

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE

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MEMORANDUM

Date: January 10, 2008

To: Commissioners and Interested Parties

From: Peter M. Douglas, Executive Director
Robert S. Merrill, District Manager – North Coast District
James R. Baskin AICP, Coastal Program Analyst – North Coast District

Subject: **Conditional Compliance Review – Dredge Spoils Disposal Alternatives Annual Progress Report, Coastal Development Permit No. 1-05-039-A1, Humboldt Bay Harbor, Recreation, and Conservation District, Permittee**

On February 9, 2006, the Commission granted Coastal Development Permit No. 1-05-039 to the Humboldt Bay Harbor, Recreation, and Conservation District (HBHRCD) authorizing the agency to perform maintenance dredging within the Woodley Island Marina in Humboldt Bay, entailing the removal of up to 120,000 cubic yards of accumulated sediment materials and to dispose of the dredged spoils via slurry pipeline at a beach disposal site located within the tidal zone along the ocean shoreline of the Samoa Peninsula.

During the public hearing, several Commissioners noted that the Commission would not have approved nearshore disposal proposed under CDP 1-05-039 were it not for the lack of an identified feasible alternative at that time that could accommodate the needed dredging in a timely fashion. The Commissioners commented that the Commission would be unlikely to approve additional nearshore disposal of dredged materials for future dredging events out of concern for impacts to coastal resources, including impacts on recreation, visual resources, and habitat values. The Commissioners recommended that the applicants begin examining alternative disposal sites for future dredging events (typically every seven to ten years) as soon as possible so that a site can be secured and the necessary financial arrangements can be made in time for such an alternative site to be utilized for the next dredging event.

Subsequently, on February 16, 2007, the Commission approved Coastal Development Permit Amendment No. 1-05-039-A1, authorizing an increase in the maximum sediment extraction and beach disposal volumes from 120,000 cubic yards to 158,000 cubic yards, a Samoa Beach Outfall Solid Waste Cleanup Plan, and the installation of anchors on the slurry pipeline to

prevent scouring of environmentally sensitive mudflat and eelgrass bed areas. In approving the permit amendment, the Commission added Special Condition No. 17, which reads as follows:

The permittee shall submit by no later than December 31 of each year, for the review and approval of the Executive Director, annual reports detailing the efforts undertaken during the previous calendar year to prepare for future maintenance dredging in a manner that discontinues the past practice of nearshore disposal of dredged materials. The report shall include a discussion of the estimated costs, accrual and reservation of revenues, the preparation of technical studies, and/or the securement of necessary properties, equipment, and services for disposal of future dredged sediments utilizing other than nearshore disposal methodologies, including but not limited to unconfined open ocean disposal at the "Humboldt Open Ocean Disposal Site (HOODS) or at appropriate on-land disposal sites. The annual reports shall be submitted each year until the next comprehensive maintenance dredging project for the Woodley Marina is granted all necessary coastal development permit authorizations.

On January 7, 2008, the North Coast District received the attached letter-report, submitted for purposes of compliance with Special Condition No. 17. The report identifies a series of actions taken by the HBHRCD in the 2007 calendar year relative to development of alternatives to the previously-authorized beach disposal option for future maintenance dredging operations by the District.

Although the report is very brief and does not provide specific information regarding budgetary commitments, technical evaluative, site and equipment acquisition, and/or securement of professional services as set forth in the language of Special Condition No. 17, the staff believes that the interagency meetings and consultations referenced in the report regarding development of a comprehensive dredged materials management approach, must first be conducted prior to these implementing programmatic details being formulated. With the Commission's concurrence, the Executive Director intends to approve the 2007 progress report and comment in the approval letter on progress that would be expected to be made over the next year and the additional information next year's progress report should contain.

Commission staff will present the report and provide a briefing to the Commission as part of the North Coast District Deputy Director's report at the Friday January 11, 2008 meeting.

Attachment 1: HBHRCD 2007 Annual Progress Report - Dredge Materials Disposal Alternatives

PMD/RSM/JRB:jb/lt

COMMISSIONERS

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RECEIVED

JAN 07 2008

January 3, 2008

Jim Baskin
CA Coastal Commission
710 E Street, Suite 200
Eureka, CA 95501

CALIFORNIA
COASTAL COMMISSION
NORTH COAST AREA

RE: Coastal Development Permit No. 1-05-039, Condition 17: Annual Progress Reports

Dear Mr. Baskin,

On behalf of the Humboldt Bay Harbor, Recreation and Conservation District, I submit the following in compliance with Condition 17: Annual Progress Reports for CDP 1-05-039 for the maintenance dredging of Woodley Island Marina which was completed March 31, 2007.

Background

Condition 17 of CDP 1-05-039 reads:

17. Annual Progress Reports

The permittee shall submit by no later than December 31 of each year, for the review and approval of the Executive Director, annual reports detailing the efforts undertaken during the previous calendar year to prepare for future maintenance dredging in a manner that discontinues the past practice of nearshore disposal of dredged materials. The report shall include a discussion of the estimated costs, accrual and reservation of revenues, the preparation of technical studies, and/or the securement of necessary properties, equipment, and services for disposal of future dredged sediments utilizing other than nearshore disposal methodologies, including but not limited to unconfined open ocean disposal at the "Humboldt Open Ocean Disposal Site (HOODS) or at appropriate on-land disposal sites. The annual reports shall be submitted each year until the next comprehensive maintenance dredging project for the Woodley Marina is granted all necessary coastal development permit authorizations.

Annual Report

Although it has not been a year since the maintenance dredge project was completed, the District has made progress on Condition 17. Specifically, the District:

- Included discussions of alternative dredge methods during the District's 2007/2008 budget process. The discussion covered such topics as costs of various alternatives compared with the previously permitted method; discussions on sources of funds to pay for more expensive alternatives which included more than doubling slip fees at Woodley Island Marina, increasing commercial shipping and harbor revenue or having an NGO fund the difference between the previous permitted method and the cost of another alternative. The budget analysis detailed that the estimated cost of the previously permitted method for the next dredge cycle (2015) would be ~\$3.7 million while using a cutter head suction dredge to go to HOODS was estimated at more than \$7 million.
- Included discussions of filling the need for a dredge materials management plan as a critical issue in the District's 2007-2011 Strategic Plan that was adopted by the Board of Commissioners on November 19, 2007.
- Worked with the US Army Corps of Engineers and other agencies to organize and conduct the first Humboldt Bay Dredge Material Management Program meeting on November 20, 2007. The meeting was a good first step to develop the most environmentally and financially responsible method of maintenance dredging these important facilities on a regular basis. The discussion got the agencies closer to a common understanding of the issues, opportunities and constraints. From this first meeting, it seemed obvious that there is no low hanging fruit on this issue and to develop meaningful results will undoubtedly take cooperation and compromise from all. Tasks were assigned and all agreed to meet again in early 2008 to continue the program.
- During 2008, the District intends to continue to lead the Humboldt Bay Dredge Material Management Program with various regulatory agencies as well as continue (since 2005) to work with the North Coast Regional Water Quality Control Board on re-permitting the former LP upland dredge disposal site. Dredge material management topics will also be included in the District's upcoming Humboldt Bay Symposium in April 2008. Financial information on dredge alternatives will continue to be discussed as part of the District's 2008/09 budget process.

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January 3, 2008
Jim Baskin

If you need any additional information regarding compliance with Condition 17,
please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Hull". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

David Hull
Chief Executive Officer

C: Commissioners
Bob Merrill