

September 22, 2017

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

**Humboldt County
Coast Seafoods Company Oyster Cultivation Project
Various Arcata Bay Locations
ECM PIN CW-215003, WDID No. 1B01140WNHU**

Humboldt County

On July 20, 2016, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Coast Seafoods Company (Applicant), requesting federal Clean Water Act, section 401, water quality certification (certification) for activities related to the proposed Coast Seafoods Company Humboldt Bay Shellfish Aquaculture Project (Project) in Humboldt County. The Applicant significantly scaled-back the original project proposal and submitted a revised project description on August 1, 2017.

The Regional Water Board issued water quality certifications for the Applicant's Humboldt Bay aquaculture activities on April 18, 2007, and April 25, 2012. The latter certification expires December 31, 2017. The proposed certification would replace the 2012 certification and certify the Applicant's revised oyster cultivation practices until the proposed expiration date of September 7, 2025. This expiration date would match the expiration date of the California Coastal Commission's Coastal Development Permit.

Receiving Waters

The proposed Project is located in the north and central parts of Humboldt Bay, within the Eureka Plain Hydrologic Unit (Basin Planning Area No. 110.00).

Project Description

The Applicant currently conducts aquaculture operations within approximately 300 acres of Arcata Bay. Aquaculture operations consist of growing and harvesting Pacific oysters (*Crassostrea gigas*), Kumamoto oysters (*Crassostrea sikamea*) and Manila clams (*Venerupis philippinarum*). Oysters are cultivated on plastic lines called "longlines," either by "cultch-on-longline," whereby groups of oysters ("cultch") are strung on monofilament lines and suspended between notched PVC support posts, or cultivated by "baskets-on-longline," whereby oysters are placed in baskets and suspended on sheathed monofilament lines stretched between metal stake anchors and elevated above the surface by two-inch-diameter PVC support posts installed every 10 feet. In both instances, the lines are arranged in 100-foot-long rows.

The proposed Project involves reducing existing operations from approximately 300 acres to no more than 279 acres while simultaneously increasing overall production levels. Operations would be consolidated into three areas around Bird Island, Mad River, and

southeast Arcata Bay. Refer to the Project figures at the end of this certification for exact locations.

Specific Project activities would include:

- Removal of approximately 63 acres of existing oyster cultivation beds in the central and eastern areas of Arcata Bay. The oyster cultivation longlines in these beds are currently situated in rows spaced 2.5 feet apart;
- Abandonment of 21 of the abovementioned 63 acres and relocation of the remaining 42 acres into areas of historic dredging and oyster shell deposition in the Mad River and Bird Island areas of Arcata Bay. Relocated beds would be a combination of either cultch-on-longline spaced ten feet apart and double-hung (i.e., one row of longline would have both a lower and upper line), and basket-on-longline, situated in rows with alternate spacing of 9 and 16 feet;
- Conversion of 20 of the abovementioned 63 acres from 2.5-foot-spaced longlines to 9- and 16-foot-spaced basket lines;
- Continued operation of 216 acres of existing cultivation beds at their current spacing and configuration;
- Continuance of clam cultivation and commencement of oyster cultivation on 30 floating rafts, each approximately 12 feet wide by 20 feet long, located within a subtidal channel along the west side of the entrance to the Mad River Slough opposite Bird Island. The rafts are currently moored in place with approximately two dozen 250- to 500- pound steel anchors placed approximately 20 feet deep. Each raft would have up to 480 plastic trays filled with clam and/or oyster seed and stacked in groups of 20. During operation, the clam rafts would be accessed by skiff and scow. Clam raft activities would include regular washing, maintenance, harvest, and planting of clam seed. Washing and maintenance activities would be carried out on a daily basis and include the use of a pressure washer, an onboard water intake pump and hose system on the maintenance vessels. Twice each year the raft anchors and ground tackle would be examined and repaired as necessary by divers using SCUBA, skiffs and an oyster barge.
- Continue using two intertidal areas totaling approximately 4.8 acres as an oyster nursery. Nursery activities involve filling mesh bags with young oyster larvae ("seed") and oyster shells and stacking those bags on wooden pallets that rest on the bay floor. One nursery area is on mudflats north of Indian Island and the other is along Arcata Channel (see Figure 1).
- Continue operation of a Floating Upwell System (FLUPSY) facility located on the west side of the Arcata Bay entrance channel south of the Simpson wood chip loading dock in Fairhaven. The FLUPSY facility is situated approximately 200 yards from the shoreline in approximately 20 feet of water, tied to a dock at the Eureka

Boat Yard. The FLUPSY is used to nurse single-seed oysters until they are ready to be bagged for rack-and-bag culture. Eight 27 cubic foot upwell bins would be added to the FLUPSY facility to increase capacity.

- Continued use of four 20-foot by 20-foot subtidal wet storage floats between Bird Island and Mad River. The floats are used for temporary storage of recently harvested mature oysters.

Eelgrass (*Zostera marina*) is a Humboldt Bay keystone plant species affected by oyster cultivation activities. The Applicant has prepared an Eelgrass Monitoring Plan, dated August 2017, which would measure eelgrass performance in plots of varying cultivation type and spacing. The Plan also proposes to monitor eelgrass growth response in areas where aquaculture gear has been removed.

Project Timing and Phasing

As shown in the table below, the Applicant proposes to modify existing operations over an approximately two-and-a-half year period. The timings in the table are an estimate based upon oyster growth rate estimates and harvest conditions; notwithstanding deviations from the proposed schedule, the total footprint of the operation would at no time be permitted to exceed the existing operational footprint acreage.

	Year 1	Year 2	Year 3
Removal	38.2 acres	5.7 acres	19.6 acres
Relocation	12.2 acres	27.6 acres	2.4 acres
Conversion	4.2 acres	4.7 acres	11.8 acres

During the fall of 2017, the Applicant would remove existing cultivation equipment from approximately 38 acres. The Applicant would then begin to relocate 12 acres of cultivation beds and convert four acres to wider longline spacing. During the summer and fall of 2018, the Applicant proposes to remove existing cultivation beds from approximately six acres and convert five acres of existing densely-spaced longline beds to widely-spaced baskets on longlines. In the winter, spring, and summer of 2018, the Applicant would install approximately 28 acres of relocated cultivation beds. Finally, in 2019, the Applicant would: remove the remaining 20 acres of the 63 acres of existing cultivation beds it proposes to take out of production (spring, summer, and fall); convert the final five of the 20 acres of cultivation beds to wider spacing (fall and winter); and relocate the final 12 of the 42 acres of beds proposed to be relocated and consolidated (fall and winter).

Project Dredge and Fill Impacts

Project implementation would result in a net decrease of aquaculture gear fill to Arcata Bay due to the reduced operational footprint. Because Project implementation would not result in a net increase of fill to state waters, mitigation for fill of jurisdictional waters is not required. The Regional Water Board authorized fill impacts associated with the existing aquaculture gear in previously issued water quality certifications.

Avoidance and Minimization

The Applicant is reducing the footprint of existing operations from approximately 300 acres to approximately 279 acres. Oyster operations would also be completely removed from Sand Island, a portion of east Arcata Bay, and a portion of Indian Island.

Other Agency Permits and Actions

The Applicant has applied to the United States Army Corps of Engineers for Individual Permit coverage, pursuant to section 404 of the Clean Water Act and section 10 of the Rivers and Harbors Act.

The Applicant received a Coastal Development Permit from the California Coastal Commission on September 13, 2017.

CEQA

As lead agency, the Humboldt Bay Harbor, Recreation, and Conservation District (Harbor District) prepared an Environmental Impact Report (EIR) for the Project (SCH No. 2015082051). The Harbor District signed a Notice of Determination adopting the EIR on March 3, 2017.

Public Comments

Regional Water Board staff are proposing to regulate this Project pursuant to section 401 of the Clean Water Act (33 USC 1341) and Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all phone calls and comments submitted in writing and received within a 21-day comment period that begins on the first date of issuance of this notice and ends at 5:00 p.m. on the last day of the comment period. If you have any questions or comments, please contact staff member Brendan Thompson at (707) 576-2699 or Brendan.Thompson@waterboards.ca.gov within 21 days of the posting of this notice.

The information contained in this public notice is only a summary of the applicant's proposed activities. The Regional Water Board's Project file includes the application for certification and additional details of the proposed Project, including maps and design drawings. Project documents and any comments received are on file and may be reviewed or copied at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220.

FIGURES

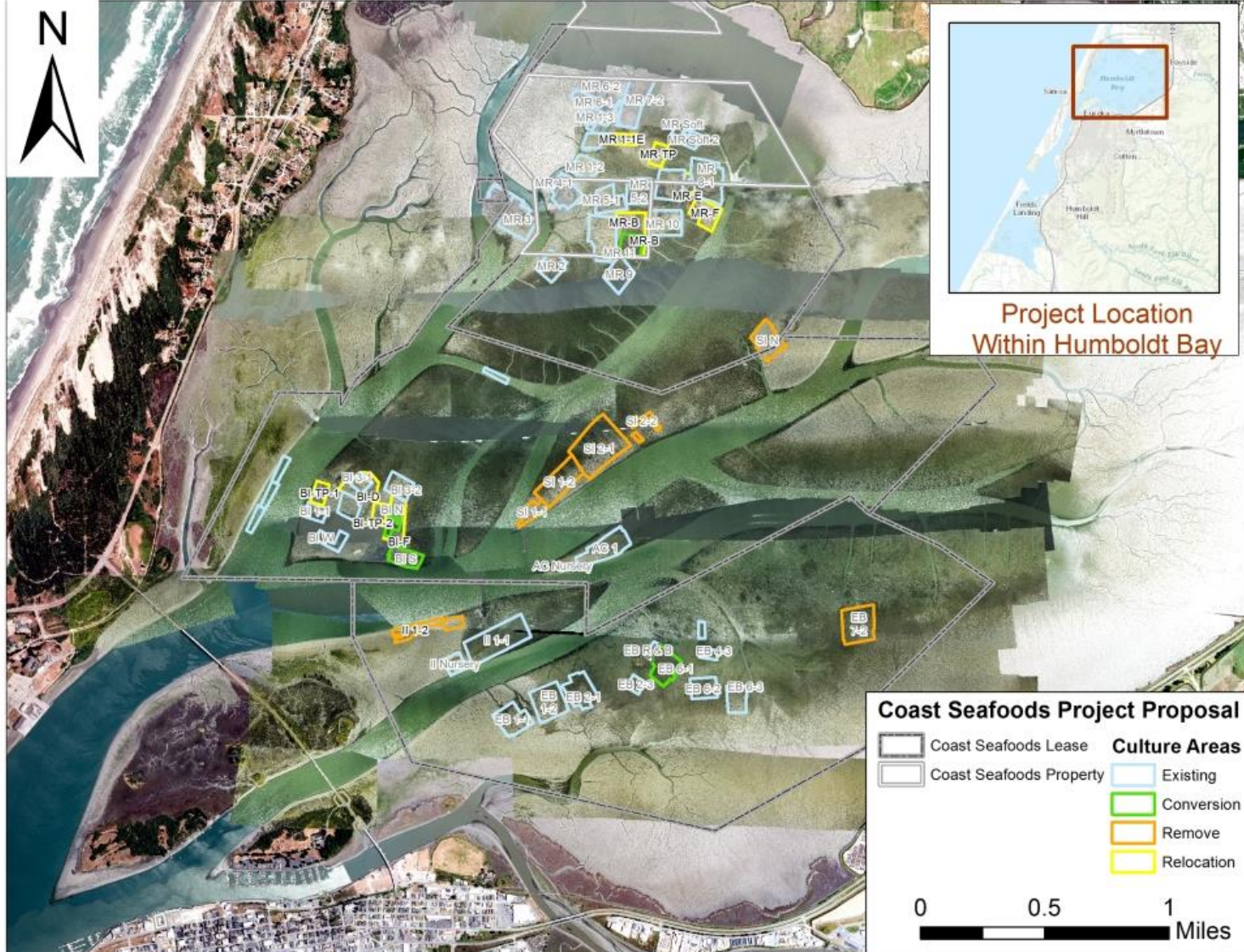


Figure 1: Project Area. BI=Bird Island; SI=Sand Island; EB=East Bay; MR=Mad River; II=Indian Island; N=Nursery; TP= Test Plot

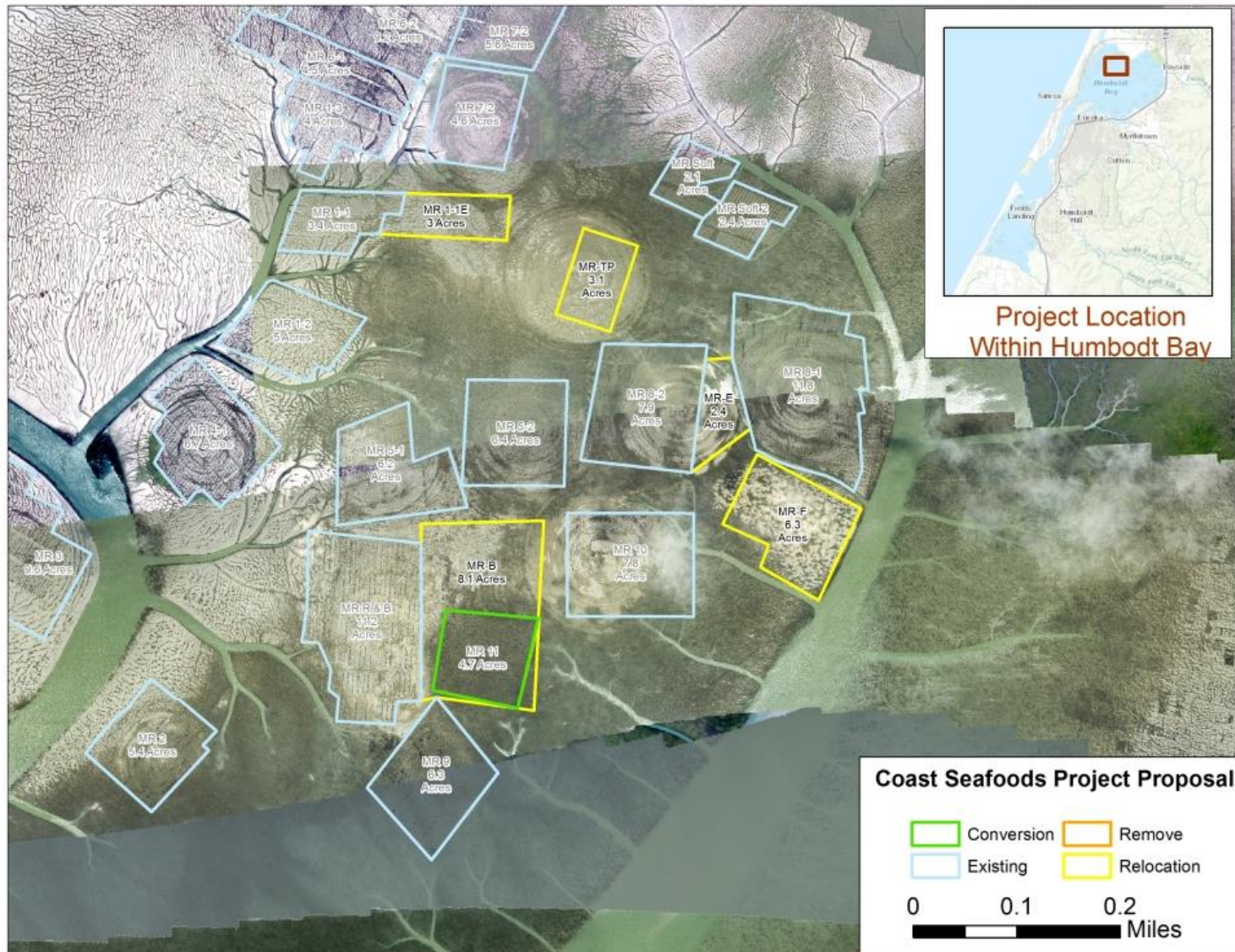


Figure 2: Close-up of Mad River Project area

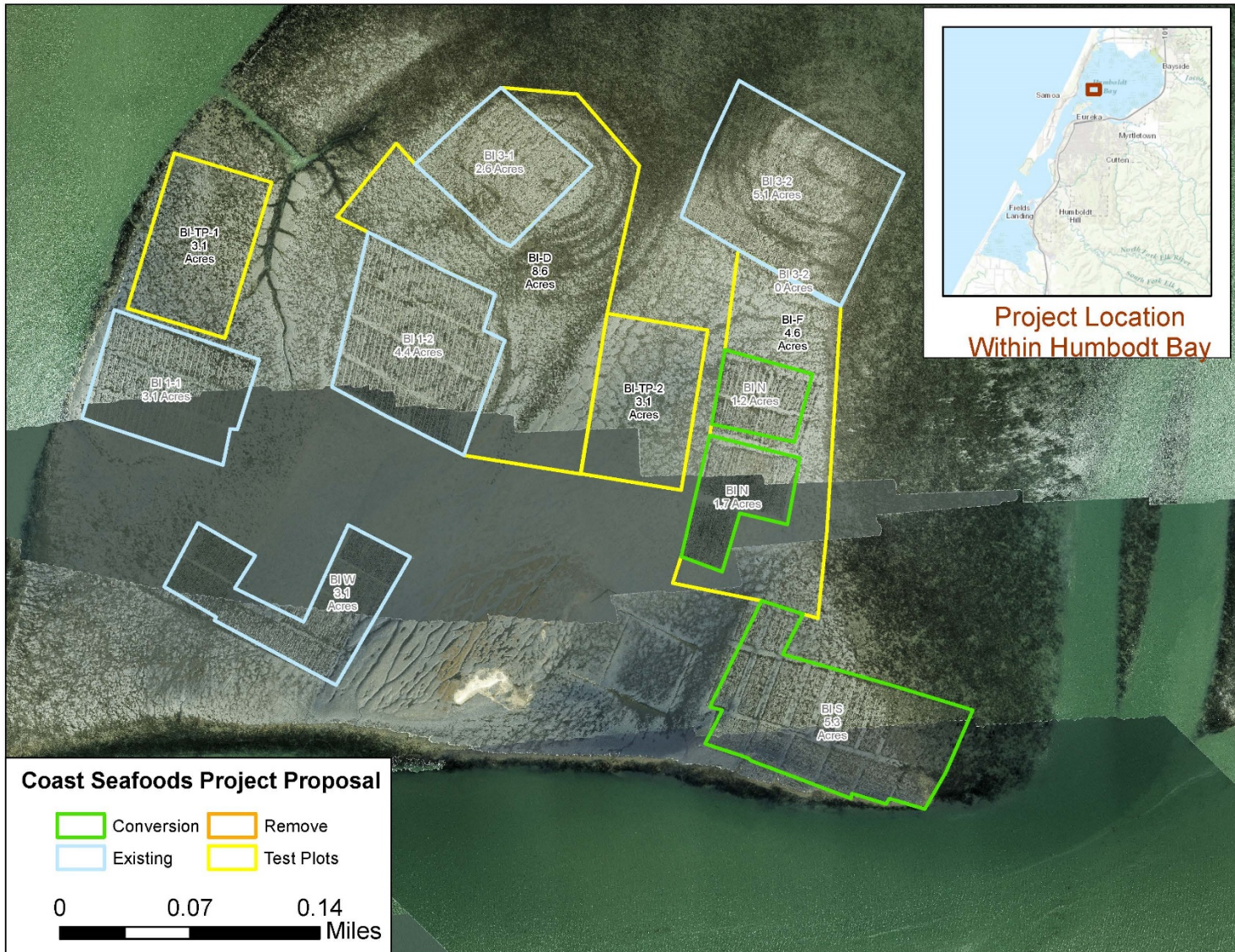


Figure 3: Close-up of Bird Island Project Area