

McNamara, Cade

From: Conroy, Mike <mike@ifrfish.org>
Sent: Friday, February 18, 2022 3:07 PM
To: CEQAResponses
Subject: PCFFA comments on Samoa Peninsula Land-based Aquaculture Project DEIR
Attachments: 2022.02.18_NORDIC_DEIR_FINAL.pdf

Dear Mr. McNamara,

Please find the comments submitted by the Pacific Coast Federation of Fishermen's Associations in the proposed DEIR for the Samoa Peninsula Land-based Aquaculture Project.

If you could confirm receipt of this email that would be very much appreciated.

Should you have any questions or concerns please do not hesitate to contact me directly.

Hope you have a great weekend!

--

Mike Conroy

[Pacific Coast Federation of Fishermen's Associations](#)

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Please Respond to:

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February 18, 2022

Cade McNamara, Planner II
Humboldt County Planning & Building Department
3015 H Street
Eureka, CA 95501



Submitted by email to CEOAResponses@co.humboldt.ca.us

RE: Samoa Peninsula Land-based Aquaculture Project DEIR

Dear Mr. McNamara:

The Pacific Coast Federation of Fishermen's Associations (PCFFA) is pleased to offer the following comments on the Draft Environmental Impact Report for a proposed Samoa Peninsula Land-based Aquaculture Project (DEIR) which plans to produce a non-native species – Atlantic Salmon. Alternative 3 (Sec 4.3.3) identifies Steelhead in seawater, Rainbow Trout in freshwater, and Yellowtail Kingfish (native to New Zealand) as potential alternative fish species. While we are very concerned about non-native species being farmed in the pristine marine and freshwater environment adjacent to the proposed location, our concerns are equally valid for native species as well.

PCFFA is the largest organization of commercial fishermen and women on the West Coast, many of whom own small businesses. For forty years, we have been leading the industry in protecting the rights of individual fishermen and fighting for the long-term survival of commercial fishing as a productive livelihood and way of life. PCFFA represents local fishermen's associations from Santa Barbara, California to Alaska.

We have been privy to some of the other public comments submitted on the DEIR and rather than repeating those points, we wish to start by fully endorsing, supporting and incorporating by reference the comments submitted by Alison Willy, the Pacific Fishery Management Council, and the Humboldt Fishermen's Marketing Association and adopt them as our own. In particular the statement by Ms. Willy,

"The newly-constrained "Study Area" is inconsistent with environmental laws and regulations, in particular the: Federal Endangered Species Act (ESA), California Endangered Species Act (CESA), California Environmental Quality Act (CEQA), and National Environmental Policy Act (NEPA). The problem with the truncated Study Area is that it does not allow for an informed understanding of the environmental baseline and Project effects that are needed for ESA, CESA, CEQA, and NEPA analyses."

We write separately to provide detail and context that may supplement the materials provided by those commenters.

A primary concern is that local ecosystems, marine and freshwater, are not negatively impacted by the actions contemplated under the DEIR. While the project proponent has gone to great lengths to offer some assurances, we reiterate the concerns raised by a number of other commenters about the thoroughness of the evaluation of ecosystem impacts and impacts to commercially and recreationally important fish stocks.

Our members, along with many others, are dependent up those ecosystems for their livelihoods, their recreation, their cultural interests, etc. As explained in great detail in the comments submitted by Ms. Willy, there are a number of issues with the DEIR's failure to adequately identify and/or address potential impacts.

Commercial and recreational fishermen and women utilize the fishing grounds in and around the project area to harvest dungeness crab, salmon, groundfish, etc for benefit of all Californians. The Eureka port complex is indispensable to California's commercial fishing economy. In 2019, the most recent for which data is publicly available, the ex-vessel value¹ of all marine commercial fisheries landings within California were roughly \$150 million, the Eureka Port Complex (EPC) contributed roughly 39 million - 26 percent of the State's commercial fishing economy. The wild capture fisheries operating in the area support a number of jobs, small businesses, and families.

With west coast salmon stocks already suffering greatly from climate change induced droughts, proliferation of the *C. Shasta* virus in California's rivers systems, and misguided water policies which are not protective of anadromous fish stocks listed under the Endangered Species Act and/or the California Endangered Species Act, we need to strictly scrutinize projects and/or actions which could exacerbate the plight of California's iconic

¹ Ex-vessel revenues are those amounts paid directly to the harvester(s). It does not reflect down-stream economic impacts, nor does it reflect the economic benefits derived from the commercial fishing industry to the dependent community, which includes fuel docks, marine mechanics, gear and tackle shops, etc.

salmon runs. We are deeply concerned the DEIR doesn't appear to have mentioned *C. Shasta* in any of the roughly 1700 pages of documents.

Table 1-2 purports to identify, "by resource category, the significant Project impacts, proposed mitigation measures, and post-mitigation significance." BIO-1 discusses impacts "on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW, USFWS or NMFS." Under Ocean Discharge the DEIR concludes that there will be less than significant impacts. On August 2, 2021, NMFS issued "a final rule to revise the critical habitat designation for the southern resident killer whale (*Orcinus orca*) distinct population segment (DPS) under the Endangered Species Act (ESA) by designating six additional coastal critical habitat areas along the U.S. West Coast."² One of these areas includes "U.S. marine waters from the OR/CA border (42°00'00" N) south to Cape Mendocino, CA (40°26'19" N), between the 6.1-m and 200-m isobath contours. This area covers 1,606.8 mi² (4,161.5 km²) and includes waters off Del Norte and Humboldt counties in California. The primary essential feature of this area is prey." It is unclear to us whether the expanded critical habitat was considered and whether the DEIR addresses potential impacts to prey of the southern resident killer whales.

Others have commented on the impacts associated with the Humboldt Bay Water Intakes. Our concern is focused on the likelihood that smolt and/or fry salmonids or other protected/listed species³ will get stuck to the intake screen and be unable extricate themselves from the screen before dying.

BIO-4 asks, "Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?" Under Ocean Discharge, the DEIR concludes Less than Significant impacts. We believe more analysis is required to ensure the waste being released into the marine environment will not result in algal blooms of the *Pseudo-nitzschia* diatom. the diatom produces Domoic Acid. The start of the dungeness crab fishery has been delayed numerous times because the amount of Domoic Acid in test samples exceeded the applicable Federal Action level.

We fully agree with other commenters who have found BIO-C-1 conclusion that both the Ocean Discharge and the Humboldt Bay Water Intakes will have "less than significant impacts" is not supportable. If the Final EIR retains that conclusion, we ask that much more analysis and rationale be provided to justify that finding.

There are many other items we are very concerned about; but as noted earlier, we incorporate the comments submitted by Alison Willy, the Pacific Fishery Management Council and Humboldt Fishermen's Marketing Association. They expressed the vast majority

² <https://www.govinfo.gov/content/pkg/FR-2021-08-02/pdf/2021-16094.pdf>

³ References to protected/listed species are to those species afforded protections under the Marine Mammal Protection Act, Endangered Species Act, California Endangered Species Act, and any other laws or regulations that afford special protections for that species.

of our concerns and wholeheartedly agree and repeat their suggestions, recommendations, and requests.

We would be remiss if we did not mention the potential for cumulative impacts to our operations from the installation of the Samoa Peninsula Land-based Aquaculture Project in the geographic region as the recently designed Humboldt Wind Energy Area. Assuming there will be shore-based activities associated with a potential offshore wind farm in the area; there is a very real fear amongst fishermen and women homeported in Eureka and transient vessels who temporarily berth in Eureka who opportunistically target albacore, dungeness crab, groundfish, and other commercially and recreationally important fish stocks. The additional traffic, both on sea and on land, could impact our ability to operate; and result in loss of harbor space and/or associated shore-based infrastructure and areas designated for commercial fishing use.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mike Conroy'.

Mike Conroy
Executive Director
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