

## **APPENDIX A**

### Substantive File Documents

#### DOCUMENTS

California Coastal Commission. 2002. Coastal development permit E-02-005-A1 (formerly 1-96-69). Permit issued to Coast Seafoods Company for development of a permanent clam seed nursery. April 15, 2002. Including all file materials.

----- 2001a. Alleged Violation V-7-01-006. Including all file materials.

----- 2001b. Final Adopted Findings for coastal development permit number E-01-012. Permit issued to Duke Energy Morrow Bay L.L.C. for dredging in Morro Bay Harbor. October 10, 2001.

----- 1996. Coastal development permit 1-96-02W. Permit issued to Coast Seafoods Company for development of a temporary clam seed nursery. February 8, 1996. Including all file materials.

California Coastal Conservancy. 2003. *Strategic Plan*. Oakland, CA. June 2003.  
[http://www.coastalconservancy.ca.gov/Programs/Strategic\\_Plan.pdf](http://www.coastalconservancy.ca.gov/Programs/Strategic_Plan.pdf) Accessed April 17, 2006. 74 pp.

California Department of Fish and Game. 2005. "Aquaculture Registration." For Coast Seafoods Company. Valid from January 1, 2006 through December 31, 2006. Registration No. 0103. November 18, 2005.

California Department of Fish and Game and California Interagency Wildlife Task Group. Undated. Undated. "California Wildlife Habitat Relationship Systems: Caspian tern"  
<http://www.dfg.ca.gov/whdab/html/B227.html>. Accessed April 12, 2006. 2 pp.

Coast Seafoods Company. 2006a. "Marine Mammal Policy." 1 p. Submitted under cover of an e-mail dated April 6, 2006, from Peter Weiner, Coast's Representative, to Audrey McCombs, CCC. Subject: Marine Mammal Monitoring Policy.

----- 2006b. Coastal development permit application number E-06-003. Submitted to the California Coastal Commission January 31, 2006. Including supporting documents.

----- 2003. Application for an individual permit. Submitted to the US Army Corps of Engineers August 6, 2003. With supporting documentation.

----- 2002. Claim of Vested Rights. Submitted to the California Coastal Commission October 9, 2002. Including supporting documents.

----- 2001. Coastal development permit application No. E-01-024. Submitted to the California Coastal Commission August 23, 2001.

- 1999. Coastal development permit application for 3000 feet of bat ray fencing. Submitted to the California Coastal Commission May 6, 1999.
- 1994. Coastal development permit application number 1-94-17. Submitted to the California Coastal Commission February 25, 1994.
- Connolly Moore, Linda Michele. 2001. "Comparative Use of Longline Oyster Culture Beds and Adjacent Tidal Flats by Shorebirds and Waders on Humboldt Bay, California." Master's Thesis presented to Humboldt State University. Eureka, CA. December 2001. 73 pp.
- Dumbauld, B. Undated (2005 or 2006). "WRAC Project Termination Report. Part I: Summary." <http://www.fish.washington.edu/wrac/pdfs/Molluscan%20Shellfishf.pdf>. Accessed 2/27/06. 42 pp.
- Humboldt Bay Harbor, Recreation and Conservation District. 2005. *Draft Humboldt Bay Management Plan*. "Volume I: The Plan." Eureka, CA. July 2005. [http://www.humboldtbay.org/harbor/con\\_rec/planfiles/CEQA\\_Draft\\_HBMP\\_July\\_2005\\_vol\\_1.pdf](http://www.humboldtbay.org/harbor/con_rec/planfiles/CEQA_Draft_HBMP_July_2005_vol_1.pdf) Accessed April 14, 2006. 246 pp.
- 1999a. Permit 1998-3. Issued to Coast Seafoods Company for oyster aquaculture operations on 500 acres in Arcata Bay. December 2, 1999.
- 1999b. *Draft Mitigated Negative Declaration*. Coast Seafoods Mariculture Application. Humboldt Bay, CA. June 2, 1999. 38 pp. + attachments.
- Humboldt Bay Watershed Advisory Committee and Redwood Community Action Agency. 2005. *Humboldt Bay Watershed Salmon and Steelhead Conservation Plan*. Prepared for the California Department of Fish and Game and the California Coastal Conservancy. March 2005. <http://www.rcaa.org/nrs/projcurr/pdfs/EnhancePlanComplete.pdf> Accessed April 10, 2006. 250 pp.
- Jones & Stokes. 2006a. "Response to Questions from California Coastal Commission." Technical memorandum from Chris Cziesla, Jones & Stokes, to Greg Dale, Coast Seafoods. March 9, 2006. 7 pp.
- 2006b. "Biological Characterization of 50 acres of Coast Owned Tidelands." Technical memorandum from Chris Cziesla, Jones & Stokes, to Greg Dale, Coast Seafoods. . March 7, 2006. 9 pp.
- 2006c. *California Environmental Quality Act Initial Study*. Coast Seafoods' Continued Mariculture Operations in Humboldt Bay, California. Prepared for the Humboldt Bay Harbor, Recreation and Conservation District. Eureka, CA. January 2006. 45 pp. + attachments. Submitted under a cover letter dated January 31, 2006, from Peter Weiner, Coast's Representative, to Alison Dettmer, CCC.
- 2006d. [Revised] *Initial Study*. Coast Seafoods' Continued Mariculture Operations in Humboldt Bay, California. Prepared for the Coast Seafoods for submittal to the

Humboldt Bay Harbor, Recreation and Conservation District. Eureka, CA. January 2006. 49 pp. (no attachments.) Submitted under cover of an e-mail dated April 6, 2006, from Peter Weiner, Coast's representative, to Audrey McCombs, CCC.

----- 2005. *Response to Endangered Species Act and Essential Fish Habitat Conservation Recommendations*. Prepared for Coast Seafoods Company. November 2005. 25 pp.

----- 2004. *Biological Assessment and Essential Fish Habitat Analysis: Coast Seafoods Mariculture Operations in Humboldt Bay California*. Prepared for Coast Seafoods, Eureka, CA. September 2004. 86 pp. + figures.

Manaster, K. and D. Selemi. 2005. *California Environmental Law and Land Use Practice*. Volume 1. LexisNexis, Matthew Bender & Company. San Francisco, CA. Filed through Release No. 43, September 2005.

Mello, John. 2006. "Maps of Pacific Herring Spawning Areas in Humboldt Bay." Technical memorandum from John Mello, California Department of Fish and Game, to Audrey McCombs and John Dixon, CCC. February 22, 2006. 4 pp. + attachment.

----- Undated. "Summary of 2000-2001 Pacific Herring Spawning-Ground Surveys and Commercial Catch in Humboldt Bay." California Department of Fish and Game, Marine Region. Eureka, CA. 7 pp.

Mello, J. and N. Kalson. Undated. "Summary of 2001-2002 Pacific Herring Spawning-Ground Surveys and Commercial Catch in Humboldt Bay." California Department of Fish and Game, Marine Region. Eureka, CA. 8 pp.

Mello, J. and J. Ramsey. 2004. "Summary of 2003-2004 Pacific Herring Spawning-Ground Surveys and Commercial Catch in Humboldt Bay and Crescent City." California Department of Fish and Game, Marine Region. Eureka, CA. 7 pp.

Mello, J. and W. Stroud. Undated. "Summary of 2004-2005 Pacific Herring Spawning-Ground Surveys and Commercial Catch in Humboldt Bay and Crescent City." California Department of Fish and Game, Marine Region. Eureka, CA. 1 p.

National Marine Fisheries Service. 2005a. *Biological Opinion*. Prepared for consultation with the US Army Corps of Engineers, for issuance of a permit to Coast Seafoods Company. National Marine Fisheries Service, Southwest Region. File number 151422SWR1998AR33. November 10, 2005. 59 pp. + references.

----- 2005b. *Essential Fish Habitat Consultation*. Prepared for consultation with the US Army Corps of Engineers, for issuance of a permit to Coast Seafoods Company. National Marine Fisheries Service, Southwest Region. File number 151422SWR1998AR33. November 10, 2005. 8 pp. + references.

National Marine Fisheries Service, *et. al.* 1991. "Southern California Eelgrass Mitigation Policy (revision 11)." July 31, 1991. <http://swr.nmfs.noaa.gov/hcd/eelpol.htm> Accessed April 11, 2006. 8 pp.

Orth, R. and K. Moore. 1983. "Submersed vascular plants: techniques for analyzing their distribution and abundance." *Marine Technology Progress Series*; 17 (2): 38-52.

Pinnix, W., T. Shaw, and N. Hetrick. 2004. *Fish Communities in Eelgrass, Oyster Culture, and Mud Flat Habitats of North Humboldt Bay, California. Progress Report.*" US Fish and Wildlife Service, Arcata Office. Arcata, CA. November 2004. 24 pp.

Rumrill, S. and V. Poulton. 2004. "Ecological Role and Potential Impacts of Molluscan Shellfish Culture in the Estuarine Environment of Humboldt Bay, CA. Annual Report." Western Regional Aquaculture Center. November 2004. 21 pp. + figures.

US Army Corps of Engineers. 2006. *Draft Department of the Army Permit.* Permittee: Coast Seafoods Company. Permit No.: 26912N. Issuing Office: San Francisco District. January 23, 2006.

----- 2003. Public Notice Number 26912N. Application by Coast Seafoods Company for oyster culture operations on 300 acres in Arcata Bay. September 24, 2003.

#### LETTER CORRESPONDENCE

March 15, 2006. From Peter Weiner, Coast's representative, to Audrey McCombs, CCC.  
[Response to March 1, 2006 CCC filing status letter.] With attachments:

- Jones & Stokes (2006b), "Biological Characterization of 50 acres of Coast Owned Tidelands;" and
- Jones & Stokes (2006a), "Response to Questions from California Coastal Commission."

March 1, 2006. From Audrey McCombs, CCC, to Peter Weiner, Coast's Representative.  
[Regarding filing status of Coast's application.]

February 22, 2006. Memorandum from John Mello, California Department of Fish and Game, to Audrey McCombs and John Dixon, CCC. Subject: Maps of Pacific Herring Spawning Areas in Humboldt Bay. With attachment: "Maps of Pacific Herring Spawning Areas in Humboldt Bay."

February 13, 2006. From Peter Weiner, Coast's representative, to Audrey McCombs, CCC.  
[Regarding 300 acres as fixed acreage.]

February 1, 2006. From Peter Weiner, Coast's representative, to Alison Dettmer, CCC.  
[Regarding Appendix D of the permit application.] With attachment: Original copy of Appendix D.

January 31, 2006. From Peter Weiner, Coast's Representative, to Alison Dettmer, CCC.

[Submitting Coast's CDP application.] With attachments:

- Coast (2006), CDP application with supporting documentation:
  - Information on Coast's leases and owned tidelands;
  - Assessor's maps of Coast's tidelands;
  - List of adjacent property owners and interested parties, with stamped envelopes;
  - Vicinity map;
  - Project plans;
  - Other agency approvals, including Humboldt Bay Harbor, Recreation and Conservation District (1999a), Permit 1998-3; California Department of Fish and Game (2005), "Aquaculture Registration"; and the Department of Health Services Shellfish Growing Area Certificate;
- Humboldt Bay Harbor, Recreation and Conservation District (1999b), *Draft Mitigated Negative Declaration*, with comment letters and responses;
- A list of technical reports that have been prepared relating to Coast's operations;
- Jones & Stokes (2006c), *Draft Initial Study*;
- An April 30, 2004, letter responding to comments submitted in response to the Corps' Public Notice 26912N;
- US Army Corps of Engineers (2006), *Draft Department of the Army Permit*.

January 6, 2006. From Peter Weiner, Coast's representative, to Alison Dettmer, CCC.

[Submitting supplemental materials regarding Coast's CDP application.] With attachments:

- A December 16, 2004, letter from the Corps to NMFS transmitting the Corps Biological Assessment of the Coast project;
- Jones & Stokes (2004), *Biological Assessment*;
- A February 17, 2005, letter from Jones & Stokes to Greg Dale (subsequently transmitted to the Corps and NMFS) providing supplemental information related to the Coast project;
- NMFS (2005), *Biological Opinion*;
- A November 30, 2005, letter from Samuel W. Plauché, Coast's representative, to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers. With attachments;
- A June 13, 2005, letter from the Corps to US Fish and Wildlife Service initiating informal consultation;
- A November 18, 2005, e-mail memorandum from the US Fish and Wildlife Service to the Corps concurring with the Corps' informal consultation letter;
- An April 25, 2002 letter from the Regional Water Quality Control Board to Greg Dale issuing 401 certification for the Coast project; and
- A June 24, 2005 e-mail from the Regional Water Quality Control Board to Greg Dale indicating that its 2002 certification remains valid.

December 14, 2005. From Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers, to Rodney McInnis, National Marine Fisheries Service. Subject: File Number 269120N: Coast Seafoods; Comments on Final Biological Opinion and Essential Fish Habitat Conservation Recommendations.

December 14, 2005. From David M. Hull, Humboldt Bay Harbor, Recreation and Conservation District, to Greg Dale, Coast Seafoods Company. Subject: Humboldt Bay Harbor, Recreation and Conservation District Permit No. 1998-3. [Regarding extending the permit through 2006.]

November 30, 2005. From Samuel W. Plauché, Coast's representative, to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers. [Regarding NMFS conservation recommendations.] With attachments:

- Letter dated November 28, 2005, from Greg Dale, Coast Seafoods, to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers;
- Jones & Stokes (2005), *Response to Endangered Species Act and EFH Recommendations*.

November 28, 2005, from Greg Dale, Coast Seafoods, to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers. [Regarding Coast's response to NMFS' conservation recommendations.] Transmitted under a cover letter dated November 30, 2005, from Samuel W. Plauché, Coast's representative, to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers.

November 10, 2005. From Rodney McInnis, National Marine Fisheries Service, to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers. [Regarding NMFS conservation recommendations, and transmitting NMFS' *Biological Opinion* and *Essential Fish Habitat Consultation*.] With attachments:

- NMFS (2005a), *Biological Opinion*;
- NMFS (2005b), *Essential Fish Habitat Consultation*; and
- References for the previous two documents.

August 25, 2005. From Greg Dale, Coast, to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers. Subject: Coast Seafoods Company – Permit application file number 26912N. With attachment:

- Letter dated August 22, 2005, from Chris Cziesla, Jones & Stokes (Coast's representative), to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers.
- Attachments to August 22, 2005 letter.

August 22, 2005. From Chris Cziesla, Jones & Stokes (Coast's representative), to Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers. Subject: Coast Seafoods Company – Permit application file number 26912N. Response to NMFS Draft Biological Opinion and Essential Fish Habitat Analysis for Coast Seafoods permit application. With 7 attachments and a marked-up Biological Opinion.

June 13, 2005. From Lieutenant Colonel Philip T. Feir, US Army Corps of Engineers, to Michael Long, US Fish and Wildlife Service. Subject: File Number 26912N. [Initiating informal consultation.]

February 17, 2005. From Chris Cziesla, Jones & Stokes, to Greg Dale, Coast Seafoods. Subject: Clarification and Additional Scientific Information for Coast Seafoods Continued Oyster Aquaculture Operations.

April 30, 2004. From Samuel W. Plauché, Coast's representative, to David Ammerman, US Army Corps of Engineers. Re: PN 26912N – Coast Seafoods' Response to Comments. With attachments:

- List of comments submitted regarding Public Notice 26912N
- A letter dated March 4, 2004, from Bill Dewey, Pacific Coast Shellfish Growers Association, to Rolland Schmitt, National Marine Fisheries Service. With attachments.

July 27, 2003. From Lieutenant Colonel Michael McCormick, US Army Corps of Engineers, to Greg Dale, Coast. [Cease and Desist Order.]

May 20, 2003. From Marina Cazorla, CCC, to Samuel W. Plauché, Coast's representative. Subject: Coastal Development Permit Application E-01-024. [Acknowledging withdrawal of CDP application.]

April 21, 2003. From Samuel W. Plauché, Coast's representative, to Abe Doherty, CCC. Subject: Alleged Coastal Act Violation Case No. V-7-01-006 (Coast Seafoods Company).

April 25, 2002. From Susan A. Warner, North Coast Regional Water Quality Control Board, to Greg Dale, Coast Seafoods. Subject: Issuance of Clean Water Act Section 401 Certification (Water Quality Certification) and California Code of Regulations Water Quality Certification for Coast Seafoods Company Mariculture Activities in Humboldt Bay. File: Coast Seafood Company, WDID No. 1B01140WNDN.

December 17, 2002. From Samuel W. Plauché, Coast's representative, to John Bowers, CCC. Subject: Coast Seafoods Co., Claim of Vested Rights. Response to your letter of October 29, 2002.

October 29, 2002. From John Bowers, CCC, to F. Robert Studdert, Coast's Representative. Subject: Claim of Vested Rights (Coast Seafoods Co.)

October 9, 2002. From F. Robert Studdert, Coast's Representative, to Alison Dettmer, CCC. Subject: Coast Seafoods Company, Humboldt Bay, Proposed Operating Conditions and Study Requirements, Claim of Vested Rights. With attachments:

- Coast (2002), Claim of Vested Rights with Exhibits A, B, & C;
- Summary of Documentation for Vested Rights Claim
- A letter dated November 20, 2001, from Greg Dale, Coast, to F. Robert Studdert, Coast's Representative. With attachments:
  - Marine mammal and recreational user observation forms
  - Bird Island fence sediment data
  - Assessment of shorebird and water use of bird island

- Humboldt Bay Harbor, Recreation and Conservation District (1999b), *Draft Mitigated Negative Declaration*.

December 8, 2001. From F. Robert Studdert, Coast's representative, to Alison Dettmer, CCC. Subject: Coast Seafoods Company Coastal Development Permit No. 1-96-69 FLUPSY Amendment. With attachment: US Army Corps of Engineers permit application.

August 23, 2001. From F. Robert Studdert, Coast's representative, to Alison Dettmer, CCC. Subject: Coast Seafoods Company Coastal Development Permit Application. With attachment: Coast Development Permit application No. E-01-024, with supporting documents.

#### E-MAIL CORRESPONDENCE

April 13, 2006. From Peter Weiner, Coast's representative, to Audrey McCombs, CCC. Subject: Coast and marine mammals.

April 12, 2006. From Mark Colwell, Humboldt State University, to Audrey McCombs, CCC. Subject: Birds v aquaculture paper.

April 11, 2006. From Vicki Frey, California Department of Fish and Game, to Audrey McCombs, CCC. Subject: eelgrass restoration in Humboldt Bay.

April 10, 2006. From Peter Weiner, Coast's representative, to Audrey McCombs, CCC. Subject: Recreational User info.

April 10, 2006. From John Mello, California Department of Fish and Game, to Audrey McCombs, CCC. Subject: More Coast herring questions. With attachment.

April 6, 2006. From Peter Weiner, Coast's representative, to Audrey McCombs, CCC. Subject: Revised Initial Study. With attachment: revised January 2006 Initial Study.

February 27, 2006. From Peter Weiner, Coast's representative, to Audrey McCombs and Alison Dettmer, CCC. Subject: Coast Seafoods: information on 500 acres and 50 acres.

February 24, 2006. From Peter Weiner, Coast's representative, to Audrey McCombs and Alison Dettmer, CCC. Subject: 50 acres, eelgrass, study

November 18, 2005. From Amedes Brickey, US Fish and Wildlife Service, to David Ammerman, US Army Corps of Engineers. Subject: Coast Seafoods Mariculture Project

June 24, 2005. From Dean Prat, North Coast Regional Water Quality Control Board, to Greg Dale, Coast Seafoods. Subject: Coast Seafoods [401 Certification is still current.]

## APPENDIX B

### List of Managed Fish Species in Arcata Bay

Leopard shark (*Triakis semifasciata*)  
Soupfin shark (*Galeorhinus zyopterus*)  
Spiny dogfish (*Squalus acanthius*)  
Big skate (*Raja binoculata*)  
Lingcod (*Ophiodon elongatus*)  
Cabezon (*Scorpaenichthys marmoratus*)  
Kelp greenling (*Hexagrammos decagrammus*)  
Black rockfish (*Sebastes melanops*)  
Blue rockfish (*Sebastes mystinus*)  
Bocaccio (*Sebastes paucispinis*)  
Brown rockfish (*Sebastes auriculatus*)  
Copper rockfish (*Sebastes caurinus*)  
Grass rockfish (*Sebastes rastrelliger*)  
Vermillion rockfish (*Sebastes miniatus*)  
Yellowtail rockfish (*Sebastes flavidus*)  
Butter sole (*Isopsetta isolepis*)  
Dover sole (*Microstomus pacificus*)  
English sole (*Parophrys vetulus*)  
Pacific sanddab (*Citharichthys sordidus*)  
Sand sole (*Psettichthys melanostrictus*)  
Starry flounder (*Platichthys stellatus*)  
Northern anchovy (*Engraulis mordax*)  
Coho salmon (*Oncorhynchus kisutch*)  
Chinook salmon (*Oncorhynchus tshawytscha*)

## **APPENDIX C**

### Coastal Conservancy's Fish Passage Improvement Program

Wild salmon and steelhead are among California's most emblematic symbols of our living coastal heritage. When present and abundant, they symbolize the healthy watersheds they depend on, and support thriving sport, commercial and tribal fisheries. Conversely, depressed or absent populations typically characterize degraded watersheds and fisheries in decline. Their presence is a bellwether for the health of our coastal environment, and the local economies and communities that have been, and can be, supported by healthy fisheries.

The Coastal Conservancy has dedicated much effort and funding to the protection, enhancement, and restoration of California's once-great coastal salmon populations. Towards this end, the Conservancy's 2003 Strategic Plan provides specific areas of focus. Goals Five and Six, in particular direct Conservancy staff to a) Protect, restore and enhance biological diversity in coastal areas, and; b) Improve water quality, habitat and other coastal resources within coastal watersheds and the ocean. Current areas of effort include acquisitions and easements, enhancement planning efforts, water quality enhancement projects, and fish passage improvement.

#### **FISH PASSAGE IMPROVEMENT**

Fragmentation of habitat through the inappropriate construction of infrastructure such as road-stream crossings is one of gravest threats to the recovery of coastal salmon populations, yet often one of the easiest problems to solve. The Conservancy's program dedicated to improving passage for coastal salmon and steelhead resources includes the following recent efforts and undertakings.

##### **Inventory**

The Conservancy has conducted an inventory of all known barriers to fish passage in California's coastal watersheds. The final version of this report was released in 2005. This report represents the first ever consolidation of diverse barrier data, and is helping the Conservancy and its partners establish priorities for barrier modification and removal projects. This report identifies a total of 13,016 sites, of which 3,323 are known barriers, 9,036 require further examination, and **175 are high priority and 120 are moderate priority for modification or removal.**

Concurrent with this inventory, the Conservancy is working with several partners to explore areas where barrier assessments have not already been conducted, or where little is known about barriers. Watersheds already assessed by the Conservancy's grantees include:

- Sisquoc River
- San Luis Obispo County

- Santa Maria Mountains watersheds
- Lower Klamath river tributaries
- Marin County

The Conservancy, in collaboration with the Department of Fish and Game and the Pacific States Marine Fisheries Commission (“PSMFC”), has developed the Passage Assessment Database (“PAD”) a tool to standardize, record and update information relating to fish passage barriers. The PAD is updated weekly, and has resulted in more effective identification of barrier sites, and simplification of prioritization of future fish passage improvement opportunities.

What we don’t know is equally important as what we do know. At present, the Conservancy is working in partnership with DFG, PSMFC, and others to develop a “gap analysis” of regions and data sources where information pertaining to barriers is lacking or deficient. Current areas requiring further analysis include:

- Railroad-stream crossings
- Division of Water Rights
- California State Parks
- Private Lands
- Summer Dams and small non-jurisdictional dams
- Southern California County roads
- City Roads
- California Department of Transportation’s Road Network

### **Prioritization**

The Conservancy’s report and Passage Assessment Database identify 175 high and 120 moderate priority barrier sites that require immediate attention for modification or removal. These priorities are selected from more than 100 data sources, including expert field biologists at the DFG and individual contractors who have conducted barrier assessments coastwide. These sites are recommended for immediate funding and implementation, and the Conservancy is working with DFG and other members of the Fish Passage Forum (see below) to ensure that these projects are addressed soon. Comments regarding these high priority sites are available in the PAD, which can be downloaded from the web at [www.CalFish.org](http://www.CalFish.org) For more information about CalFish, see “partnerships” below.

In addition to these high and moderate priority sites, every individual watershed can be analyzed by the PAD for the extent to which it is fragmented by barriers. This can be done online through CalFish, and this resource is available to agencies and the public alike, thereby facilitating the informed development of proposed enhancement projects.

### **Action**

The Conservancy is improving fish passage while further analyzing the problem. The Conservancy has, in partnership with many, including DFG, helped fund a number of these important fish passage improvement projects, including:

- Ten barriers in Humboldt County.
- Four barriers in Mendocino County.
- Two barriers in Del Norte County.
- Funded plans to “daylight” a portion of Woodacre Creek in Marin County, an important spawning and rearing stream for Coho salmon and steelhead trout.
- Fish passage improvement plans for Alameda Creek.
- Examinations of dam modification or removal projects on a number of coastal watersheds, including the Carmel, the Ventura, the Santa Ynez, the Klamath, and others.

In its report, “Inventory of Barriers to Fish Passage in Coastal Watersheds,” the Conservancy found that a significant bottleneck to implementation of fish passage improvement projects was resulting from the inability of local public entities to rapidly and effectively design and permit adequate fish passage improvement projects. Therefore, the Conservancy has provided three major block grants and one series of grants to local partners for the purpose of completing design and permitting for high priority projects. These grants include:

- \$670,178 block grant to the Five Counties Salmonid Conservation Program to design and permit at least 15 fish passage improvement projects.
- \$181,000 to various grantees to develop fish passage improvement projects in Alameda Creek, tributary to San Francisco Bay.
- \$350,000 block grant to the Land Conservancy of San Luis Obispo County to design and permit at least ten fish passage improvement projects.
- \$453,000 block grant to the Santa Barbara County Water Agency to design and permit at least six fish passage improvement projects.
- \$196,500 block grant to the County of Marin to design and permit seven fish passage improvement projects.
- \$225,000 block grant to the Point Reyes National Seashore Association to design and permit fish passage improvement projects for the entire Bear Valley Creek watershed, a tributary to Lagunitas Creek, Marin County.

The economy of scale in planning, designing, and permitting fish passage improvement projects en masse, will result in more timely reopening of historic habitat lost to the

inappropriate installation of infrastructure, facilities that have resulted in barriers to fish passage.

### **Partnerships**

The Conservancy is working closely with many partners to ensure timely and efficient development of fish passage improvement projects. Partnerships include:

#### *Fish Passage Forum*

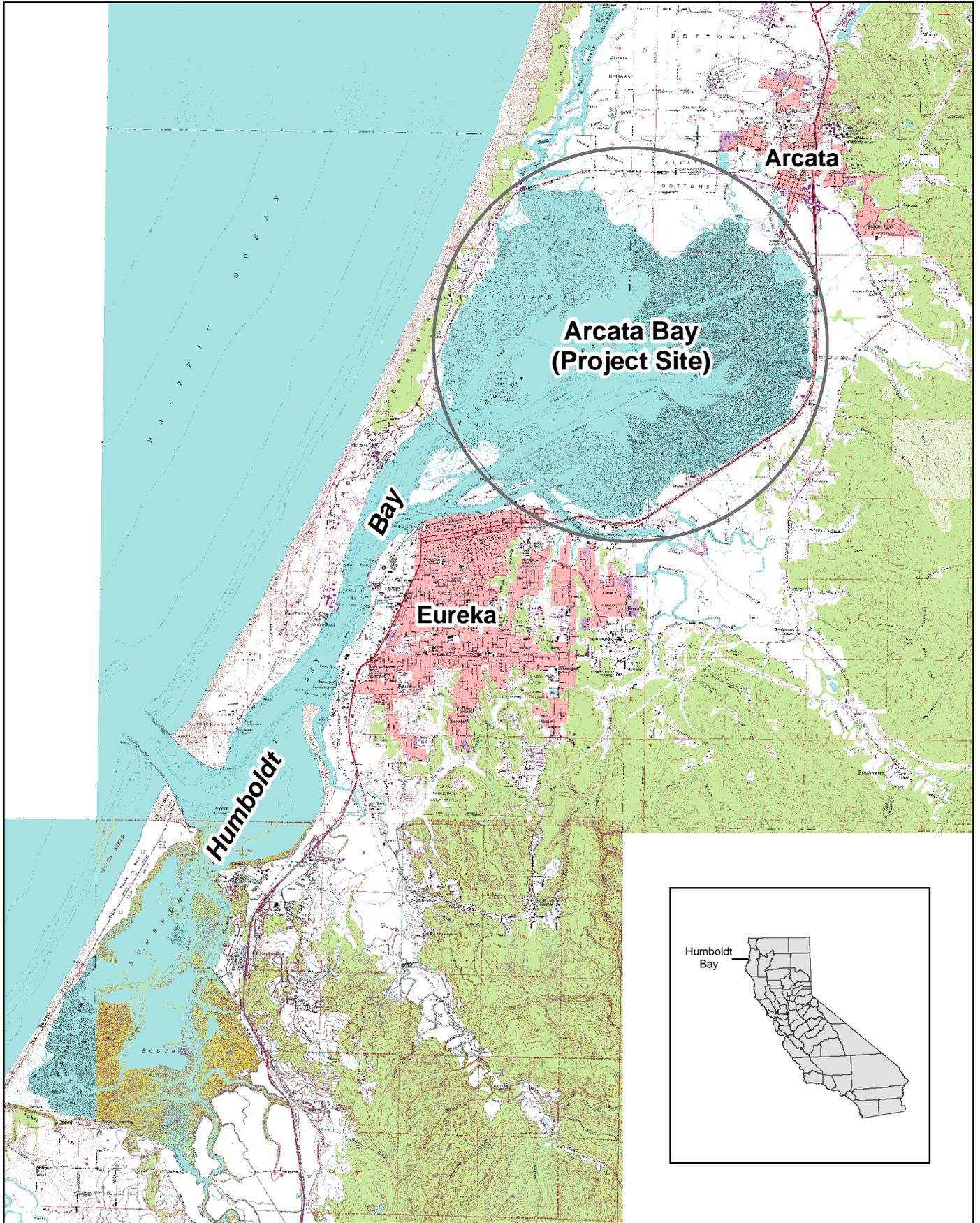
The Fish Passage Forum is a partnership of agency and non-agency people who share an interest in improving fish passage in a coordinated fashion. This group meets quarterly to discuss technical, policy, and financial issues of common interest, and explores ways to more quickly implement fish passage improvement projects statewide. Conservancy staff currently chairs the Forum.

#### *CalFish*

CalFish is an association of agency personnel who are launching a common, online data repository for all fisheries data, including barrier data, habitat quality data, and more. This system is now online and available for the public to use for the development and implementation of habitat restoration projects, including fish passage improvement projects. The Conservancy funded and oversaw the development of the barrier data layer, one of the most important and well populated data layers in this system.

#### *Outreach*

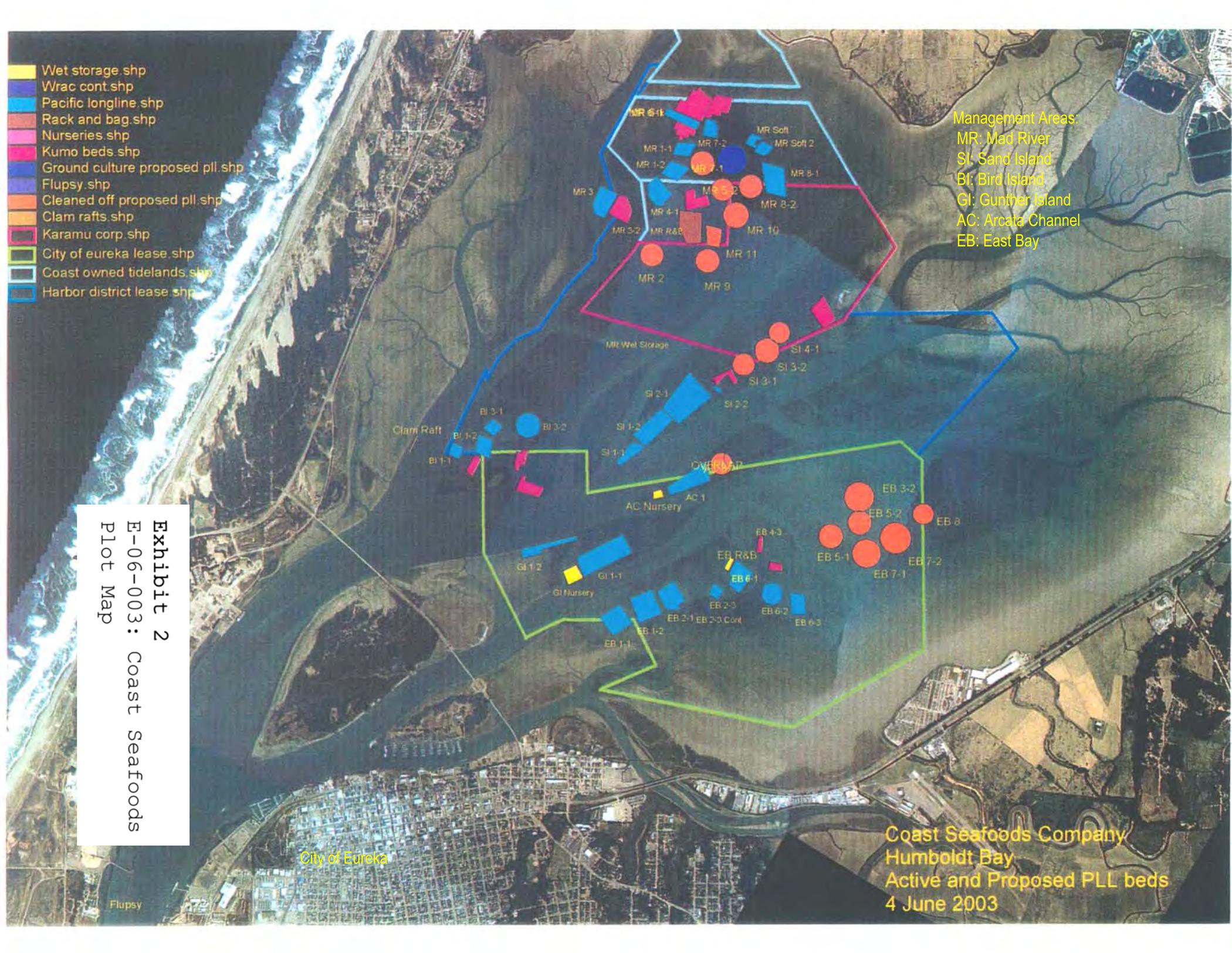
The Conservancy has developed a landowner outreach brochure to help educate the public on the importance of stream stewardship and fish passage improvement. This brochure is being printed now, and will help overcome what existing resistance to fish passage improvement may occur from private landowners.



**Exhibit 1**  
E-06-003: Coast Seafoods  
Vicinity Map

- Wet storage.shp
- Wrac cont.shp
- Pacific longline.shp
- Rack and bag.shp
- Nurseries.shp
- Kumo beds.shp
- Ground culture proposed pll.shp
- Flupsy.shp
- Cleaned off proposed pll.shp
- Clam rafts.shp
- Karamu corp.shp
- City of eureka lease.shp
- Coast owned tidelands.shp
- Harbor district lease.shp

Management Areas:  
 MR: Mad River  
 SI: Sand Island  
 BI: Bird Island  
 GI: Gunther Island  
 AC: Arcata Channel  
 EB: East Bay



**Exhibit 2**  
 E-06-003: Coast Seafoods  
 Plot Map

Coast Seafoods Company  
 Humboldt Bay  
 Active and Proposed PLL beds  
 4 June 2003

City of Eureka

Flupsy

## Coast Seafoods Company Bed Status Table

Bed Name	Acres	Plantg Priority	Bedstatus/use/culture type	# lines	Spacing
Clam Raft	0.31		Clam raft		
MR 2	6.78	1	Cleaned off ready for replant Proposed PLL		
EB 8	5.24	2	Cleaned off ready for replant Proposed PLL		
EB 7-2	11.67	3	Cleaned off ready for replant Proposed PLL		
EB 7-1	9.86	4	Cleaned off ready for replant Proposed PLL		
MR 11	4.42	5	Cleaned off ready for replant Proposed PLL		
MR 9	7.02	6	Cleaned off ready for replant Proposed PLL		
SI 3-1	6	7	Cleaned off ready for replant Proposed PLL		
SI 3-2	7.33	8	Cleaned off ready for replant Proposed PLL		
EB 5-1	7.14	9	Cleaned off ready for replant Proposed PLL		
SI 4-1	5.49	10	Cleaned off ready for replant Proposed PLL		
EB 3-2	10.69	11	Cleaned off ready for replant Proposed PLL		
MR 5-2	6.09	12	Cleaned off ready for replant Proposed PLL		
MR 10	7.88	13	Cleaned off ready for replant Proposed PLL		
EB 5-2	6.86	14	Cleaned off ready for replant Proposed PLL		
MR 8-2	6.69	15	Cleaned off ready for replant Proposed PLL		
AC 3	4.64	16	Cleaned off ready for replant Proposed PLL		
MR 7-1	10.46	17	Cleaned off ready for replant Proposed PLL		
Flupsy	0.04		Flupsy		
BI N k	2.86		Kumo Bed	441	2.5
BI S k	4.84		Kumo Bed	864	2.5
BI W k	2.37		Kumo Bed	441	2.5
EB 4-3	1.36		Kumo Bed	532	2.5
EB 4-3 k	1.64		Kumo Bed	198	5/2.5 and 10
MR 1-3k	3.93		Kumo Bed	520	5/2.5 and 10
MR 3-2	6.35		Kumo Bed	426	5/2.5 and 10
MR 5-1 k	5.29		Kumo Bed	1139	2.5
MR 6-1k	7.03		Kumo Bed	1134	5/2.5 and 10
MR 6-2 k	10.86		Kumo Bed	849	5/2.5 and 10
SI 2-2 k	2.74		Kumo Bed	274	5/2.5 and 10
SI N k	6.67		Kumo Bed	994	2.5
AC Nursery	1.19		Nursery		
GI Nursery	3.62		Nursery		
EB R&B	1		Rack and bag		
MR R&B	10.23		Rack and Bag		
MR 1-1	3.23		Removed from prod. 97 bed name reused on LL bed.		
MR 1-2	7.33		Removed from prod. 97 bed name reused on LL bed.		
MR 1-3	6.86		Removed from prod. 97 bed name reused on LL bed.		
EB 2-2	7.1		Removed from Production 00		
EB 4-3	3.53		Removed from Production 96		
GI 2	8.04		Removed from production 96		
AC 4	5.37		Removed from production 97		
EB 3-1	11.12		Removed from production 97		
EB 4-1	5.04		Removed from production 97		
EB 4-4	4.72		Removed from production 97		
EB 6-4	5.31		Removed from production 97		
BI 2-2	5.4		Removed from production 98		

AC=Arcata Channel, EB=East Bay, MR= Mad River,  
SI= Sand Island, BI=Bird Island, GI =Gunther Island,  
PLL=Pacific Long Line, Kumo=Kumamoto Oysters

**Exhibit 3**  
E-06-003: Coast Seafoods  
Bed Status Table

## Coast Seafoods Company Bed Status Table

Bed Name	Acres	Plantg Priority	Bedstatus/use/culture type	# lines	Spacing
BI 4-1	6.52		Removed from production 98		
BI 4-2	9.69		Removed from production 98		
BI 5-1	5.92		Removed from production 98		
EB 4-2	5.11		Removed from production 98		
BI 2-1	6.18		Removed from production 99		
EB 1-2	9.99		Replanted PLL 00	1660	5/2.5 and 10
EB 2-1	7.78		Replanted PLL 00	984	5/2.5 and 10
SI 2-1	19.49		Replanted PLL 00	416	5/2.5 and 10
SI 2-2	0.57		Replanted PLL 00	274	1/5,2/5,1/10,2/10
BI 1-1	2.26		Replanted PLL 01	302	5/2.5 and 10
BI 1-2	4.34		Replanted PLL 01	463	5/2.5 and 10
BI 3-1	2.67		Replanted PLL 01	240	5/2.5 and 10
BI 3-2	7.33		Replanted PLL 01	744	5/2.5 and 10
EB 6-1	7.3		Replanted PLL 01	1060	5/2.5 and 10
EB 6-2	5.76		Replanted PLL 01	605	1/5,2/5,1/10,2/10
EB 6-3	4.89		Replanted PLL 01	675	5/2.5 and 10
MR 4-1	7.1		Replanted PLL 01	1256	5/2.5 and 10
EB 2-3	2.15		Replanted PLL 01 WRAC study plots	140	1.5, 2.5, 5, 10
EB 1-1	8.65		Replanted PLL 02	670	1/5,2/5,1/10,2/10
GI 1-2	5.46		Replanted PLL 97	733	5/2.5 and 10
MR 1-1	3.73		Replanted PLL 97	434	5/2.5 and 10
MR 1-2	4.84		Replanted PLL 97	748	5/2.5 and 10
MR 6-1	4.48		Replanted PLL 97	1134	5/2.5 and 10
MR Soft	2.03		Replanted PLL 97	296	5/2.5 and 10
SI 1-2	10.38		Replanted PLL 97	1140	5/2.5 and 10
SI 1-1	4.08		Replanted PLL 97 and 99	892	5/2.5 and 10
MR Soft 2	2.62		Replanted PLL 98	251	5/2.5 and 10
AC 1	9.78		Replanted PLL 98 and 00	600	5/2.5 and 10
GI 1-1	16.9		Replanted PLL 98 and 00	2363	5/2.5 and 10
MR 3	7.54		Replanted PLL 99-00	874	5/2.5 and 10
MR 7-2	10.07		Replanted PLL 99-00	866	5/2.5 and 10
MR 8-1	9.95		Replanted PLL 99-00	1156	5/2.5 and 10
EB 2-3 Cont	0.24		WRAC Control		
MR Wet Storage	0.04		WS		
<b>Total</b>	<b>485.48</b>			<b>28788</b>	

AC=Arcata Channel, EB=East Bay, MR= Mad River,  
SI= Sand Island, BI=Bird Island, GI =Gunther Island,  
PLL=Pacific Long Line, Kumo=Kumamoto Oysters

**Exhibit 3**  
E-06-003: Coast Seafoods  
Bed Status Table

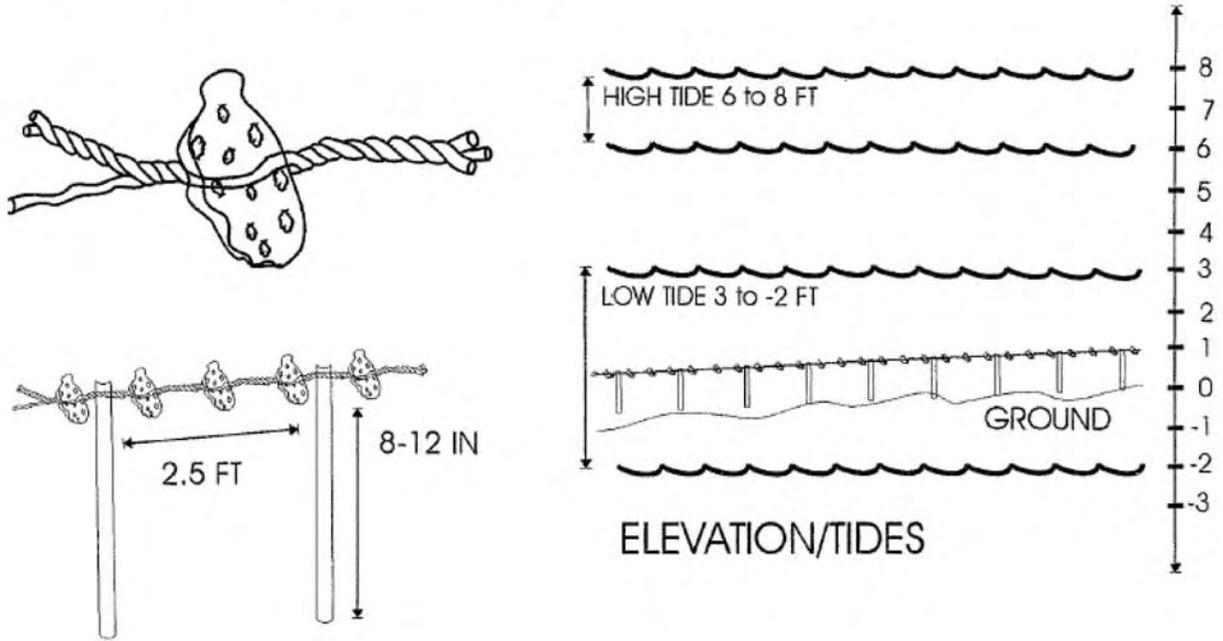
## Coast Seafoods Company Bed Status Table

Bed Name	Acres	Plantg Priority	Bedstatus/use/culture type	# lines	Spacing
<b>Summary Active areas</b>					
	Acres			# lines	
	0.31		Clam rafts		
	0.04		FLUPSY		
	55.94		Kumo Bed	7812	
	4.81		Nursery		
	11.23		Rack and Bag		
	182.14		Replanted PLL	20976	
	0.04		Wet Storage Floats		
	0.24		Control Site		
<b>Subtotal</b>	<b>254.75</b>			<b>28788</b>	
<b>Summary Inactive areas</b>					
	124.26		Cleaned of Ready for replant Proposed PLL		
	106.47		Removed from production		
<b>Subtotal</b>	<b>230.73</b>				
<b>Total</b>	<b>485.48</b>			<b>28788</b>	

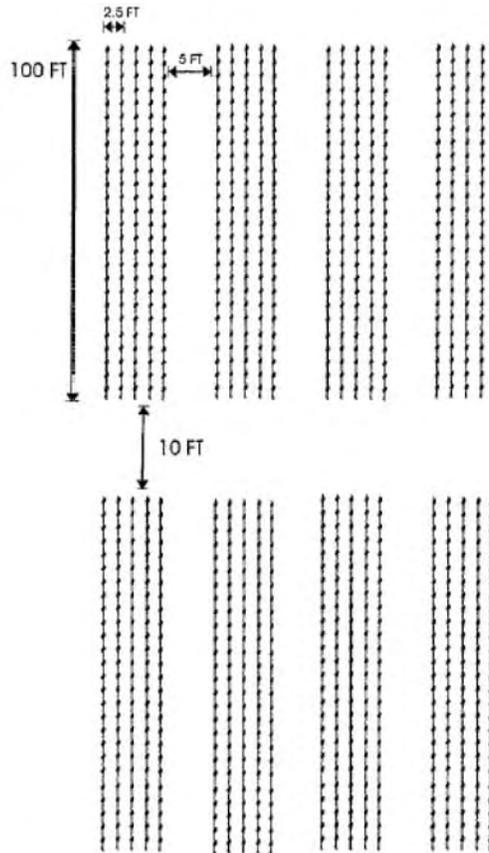
AC=Arcata Channel, EB=East Bay, MR= Mad River,  
SI= Sand Island, BI=Bird Island, GI =Gunther Island,  
PLL=Pacific Long Line, Kumo=Kumamoto Oysters

**Exhibit 3**  
E-06-003: Coast Seafoods  
Bed Status Table

**Drawing 1.**  
**Pacific Long Line Culture**

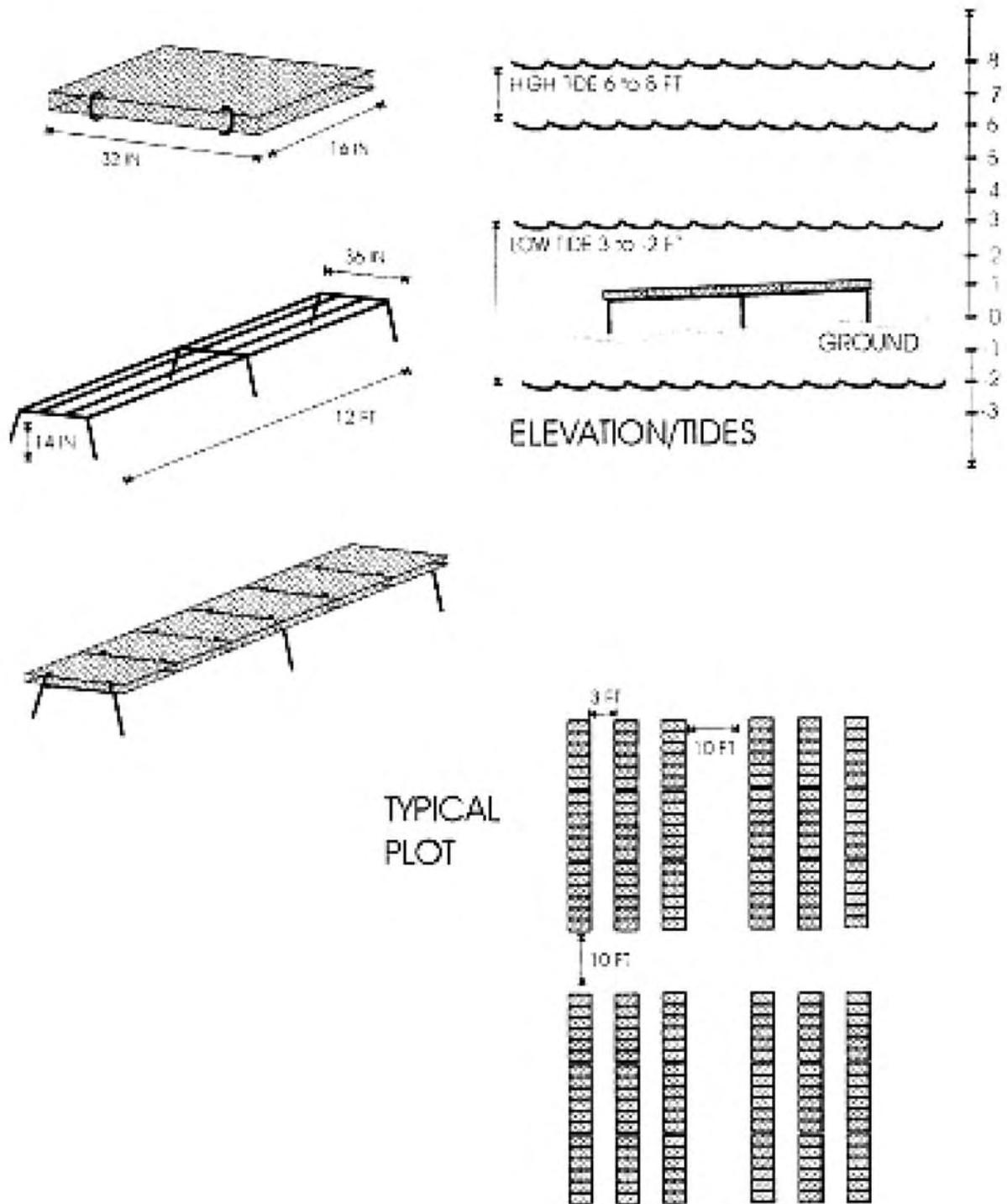


**TYPICAL BED**



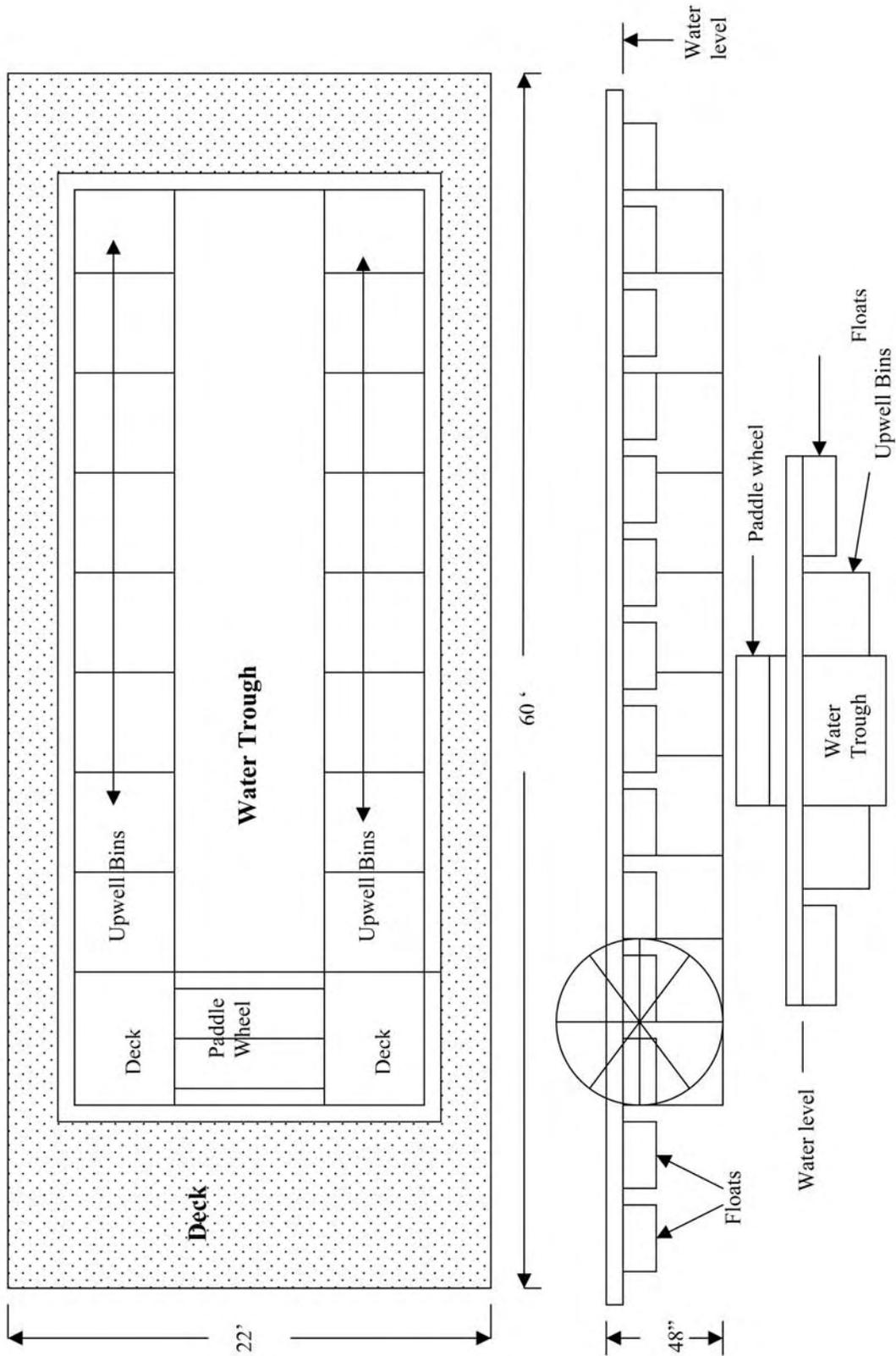
**Exhibit 4**  
 E-06-003: Coast Seafoods  
 Long-Line Culture

Drawing 2.  
Rack and Bag Culture



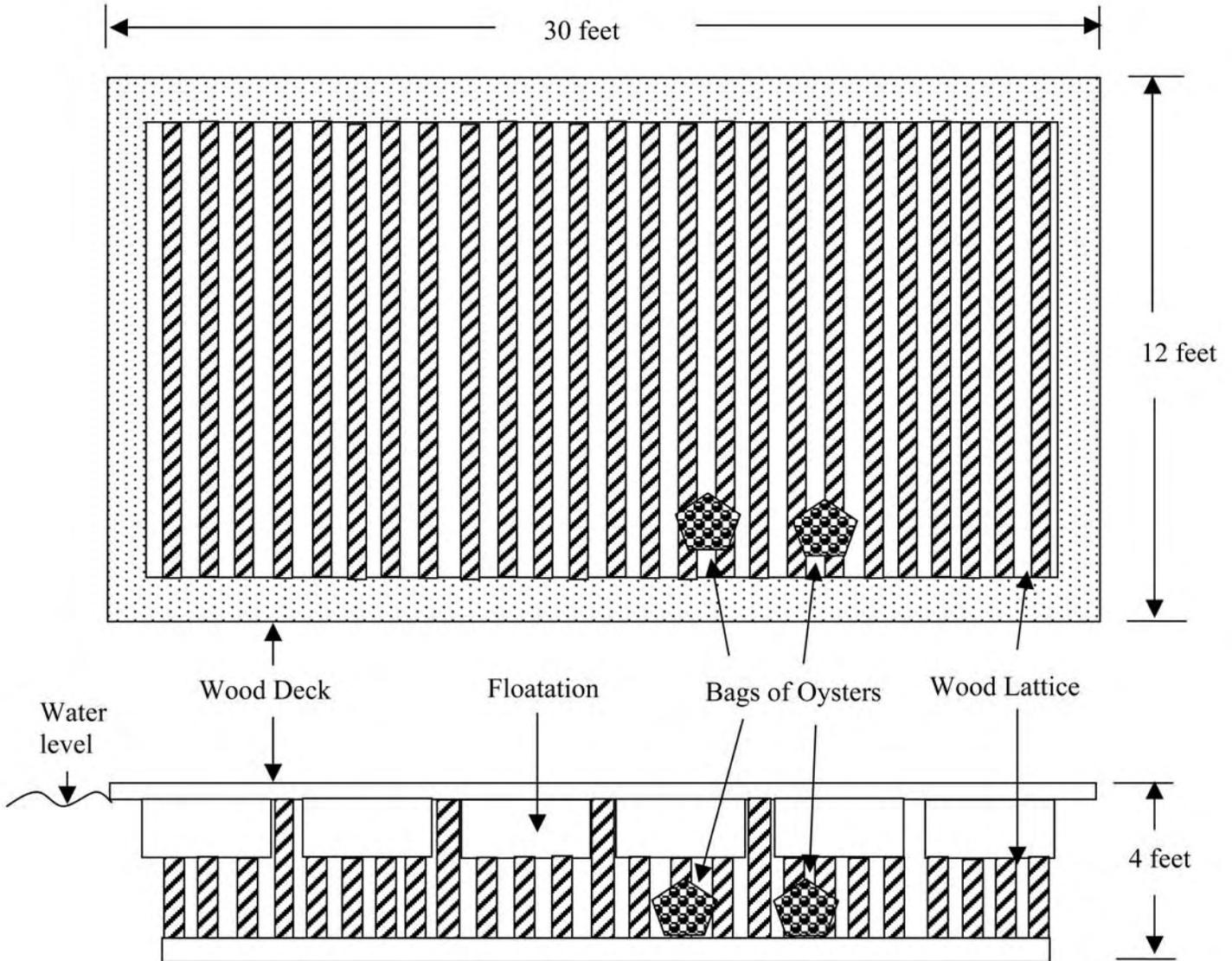
**Exhibit 5**  
E-06-003: Coast Seafoods  
Rack and Bag Culture

Coast Seafoods Company  
Drawing 3. Flupsy – Floating Upwell System  
5 December 2001



**Exhibit 6**  
E-06-003: Coast Seafoods  
FLUPSY

Coast Seafoods Company  
Drawing 4. Oyster Wet Storage Sink Float Drawings  
20 July 2004



**Exhibit 7**  
E-06-003: Coast Seafoods  
Wet Storage Floats



Bags of seed at the Nursery.



Eelgrass bordering a tidal channel.

**Exhibit 8**

E-06-003: Coast Seafoods  
Photos of Oyster Culture  
Page 1 of 2



A long line bed.



Crew servicing a long line bed.

**Exhibit 8**

E-06-003: Coast Seafoods  
Photos of Oyster Culture  
Page 2 of 2

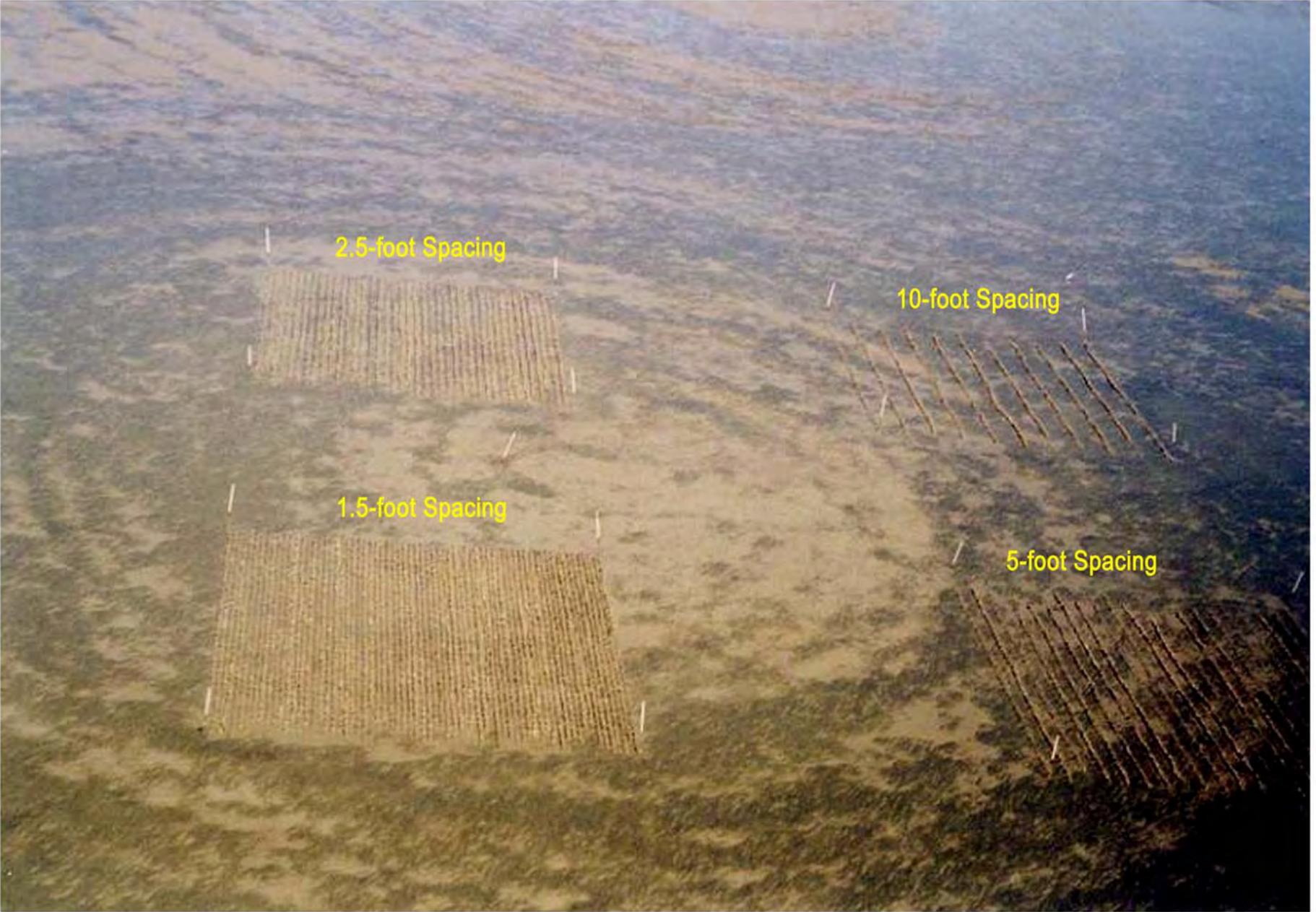
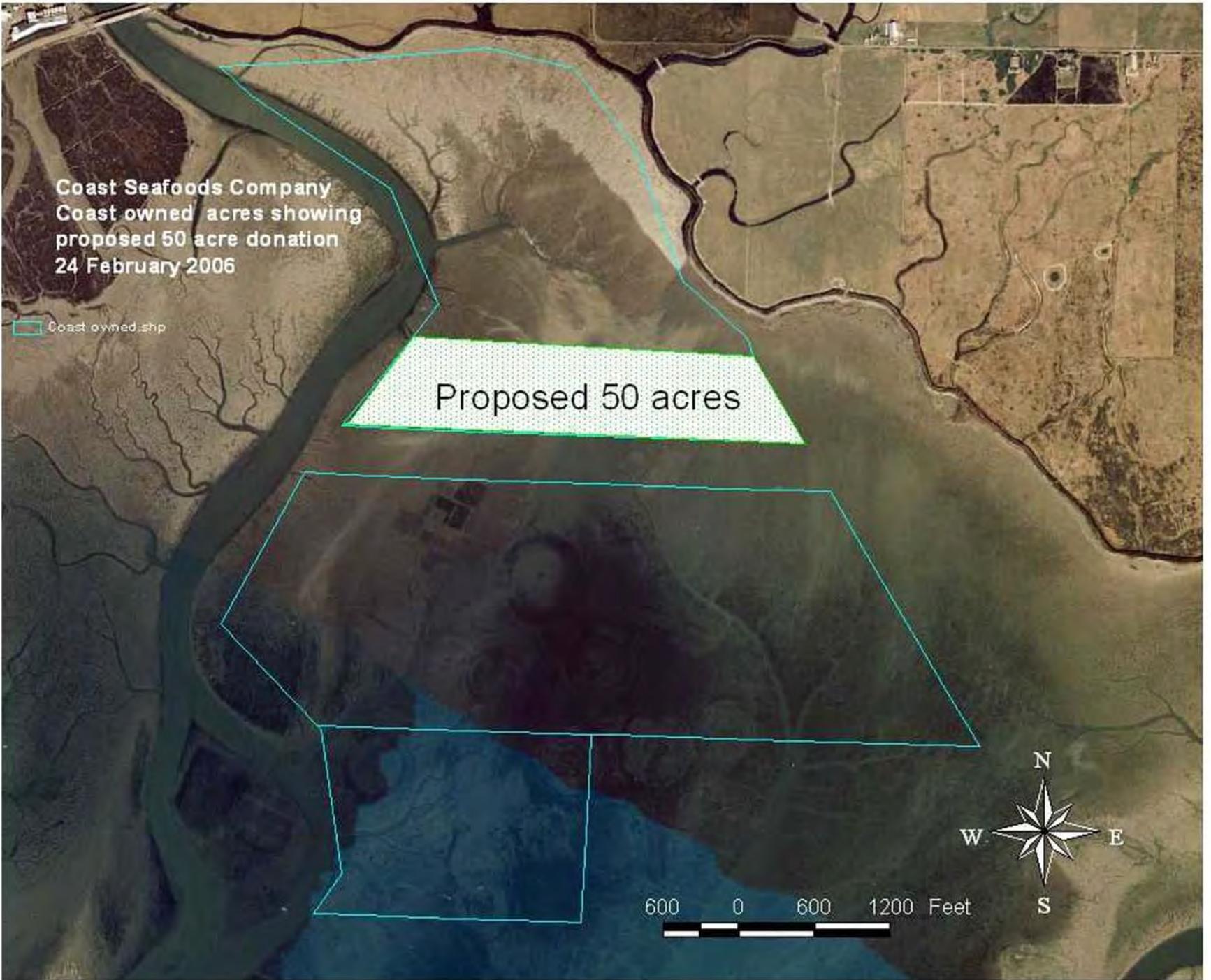
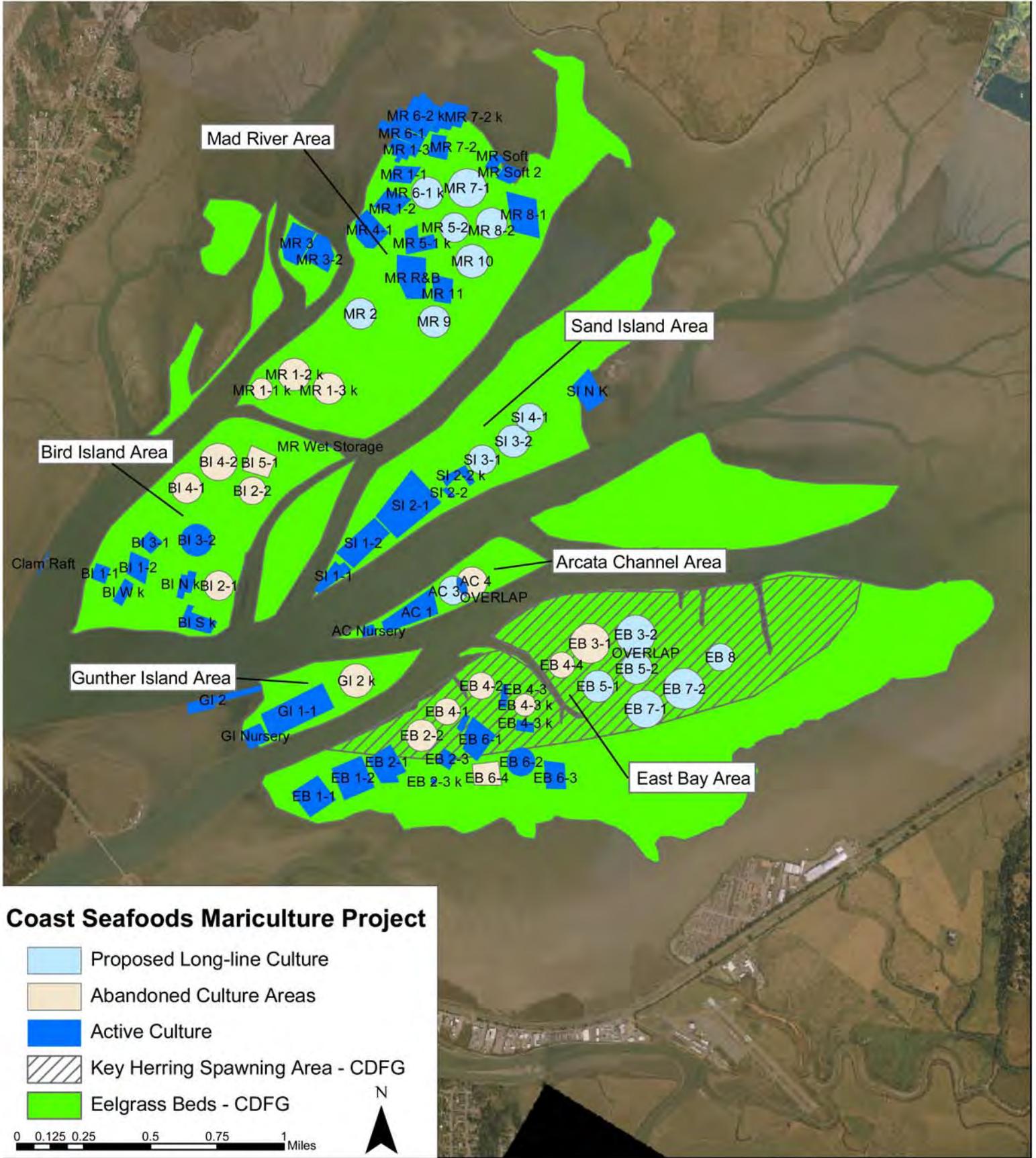


Exhibit 9  
E-06-003: Coast Seafoods  
WRAC Study Plots



**Exhibit 10**  
E-06-003: Coast Seafoods  
50 Acres Proposed for Transfer



Source: NMFS (2005a), *Biological Opinion*, Figure 1

**Exhibit 11**  
 E-06-003: Coast Seafoods  
 Key Herring Spawn Area



Peter Douglas, Executive Director  
California Coastal Commission  
45 Fremont St., Ste 2000  
San Francisco, CA 94105

April 19, 2006

Re: Deposit of In-Lieu Fees to Coastal Trust Fund

Dear Peter,

It is our understanding that your staff is considering recommending that Coast Seafoods pay an in lieu fee to the Conservancy for the purpose of undertaking a project to mitigate for unavoidable eelgrass impacts. In the event that payment of a fee is forthcoming, these funds may be deposited into the appropriate account at the Coastal Conservancy, consistent with permit conditions adopted by the Coastal Commission. Any such funds would be used for the purpose of habitat enhancement generally, and fish passage improvement particularly for federally and state listed anadromous fish species.

It is also our understanding that should the Commission require payment of a fee, any funds shall be used within the Humboldt Bay watershed. We are amenable to this arrangement and, upon notification that the permit condition has been met, will endeavor to locate a suitable project site. We anticipate that the site would be located on a stream tributary to Humboldt Bay, and that funds would be expended within five years for the purpose of habitat enhancement. Selection of a project will be made subject to the approval of the Executive Director of the Coastal Commission.

Thank you for your interest in working together to protect, enhance, and restore our precious coastal resources.

Very sincerely,

Samuel Schuchat  
Executive Officer

1330 Broadway, 11th Floor  
Oakland, California 94612-2530  
510-286-1015 Fax: 510-286-0470

