

COASTAL CONSERVANCY

Staff Recommendation
November 30, 2017

NOYO HARBOR COMMUNITY SUSTAINABILITY PLAN

Project No. 17-035-01
Project Manager: Lisa Ames

RECOMMENDED ACTION: Authorization to disburse up to \$81,000 to the Noyo Harbor District to develop a Community Sustainability Plan for the Noyo Harbor in Fort Bragg, Mendocino County.

LOCATION: Noyo Harbor, Fort Bragg, Mendocino County

PROGRAM CATEGORY: Urban Waterfront Restoration

EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31220 and 31300 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed eighty-one thousand dollars (\$81,000) to the Noyo Harbor District (NHD) to prepare a Community Sustainability Plan, subject to the condition that prior to the disbursement of funds, NHD shall submit for the written approval of the Conservancy’s Executive Officer a work program, including schedule and budget, and the names of any contractors it intends to retain for the project.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 7 of Division 21 of the Public Resources Code, regarding the restoration of urban waterfront areas.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.”

PROJECT SUMMARY:

This authorization will provide up to \$81,000 to the Noyo Harbor District to develop a Community Sustainability Plan (CSP) that will: 1) assess the current condition of the harbor's commercial fishing industry and working waterfront in relation to economic, regulatory, social and environmental factors; 2) engage the fishing, business, government and local communities in plan development; and 3) based on the findings and community feedback, recommend priority implementation projects that will result in a stable and vibrant commercial and recreational fishing industry and visitor-serving waterfront infrastructure. The planning process will develop formal community-driven policies and programs that will raise awareness of the unique and valuable fishing industry in Noyo Harbor and attract funding and partnerships. Ultimately, the project will promote a sustainable fishery, facilitate job creation, improve conditions at the aging facility and benefit the greater Fort Bragg community and visitors to the area.

CSPs are required by the Magnusen Stevens Fishery Conservation and Management Act (MSA, Public Law 94-265, as amended, 16 U.S.C. 1801 et seq.) for communities that wish to remain eligible to participate in programs such as the Individual Transferable Quota that allocates catch share and that was instituted in the federal groundfish fishery in 2011. (The groundfish catch comprises a valuable fishery in Noyo Harbor.) Developing a MSA-compliant CSP will also enable the Noyo Harbor District to apply for future grants and funding to implement the plan's recommendations from a variety of federal and other sources, thereby resulting in greater resilience for the Harbor District. The MSA requires that the CSP consider the importance of fishery resources to fishing communities, plan strategically for a viable and sustainable fishing industry and include measures to minimize adverse economic impacts on the fishery consistent with conservation objectives.

Despite the high-performing, diverse fleet of commercial fishing vessels, a commercial passenger fishing industry and fishery-support businesses that utilize Noyo Harbor, challenges to Noyo Harbor's continued viability include increasing and complex fishing restrictions, competition from inexpensive imports, aging infrastructure, lack of public awareness, shifts in consumer preferences and rising costs. These challenges faced by the commercial fishing industry directly impact the greater working waterfront and wider community of Fort Bragg and are felt along the entire north coast of California. Communities like Eureka and Shelter Cove have reacted to the challenges by developing long-term, community-driven strategic planning, in the form of CSPs.

Preparation of a CSP will help the Noyo fishing community adjust to the changes in fishing opportunities brought about by variable and uncertain regulatory, economic and environmental conditions. The Noyo Harbor's commercial fishing industry and marine-related recreation and tourism provide jobs and contribute millions of dollars annually to the local economy of Fort Bragg, but these businesses need assistance to face today's profound challenges to their future viability. The Noyo Harbor CSP will provide this assistance and help meet the Coastal Conservancy's goal to revitalize coastal waterfronts that provide significant public benefits and promote sustainable economic development.

The Noyo Harbor District is well positioned to carry out this project. The primary mission of the District is to ensure that the harbor is a viable operational and financial entity, providing fishery support facilities and boating and marine-related opportunities to the public. The District

recognizes that the harbor will become obsolete without a well-designed action plan to help it adapt and successfully transition into the future.

Site Description: Noyo Harbor is located at the mouth of Noyo River in Fort Bragg and has a rich history of commercial fishing, logging, and commerce. The Noyo River supports an anadromous fishery including steelhead trout, coho salmon and Chinook salmon, all of which are listed as threatened under the federal Endangered Species Act. The area's fish stocks and forests have sustained the community in Fort Bragg, from the days of the indigenous Pomo people to the current residents, along with a growing tourism industry.

The harbor is home to one of California's top ten commercial fishing fleets, which consists of salmon trollers, multi-fishery vessels, urchin dive boats and groundfish trawlers. Noyo Harbor's primary commercial fisheries include the groundfish trawl, urchin dive, Chinook salmon troll, Dungeness crab, and sablefish and rockfish/lingcod hook and line and trap fisheries. The harbor also has a substantial shore-side business cluster, with approximately 25 businesses at or near the waterside area. There are several fish buyers with hoists and receiving stations, including on-site receiver/processors, a retail fish market and shipbuilding and boat repair facilities. Shore side infrastructure consists of a 256-slip boat basin, service facilities, a work hoist, two launch ramps, parking and storage areas. Noyo Harbor also has whale watching charter boats and a commercial passenger fishing vessel industry that draws visitors targeting salmon, rockfish and albacore tuna.

Project History: In the early 1850's, Noyo was a thriving town with a lumber mill and shipping port at the mouth of the Noyo River. The town boasted five hotels, several stores, saloons and dance halls before the city of Fort Bragg was born. Fishing gradually became the main industry of Noyo as the lumber business concentrated in Fort Bragg in 1892. The first major dredging operations of the Noyo River began in 1920 to accommodate the larger fishing vessels drawn to this growing fishing industry. The early 1940s saw the rapid development of buildings and businesses around what is now the modern day harbor; many of these buildings still stand.

In 1950, the Noyo Harbor District was established and in the 1960s, both the Noyo Harbor mooring basin and the privately owned Dolphin Isle Marina, located about a half mile up the Noyo River, opened, offering a range of facilities, goods and services to support growing and increasingly diverse commercial and recreational fisheries.

By the late 1970s and 1980s, concerns about the status of West Coast salmon and groundfish stocks prompted the Pacific Fishery Management Council and the State of California to implement increasingly stringent management measures for the commercial and recreational fisheries. Increasingly strict federal catch limits since the 1990s and the state's implementation of restricted access in the Nearshore Fishery have limited commercial fishery participation. Growing competition from abroad also threatens the viability of the local fishing industry. Cumulatively, these government regulations and market forces have discouraged fishing over the last 30 years along much of the North Coast, resulting in substantial reductions in fishing activity, and contributing to social and economic impacts in the area. This decline in fishing activity has reduced the harbor's revenue base, making it difficult to improve infrastructure; dredging costs have become significant; businesses have left the harbor; fishing seasons have been shortened or sometimes eliminated; and the economic downturn has led to less recreational use and tourism.

The Harbor District recognizes the need to find funding to help rebuild the infrastructure, make necessary changes to deal with the effects of rising sea levels and define new and innovative programs within the Harbor itself to comply with environmental regulations. The District has reached out to other harbors to find out how they have dealt with similar issues and learned of the success these harbor districts have had with developing Community Sustainability Plans.

PROJECT FINANCING

Coastal Conservancy	\$81,000
Noyo Harbor District	\$50,000
Project Total	\$131,000

The Conservancy’s contribution to this project is expected to come from the FY 2016 appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). This funding source may be used for the protection of coastal waters, including projects to protect the natural habitat values of coastal waters pursuant to the Conservancy’s enabling legislation, Division 21 of the Public Resources Code. The proposed project will assist in protecting coastal fishery resources through the development of a plan that will assess and define the Noyo Harbor’s future participation in those fisheries consistent with federal conservation objectives. In addition, as detailed in the section found immediately below, the project is consistent with Chapter 7 of Division 21.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

This project will be undertaken pursuant to Chapter 7 (Sections 31300-31315) regarding the restoration of urban waterfronts, as follows:

Section 31300 states that California’s urban waterfronts are in need of restoration in order to be the vital economic and cultural component of the community they once were, and that the encouragement of planned private sector development in these areas is a benefit to citizens of the state as well as the local citizenry in affected urban waterfront areas. The proposed project will facilitate the revitalization of the Noyo Harbor through an assessment of baseline conditions and recommendations for implementing projects with the greatest priority and potential economic, environmental and social returns.

Section 31307 authorizes the Conservancy to award grants to public agencies for the restoration of urban coastal waterfront areas. The proposed grant to the Noyo Harbor District to plan for the enhancement of the economic vitality of the area’s fisheries and waterfront facilities is consistent with this section.

The proposed project is also consistent with Section 31316, which authorizes the Conservancy to undertake projects and award grants for activities that are compatible with the preservation, restoration or enhancement of ocean, coastal or watershed resources within urban coastal watershed areas.

Finally, in selecting projects for funding, the Conservancy is required by Section 31305 to support projects that promote excellence in design and which exhibit innovation in sensitively integrating man-made features into the natural coastal environment. The proposed project will achieve these objectives in that the CSP will recommend state of the art facility upgrades and incorporate sea level rise vulnerabilities into the design recommendations. Further, an environmentally sensitive interface between Noyo Harbor and the natural coastal environment will be a key component of all the CSP's recommendations to facilitate a sustainable commercial fishing industry and marine-related recreation and tourism.

**CONSISTENCY WITH CONSERVANCY'S 2013 STRATEGIC PLAN
GOAL(S) & OBJECTIVE(S), AS REVISED JUNE 25, 2015:**

Consistent with **Goal 3, Objective A** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will develop a waterfront revitalization plan that will increase accessibility, create more inclusive access opportunities, support commercial and recreational fishing, encourage economic revitalization, promote excellence and innovation in urban design, enhance cultural and historic resources and is resilient to climate change.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Promotion and implementation of state plans and policies:** The project will help implement the recommendations of the following state plans:
 - *California @50* (The Governor's Environmental Goals and Policy Report, Office of Planning and Research, 2015), Build Healthy and Sustainable Communities – Key Action #1 to invest in sound infrastructure that is consistent with the state's long-term environmental goals. By planning for infrastructure improvements and fishery practices at the Noyo Harbor to promote sustainable fisheries, the project will help implement this goal.
 - *California Ocean Plan* (California State Water Resources Control Board, 2015). As a water quality control plan, the Ocean Plan identifies water quality objectives and a program to implement these objectives. All of the objectives are meant to protect the beneficial uses of the ocean waters; the Plan defines the beneficial uses as follows: "the beneficial uses of the ocean waters of the State that shall be protected include...water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; preservation and enhancement of Areas of Special

Biological Significance (ASBS); rare and endangered species; marine habitat; (and) fish migration.”

4. **Support of the public:** The project has received widespread support as evidenced by the support letters in Exhibit 2.
5. **Location:** The proposed project is located within the coastal zone of Fort Bragg, Mendocino County and directly related to revitalization of urban waterfronts.
6. **Need:** Without Conservancy funds, the Harbor District will be unable to fund plan preparation and consequently be ineligible for future implementation funding to revitalize the harbor.
7. **Greater-than-local interest:** The commercial fisherman throughout the north coast will benefit from this project through the promotion of more sustainable fishing practices and the positive effect that will have on California coastal fisheries. Additionally, the plan will recommend expansion and updating of visitor-serving facilities to the benefit of tourism and recreational fishing, critical components of Fort Bragg’s and California’s coastal waterfront economy.
8. **Sea level rise vulnerability:** This project will begin the planning necessary to identify the adaptive management tools necessary to address the effects of sea level rise on the Noyo Harbor Basin.

Additional Criteria

9. **Urgency:** The Noyo Harbor commercial fishing industries urgently need a course of action to develop more financially and environmentally sustainable fishing practices and visitor serving facilities to remain viable.
10. **Resolution of more than one issue:** The proposed project would help resolve multiple issues related to the transition of the commercial fishing industry (and visitor serving facilities at the harbor) to more financially and environmentally sustainable practices, including finding the balance between regulatory, economic and environmental conditions.
11. **Leverage:** See the “Project Financing” section above.
12. **Readiness:** The Noyo Harbor District has identified the consultants necessary to develop the CSP and is ready to commence the project as soon as it receives funding.
13. **Cooperation:** Preparation of the CSP will entail the cooperation of fisherman, environmental/conservation groups, local citizens and local and state agencies.

COMPLIANCE WITH CEQA:

The proposed project is statutorily and categorically exempt from the provisions of the California Environmental Quality Act (“CEQA”). California Public Resources Code § 21102 statutorily exempts from the requirement to prepare an environmental impact report or negative declaration projects which only involve the preparation of feasibility and planning documents for future actions that have not yet been approved or funded; environmental factors must be considered in the development of such studies and plans. CEQA Guidelines Section 15306, 14 Cal. Code

Regs. § 15306, also establishes a categorical exemption from CEQA for basic data collection and resource evaluation activities that will not result in serious or major disturbance to environmental resources. The preparation of the CSP entails data collection, resource evaluation activities, and preparation of feasibility and planning documents. These activities will inform a future action, the revitalization of the urban waterfront that has not yet been approved or funded. The proposed project will not have an impact on environmental resources, and environmental factors will be considered during implementation of the project. Accordingly, the project is exempt from CEQA.

Staff will file a Notice of Exemption upon approval of the project.