDED THE MOTION.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: MARKS, KULLMANN, HIGGINS, DOSS
Noes: NONE
Absent: DALE
Abstain: NONE

8) COMMUNICATIONS AND REPORTS:
   a. U.S. Maritime Administration Presentation
   b. Staff Reports
      - Staff presented recent staff activities and projects.
   c. District Counsel, District Planner, District Treasurer and District Engineer Reports
      - Staff presented recent staff activities and projects.
   d. Executive Director Report:
      - Executive Director Larry Oetker presented Executive Director Report.
   e. Commissioner Reports
   f. HSU Student Project Presentation – Samoa Bayfront Properties Planning Project

9) UNFINISHED BUSINESS:
   a. FY 2018-19 DISTRICT BUDGET PREPARATION – DRAFT GOALS REVENUES AND EXPENDITURES BY PROGRAMMATIC ACTIVITY.
      - Executive Director Larry Oetker presented the item.
      - The Commission discussed the item.
      - Chair Marks then opened up public comment on the item: Public commenters included: Susan Penn.
      - As an informational item, no action was taken regarding this matter by the Commission.
   b. FAIRHAVEN TIDAL PROPERTY LEASE WITH SEQUOIA INVESTMENTS X, LLC.
      - Paul Brisso, Legal Counsel presented the item.
      - COMMISSIONER HIGGINS MOVED TO ENTER INTO NEW LEASE WITH SEQUOIA INVESTMENTS X, LLC FOR THE FAIRHAVEN TIDAL PROPERTY. COMMISSIONER KULLMANN SECONDED THE MOTION.
      - Chair Marks then opened up public comment on the item: Public commenters included: Scott Frazier.
      - Chair Marks then moved the discussion back to the Commission.
      - VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
      - Ayes: MARKS, KULLMANN, DOSS, HIGGINS
      - Noes: NONE
      - Absent: DALE
      - Abstain: NONE

10) NEW BUSINESS:
   a. CONSIDERATION OF EXTENSION FOR PERMIT NO. 14-05 FOR HUMBOLDT BAY REGIONAL INVASIVE SPARTINA ERADICATION AND NATIVE SALT MARSH RESTORATION.
      - COMMISSIONER HIGGINS MOVED TO APPROVE PERMIT NO. 14-05 EXTENSION FOR HUMBOLDT BAY REGIONAL INVASIVE SPARTINA ERADICATION AND NATIVE SALT MARSH RESTORATION THROUGH DECEMBER 18, 2024. COMMISSIONER KULLMANN SECONDED THE MOTION.
      - District Planner George Williamson presented the item.
      - The Commission discussed the item.
      - Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented.
      - Chair Marks then moved the discussion back to the Commission.
      - VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
      - Ayes: MARKS, KULLMANN, DOSS, HIGGINS
      - Noes: NONE
      - Absent: DALE
      - Abstain: NONE
b. CONSIDERATION OF AGREEMENT WITH CHEVRON FOR REIMBURSEMENT OF SERVICES RELATED TO THE OPERATION AND MAINTENANCE OF THE HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL TIME SYSTEM (PORTS).
   I. Staff member Tim Petrusha and Executive Director Larry Oetker presented the item.
   II. The Commission discussed the item.
   III. COMMISSIONER KULLMANN MOVED TO APPROVE AGREEMENT WITH CHEVRON FOR REIMBURSEMENT OF SERVICES RELATED TO THE OPERATION AND MAINTENANCE OF THE HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL TIME SYSTEM (PORTS). COMMISSIONER HIGGINS SECONDED THE MOTION.
   IV. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented.
   V. Chair Marks then moved the discussion back to the Commission.
      VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
      Ayes: MARKS, KULLMANN, DOSS, HIGGINS
      Noes: NONE
      Absent: DALE
      Abstain: NONE

c. AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH TRINITY VALLEY CONSULTING ENGINEERS INC. FOR PLOTTING AND MAPPING EXISTING FACILITIES AT RMT II.
   I. Executive Director Larry Oetker presented the item. The Commission discussed the item.
   II. COMMISSIONER HIGGINS MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH TRINITY VALLEY CONSULTING ENGINEERS INC. FOR PLOTTING AND MAPPING EXISTING FACILITIES AT RMT II. COMMISSIONER KULLMANN SECONDED THE MOTION.
   III. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented on this item.
   IV. Chair Marks then moved the discussion back to the Commission.
      VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
      Ayes: MARKS, KULLMANN, DOSS, HIGGINS
      Noes: NONE
      Absent: DALE
      Abstain: NONE

11) ADMINISTRATIVE AND EMERGENCY PERMITS: NONE.

12) ADJOURNMENT

APPROVED BY

Patrick Higgins
Secretary

RECORDED BY:

George Williamson
District Planner
The Humboldt Bay Harbor, Recreation, and Conservation District met in regular session on the above date, 12:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

1) OPEN SESSION – 12:00 P.M.

ROLL CALL:
PRESENT: MARKS DALE DOSS KULLMANN (arrived at 12:15)

ABSENT: HIGGINS
QUORUM: Yes

2) PLEDGE OF ALLEGIANCE

3) PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting’s agenda: No members of the public commented.

4) UNFINISHED BUSINESS:
   a. FY 2018-19 DISTRICT BUDGET PREPARATION – draft goals revenues and expenditures by programmatic activity – Woodley Island Marina and Dredging
      I. Executive Director Larry Oetker presented the item.
      II. The Commission discussed the item.
      III. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented.
      IV. As an informational item, no action was taken regarding this matter by the Commission.

5) ADJOURNMENT

APPROVED BY
____________________       ____________________
Patrick Higgins       George Williamson
Secretary         District Planner

RECORDED BY:
The Humboldt Bay Harbor, Recreation, and Conservation District met in regular session on the above date, 7:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

1) OPEN SESSION – 7:00 P.M.

ROLL CALL:
PRESENT: MARKS
       DALE
       DOSS
       HIGGINS
       KULLMANN (arrived late, prior to Item 6a)

ABSENT: NONE
QUORUM: Yes

2) PLEDGE OF ALLEGIANCE

3) REPORT ON EXECUTIVE CLOSED SESSION
   a. This item appeared on the agenda in error. No Closed Session occurred as a part of this meeting.

4) PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting’s agenda: No members of the public commented.

5) CONSENT CALENDAR: NONE.

6) COMMUNICATIONS AND REPORTS:
   a. Staff Reports
      o Staff presented recent staff activities and projects.
   b. District Counsel, District Planner, District Treasurer and District Engineer Reports
      o Staff presented recent staff activities and projects.
   c. Executive Director Report:
      o Executive Director Larry Oetker presented Executive Director Report.
   d. Commissioner Reports
   e. Standing/Ad Hoc Committee Reports

7) UNFINISHED BUSINESS:
   a. FY 2018-19 DISTRICT BUDGET PREPARATION – draft goals revenues and expenditures by programmatic activity
      I.Executive Director Larry Oetker presented the item.
      II.The Commission discussed the item.
      III.Chair Marks then opened up public comment on the item: Public commenters included: Bruce Silvey, Jenn Kalt, and Mike Wilson.
      IV.As an informational item, no action was taken regarding this matter by the Commission.

8) NEW BUSINESS:
   a. SENATE BILL 1029: GREAT REDWOOD TRAIL ACT
      I.Commissioner Doss introduced the item.
      II.The Commission discussed the item.
      III. Chair Marks then opened up public comment on the item: Public commenters included: Bruce Silvey, Karen Underwood, Jenn Kalt, Larry Glass, Mike Wilson, and Korina Johnson.
      IV. COMMISSIONER HIGGINS MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR TO WRITE A LETTER TO SENATOR MCGUIRE IN FAVOR OF SB 1029, WITH THE RESERVATION THAT THE SURFACE TRANSPORTATION BOARD TAKE PRIOR ACTION BEFORE THE DISSOLUTION OF THE NCRA, TO MAKE SURE THE RIGHTOF WAY IS INTACT FROM WILLITS TO SAMOA. COMMISSIONER DALE SECONDED THE MOTION.
      V.Chair Marks then moved the discussion back to the Commission.
         VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
         Ayes: MARKS, KULLMANN, DOSS, HIGGINS, DALE
         Noes: NONE
Absent: NONE
Abstain: NONE

9) ADMINISTRATIVE AND EMERGENCY PERMITS: NONE.

10) ADJOURNMENT

APPROVED BY

____________________
Patrick Higgins
Secretary

RECORDED BY:

____________________
George Williamson
District Planner
STAFF REPORT - HARBOR DISTRICT MEETING
July 26, 2018

TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

DATE: July 26, 2018

TITLE: Consideration of Approval of Permit 2016-08 Renewal for sediment sampling adjacent to PG&E’s Humboldt Bay Power Plant

STAFF RECOMMENDATION: It is recommended that the Board: approve the permit renewal for an additional 12 months.

BACKGROUND: Pacific Gas & Electric Company (PG&E) is in possession of Harbor District Permit Number 2016-08 for Sediment Sampling along the Humboldt Bay shoreline adjacent to the Humboldt Bay Power Plant. This permit expired in December 2017. However, the project team was unable to complete the sampling required as part of the License Termination process associated with decommissioning of the nuclear power plant. Therefore, PG&E requests that the permit be reauthorized for 2018.

DISCUSSION: The Project Description and project materials for Consideration of Approval of Permit 2016-08 Renewal for sediment sampling adjacent to PG&E’s Humboldt Bay Power Plant is in Attachment A and Attachment B.

ATTACHMENTS:
A. Final Permit 2016-08 Signed
B. Harbor District Renewal Request Permit 2016-08
June 13, 2018

ENVR 18-19

Mr. George Williamson
District Planner
Humboldt Bay Harbor, Recreation, and Conservation District
P.O. Box 1030
Eureka, California 95502-1030

Dear Mr. Williamson,

Pacific Gas & Electric Company (PG&E) is in possession of Harbor District Permit Number 2016-08 for Sediment Sampling along the Humboldt Bay shoreline adjacent to the Humboldt Bay Power Plant. This permit expired in December 2017. However, the project team was unable to complete the sampling required as part of the License Termination process associated with decommissioning of the nuclear power plant. Therefore, PG&E requests that the permit be reauthorized for 2018.

Thank you in advance for your consideration. If there are any questions, please contact me at 707-674-7766 or at email james.salmon@pge.com.

Sincerely,

James T. Salmon
HBPP Environmental Manager
Pacific Gas & Electric Company
Attachment B

HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

PERMIT

Permit No. 2016-08
601 Startare Drive
Woodley Island Marina
P.O. Box 1030
Eureka, CA 95502-1030

Permittee:

Pacific Gas and Electric Company
Humboldt Bay Power Plant
1000 King Salmon Ave.
Eureka, CA 95503
James T. Salmon, Environmental Manager

The Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District hereinafter referred to as “District”, having considered the Application herein, number 2016-08, hereinafter referred to as “Permittee”, and the District as the lead agency, pursuant to the California Environmental Quality Act of 1970, as amended, establishing findings relative to the Application by Permittee for Humboldt Bay Power Plant Wetland Sediment Sampling as provided for in this Permit, the Permittee is hereby authorized to perform the work of repairs, as more particularly described in the Application filed with the District.

You are hereby authorized to conduct that activity described in the Permit Application of Permittee consisting of:
Humboldt Bay Power Plant Wetland Sediment Sampling as more particularly described in the Application filed by Permittee.

That the location of the proposed activity shall be in Humboldt Bay, Humboldt County, California,

SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. If the Permittee materially changes the activity plan and scope, it will be necessary to request a permit revision.

2. The Permittee, at all times, shall comply with Air Quality Regulation 1, Chapter IV of the North Coast Unified Air Quality Management District’s Rules and Regulations.
3. The permit term is one year.

4. All sampling collection activities shall be conducted as described in the project description included in the application and follow the applicable protocols and practices contained in the Archaeological Resources Protection Plan for the Humboldt Bay Power Plant Final Site Restoration Plan, prepared by VCZ Archeology and Cultural Resource Management, April 2016.

5. If archeological or cultural features or materials are unearthed during any phase of project activity, all work in the immediate vicinity of the find shall halt until the Permittee has contacted the Wiyot Tribe's Cultural Department, and the significance of the resource has been evaluated, to the satisfaction of the Wiyot Tribe. Any mitigation measures that may be deemed necessary will be provided to the Wiyot Cultural Director for review and input to ensure they are consistent with the standards for cultural resource mitigation particularly in cooperation with Native American tribal representatives and the California State Native American Heritage Commission. Mitigation measures shall be implemented by a qualified archeologist representing the Permittee prior to resumption of construction activities. If human remains are exposed by project related activity, the Permittee shall comply with California State Health and Safety Code, §7050.5, which states that no further disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code, §5097.98.

6. That there shall be no unreasonable interference with navigation by the work herein authorized.

7. 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.

8. That the District, its Commissioners, or any officer or employee of the District shall in no case be liable for any damages or injury of the work herein authorized which may be caused by or result from future operations undertaken by the District for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

9. That neither the District, nor its Board of Commissioners, nor any officer of the District shall be liable to any extent for any such injury or damage to any person or property or for the death of any person arising out of or connected with the work authorized by this Permit.

10. 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.
11. 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.

12. That neither the District, nor its Board of Commissioners, nor any officer of the District shall be liable to any extent for the injury or damage to any person or property or for the work authorized by this Permit, and the Permittee shall indemnify and hold harmless the District, its Commissioners and officers free and harmless from any liability for any such injury, death or damage.

13. That as a condition to the issuance of this Permit, Permittee agrees to indemnify and hold harmless District from and against any and all liability, loss, or damage District may suffer from claims and demands for attorneys’ fees, costs of suit, and costs of administrative records made against District by any and all third parties as a result of third party environmental actions against District arising out of the subject matter of this Permit, including, but not limited to attorneys’ fees, costs of suit, and costs of administrative records pursuant to the California Code of Civil Procedure §1021.5 or any other applicable local, state or federal laws, whether such attorneys’ fees, costs of suit, and costs of administrative records are direct or indirect, or incurred in the compromise, attempted compromise, trial appeal or arbitration of claims for attorneys’ fees, costs of suit, and costs of administrative records in connection with the subject matter of this Permit.

14. That this Permit is valid as of the 15th day of December, 2016, and is made subject to the Permittee approving and agreeing to the conditions above set forth and executing said approval as hereinafter provided.
EXECUTED on this 15th day of December, 2016, by authority of the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District.

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

Pacific Gas and Electric, Permittee, in the above Permit, hereby accepts and agrees to all of the conditions hereinabove set forth. Permittee shall indemnify and hold harmless the District, its Board of Commissioners, officers and employees from any and all claims of any nature arising from the performance of and work of improvement contained in the Application for injury, death or damage to any person or property.

Pacific Gas and Electric Permittee, in the above Permit, agrees to indemnify and hold harmless District, its Board of Commissioners, officers and employees from and against any and all liability, loss or damage District may suffer from claims and demands from attorneys' fees; costs of suit and costs of administrative records made against District by any and all third parties as a result of third party environmental actions against District arising out of the subject matter of this Permit including, but not limited to, attorneys' fees, costs of suit and costs of administrative records pursuant to the California Code of Civil Procedure §1021.5 or any other applicable local, state or federal laws, whether such attorneys fees, costs of suit and costs of administrative records are direct or indirect, or incurred in the compromise, attempted compromise, trial, appeal or arbitration of claims for attorneys' fees, costs of suit and costs of administrative records in connection with the subject matter of this Permit.

Dated: 2/1/17

Pacific Gas and Electric Company
TO: Honorable Board President and Harbor District Board Members
FROM: Larry Oetker, Executive Director
DATE: July 26, 2018
TITLE: Consideration of Resolution 2018-04 Adopting Fiscal Year 2018-2019 Budget and Goals

STAFF RECOMMENDATION: It is recommended that the Board:
1. Adopt Resolution NO. 2018-04 approving the FY 2018-19 District budget and goals: and
2. Authorize Staff to assemble an administrative budget and make the budget available on the Districts Website and at the front counter.

BACKGROUND: This budget represents the Humboldt Bay Harbor, Recreation and Conservation District’s (District) financial plan for the upcoming fiscal year. The Board held a series of regular and special meetings where they reviewed the District’s major properties and budget categories previous and projected income, expenditures, and goals. The Board adopted a preliminary budget on June 14, 2018 and noticed their intent to adopt this final budget pursuant to California Harbors and Navigation Section 6093.1.

DISCUSSION: The final budget is essentially the same as the draft budget with a few relatively minor adjustments between categories and refinements to the income and expenditure projections. The budget is balanced with approximately $4,912,000 in total revenues and $4,859,398 in expenditures resulting in a projected net income of approximately $52,000. The District Treasurer estimated on June 7, 2018 that the District’s cash on hand as of July 1, 2018 would be approximately $1,500,000. Of the cash on hand, over $1,000,000 is associated with the dredging revenues

The most significant financial items to highlight in the FY 2018-19 budget are:
1. Additional expenditures associated with the proposed I -Bank Loan for dredging. (NOTE: the cost to dredge are not included in this budget. This line item is to set aside funds for the proposed loan. The appropriations for the dredging of Woodley Island Marina and Fields Landing Boat Yard will be considered outside this budget document).
2. Increased Revenues from leases associated with Redwood Marine Terminals I and II.
3. Increased Revenues from tideland leases associated with the subtidal maricultural prepermitting.
4. Establishment of a new reserve fund. (Note: establishing separate segregated funds for dredging are being considered separately on the agenda.)
5. Stabilization of electric utility bills due to the 740,000 KWH photovoltaic system on the RMT II buildings.
6. Shelter Cove boat yard shifting to seasonal staffing.

ATTACHMENTS:
A. Resolution 2018-04
RESOLUTION NO. 2018-04

A RESOLUTION ADOPTING THE FINAL FISCAL YEAR 2018-2019 HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT BUDGET AND GOALS

WHEREAS, the Board of Commissioners of the Humboldt Bay Harbor, Recreation, and Conservation District has prepared a draft and final annual budget pursuant to California Harbors and Navigation Code Section 6093;

WHEREAS, the Board of Commissioners approved the fiscal year 2018-19 draft budget on June 14, 2018 and scheduled and noticed a hearing for the adoption of the final budget on July 26, 2018 at 7:00 pm at the Woodley Island Meeting Room, 601 Startare Drive, Eureka, CA;

WHEREAS, notice of said hearing was posted on the Harbor District's website and published in the Eureka Times Standard pursuant to California Harbors and Navigation Section 6093.1; and

WHEREAS, copies of the budget were made available on the Harbor District’s website and at the District Office.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District that the Board hereby:
1. Adopts the Final Fiscal Year 2018-19 Budget and Goals as set forth in Exhibit A, attached hereto and by reference incorporated herein.
2. Authorizes the Executive Director to transmit the budget to the Humboldt County Board of Supervisors pursuant to California Harbors and Navigation Section 6093.3

PASSED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the 26th day of July 2018, by the following polled vote:

AYES:

NOES:

ABSENT:

RICHARD MARKS, President
Board of Commissioners

ATTEST:

PAT HIGGINS, Secretary
Board of Commissioners
# Humboldt Bay Harbor, Recreation, and Conservation District

## INCOME FY 2018 - 19 BUDGET

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<th>Tidelands Woodley Island</th>
<th>RMT II</th>
<th>RMT I</th>
<th>Fields Landing</th>
<th>Shelter Cove</th>
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### TOTAL REVENUE
- 1,177,500
- 273,000
- 1,209,200
- 880,228
- 182,200
- 209,300
- 48,000
- 932,681
- 4,912,109

### TOTAL EXPENSE
- 1,169,517
- 1,163,103
- 880,011
- 170,774
- 239,769
- 303,543
- 932,681
- 4,859,398

### NET INCOME
- 7,983
- 273,000
- 46,097
- 217
- 11,426
- (30,469)
- (255,543)
- 52,711
## Humboldt Bay Harbor, Recreation, and Conservation District

### EXPENSES  FY 2018 - 19 BUDGET

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<tr>
<th>Account</th>
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<th>Tidelands</th>
<th>Woodley Island</th>
<th>RMT II</th>
<th>RMT I</th>
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### Dedicated Accounts Deposit

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<td>(30,469)</td>
<td>(255,543)</td>
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<td>52,711</td>
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• Obtain all required permits to dredge the Marina and begin to implement the long term maintenance dredging program.

• Establish a dredging maintenance fund which would pay for permitting, mitigation, dredging and other expenses associated with dredging:
  • Woodley Island,
  • Fisherman’s Channel, and
  • Fields Landing Travel Lift Dock

• Repair/replace the roof over the restaurant and ACOE building as a 1st priority followed by the Coast Guard and Harbor District office roof.

• Develop and implement a dock repair, replace, and maintenance program.

• Coordinate commercial fish storage and work areas with efforts to improve the RMT I facility.

• Evaluate potential cost saving from installing smart electrical meters.
Woodley Island Marina GOALS

• Work with the Redwood Energy Authority to evaluate energy efficiency measure for Woodley Island.

• Work with the City of Eureka to promote Woodley Island as a commercial fishing, recreational boating, and tourist destination.

• Continue to evaluate and implement safety and security measures throughout the island.

• Develop a parking lot and access road maintenance program to prolong the useful life of the infrastructure.

RMT I GOALS

• Develop a fisherman’s outdoor storage and work area master site plan and reorganize lease areas per master plan.

• Complete the Brownfield cleanup and subdivision of the roundhouse property and transfer ownership to the Timber Heritage Association.

• Continue to work with the City of Eureka and Humboldt Maritime Association to relocate the 1091 vessel as required by the Coastal Commission.
RMT I GOALS

• Continue the dock decking replacement program.
• Repair/replace saltwater intake pumping system and pumphouse.
• Upgrade the power to dock to 480 3-phase.
• Complete maintenance improvements to road access to Red Tank and Non Name Docks.
• Analyze sea level rise adaptation strategies through 2100

RMT I GOALS

• Develop a maintenance / replacement strategy:
  • Storm water culvert that runs under the building
  • Roofing
  • Siding
  • Fire suppression system
  • Domestic Water supply
  • Wastewater treatment
  • Roadway
RMT II GOALS

• Obtain a Coastal Development Permit for Uses
  • Phase I. Make all current uses allowable.
  • Phase II. Develop a master development plan for future Business Innovation Park uses and infrastructure.
• Complete the Brownfield cleanup.
• Improve the site access, signage, and layout based on the master development plan to set the stage for a true Business Innovation Park.
• Continue to target marketing efforts on the aquaculture and other water related uses while allowing non water related uses on an interim basis.

RMT II GOALS

• Convert the existing ocean outfall lease to a tidelands lease similar to other Harbor District leases with the State Lands Commission that allow for broader use that serve the public interest.
• Continue to support the North Coast Water Quality Control Board’s efforts to develop wastewater treatment facilities on the Samoa Peninsula by utilizing the RMT II property and ocean outfall.
• Improve exterior lighting for security and exterior working areas.
• Implement repair and maintenance of the fire suppression system to insure that it complies with insurance requirements.
### Fields Landing GOALS

- Develop a plans, specifications, and cost estimates to refurbish the travel lift dock.
- Develop permitting/mitigation plan to dredge between the federal channel to the travel lift dock fingers.
- Develop and implement a storm water management strategy to collect heavy metals, paint and other potential contaminants as close to the source as possible.
- Improve exterior lighting for security and exterior working areas.

### Fields Landing GOALS

- Work with the City of Eureka and the other members of the Harbor Safety Committee to find funding to dispose of abandoned and/or dangerous boats.
- Construct improvements to the large roll up doors to secure them during high wind events.
- Replace older boat stands and other equipment required to operate the boat yard service.
Shelter Cove GOALS

• Complete the conversion of the fish cleaning station discharge from direct ocean to the Community Improvement Districts wastewater treatment system.

• Implement changes to the boat launching operations that:
  • Require minimum trailer safety features.
  • Establishes seasonal commercial launching service.
  • Utilize more local staff.

Shelter Cove GOALS

• Develop a breakwater and boat ramp maintenance program.

• Install barriers, exterior lighting, and other improvements for security and safety.

• Work with the property owner to obtain permanent fee title to the boat launching, fish cleaning, and public access to the beach.
## Port Operations GOALS

- Dredging strategy coordination with USACE for Federal Channel dredging that address winter shoaling issues.
- Begin Planning for multi-purpose berth development
  - Work with RCEA to prepare port for off-shore wind energy development
  - Work with commercial fishing industry to evaluate existing support facilities and determine their needs.

## Port Operations GOALS

- Continue to work with Humboldt Bay Cruise Ship Collaborative to market and develop port as cruise ship destination.
- Work with Sediment Advisory Committee to complete Sediment Management Plan Program EIR
- Work with the County, City of Eureka, RREDC, and private dock owners on a port marketing strategy to attract businesses to Humboldt Bay.
### Conservation GOALS

- Coordinate dredging activities with potential beneficial reuse projects.
- Review Eelgrass Management Plan and begin to implement management strategy.
- Work with the County, City of Eureka, and City of Arcata to implement stormwater runoff programs to keep the Bay clean.

### Recreation GOALS

- Promote boater safety and training programs for recreational and commercial users.
- Evaluate additional recreational boating opportunities around Dock I and Woodley Island Marina.
EMPLOYMENT AGREEMENT  
With  
ALAN BOBILLOT  

THIS AGREEMENT, made this 1st day of July, 2017 between the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, a public entity, located in Humboldt County, California, herein referred to as "District", and Alan Bobillot, herein referred to as "Employee".

The parties recite that:

A. District is a public entity with legal duties, powers and obligations set forth in Sections 1 through 83 of Appendix 2 of the Harbors and Navigation Code of the State of California.

B. Employee is willing to be employed by District, and District is willing to employ Employee in the unclassified, at-will position of Director of Operations and Facility Maintenance on the terms and conditions hereinafter set forth.

C. The position of Director of Operations and Facility Maintenance is an unclassified service employee as defined in Section 73 of Appendix 2 of the Harbors and Navigation Code. Said position is an "At Will" position terminable at the will of either the employer or the employee.

FOR THE REASONS SET FORTH ABOVE, AND IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES OF THE PARTIES HERETO, DISTRICT AND EMPLOYEE COVENANT AND AGREE AS FOLLOWS:

1. Pursuant to this Agreement, Employee is employed as Director of Operations and Facility Maintenance for the Humboldt Bay Harbor, Recreation and Conservation District effective July 1, 2017, and Employee hereby accepts and agrees to such employment.

2. Employee shall perform and complete the services and tasks set forth in and according to the time frame set forth in Exhibit "A", attached hereto and incorporated by reference, entitled "Scope of Work".

3. Employee shall at all times faithfully, industriously, and to the best of his ability, experience, and talent perform all duties that may be required pursuant to the expressed and implicit terms as set forth by the Executive Director of the District. Such duties shall be rendered in Humboldt County, California and at such other place or places as District shall in good faith require or the interest, and needs or requests of District shall require or make advisable.

4. Employee shall serve in the position of Director of Operations and Facility Maintenance at the will and pleasure of the Executive Director of District. The Executive Director of the District or Employee may terminate this Agreement and terminate Employee’s employment with
or without cause at any time. In the event Employee desires to
terminate employment with the District as Director of Operations and
Facility Maintenance, it is expected that Employee shall give to District
a minimum of thirty (30) days written notice of said intention to
terminate. Employee shall be compensated for accrued benefits to the
date of termination in accordance with the provisions of the Personnel
Policy.

5. District shall pay Employee and Employee agrees to accept from
District, $80,017/year in full payment of Employee's services for his
position as Director of Operations and Facility Maintenance hereunder,
compensation to be set by the Board of Commissioners and as
adjusted from time to time.

In addition to the foregoing, Employee shall receive the employee
benefits for full time employees as now established by the District’s
personnel policy, or different employee benefits as may be modified or
established by the District in the future. However, nothing in this
section or any other part of this Agreement shall be interpreted as
preventing or precluding the District from rescinding, amending or
otherwise modifying the existing Personnel Policy or from adopting
additional personnel policies or procedures concerning the
employment, including but not limited to modifications of the benefits of
employment.

6. Employee’s salary, job duties and performance shall be reviewed in
May of each year by the Executive Director of the District. The annual
performance review may be used to adjust Employee’s salary based
upon performance and/or cost of living, as negotiated and
recommended by the Executive Director and approved by the Board of
Commissioners. However, nothing in this section shall be construed
as a promise or commitment by the District to increase compensation,
or concerning the amount of any such increase.

7. The effective date of appointment of Employee as Director of Facility
Maintenance shall be July 1, 2017 and unless renewed, will terminate
on June 30, 2018. In the event the Employee is terminated without
cause or the Employee’s contract is not renewed, Employee will be
given the opportunity to retire.

8. Employee shall devote his full time, attention, knowledge and skill
solely and exclusively as Director of Operations and Facility
Maintenance, solely and exclusively to the business and interest of the
District. The position is considered to be an exempt position within the
meaning of the California Labor Code for the purposes of wage and
hour provisions. Employee's workweek is not necessarily limited to 40
hours per week. Employee may be expected to work in excess of 40
hours per week if required to perform his duties as Director of
Operations and Facility Maintenance at the regular monthly salary with
no provision for overtime pay.
9. Employee is an unclassified employee as Director of Operations and Facility Maintenance. The position of Director of Operations and Facility Maintenance is not entitled to participate as a member of the International Longshoremen’s and Warehousemen’s Union AFL/CIO Local 14, Unit A, pursuant to the Union Contract with District and Director of Facility Maintenance is not included as a member of the bargaining unit represented by the Union.

10. Employee shall abide by all applicable provisions of District’s Personnel Policy as amended and with all other District policies and procedures currently in force or as may be implemented during the term of employment.

11. This written Agreement contains the sole and entire agreement between the parties. It supersedes any and all other agreements between the parties. The parties acknowledge and agree that neither of them has made any representation with respect to the subject matter of this Agreement or any representations including the execution and delivery hereof except such representations as are specifically set forth herein, and each party acknowledges that he/she or it has relied on his/her or its own judgment in entering into this Agreement. The parties further acknowledge that any statements or representations that may have heretofore been made by either of them to the other are void and of no effect and that neither of them has relied thereon in connection with his or its dealings with the other.

12. No waiver of modification of this Agreement or of any covenant, condition, or limitation herein contained shall be valid unless in writing and duly executed by the party to be charged therewith.

13. This Agreement and performance hereunder and all suits and special proceedings hereunder shall be construed in accordance with the laws of the State of California. In any action, special proceeding, or other proceedings that may be brought arising out of, in connection with, or by reason of this Agreement, the laws of the State of California shall be applicable and shall govern to the exclusion of the law of any other form. Any legal proceedings or actions arising out of this agreement shall be venued in Humboldt County, California.

Executed at Humboldt County, California, on the date first above written.

HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

By________________________________

Alan Bobillot- Employee
EXHIBIT A

DIRECTOR OF FACILITY MAINTENANCE

SCOPE OF WORK

Definition of Position:

Under the direction of the Executive Director, the Director of Facility Maintenance oversees the Harbor District’s maintenance staff, Harbor District vehicles and vessels and maintenance of all Harbor District facilities including Woodley Island Marina; Fields Landing Boat Yard; Redwood Marine Terminal and Redwood Terminal 2; Gerald Hansen Wildlife Area; King Salmon Beach; Shelter Cove Boat Launching Facility, Park Street Mitigation Area, all other projects and properties under Harbor District management, and such other related duties, tasks and responsibilities as may be assigned by the Executive Director.

The Director of Facility Maintenance is a full-time, permanent, unclassified, at-will management position.
EMPLOYMENT AGREEMENT
With
TIM PETRUSHA

THIS AGREEMENT, made this 1st day of July, 2017 between the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, a public entity, located in Humboldt County, California, herein referred to as "District", and Tim Petrusha, herein referred to as "Employee".

The parties recite that:

A. District is a public entity with legal duties, powers and obligations set forth in Sections 1 through 83 of Appendix 2 of the Harbors and Navigation Code of the State of California.

B. Employee is willing to be employed by District, and District is willing to employ Employee in the unclassified, at-will position of Director of Harbor Operations and Bar Pilot on the terms and conditions hereinafter set forth.

C. The position of Director of Harbor Operations and Bar Pilot is an unclassified service employee as defined in Section 73 of Appendix 2 of the Harbors and Navigation Code. Said position is an "At Will" position terminable at the will of either the employer or the employee.

FOR THE REASONS SET FORTH ABOVE, AND IN CONSIDERATION OF THE MUTUAL COVENANTS AND PROMISES OF THE PARTIES HERETO, DISTRICT AND EMPLOYEE COVENANT AND AGREE AS FOLLOWS:

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4. Employee shall serve in the position of Director of Harbor Operations and Bar Pilot at the will and pleasure of the Executive Director of District. The Executive Director of the District or Employee may terminate this Agreement and terminate Employee's employment with
or without cause at any time. In the event Employee desires to terminate employment with the District as Director of Harbor Operations and Bar Pilot, it is expected that Employee shall give to District a minimum of thirty (30) days written notice of said intention to terminate. Employee shall be compensated for accrued benefits to the date of termination in accordance with the provisions of the Personnel Policy.

5. District shall pay Employee and Employee agrees to accept from District, $88,842/year in full payment of Employee's services for his position as Director of Harbor Operations and Bar Pilot hereunder, compensation to be set by the Board of Commissioners and as adjusted from time to time.

In addition to the foregoing, Employee shall receive the employee benefits for full time employees as now established by the District’s personnel policy, or different employee benefits as may be modified or established by the District in the future. However, nothing in this section or any other part of this Agreement shall be interpreted as preventing or precluding the District from rescinding, amending or otherwise modifying the existing Personnel Policy or from adopting additional personnel policies or procedures concerning the employment, including but not limited to modifications of the benefits of employment.

6. Employee’s salary, job duties and performance shall be reviewed in May of each year by the Executive Director of the District. The annual performance review may be used to adjust Employee’s salary based upon performance and/or cost of living, as negotiated and recommended by the Executive Director and approved by the Board of Commissioners. However, nothing in this section shall be construed as a promise or commitment by the District to increase compensation, or concerning the amount of any such increase.

7. The effective date of appointment of Employee as Director of Harbor Operations and Bar Pilot shall be July 1, 2017 and unless renewed, will terminate on June 30, 2018. In the event the Employee is terminated without cause or the Employee’s contract is not renewed, Employee will be given the opportunity to retire.

8. Employee shall devote his full time, attention, knowledge and skill solely and exclusively as Director of Harbor Operations and Bar Pilot, solely and exclusively to the business and interest of the District. The position is considered to be an exempt position within the meaning of the California Labor Code for the purposes of wage and hour provisions. Employee's workweek is not necessarily limited to 40 hours per week. Employee may be expected to work in excess of 40 hours per week if required to perform his duties as Director of Harbor Operations and Bar Pilot at the regular monthly salary with no provision for overtime pay.
9. Employee is an unclassified employee as Director of Harbor Operations and Bar Pilot. The position of Director of Harbor Operations and Bar Pilot is not entitled to participate as a member of the International Longshoremen's and Warehousemen's Union AFL/CIO Local 14, Unit A, pursuant to the Union Contract with District and Director of Harbor Operations and Bar Pilot is not included as a member of the bargaining unit represented by the Union.

10. Employee shall abide by all applicable provisions of District’s Personnel Policy as amended and with all other District policies and procedures currently in force or as may be implemented during the term of employment.

11. This written Agreement contains the sole and entire agreement between the parties. It supersedes any and all other agreements between the parties. The parties acknowledge and agree that neither of them has made any representation with respect to the subject matter of this Agreement or any representations including the execution and delivery hereof except such representations as are specifically set forth herein, and each party acknowledges that he/she or it has relied on his/her or its own judgment in entering into this Agreement. The parties further acknowledge that any statements or representations that may have heretofore been made by either of them to the other are void and of no effect and that neither of them has relied thereon in connection with his or its dealings with the other.

12. No waiver of modification of this Agreement or of any covenant, condition, or limitation herein contained shall be valid unless in writing and duly executed by the party to be charged therewith.

13. This Agreement and performance hereunder and all suits and special proceedings hereunder shall be construed in accordance with the laws of the State of California. In any action, special proceeding, or other proceedings that may be brought arising out of, in connection with, or by reason of this Agreement, the laws of the State of California shall be applicable and shall govern to the exclusion of the law of any other form. Any legal proceedings or actions arising out of this agreement shall be venued in Humboldt County, California.

Executed at Humboldt County, California, on the date first above written.

HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

By______________________________
Tim Petrusha- Employee
STAFF REPORT - HARBOR DISTRICT MEETING
July 26, 2018

TO: Honorable Board President and Harbor District Board Members
FROM: Larry Oetker, Executive Director
DATE: July 26, 2018
TITLE: Consideration of Appointment of Labor Relations Committee

STAFF RECOMMENDATION: It is recommended that the Board: Appoint two members to serve along with the Executive Director on the Labor Relations Committee.

BACKGROUND: As per Section 2.03 of the Collective Bargaining Agreement with the International Longshore and Warehouse Union Local 14, Unit A, a Labor Relations Committee is composed of two members of the District Harbor Commission and the CEO and two members of the Unions Employee Liaison Committee. The Union Liaison Committee has requested a meeting to initiate renegotiate discussions.
TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

DATE: July 26, 2018

TITLE: Administrative Permit A-2018-01 Schneider Dock Maintenance Dredging

______________________________________________________________________________

STAFF RECOMMENDATION: It is recommended that the Board: accept and file the permit as approved.

BACKGROUND: Rebuilt in 1994 by David Schneider, Schneider Dock (formerly Dock A) is used in conjunction with the 16-acre Intermodal Facility for the storage, import and export of various types of cargo. Vessels from the U.S. Navy, National Oceanic and Atmospheric Administration (NOAA), U.S. Army Corps of Engineers, as well as local, regional and even international traffic utilize the Schneider Dock Industrial Park (SDIP). No dredging has occurred since the dock was rebuilt, primarily due to its proximity to the Humboldt Bay Channel.

DISCUSSION: The Project Description and project materials for Schneider Dock Maintenance Dredging is in Attachment A.

ATTACHMENTS:
A. Administrative Permit A-2018-01
PROJECT DESCRIPTION
Describe in detail the proposed project:

History
Rebuilt in 1994 by David Schneider, Schneider Dock (formerly Dock A) is used in conjunction with the 16-acre Intermodal Facility for the storage, import and export of various types of cargo. Vessels from the U.S. Navy, National Oceanic and Atmospheric Administration (NOAA), U.S. Army Corps of Engineers, as well as local, regional and even international traffic utilize the Schneider Dock Industrial Park (SDIP). No dredging has occurred since the dock was rebuilt, primarily due to its proximity to the Humboldt Bay Channel.

Purpose of Project
In order to provide vessels continued safe access to the SDIP dock, the applicant requests to secure a ten-year maintenance dredging permit. Vessels utilizing the Schneider Dock can be up to 600 ft in length with draft depths of 30 to 35 ft. Dredging is required to maintain adequate berthing depth for the vessels, as well as to ensure the continued safe and efficient operation of the Schneider Dock facility.

Project Description
Maintenance dredging of bay sediment is proposed for the area adjacent to the Schneider Dock. The project site is located along the eastern shore of the North Humboldt Bay Channel in the City of Eureka at 990 West Waterfront Drive. Project parcels are described as APN’s 003-062-026, 003-062-024 and 003-062-021; the former being a tideland parcel owned by the City of Eureka and the latter two being the adjacent upland parcels owned by the applicant, David Schneider. Maintenance dredging will restore and maintain sufficient draft depth for moorage and shipping operations to continue at the dock.

It is proposed to remove a maximum of 5,000 cubic yards of sediment during the initial dredging event. Dredging extents are described as follows: from the eastern edge of the dock to 100 feet westerly from the face of the dock (140 feet total width perpendicular to face of dock) and extending 150 feet northerly from the north end and 150 feet southerly from the south end of the dock (650 feet total length parallel to face of dock), for a total footprint of approximately 2.1 acres. Within this area, approximately 0.9 acres is proposed to be dredged. The area immediately north and south of the dock will only be sloped back from the dredged area to minimize the amount of material sloughing off into the dredged area; it will not be dredged to full depth.

Hydrographic surveys are completed annually, and dredging is proposed during a two-week period between the dates of July 1 through October 15. Dredging volume will not exceed 5,000 cubic yards per 12-month period, and the total volume dredged under this permit will not exceed 10,000 cubic yards. The extent of the dredge area(s) will be determined based on the results of the pre-dredge hydrographic survey and may differ slightly from the area proposed for the initial dredging event. Under no circumstances will the dredge area extend beyond the dredging extents described above.

Dredging will be performed using an excavator and/or crane with a clamshell bucket positioned on a floating work barge. Material will be scooped from the bay floor and
deposited in a sealed dump scow situated adjacent to the work barge. Once full, the scow will be transported to the Humboldt Open Ocean Disposal Site (HOODS) located three nautical miles northwest of the Humboldt Bay entrance where the dredged material will be deposited (see Figures IV and V.)

At this time, a dredging contractor has not been selected. Each contractor will have unique means and methods to complete the project based on their experience and equipment. As such, specific details of construction, such as types of equipment, barge/scow size, number of trips to HOODS, schedule, etc., are still unknown. However, the general dredging methodology will consist of heavy equipment removing material from the bay floor and placing it into a scow for transport to the disposal site. Prior to dredging, pre-project hydrographic surveys will be completed for each facility. Updated dredge volumes will be generated and verified with post-project hydrographic surveys.

The dredge barge will be moved into position and will anchor, typically by setting two spud piles attached to the barge. A tugboat will then move the dump scow into position nearby the work barge. A crane outfitted with a closed clamshell bucket will be used. Other than the negligible amount of sediment on the exterior of the bucket during loading, there will be no water or sediment released back into Humboldt Bay. Dredged material will be placed in the water tight dump scow positioned adjacent to the work barge. Once the scow is full, it will be towed out of Humboldt Bay to the HOODS ocean disposal site. The barge and scow will be repositioned frequently throughout the project in order to access all the areas to be dredged.

See Attached “Plan of Operations: Schneider Dock Industrial Park Maintenance Dredging” for additional information.
**SCHNEIDER DOCK**

**SCALE:** 1" = 100'

**CONTINUOUS CORE SAMPLES OBTAINED AT FOUR LOCATIONS ON AUGUST 23, 2013 BY PACIFIC AFFILIATES, INC.**

**MBECORE-D CORING DEVICE USED TO OBTAIN SAMPLES**

**SAMPLE CORE LENGTH WATER DEPTH TIME**

<table>
<thead>
<tr>
<th>Sample</th>
<th>Core Length</th>
<th>Water Depth</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>6.5 ft</td>
<td>37.5 ft</td>
<td>14:25</td>
</tr>
<tr>
<td>A-2</td>
<td>6.5 ft</td>
<td>37.0 ft</td>
<td>14:45</td>
</tr>
<tr>
<td>A-3</td>
<td>7.0 ft</td>
<td>35.5 ft</td>
<td>11:15</td>
</tr>
<tr>
<td>A-4</td>
<td>12.0 ft</td>
<td>32.3 ft</td>
<td>13:45</td>
</tr>
</tbody>
</table>

**DREDGE NOTES**

1. **DESIGN DREDGE DEPTH IS ≈ 37 FT**
   - MILLING
   - PLUS 2 FT OVERDREDGE
2. **EDGED OF PROPOSED DREDGE AREA WILL BE BOX CUT**
3. **NORTH BAY AND EUREKA CHANNELS ARE DREDGED BY U.S. ARMY CORPS OF ENGINEERS TO ≈ 36 FT MILL**
4. **CHANNEL EDGES ARE BOX CUT**

**SURVEY NOTES**

SURVEYED BY PACIFIC AFFILIATES CONSULTING ENGINEERS FEBRUARY 18, 2018

SOUNDINGS ARE REFERENCE TO THE DATUM OF MEAN LOWER LOW WATER USING PACIFIC AFFILIATES Tidal Gage, TGD 41 SURVEY TO USCG BASE DISK “1940” LOCATED IN THE CONCRETE SEA WALL, USCG STATION HUMBOLDT BAY, ELEVATION 14.28’ MILLW.

VERTICAL DATUM UTILIZED = MEAN LOWER LOW WATER (MLLW), HORIZON CONTROL REFERENCED TO NAVD, CALIF. ZONE 1, LAMBERT CONFORMAL PROJECTION.

SURVEY REPRESENTS THE CONDITIONS ON THE DATE SURVEYED (FEBRUARY 18, 2018)

**BATHYMETRIC SURVEY & SAMPLE LOCATIONS**

**FIGURE 2**

**U.S. FISH AND WILDLIFE**

**HUMBOLDT BAY**

**BOAT LAUNCH RAMPS**

**SCALE:** 1" = 100'

**SCHNEIDER DOCK**

**990 W. WATERFRONT DR.**
**EUREKA, CA 95501**
**APN 003-062-026**

**PACIFIC AFFILIATES**
**CONSULTING ENGINEERS**
**990 W. WATERFRONT DRIVE, EUREKA, CA 95501**
**TEL (707) 445-3001 • FAX (707) 445-3003**

**Page 37**
TYPICAL CROSS SECTION OF DREDGE PRISM

FIGURE 3

DREDGE LIMIT 80' FROM DOCK FACE

STD. DREDGE

OVERDREDGE

NOTE: BOX CUT AT DOCK FACE, 4:1 SLOPE AT DOCK ENDS.

SCALE: H: 1" = 10', V: 1" = 10'
TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

DATE: July 26, 2018

TITLE: Administrative Permit A-2018-02 Woodley Island Marina and Fields Landing Maintenance Dredging

STAFF RECOMMENDATION: It is recommended that the Board: accept and file the permit as approved.

BACKGROUND: HBHRCD is proposing regular maintenance dredging within Humboldt Bay at Woodley Island Marina (WIM) and Fields Landing Boat Yard Travel Lift. Permit coverage is being requested for a total volume of 300,000 cubic yards (cy) over ten years at WIM and up to 25,120 cy over ten years at Fields Landing. Dredging will be performed using a crane and/or excavator with a closed clamshell bucket. Material will be scooped from the bay floor and deposited in a scow and will be transported to the Humboldt Open Ocean Disposal Site (HOODS) where the dredged material will be deposited.

District staff determined that the project is exempt from CEQA pursuant to a Class 4 categorical exemption (Section 15304. (g) Minor Alterations to Land), which exempts maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies. A Notice of Exemption will be filed with the County.

DISCUSSION: The Project Description and project materials for Woodley Island Marina are on Attachment A. The Project Description and project materials for Fields Landing Boat Yard are on Attachment B.

ATTACHMENTS:

A. Woodley Island Marina Maintenance Dredging – Clamshell with HOODS Disposal
B. Fields Landing Boat Yard – Travel Lift Maintenance Dredging
Humboldt Bay Harbor, Recreation and Conservation District

Woodley Island Marina Maintenance Dredging
Clamshell with HOODS Disposal

PROJECT DESCRIPTION

Introduction

Humboldt Bay Harbor, Recreation and Conservation District (HBHRCD or District) is proposing regular maintenance dredging within Humboldt Bay at Woodley Island Marina (WIM). This site was previously dredged in 2007 and has accumulated significant amounts of sediment, requiring dredging to provide for safe vessel mooring depths. Current conditions have become hazardous in some areas and rendered some facilities unusable due to shallow depths. Total estimated accumulated volume at WIM is approximately 130,000 cubic yards, see Table 1 below.

<table>
<thead>
<tr>
<th>Location</th>
<th>Dredging Surface Area (acres)</th>
<th>Dredge Depth (ft MLLW(^1))</th>
<th>Estimated current Volume(^2) (cy)</th>
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</thead>
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<tr>
<td>Woodley Island Marina(WIM)</td>
<td>19.3</td>
<td>-14</td>
<td>130,000</td>
</tr>
</tbody>
</table>

Notes:
\(^1\) MLLW – mean lower low water
\(^2\) Volumes based on SHN 2014 hydrographic surveys, will be confirmed with pre-dredge survey

Dredging will be performed using an excavator and/or crane with a clamshell bucket positioned on a floating work barge. Material will be scooped from the bay floor and deposited in a sealed dump scow situated adjacent to the work barge. Once full, the scow will be transported to the Humboldt Open Ocean Disposal Site (HOODS) located three nautical miles northwest of the Humboldt Bay entrance where the dredged material will be deposited, see Attachment 1 – Project Plans.

Permit coverage is being requested for a total volume of up to 300,000 cubic yards over a ten year period. Dredged volume shall not exceed 100,000 cy in any 12 month period. Ten year permits are being requested to give the District the flexibility to re-evaluate the facilities and shorten the recent ten year dredge cycle to avoid replicating the current state of the facilities in the future. The amount and timing of dredging during this permit, and under future permits, is dependent on the District’s available funding at the time of the project.

Background

Maintenance dredging has been an ongoing project within Humboldt Bay since the late 1800’s when channels were first established throughout the bay. A number of public and private facilities around the Bay have been dredged approximately once every ten years since the 1980’s in an effort to maintain adequate berthing depths. During the last dredge episode in 2007, sediment was pumped across the Samoa Peninsula and deposited in the surf zone on Samoa Beach. Since 2007, significant sedimentation has occurred from the Entrance Channel to the far reaches of Humboldt Bay. Between the past two episodes of main channel dredging performed by the Army Corps in Humboldt Bay and the entrance, the Army Corps estimates that approximately 3 million cubic yards of sediment has been deposited in the Bay.
from runoff, rivers and sloughs that discharge into the Bay. Typically between the Corps' dredging cycles, approximately 1 million cubic yards gets deposited in the bay. This has clearly exacerbated the issues at the public facilities within the Bay.

The District is currently working on a comprehensive strategy for management of sediments that accumulate within Humboldt Bay's locally managed sites (smaller channels, docks and marinas that are outside federally maintained shipping channels). The Humboldt Bay Sediment Management Strategy and Program Environmental Impact Report (PEIR) will describe a long-term strategy for sediment management and assess the environmental effects of the proposed strategy. The Humboldt Bay Sediment Management Strategy will be a long-term program for dredging, pumping, dewatering, processing, stockpiling and beneficially using dredged sediments from locally maintained sites. The anticipated completion date is October 2018.

Location
Woodley Island Marina is on the north side of the Eureka Inner Channel, along the southwest portion of Woodley Island, within the City of Eureka boundary, see Figure 1: Vicinity Map. To access the facility from Eureka, take Highway 101 and turn north on Highway 255 (R Street). Exit at the Startare Drive turnoff and continue southeast until reaching the Woodley Island Marina. The 237-berth marina was constructed in 1978, and is used by both commercial fishermen and recreational boaters. There are 10 existing docks (Docks A through J). Dredging of the Woodley Island Marina shall include removal of all sediment from within the berths, fairways, slips and from beneath all floating and fixed structures within a total area of approximately 19.3 acres.

Construction methods
At this time, a dredging contractor has not been selected. Each contractor will have unique means and methods to complete the project based on their experience and equipment. As such, specific details of construction, such as types of equipment, barge/scow size, number of trips to HOODS, schedule, etc., are still unknown. However, the general dredging methodology will consist of heavy equipment removing material from the bay floor and placing it into a scow for transport to the disposal site. Prior to dredging, pre-project hydrographic surveys will be completed for each proposed dredge area. Updated dredge volumes will be generated and verified with post-project hydrographic surveys.

The dredge barge will be moved into position and will anchor, typically by setting two spud piles attached to the barge. A tugboat will then move the dump scow into position nearby the work barge. A crane outfitted with a closed clamshell bucket will be used. For the interior areas where space is limited, an excavator may be used. The excavator bucket will have a thumb to seal the bucket as it retrieves through the water column. Other than the negligible amount of sediment on the exterior of the bucket during loading, there will be no water or sediment released back into Humboldt Bay. Dredged material will be placed in the water tight dump scow positioned adjacent to the work barge. Once the scow is full, it will be towed out of Humboldt Bay to the HOODS ocean disposal site. The barge and scow will be repositioned frequently throughout the project in order to access all the areas to be dredged. The marina would continue to operate during the dredging work to ensure commercial and recreational access to coastal waters.

Dredging of the Woodley Island Marina shall include removal of all sediment from within the berths, fairways, slips and from beneath all floating and fixed structures. Dredging shall also be conducted beneath gangway landing areas to maintain utility line clearance at low tide. Project dredge depth shall
be -14.0 feet mean lower low water (MLLW). Dock structures may be dismantled as necessary to complete dredging; any broken docks will be repaired and/or replaced. The excavator will have the capability to reach under the floating docks to some degree. Sediment will be dredged as close to the docks as possible, then a clean-up dredge will be performed to remove any material that sloughed off from underneath the docks. Side slopes shall be cut at 2:1 or the natural angle of repose. Overdredge depth at all locations is assumed to be one foot below the design depth. Maximum pay line shall be two feet below the design dredge depth.

**Schedule**

Dredging is, by definition, “in-water” work. As such, there are specific work windows established by the regulatory agencies to minimize impacts to various fish species present in Humboldt Bay. The in-water work window for Humboldt Bay is from July 1st to October 15th of each year. Dredging will occur during this work window, with construction occurring up to 24 hours per day, depending on contractor availability and scheduling.

Dredge volume during the first year will depend on when permits are obtained, dredging costs, contractors’ equipment, etc., however, as much material will be dredged as is possible. In the following years of permit coverage, the remaining sediment will be cleaned up to reach the design dredge depths. Dredged volume shall not exceed 100,000 cubic yards in any 12 month period.

**Ocean Disposal**

Ocean disposal at the Humboldt Open Ocean Disposal Site (HOODS) will be implemented for this project. Disposal at HOODS will be performed in accordance with Special Conditions established by the Environmental Protection Agency (EPA) and Army Corps, which may include bathymetric surveys, vessel tracking systems and record keeping/reporting. Scows shall only be transported to HOODS when ocean conditions will not interfere with safe transportation and will not create a risk of spillage, leak or other loss of dredge material. Specific cells within HOODS will be identified by EPA and Army Corps which shall be used for disposal.

**Sediment Testing Results**

A Sediment Sampling and Analysis Plan (SAP) was prepared for the Humboldt Bay Harbor, Recreation and Conservation District (District) and the City of Eureka in December 2015 for 15 docks and marinas around Humboldt Bay. Sediment sampling and testing proposed in the SAP was executed in August 2016. A total of eight core samples collected at the WIM were composited into two samples (WIM-A and WIM-B) for laboratory analysis (the SAP and Results are on file at the Harbor District).

Comprehensive sampling and testing was also completed for the US Army Corps channel dredging project throughout Humboldt Bay in 2015. Six samples were collected adjacent to or within WIM (HUM-EKI-2-2015-5, HUM-EKI-3-2015-2, HUM-EKI-3-2015-3, HUM-EKI-3-2015-4, HUM-EKI-3-2015-5 and HUM-EKI-3-2015-6). Samples were composited by area, as designated by the first number in the sample ID (i.e. HUM-EKI-1, HUM-EKI-2 and HUM-EKI-3). Refer to Humboldt Harbor and Bay O&M Dredging, Grain Size Verification and Tier III Evaluation, Sampling and Analysis Results, USACE Contract No. W912P7-15-C-0019 dated April 2016 by Kinnetic Laboratories, Inc. for complete analysis of Army Corps sampling and testing (on file at the Harbor District).

Attachment 2 presents a summary of the testing results comparing WIM and City of Eureka Small Boat Basin (SBB) and Commercial Street Dock (COM) results to the Army Corps results (HUM-EKI-1, -2 and-3).
The sediments are similar in physical and chemical composition. Within the project areas, the material to be dredged is approximately 90-97% fines and 3-10% sands, while the material in the Channel had slightly more sand. Dioxin/furan TEQs were detected in low concentrations, similar to background levels. Metals concentrations were low and very similar to those detected in Army Corps samples. PAH’s and pesticides were mostly non-detect at the method detection limit at WIM, SBB, and COM, while in the Channels low levels of PAH’s were detected and pesticides were mostly non-detect at the method detection limit. Overall, the sediment from WIM, SBB, and COM is relatively clean material and very similar to what was dredged by the Army Corps. EPA approved the sediment from the Army Corps project and City of Eureka for disposal at HOODS, and based on their review of the WIM, SBB, and COM sediment to date, they have no objections to using HOODS for the proposed dredge projects.

Endangered Species
Humboldt Bay provides habitat for a variety of plants, birds, fish, invertebrates and marine mammals, some of which are listed under the state and federal Endangered Species Acts (ESA). The following listed species have potentially suitable habitat within the vicinity of the proposed project site:

**Green sturgeon (Acipenser medirostris)**

The National Marine Fisheries Service (NMFS) listed the southern Distinct Population Segment (DPS) green sturgeon as “threatened” in 2006 (71 FR 17757) and designated Humboldt Bay as critical habitat effective October 9, 2009 (74 FR 52300). Green sturgeons migrate to coastal ocean waters, estuaries and bays after two to three years of rearing, where it is believed they spend the majority of their lives. Adults migrate up large coastal rivers to spawn every two to four years. Sub-adults and adults may forage in the project area during summer and fall months.

**Salmonids**

The Humboldt Bay watershed supports three species of salmonids listed as threatened under the federal ESA: Coho salmon, Chinook salmon and steelhead. NMFS designated critical habitat in northern California for each of the three salmonid species in February of 2000 (65 FR 42422 42481), (Federal Register 2000). The following migration time frames given are approximate and coincide with the peak runs.

**Coho salmon (Onchorhynchus kisutch)**

Southern Oregon/Northern California Coast (SONCC) coho salmon were listed under the federal Endangered Species Act (ESA) as threatened on June 18, 1997 (62 FR 33038) and under the California Endangered Species Act (CESA) in 2005. Coho salmon travel through Humboldt Bay as juveniles between February and June on their way to the ocean and again as adults from October through December while traveling to spawning grounds.

**Chinook salmon (O. tshawytscha)**

Chinook Salmon in the California Coastal ESU were listed as a threatened species under the federal ESA on September 16, 1999 (64 FR 50393). Similar to the coho salmon, Chinook salmon travel through Humboldt Bay on their way to the Pacific as juveniles from February through June and again as adults to their spawning grounds between October and November.
Steelhead (*O. mykiss*)

The Northern California (NC) DPS steelhead were listed under the ESA as threatened in 2006 (71 FR 834). Steelhead in the Northern California DPS were listed as a threatened species under the federal ESA on January 5, 2006 (50 FR). Similar to the coho and Chinook, the steelhead will travel through Humboldt Bay as a juvenile on its way to the Pacific and again as an adult to spawn in rivers. Steelhead will, however, make multiple spawning migrations in its adult years, so it will travel through Humboldt Bay to freshwater and back out to the Pacific between December and April.

Longfin smelt (*Spirinchus thaleichthys*)

The state of California listed the longfin smelt as threatened under the California ESA in 2009. Adult and juvenile longfin smelt can be found in the open waters of estuaries, mostly in the middle or at the bottom of the water column. Spawning occurs in fresh water during the winter to early spring (February through April) over sandy or gravel substrate. Longfin smelt larvae would not be present in the area during the late summer and fall. Juvenile and adult longfin smelt would have a moderate likelihood of presence during operations.

Environmental Effects

Potential impacts on these species could include injury or mortality of individuals due to entrainment in the dredging equipment, exposure to sediment-associated contaminants, and turbidity produced by dredging. In addition, short-term degradation of water quality, such as increased turbidity from disturbance of sediment or spills or leakage from machinery could occur during dredging activities. This could result in localized disturbance of juvenile and adults, potentially resulting in stress, disruption of essential behaviors, or physiological impairment. Impacts on designated critical habitat could result from loss of foraging and cover due to the removal of subtidal benthic substrate and associated benthic invertebrates from dredging.

Dredging activities are not expected to have a significant environmental impact based on the timing and duration of dredging and amount of potential and occupied habitat affected. The dredging equipment is slow moving and makes sufficient noise to alert any animals to allow them time to flee the area. It is not so noisy that it will exceed sound thresholds for disturbance or injury to fish or marine mammals. Short-term, localized increases in suspended sediments will occur, but are expected to disperse within 500 feet. Humboldt Bay is naturally turbid, so localized suspended sediments are not expected to have an effect.

The salmonid species discussed above are not expected to be in Humboldt Bay during the project work window (July 1 to October 15). Fish and marine mammals, including green sturgeon and longfin smelt, may be in the project area during construction, but would likely flee to other areas of the bay. With the activity taking place between the shore and channel, there is sufficient room for fish and mammals to travel around the area. Since these species are likely to avoid equipment while dredging occurs, there would not likely be any direct impacts from encounters with the dredge, contact with turbid water, or decreased water quality. The mechanical clamshell dredge will effectively eliminate the possibility of entrainment and reduce turbidity.

Eelgrass & Benthic Habitat

The Woodley Island Marina basin provides soft bottom habitat that may be habitat for a variety of benthic organisms. In addition, sparse clumps of eelgrass materialize sporadically along the slope of the marina.
The proposed dredging would involve removal of much of this soft bottom habitat area. However, the impacts to bay bottom habitat are considered to be insignificant for several reasons. Firstly, when the marina was created in 1978, the eelgrass and soft bottom habitat that was removed by excavating the marina basin was reestablished elsewhere in Humboldt Bay as a mitigation measure. To fulfill associated mitigation requirements the HBHRCD purchased a 22 acre parcel located at the end of Park Street in Eureka. Restoration of this site included breaching of the perimeter levee to restore tidal action to a portion of the property and construction of a levee in the upper portion of the property to enhance existing freshwater wetlands at the site. At the time, it was recognized that the marina would require periodic maintenance dredging and the mitigation was required to ensure that creation of the marina and its subsequent maintenance dredging would not result in a net loss of habitat. Secondly, as occurred after the 1988, 1998, and 2007 maintenance dredging projects, the site can be expected to be recolonized by the flora and fauna that would be temporarily displaced by the project. These organisms grow in sufficient abundance in areas adjacent to the marina that a ready source of colonizers exists to replace the organisms that are lost.\(^1\)

**Conservation and Protection Measures**

Conservation and protection measures have been designed to limit the risk of project-related impacts to threatened and endangered species and designated critical habitat in Humboldt Bay. The following protection measures would minimize the risk of impacts on listed fish species and habitat:

- Dredging activities will only be performed between July 1 and October 15 of each calendar year to avoid impacts to salmonids migrating through Humboldt Bay.
- Clamshell and excavator dredging is a slow and controlled process allowing marine life time to escape as the equipment approaches. There are no suction or jetting pressures involved. Operator has the ability to limit descent speeds to minimize sediment dispersion.
- Vegetable based or biodegradable hydraulic fluids shall be used, if possible, in equipment operating over water or without secondary containment. Note, not all equipment is compatible with these types of fluids.
- Equipment shall be inspected and serviced prior to mobilization. Routine inspections shall occur through the project and leaks shall be repaired immediately when discovered.
- Spill kits equipped with enough material to provide preliminary containment for a volume of material that can reasonably be expected to spill shall be maintained on the barge and the dock. Spill containment trays shall be placed around all equipment on the barge deck.
- Dredging will not extending beyond the overdredge depths as described herein and in the attached typical cross-sections.

**CEQA Compliance**

The District intends to issue a Class 4 Categorical Exemption from CEQA per Section 15304 (g) Minor alterations to land including maintenance dredging where the soils are deposited in an area authorized by all state and federal regulatory agencies.

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\(^1\) Coastal Commission Staff Report for CDP 1-05-039-A1, February 2, 2007.
Attachment 1 – Project Plans

Figure 1a – Vicinity Map
Figure 1b – Site Location Map
Figure 2 – Aerial View Showing Cross Section Locations
Figure 3 – Aerial View Showing Cross Section A
Figure 4 – Cross Section A
Figure 5 - Aerial View Showing Cross Section B
Figure 6 - Cross Section
Figure 7 - Aerial View Showing Cross Section C
Figure 8 - Cross Section C
Figure 9 - Aerial View Showing Cross Section D
Figure 10 - Cross Section D
Figure 11 – Aerial View Showing Cross Section E
Figure 12 – Cross Section E
Figure 13 – Region 9 Ocean Dumping Sites, EPA
Woodley Island Marina Dredge Site

Figure 1a - Vicinity Map
Harbor District
Woodley Island Maintenance Dredging
Eureka, California

Aerial View showing Section Locations
SHN 016240

March 2018 016240-020-XSECT

Figure 2
Harbor District
Woodley Island Maintenance Dredging
Eureka, California

Aerial View showing
Section A Location
SHN 016240

Figure 3

March 2018
016240-020-XSECT
FIGURE 10

Woodley Island Maintenance Dredging
Eureka, California

SECTION D

SCALE: 1'-0" H
1'-0" V

-14.0' MLLW
-15.0' MLLW

STANDARD DREDGE
OVERDREDGE

15'-MIN. BUFFER TO BANK

SEDIMENT TO BE DREDGED

DAYLIGHT TO CHANNEL
Attachment 2 – Physical and Chemical Results for Humboldt Bay Composite Samples and Reference Samples

The Attachment 2 Table presents a summary of testing results comparing WIM and City of Eureka Small Boat Basin (SBB) and Commercial Street Dock (COM) results to the U.S. Army Corps of Engineers sampling results for the stations that are adjacent to the project site (HUM-EKI-1, -2 and -3). These results are copied from Humboldt Harbor and Bay O&M Dredging, Grain Size Verification and Tier III Evaluation, Sampling and Analysis Results, USACE Contract No. W912P7-15-C-0019 dated April 2016 by Kinnetic Laboratories, Inc. (on file at the Harbor District). Also included in the table are the test results from HOODS, which were presented in the Army Corps Sampling and Analysis Results report referenced above. (The table below was prepared by Pacific Affiliates for City of Eureka Maintenance Dredging 2017 permit applications and also includes City of Eureka’s Small Boat Basin and Commercial Street Dock).

**HBHRC&D & City of Eureka Sampling Stations**

![Sampling Stations Map]

Source: HBHRC&D & City of Eureka Sampling and Analysis Plan (Northern Hydrology & Engineering, 2015)
US Army Corps of Engineers Sampling Stations

Source: USACE 2015

HBHRC
Woodley Island Marina Dredging
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<th>Valid Analyte Name</th>
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<th>HBHRCD &amp; City of Eureka 2015 Samples</th>
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**PCB CONGENERS** (µg/kg dry)
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**DIOXINS (ng/kg dry)**

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1. Effects Range Low (ERL) and Effects Range Median (ERM) sediment quality objectives from Long et al. (1995).

< = Not detected at the corresponding Method Detection Limit.

J = Estimated between the Reporting Limit and the Method Detection Limit.

J+ = Result is possible overestimate.

ND = Not Detected above the MDL.
Attachment 3 – Bathymetric Survey Maps

Preliminary survey results from SHN survey in 2014. These survey maps have been scaled to fit the pages. Full size plans are available upon request.

Sheet 1 - Woodley Island Marina - West
Sheet 2 - Woodley Island Marina - East
Humboldt Bay Harbor, Recreation and Conservation District

Fields Landing Boat Yard - Travel Lift Maintenance Dredging
Fields Landing, Humboldt Bay, CA

PROJECT SUMMARY

Applicant: Humboldt Bay Harbor, Recreation and Conservation District
601 Startare Drive, Eureka, CA 95501

Project Location: 1 Yard Road, Fields Landing, CA 95537

APN: 307-101-002

PROJECT DESCRIPTION

Introduction
Humboldt Bay Harbor, Recreation and Conservation District (HBHRCD or District) is proposing maintenance dredging over a ten-year period within Humboldt Bay at the Fields Landing Boat Yard travel lift dock. Located at the south end of the community of Fields Landing in Humboldt Bay, south bay area, the boat yard offers easy access to the Bay’s Pacific Ocean entrance and to Highway 101 (Figure 1). Vessels may be hauled out of the water and moved via the 150-ton capacity travel lift - mobile boat lifting hoist. The two approximately 150-foot-long dock fingers are 26 feet apart and extend northwest from the shore towards the existing federal navigation channel.

The Fields Landing Boat Yard dock was approved through Coastal Commission Application No. 80-P-21 and constructed in 1981. The original 1981 construction plans document the dredging depth of -15 feet Mean Lower Low Water (MLLW) with a one-foot overdraft allowance to a maximum of -16 ft. MLLW. The original project area has significantly filled in from the depth of -15 ft. MLLW as a result of natural deposition, with up to 12,120 cubic yards (cy) of material proposed to be removed during the initial dredging event(s) (Figures 2 and 3). This volume amount consists of the original “As Built” depth of -15 ft MLLW and 1 foot of overdredge.
The Harbor District is proposing to closely monitor the deposition of material and to conduct periodic maintenance dredging over the ten-year period to maintain the travel lift operations. It is anticipated that an additional 13,000 cy of material will be removed during episodic maintenance dredging over the 10-year permit period; for a maximum of 25,120 cy of material proposed to be removed under this permit.

Travel lift dock dredging is necessary as soon as possible; in May 2018 the Harbor District issued draft restrictions that significantly limit when boats can be hauled out of Fields Landing. Humboldt Bay is a Port of Refuge and the Fields Landing travel lift dock is used to haul out boats in case of an emergency. The marine oil spill response equipment is also stored on land directly adjacent to the travel lift fingers and needs to be deployed quickly in case of an emergency. In addition, the travel lift is utilized to haul out boats that have either sunk or are at risk of sinking into the bay. The Humboldt Bay Harbor Safety Committee which is comprised of the US Coast Guard, County Sheriff, Harbor District, and other Agencies discussed the need to maintain the Fields Landing Travel Lift at their recent May 2018 meeting. The Safety Committee stressed the travel lift is an essential piece of harbor safety infrastructure and that the inability to haul out or deploy the emergency response equipment via the travel lift due to the draft restrictions has significantly reduced the area’s safety response capacity.

Project Background

The Fields Landing Boat Yard dock was constructed in 1981. There is no fueling station or industry on the land mass associated with this dock. Historically, a larger dock was located approximately 70 feet west of the existing dock structures, extending from the land mass approximately 150 feet into the bay in a northward direction. Historic photos show that the dock spanned the shoreline approximately 1,000 feet from north to south beyond Depot Road servicing a lumber mill and yard, where a historic railway extended further south. The historic dock structures were completely dismantled by 2010. Existing dock pilings remain. None of the historic dock area is within the Fields Landing Boat Yard dredging area (NHE, 2015).
Boat Yard Operations
Fields Landing Boat Yard is a secured boatyard owned and operated by HBHRCD. The facility site consists of boat storage areas; a boat cleaning and maintenance work yard; boat launch; rest rooms; covered boat repair shop, office, and store; storage area for the boat lift; and a dock. Vessels may be hauled out of the water and moved via the mobile boat lifting hoist (150 ton capacity). This secure facility is fenced and has 24-hour surveillance. A floating dock is secured to the outside (east) of the three existing pilings that extend towards the federal channel off the end of the eastern dock finger. This dock is used when multiple vessels are launched and to perform vessel checks after launching, prior to heading out to sea. The floating concrete dock is approximately 5 feet wide and 24 feet long (in 8 foot sections); similar to what is used at Woodley Island Marina. A gangway is installed to provide access from the pier to the floating dock.

The facility operates under an approved stormwater pollution prevention plan from the State Water Resources Control Board; which is available upon request. The facility has one industrial drainage area, which is nearly entirely paved. The industrial area at the site flows to a drainage inlet (DI) in the east portion of the site. During boat cleaning activities, the DI is plugged and wash water is run through a three-tank oil/water separator and settling system located adjacent to the DI. The three-tank oil/water separator system flows into a settling tank, and then to the Humboldt Community Services District (HCSD) sanitary sewer system. Boat cleaning activities are not permitted to occur during rain events. During the winter months when boat cleaning is not occurring, the DI is unplugged, a drainage inlet filter is inserted, and stormwater is conveyed from the DI by way of a buried culvert to the east drainage swale and, ultimately, to Humboldt Bay. There are two paved areas (north and west of the industrial area) and one gravel area (south of the industrial area) that are designated by facility operators for boat storage. No cleaning or maintenance activities occur in these areas.

Dredging Methods
Dredging will be performed using an excavator and/or crane with a closed clamshell bucket. Material will be scooped from the bay floor and deposited into a hopper scow. Once full, the scow will be transported to the Humboldt Open Ocean Disposal Site (HOODS) located three nautical miles northwest of the Humboldt Bay entrance where the dredged material will be deposited. The Harbor District will closely monitor the deposition of material and to conduct periodic maintenance dredging over the ten-year period to maintain the travel lift operations.

Clamshell dredge operation temporarily effects include sediment suspension and increased turbidity. Turbid waters are expected to extend no more than 500 feet from work sites, and work is expected to be limited to only one portion of the project area at a time. Baseline turbidity will be measured and monitored upstream and downstream of the work site. If turbidity is found to exceed the 20% above background threshold, the District will take necessary action(s) to come into compliance, including one or more of the following: stop dredging and wait for sediment to settle; determine if dredging adjustments can be made to address the issue; and/or wait for the tides to ebb. Dredging will only continue when turbidity does not exceed the established threshold.

Schedule
Dredging is, by definition, “in-water” work. As such, there are specific work windows established by the regulatory agencies to minimize impacts to various fish species present in Humboldt Bay. The in-water
work window for Humboldt Bay is from July 1st to October 15th of each year. Dredging will occur during this work window, with construction occurring up to 24 hours per day, depending on contractor availability and scheduling. The initial proposed dredging (2018) is estimated to take less than two weeks and will occur during the in-water work window prior to October 15th.

Ocean Disposal
Ocean disposal at the Humboldt Open Ocean Disposal Site (HOODS) will be implemented for this project (Figure 4). Disposal at HOODS will be performed in accordance with Special Conditions established by the Environmental Protection Agency (EPA) and Army Corps, which may include bathymetric surveys, vessel tracking systems and record keeping/reporting. Scows shall only be transported to HOODS when ocean conditions will not interfere with safe transportation and will not create a risk of spillage, leak or other loss of dredge material. Specific cells within HOODS will be identified by EPA and Army Corps which shall be used for disposal.

Sediment Sampling
The protocols contained in the District’s Sampling and Analysis Plan (SAP) (NHE, 2015) will be implemented in addition to an addendum to the SAP that has been prepared for the Fields Landing Boat Lift area (SHN, 2018). The SAP addendum addresses the sampling design that follows the Inland Testing Manual (ITM) sampling methodology to fulfill all agency requirements (Figure 5). Sediment sampling using the District’s vibracore is scheduled to be conducted upon approval of the SAP addendum from the US Army Corps of Engineers (USACE) and the US Environmental Protection Agency (EPA). In addition, recent sampling was conducted by USACE in the immediately adjacent Federal Channel; two USACE core samples were taken very close to the proposed dredging area (Figure 6). These adjacent sediments were quite clean chemically, passed all the comprehensive ocean disposal testing (including 7 bioassay), and were determined by EPA and USACE to be suitable for ocean disposal at HOODS. Results for dredge material characterization taken in accordance with the SAP Addendum will be compared to the USACE samples and submitted to the USACE, EPA, and NCRWQCB as soon as they become available.

Endangered Species
Humboldt Bay provides habitat for a variety of plants, birds, fish, invertebrates and marine mammals, some of which are listed under the state and federal Endangered Species Acts (ESA). The following listed species have potentially suitable habitat within the vicinity of the proposed project site:

Green sturgeon (Acipenser medirostris)
The National Marine Fisheries Service (NMFS) listed the southern Distinct Population Segment (DPS) green sturgeon as “threatened” in 2006 (71 FR 17757) and designated Humboldt Bay as critical habitat effective October 9, 2009 (74 FR 52300). Green sturgeons migrate to coastal ocean waters, estuaries and bays after two to three years of rearing, where it is believed they spend the majority of their lives. Adults migrate up large coastal rivers to spawn every two to four years. Sub-adults and adults may forage in the project area during summer and fall months.

Longfin smelt (Spirinchus thaleichthys)
The state of California listed the longfin smelt as threatened under the California ESA in 2009. Adult and juvenile longfin smelt can be found in the open waters of estuaries, mostly in the middle or at the bottom of the water column. Spawning occurs in fresh water during the winter to early spring (February
through April) over sandy or gravel substrate. Longfin smelt larvae would not be present in the area during the late summer and fall. Juvenile and adult longfin smelt would have a moderate likelihood of presence during operations.

Salmonids
The Humboldt Bay watershed supports three species of salmonids listed as threatened under the federal ESA: Coho salmon, Chinook salmon and steelhead. NMFS designated critical habitat in northern California for each of the three salmonid species in February of 2000 (65 FR 42422 42481), (Federal Register 2000). The following migration time frames given are approximate and coincide with the peak runs.

*Coho salmon (Onchorhynchus kisutch)*
Southern Oregon/Northern California Coast (SONCC) coho salmon were listed under the federal Endangered Species Act (ESA) as threatened on June 18, 1997 (62 FR 33038) and under the California Endangered Species Act (CESA) in 2005. Coho salmon travel through Humboldt Bay as juveniles between February and June on their way to the ocean and again as adults from October through December while traveling to spawning grounds.

*Chinook salmon (O. tshawytscha)*
Chinook Salmon in the California Coastal ESU were listed as a threatened species under the federal ESA on September 16, 1999 (64 FR 50393). Similar to the coho salmon, Chinook salmon travel through Humboldt Bay on their way to the Pacific as juveniles from February through June and again as adults to their spawning grounds between October and November.

*Steelhead (O. mykiss)*
The Northern California (NC) DPS steelhead were listed under the ESA as threatened in 2006 (71 FR 834). Steelhead in the Northern California DPS were listed as a threatened species under the federal ESA on January 5, 2006 (50 FR). Similar to the coho and Chinook, the steelhead will travel through Humboldt Bay as a juvenile on its way to the Pacific and again as an adult to spawn in rivers. Steelhead will, however, make multiple spawning migrations in its adult years, so it will travel through Humboldt Bay to freshwater and back out to the Pacific between December and April.

Environmental Effects
Potential impacts on these species could include injury or mortality of individuals due to entrainment in the dredging equipment, exposure to sediment-associated contaminants, and turbidity produced by dredging. In addition, short-term degradation of water quality, such as increased turbidity from disturbance of sediment or spills or leakage from machinery could occur during dredging activities. This could result in localized disturbance of juvenile and adults, potentially resulting in stress, disruption of essential behaviors, or physiological impairment. Impacts on designated critical habitat could result from loss of foraging and cover due to the removal of subtidal benthic substrate and associated benthic invertebrates from dredging.

Dredging activities are not expected to have a significant environmental impact based on the timing and duration of dredging and amount of potential and occupied habitat affected. The dredging equipment is slow moving and makes sufficient noise to alert any animals to allow them time to flee the area. It is not
so noisy that it will exceed sound thresholds for disturbance or injury to fish or marine mammals. Short-term, localized increases in suspended sediments will occur, but are expected to disperse within 500 feet. Humboldt Bay is naturally turbid, so localized suspended sediments are not expected to have an effect.

The salmonid species discussed above are not expected to be in Humboldt Bay during the project work window (July 1 to October 15). Fish and marine mammals, including green sturgeon and longfin smelt, may be in the project area during construction, but would likely flee to other areas of the bay. With the activity taking place between the shore and channel, there is sufficient room for fish and mammals to travel around the area. Since these species are likely to avoid equipment while dredging occurs, there would not likely be any direct impacts from encounters with the dredge, contact with turbid water, or decreased water quality. The mechanical clamshell dredge will effectively eliminate the possibility of entrainment and reduce turbidity.

In summary, dredging activities are not expected to have a significant environmental impact based on the timing and duration of dredging and amount of potential and occupied habitat affected. The dredging equipment is slow moving and makes sufficient noise to alert any animals to allow them time to flee the area. It is not so noisy that it will exceed sound thresholds for disturbance or injury to fish or marine mammals. Short-term, localized increases in suspended sediments will occur, but are expected to disperse within 500 feet. Humboldt Bay is naturally turbid, so localized suspended sediments are not expected to have an effect. Potential impacts to endangered species are similar to those described in the Woodley Island Marina dredging application. Conservation and protection measures have been designed to limit the risk of project-related impacts to threatened and endangered species and designated critical habitat in Humboldt Bay.

Eelgrass & Benthic Habitat
The area surrounding the travel lift provides soft bottom eelgrass habitat that may be habitat for a variety of benthic organisms. The proposed dredging would involve removal of much of this soft bottom habitat area. However, impacts to tidal mudflats and eelgrass were mitigated when the Fields Landing Boat Yard was developed and the dock was constructed (1980-81). At the time, it was recognized that the travel lift would require periodic maintenance dredging and mitigation was required to ensure that creation of the lift and its subsequent maintenance dredging would not result in a net loss of habitat. Per the Coastal Commission Staff Report for Application No. 80-P-21, one acre of tidal mudflat and eelgrass was mitigated for as part of the original dredging project (Attachment 2). It is the District’s understanding that the mitigation area was part of the “Broadway-wetlands Restoration”. Therefore, potential eelgrass impacts resulting from the proposed maintenance dredging were fully mitigated when the dock was constructed.

Conservation and Protection Measures
Conservation and protection measures have been designed to limit the risk of project-related impacts to threatened and endangered species and designated critical habitat in Humboldt Bay. The following protection measures would minimize the risk of impacts on listed fish species and habitat:

- Dredging activities will only be performed between July 1 and October 15 of each calendar year to avoid impacts to salmonids migrating through Humboldt Bay.
Clamshell and excavator dredging is a slow and controlled process allowing marine life time to escape as the equipment approaches. There are no suction or jetting pressures involved. Operator has the ability to limit descent speeds to minimize sediment dispersion.

Vegetable based or biodegradable hydraulic fluids shall be used, if possible, in equipment operating over water or without secondary containment. Note, not all equipment is compatible with these types of fluids.

Equipment shall be inspected and serviced prior to mobilization. Routine inspections shall occur through the project and leaks shall be repaired immediately when discovered.

Spill kits equipped with enough material to provide preliminary containment for a volume of material that can reasonably be expected to spill shall be maintained on the barge and the dock. Spill containment trays shall be placed around all equipment on the barge deck.

Dredging will not extending beyond the overdredge depths as described herein and in the attached typical cross-sections.

Turbidity will be monitored upstream and downstream of work sites to ensure turbidity is limited to 500-feet from the project area.

**CEQA Compliance**
The District intends to issue a Class 4 Categorical Exemption from CEQA per Section 15304 (g) Minor alterations to land including maintenance dredging where the soils are deposited in an area authorized by all state and federal regulatory agencies.

**ATTACHMENTS**

Attachment A – Maps and Figures

Figure 1 - Project Location Map
Figure 2 - Proposed Dredging Plan
Figure 3 - Typical Dredging Cross Section
Figure 4 - Region 9 Ocean Dumping Sites, EPA
Figure 5 - Proposed Sampling Locations
Figure 6 - USACE Fields Landing Channel Sampling Locations
Figure 7 - Fields Landing Dredging “As Built” 1981

Attachment B - Coastal Commission Staff Report for Application No. 80-P-21

**REFERENCES**

