



AGENCY: City Council
MEETING DATE: September 11, 2023
DEPARTMENT: Public Works
PRESENTED BY: S. McCormick
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AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Adoption of City Council Resolution Approving Cooperative Agreement with Noyo Harbor District and Authorizing Mayor to Execute Contract (Amount Not to Exceed \$40,000; Account No. 337-5080-0630); and Finding the Project Exempt from CEQA under 14 CCR 15268

ISSUE:

The City of Fort Bragg entered into Standard Grant Agreement Number LCP-22-07 with the California Coastal Commission in the amount of \$898,990 to develop the Noyo Harbor Blue Economy Visioning, Resiliency and Implementation Plan as well as a revision to the City's Local Coastal Program (LCP) to reflect findings in subject report.

The City's Special Projects Manager is tasked to coordinate and implement this planning effort. To support City staff, the budget includes assistance from the Noyo Harbormaster in an amount not to exceed \$40,000.

ANALYSIS:

The attached cooperative agreement has been reviewed and approved as to form by legal counsel to the City and the Noyo Harbor District. The Harbormaster has agreed to work with City staff to develop a communication and engagement plan, the Noyo Harbor Visioning, Resiliency and Implementation Plan, and subsequent LCP amendment. The City will reimburse the Noyo Harbor District for hours worked by the Harbormaster at an hourly rate of \$70.00, in a total amount not to exceed \$40,000.

RECOMMENDED ACTION:

Adopt Resolution authorizing the Mayor to execute a cooperative agreement with the Noyo Harbor District and find the project exempt from CEQA under 14 CCR 15268.

ALTERNATIVE ACTION(S):

Request additional information.
Provide alternative direction to staff.

FISCAL IMPACT:

This project budgeted \$500,000 in the FY 23/24 budget. Grant funds cover all costs associated with this project.

GREENHOUSE GAS EMISSIONS IMPACT:

Negligible.

AGENDA ITEM NO.

CONSISTENCY:

The following agencies share responsibility for the Noyo Harbor: Noyo Harbor District, Mendocino County, California Coastal Commission, Dept. of Fish and Wildlife, Dept. of Boating and Waterways, the U.S. Army Corps. Of Engineers, and the City of Fort Bragg. The City's Local Coastal Plan contains several goals, policies and programs directly related to Noyo Harbor, including, but not limited to:

Policy SF-4.5: Planning for Noyo Harbor Sea Level Rise Resilience. Work with the County of Mendocino to improve harbor resilience to Sea Level Rise and discourage long term investment after 2100 in areas vulnerable to impacts.

Program SF-4.5.1: Explore the feasibility of establishing an alternative access road to the North Harbor.

Program SF-4.5.3: Consider rezoning portions of the Urban Reserve on the Mill Site with "Ocean Dependent" zoning, to provide an upland area suitable for harbor activities such as fish processing, boat building, etc.

Program SF-4.5.4: On a regular basis, work with Mendocino County and resource agencies to establish collaborative approaches to develop adaptive strategies to address the effects of Sea Level Rise in the Noyo Harbor. Collaborative efforts will include planning for shorter term adaptation strategies like elevation, flood proofing, etc.

Program OS-15.1.2: Work with the California Coastal Conservancy to assure that the proposed access improvements and public facilities identified in the Noyo Harbor Plan are provided on the banks of the Noyo River.

Program C-9.1.1: Evaluate the economic and environmental feasibility of acquiring an access route to Noyo Harbor using existing road alignments extended onto the Mill Site.

Policy C-9.2: Improve Existing North Harbor Drive. Consider improvements to North Harbor Drive to increase the efficient use of the street and improve safety for vehicles and pedestrians. Any improvements to North Harbor Drive shall be consistent with all applicable policies of the LCP including, but not limited to, the wetland, environmentally sensitive habitat area, public access, and visual protection policies.

Program C-9.2.1: Develop a plan to improve North Harbor Drive by enlarging lane widths and constructing a sidewalk along one side of the street.

Policy LU-6.1: Standards for Noyo Harbor Industrial Development. Limit industrial development in the Noyo Harbor to uses which:

- a) Are coastal-dependent uses or aquaculture giving priority to commercial fishing activities?
- b) Do not generate excessive traffic on City streets, such as South Street, North Harbor Drive, and Cypress Street.

c) Do not interfere with existing coastal-dependent industry, especially commercial fishing.

d) Are consistent with applicable LCP policies, including but not limited to LCP policies regarding the protection of public access and recreation, visual resources, and environmentally sensitive habitat areas, and Coastal Act public access policies.

Program LU-6.1.1: Work with the County of Mendocino, the Noyo Harbor District and other agencies to develop and adopt a Noyo Harbor Plan establishing standards for conservation and development for the entire Noyo River drainage area.

Policy LU-7.1: Annexation of Noyo Harbor. Consider annexation of the Noyo Harbor.

Program LU-7.1.1: Encourage the preparation of a specific plan for the Noyo Harbor with the cooperation and involvement of the Noyo Harbor District, the County of Mendocino, local property owners, and appropriate State agencies. Include in the specific plan policies that continue to give priority to coastal- dependent land uses such as commercial fishing, recreational boating, and related commercial uses, while increasing the range of visitor-serving uses on parcels not located directly on the coast or the Noyo River.

Program LU-7.1.2: Work with the County of Mendocino to improve emergency vehicle access and to establish a secondary access route to Noyo Harbor.

Policy LU-7.2: Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced and shall be protected unless written findings are made that present and foreseeable future demand for the facilities that could be accommodated on the property is already adequately provided for in the area. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Policy LU-7.3: Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non- water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Policy LU-8.2: No intake or discharge lines shall be placed above ground within the Harbor District, the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs, unless all other alternatives have been demonstrated to be infeasible or more environmentally damaging. Alternatives to be evaluated shall include, but not be limited

to: (1) placing lines underground through use of directional drilling or trenching, (2) using closed-loop aquaculture systems that do not require offshore intake and discharge lines, and (3) connecting discharge lines to the existing sanitary sewer system. If all other alternatives have been demonstrated to be infeasible or more environmentally damaging and intake or discharge lines must be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River, or on the face of coastal bluffs within the Timber Resources Industrial district, the lines shall be placed in the least environmentally damaging feasible location and in a manner that will not interfere with Noyo River navigation, existing recreational boating facilities, and coastal dependent industry, especially commercial fishing facilities.

Policy LU-8.3: Any intake or discharge lines allowed to be placed above ground within the Harbor District and the adjoining tidelands and submerged lands of the Noyo River shall be removed upon abandonment of the aquaculture development or facility it was installed to serve.

IMPLEMENTATION/TIMEFRAMES:

Grant Activities Initiated – March 2023

Grant Expenditure Deadline – November 2026

Cooperative Agreement would be executed following Council approval. Eligible hours will be reimbursed with required documentation (date > identified grant task > hours worked > hourly rate > total amount).

ATTACHMENTS:

1. Resolution
2. Cooperative Agreement
3. LCP-22-07