



US Army Corps
of Engineers®

Regulatory Branch
1455 Market Street
San Francisco, CA 94103-1398

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

Project: Trinidad Pier Reconstruction Project

NUMBER: 400318N DATE: 25 January 2008 RESPONSE REQUIRED BY: 29 February 2008

PROJECT MANAGER: David Ammerman PHONE: 707-443-0855

Email: David.A.Ammerman@spd02.usace.army.mil

1. INTRODUCTION: The Cher-Ae Heights Indian Community of the Trinidad Rancheria (Trinidad Rancheria), Attn: Jacque Hostler, P.O. Box 630, Trinidad, CA 95570, through their agent (Mr. David L. Schneider, Pacific Affiliates, Inc., telephone: 707-445-3001) has applied for a Department of the Army permit to replace the existing 540-foot long wooden Trinidad Pier with a new 13,500 square-foot pier including concrete decking, 115 cast-in-steel-shell (CISS) concrete piles, new hoists, dock utilities, and 53 plastic fender piles. The old pier structure, including 205 wood piles, the wood decking and existing hoists and utilities, would be removed. The applicant (Trinidad Rancheria) and their agent (Pacific Affiliates, Inc.) have requested a Department of the Army permit with a five-year authorization period (2007-2011) to allow time for any construction or other delays. The Trinidad Pier is located at the end of 1 Bay Street, on the Pacific Ocean shoreline near the City of Trinidad, in Humboldt County, California. This application is being processed pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. Section 403).

2. PROPOSED PROJECT:

The Trinidad Pier was constructed in 1946, and after long use of this pier, structural deficiencies were found with this pier. The applicant proposes to replace this old pier with a new pier for the purpose of improving pier utilities and facilities for the benefit of the public, and indirectly improve water quality conditions within the Trinidad Area of Special Biological Significance (ASBS). The applicant

proposes to begin pier reconstruction in August 2008 and construction may take nine months. Public access during crab and salmon season would be maintained to the extent possible. Severe weather (high winds, heavy rain) may delay construction. The staging area utilized for the pier reconstruction project consists of the gravel parking lot located west of the pier (about 0.53 acres)(Sheet 5 of 8). Construction equipment and materials would be stored at this staging area. Removed sediment from CISS pile and fender pile installations would also be temporarily stockpiled at the staging area and later transported by the contractor to an approved upland disposal site. Seawater removed from the augered piling holes would be discharged through percolation at the staging area.

The edge of the staging area would be at least 50 feet from the beach to the west in order to prevent impacts to the beach. Property parcels APNs 042-071-001, 042-071-009 and 042-071-008 encompass approximately 0.50, 0.15, and 0.15 acres each of the staging area respectively (Sheet 2 of 8). All parcels are owned by the Trinidad Rancheria except for APN 042-071-009 which is owned by the U.S. Government. The applicant states the U.S. Coast Guard will be contacted in writing regards the use of the latter parcel for staging. The staging area can be accessed from the pier through Bay Street. The staging area can also be accessed from U.S. Highway 101 via the Trinidad exit (Main Street) west, proceeding through Trinity Street and then Main Street before continuing onto Edwards Street which leads to the staging area. It is expected there would

be an increase in construction-related traffic (contractor vehicles, haul trucks, cranes, and other construction equipment) using public streets through the City of Trinidad (See Sheet 3 of 8). Some equipment would be hauled in and remain at the construction site for the duration of construction. Other equipment, personnel and construction materials may require multiple passages through the city to reach Highway 101, particularly hauling new materials in and hauling old materials and debris out. There would be an increase in traffic volume and noise (as well as construction noise at the pier) during the nine month construction period. Noise and traffic (“transportation”) impacts are addressed in the California Environmental Quality Act (CEQA) document, *Mitigated Negative Declaration Trinidad Pier Reconstruction Project Trinidad Bay Humboldt County* prepared by the City of Trinidad and Initial Study by Pacific Affiliates, Inc. in cooperation with the Trinidad Rancheria, dated August 2007. In that document the noise and traffic impacts are considered less than significant, in certain aspects with mitigation.

Removal of the existing pier and construction of the new pier would occur simultaneously. Construction would begin from the south end of the pier. All pier utilities and structures located on the section of the pier being worked on (active construction area) would be removed. This includes hoists, sheds, pier railings and all utilities. The existing pier decking, joists and bent beams would then be removed and hauled to the staging area for temporary storage.

Existing pier support pilings would be removed by vibratory extraction (vibratory hammer suspended by cable from a crane). Any piles broken or damaged during extraction would be cut off below the mudline and the remainder of the pile left in place in order to reduce turbidity effects.

As stated in the Department of the Army Permit Application for the Trinidad Pier Reconstruction Project and as shown on the attached project drawings (Sheets 1 of 8 through 8 of 8), the existing pier facilities are proposed to be replaced one-to-one with 13,500 square feet of pre-cast concrete decking, 115

Cast-In-Steel-Shell (CISS) concrete piles, including batter and moorage piles (18 inches or 45.7 cm in diameter), four new hoists, standard lights, guardrail, and dock utility pipes including water, power and phone. In addition, 53 plastic fender piles (10 inches or 25.4 cm in diameter) separated 5 feet or 1.5 meters apart would be installed where hoists and ladders would be located. A new stormwater collection system would be incorporated into the reconstructed pier design. The new (CISS) piles would be separated at 5 feet (1.5m) intervals along 25 feet long (7.5m) concrete bents. A total of 23 bents separated 25 feet apart would be used (the northern most bent of the pier is adjacent to the edge of pavement). The decking of the pier would be constructed of pre-cast 20-foot long (6.1m) concrete sections. The new pier would be 540 feet (164.6m) long and would vary in width. The southern part of the pier would be 26 feet wide and the remaining part of the pier would be 24 feet wide.

Following the removal of the existing piles, steel casings would be vibrated to a depth of approximately 2.5 feet above the tip elevation of the proposed pile. The steel shell of ½ inch thickness would extend from above the water surface to below the upper layer of sediment. The steel shell would be coated with a polymer to protect the piles from deteriorating in the salt water environment. The steel shell would be used to auger the holes and the shell would be left permanently in the ground to support the integrity of the hole. The steel shell is then cleaned and concrete is poured underwater using a tremie to seal the area below the shell. A tremie is a steel pipe long enough to pass through the water to the required depth of placement. The process prevents concrete slurry from entering the water. Steel cages are installed prior to pouring concrete to fill the holes and form the piles. An auger drill would be used to excavate the sediment and rock prior to the concrete tremie work.

An additional pile bent would be installed at the existing elevation of the lower deck to provide access to the floating dock. The decking of the pier would be constructed at an elevation of 21 feet above Mean Lower Low Water (MLLW). The top of the decking

would be concrete poured to create a slope for drainage and to incorporate a pattern and a color into the concrete surface in order to provide the pier with an aesthetically pleasing look. An open guardrail, 42 inches (106.7 cm) in height would be constructed of tubular galvanized steel rail bars (approximately ¾ inch diameter) uniform in shape throughout the length of the pier. Lighting would be installed in the decking (and railing in the landing area) along the length of the pier to prevent light pollution with additional lighting at the southern part of the pier where the fisherman working area is located.

Four hoists would be installed as in the current hoist locations of the existing pier. Three of the hoists are used to load and unload landings of fish or other harvest up to 2,000 pounds and the fourth hoist is used for loading and unloading skiffs up to 1,000 pounds. An existing 1.5 horsepower pump on the pier would be maintained. A new fish cleaning station would be constructed on the upland area outside the pier footprint.

The HSU Marine Lab leases space on Trinidad Pier for placement of a pump and associated plumbing to obtain seawater for the Telonicher Marine Laboratory (located in the City of Trinidad above the pier). The existing saltwater intake PVC pipes (located under pier decking) would be replaced and their size reduced to 4 inches in diameter. A new utility trench to house and allow access to the pipes would be built into the pier. The discharge pipe from the saltwater intake pump would also be replaced. Existing shed footprints to be replaced are 6 feet by 10 feet and 6 feet by 35 feet for the HSU Marine Lab to accommodate their 20 horsepower pump and for storage of the HSU water quality sonde equipment and pier equipment respectively. A third shed would have a footprint of 20 feet by 12 feet and would be located at the south end of the pier where it would be used for boat storage.

The Center for Integrative Coastal Research and Education (CICORE) has an Acrylonitrile-Butadiene-Styrene (ABS) pipe attached to a piling on the Trinidad Pier that contains a water quality sonde (this

is presumed to be in addition to HSU's water quality sonde). This equipment would be replaced with a YSI 6600 Extended Deployment System, 6200 Data Acquisition System and two solar panels. CICORE gathers real-time environmental data from the pier.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 1455 Market Street, San Francisco, California 94103-1398.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. The Pacific Ocean waters adjacent to the Trinidad Pier are critical habitat for the Southern Oregon/Northern California Coastal (SONCC) Evolutionarily Significant Unit (ESU) coho salmon (*Oncorhynchus kisutch*), California Coastal (CC) ESU Chinook salmon (*O. tshawytscha*) and Northern California (NC) Distinct Population Segment (DPS) steelhead (*O. mykiss*). All three of these salmonid species are listed as threatened under the Endangered Species Act by the National Marine Fisheries Service (NMFS). The Corps will initiate Section 7 consultation with NMFS regarding the potential impacts of the Trinidad Pier Reconstruction Project on these listed species and

their critical habitat. In addition, the Stellar Sea Lion (*Eumetopias jubatus*) is listed as threatened under the ESA by the National Marine Fisheries Service; the Marbled Murrelet (*Brachyramphus marmoratus*) and the brown pelican (*Pelicanus americanus*) are listed as endangered by the U.S. Fish and Wildlife Service. The extent of the Stellar Sea Lion, Marbled Murrelet or brown pelican presence in the Trinidad Area is not precisely known at this time, but both the NMFS and USFWS will be consulted concerning the pier project's potential impacts to these species. Pelicans and marbled murrelet may transit the shoreline and offshore areas of Trinidad.

Marine Mammal Protection Act of 1972 (MMPA):

The MMPA generally prohibits the harassment, hunting capturing, or killing of marine mammals, or any attempt to engage in such activities.

Among the marine mammals protected (all marine mammals are protected) under the MMPA and may be reasonably expected to appear offshore or in the vicinity of Trinidad Head would be the California Sea Lion (*Zalophus californianus*), the Pacific Harbor Seal (*Phoca vitulina*), and the California gray whale (*Eschrichtius robustus*). The Corps will contact National Marine Fisheries Service regarding potential impacts to marine mammals from the Trinidad Pier project.

Magnuson-Stevens Fisheries Conservation and Management Act: Essential Fish Habitat - The Magnuson-Stevens Fishery Conservation and Management Act requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions permitted by the agency that may adversely affect Essential Fish Habitat (EFH). This notice initiates the EFH consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The proposed project would potentially impact approximately 13,500 square feet or 0.30 acres of EFH utilized by coho salmon, Chinook salmon and a variety of marine and estuarine fish managed under the Pacific Groundfish Management Plan, Pacific Pelagic Management Plan, and Pacific Salmonid Management Plan administered by the Pacific Fishery

Management Council. Some of the EFH fish that may forage or stray into the pier area include various species of rockfish, flatfish, and prey fish such as anchovies. The Corps' initial determination is that the proposed action would not have a substantial adverse impact on EFH or federally managed fisheries in California Waters. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and in coordination with the NMFS.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. The applicant provided the Corps with a copy of an application (November 13, 2007) for Section 401 Water Quality Certification to the California Regional Water Quality Control Board (RWQCB), North Coast Region. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may presume that water quality certification has been obtained if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skyline Blvd., Suite A, Santa Rosa, California 95403 by the close of the comment period of this Public Notice.

Coastal Zone Management Act of 1972 (CZMA): Section 307 of the Coastal Zone Management Act requires the applicant to certify that the proposed project is consistent with the State's Coastal Zone Management Program. The proposed project is within the Coastal Zone (immediately adjacent to the Pacific Ocean). The Corps has received a copy of a cover letter (November 6, 2007) from the applicant to the

California Coastal Commission which enclosed a Coastal Development Permit application and fees for the Trinidad Pier Reconstruction Project..

National Historic Preservation Act of 1966 (NHPA): On page 46 of the Mitigated Negative Declaration (MND, City of Trinidad, August 2007), a description of cultural resources including potential impacts to archaeological pre-historic or historic cultural resources are discussed. The MND states that, “A records survey was requested by the lead CEQA agency (City of Trinidad) on July 20, 2007 from the North Coast Information Center (NCIC) of the California Historical Resources Information System (CHRIS), and consultation with the California Office of Historic Preservation as well as the Yurok Tribe and Trinidad Rancheria in compliance with the state and federal regulation and policies”. The results of this survey indicated that there is a high probability of finding sites or other evidence of human cultural activity in the project study area. The permit application, project description, project drawings and other pertinent information on the Trinidad Pier Reconstruction Project will be forwarded to the Corps of Engineers’ Cultural Resources Coordinator in the San Francisco District Office for review and, if necessary, consult with the State Historic Preservation Office (SHPO) and/or Tribal Historic Preservation Office (THPO)(Yurok Tribe), as well as the Trinidad Rancheria, in accordance with Section 106 of the National Historic Preservation Act.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and

wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

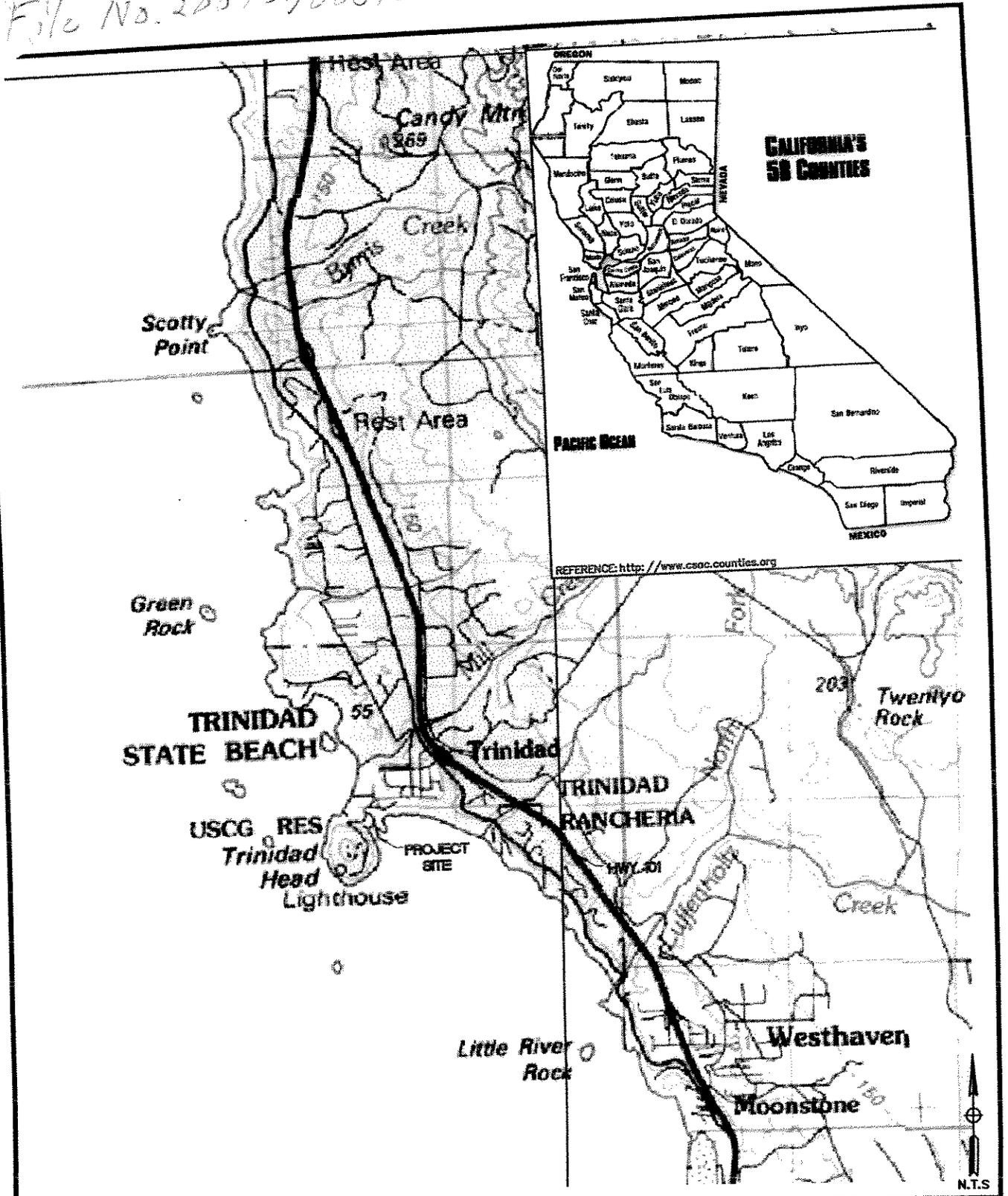
5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the Eureka Field Office, 601 Startare Drive, Eureka, California 95501. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting the Project Manager of our Eureka

Office at telephone 707-443-0855 or e-mail:
David.A.Ammerman@spd02.usace.army.mil. Details
on any changes of a minor nature that are made in the
final permit action will be provided upon request.

File No. 2007-400318

Enclosure 1



pa **PACIFIC AFFILIATES**
 A CONSULTING ENGINEERING GROUP
 990 WEST WATERFRONT DRIVE
 EUREKA, CA 95501

**TRINIDAD PIER RECONSTRUCTION
 PROJECT
 VICINITY MAP**

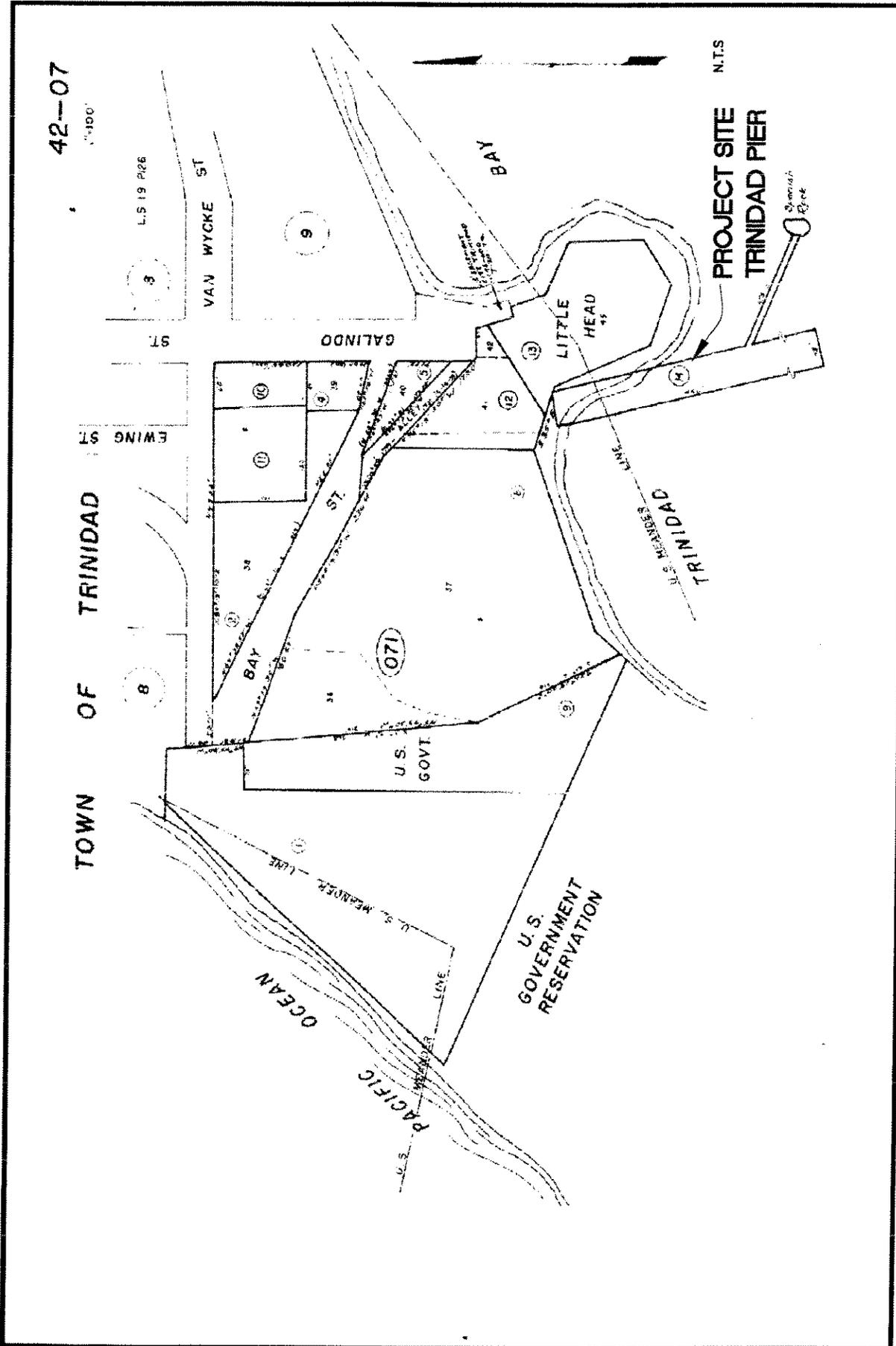
6-08-07
FIG. 1

Date: 12-5-07

Sheet 1 of 8

File No. 2007-40031R

Enclosure 1

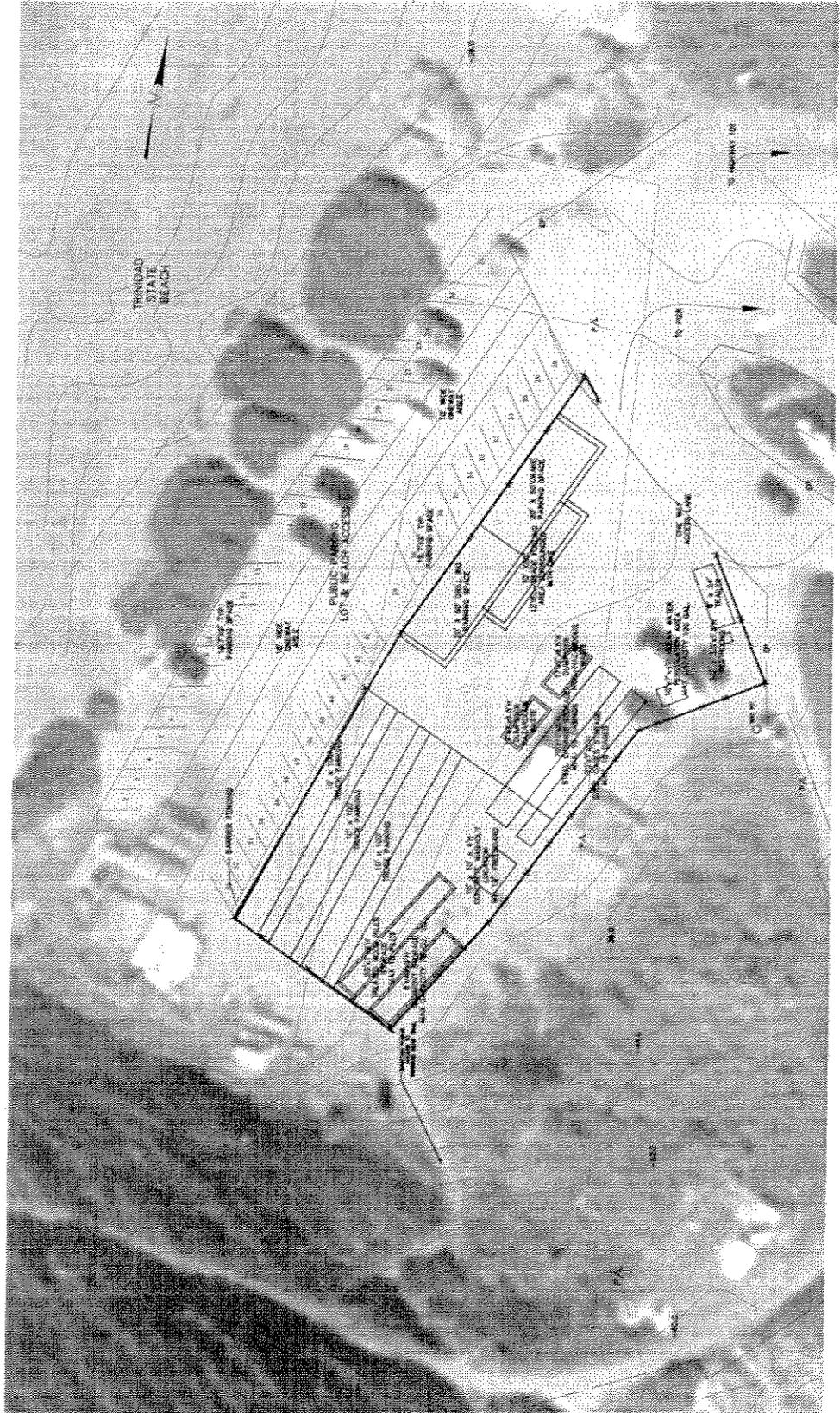


<p>PACIFIC AFFILIATES A CONSULTING ENGINEERING GROUP 990 WEST WATERFRONT DRIVE EUREKA, CA 95501</p>	<p>TRINIDAD PIER RECONSTRUCTION PROJECT</p>	<p>ASSESSOR'S PARCEL MAP APN 042-071-014</p>	<p>6-08-07 FIG. 2</p>
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Sheet 2 of 8

1710 N.D. 2001-700318

Enclosure 1



TRINIDAD PIER
RECONSTRUCTION PROJECT
TRINIDAD RANGEBERIA
P.O. BOX 501
TRINIDAD, TRINIDAD AND TOBAGO

DAVID L. SCHNEIDER
DRAFTER
980 WEST MEADOWS DRIVE
LINDEN, NJ 07036
CITY 908-3001



APD
PACIFIC AFFILIATES
17 TORRENS ROAD, ENCLAVE 10, WEST
SINGAPORE 117601

LEGEND

CONSTRUCTION TYPES
 --- DEMURAGE
 --- FENCE
 --- PARKING

DESIGNATED STAGING AREA
 --- STAGING AREA BOUNDARY
 --- STAGING AREA THAT INCLUDES CONSTRUCTION TYPES
 --- STAGING AREA THAT INCLUDES CONSTRUCTION BARRIERS



SURVEY NOTES

SUPPLIED BY PACIFIC AFFILIATES CONSULTING ENGINEERS, JANUARY 30, 2006 & MARCH 14, 2007

BOUNDARIES ARE SHOWN TO THE NEAREST FOOT AND TENSIVE OF A FOOT.

VERTICAL DATUM UTILIZED - MEAN LOWER LOW WATER (MLLW)

HORIZONTAL CONTROL REFERENCED TO NAD83, ZONE 1, LAMBERT CONFORMAL PROJECTION.

SURVEY ADJUSTMENTS TO CORRECT FOR THE DAYS SURVEYED (JANUARY 30, 2006 & MARCH 14, 2007).

THE STATION FOR BUNDEL NINE & SPINER SET BY PACIFIC AFFILIATES, INC. ELEV. 72.82 MLLW.

NINE & SPINER IS LOCATED ON TOP OF A WALL ADJACENT TO PLAYING DOCK AT BOWEN'S DOCK.

CONTRAST BENTON GENERATED FROM A DIGITAL TERRAIN MODEL.

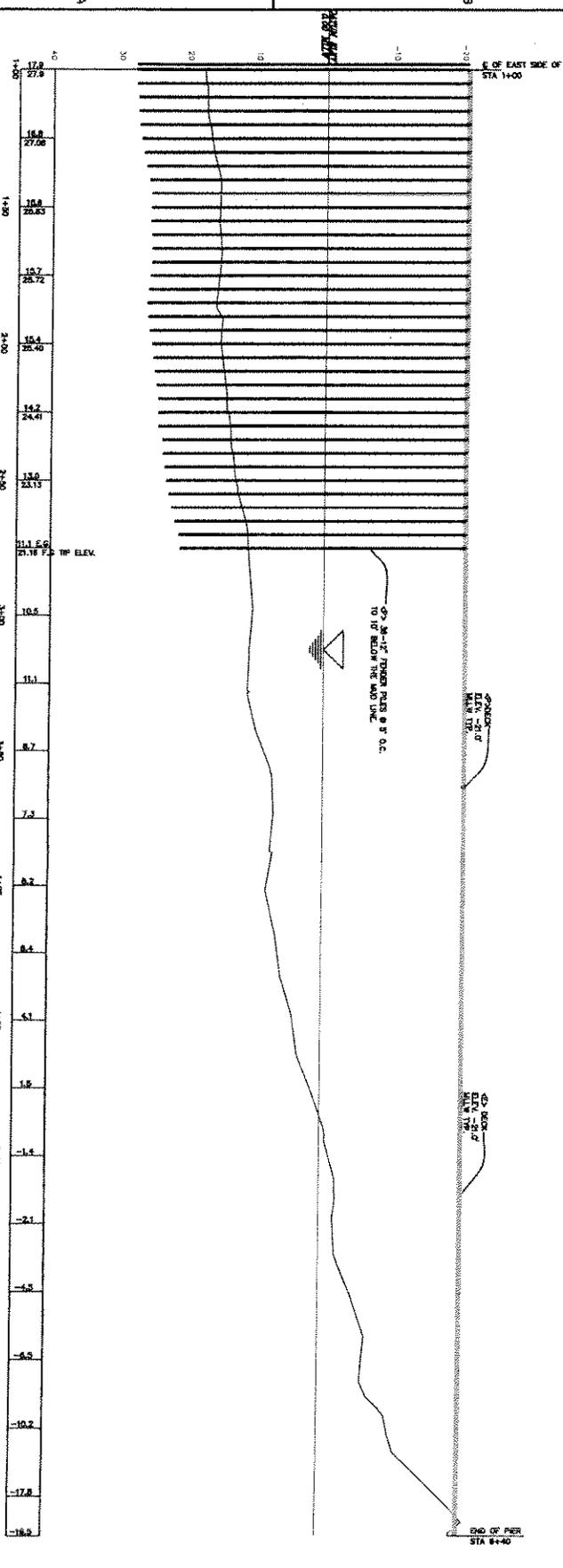
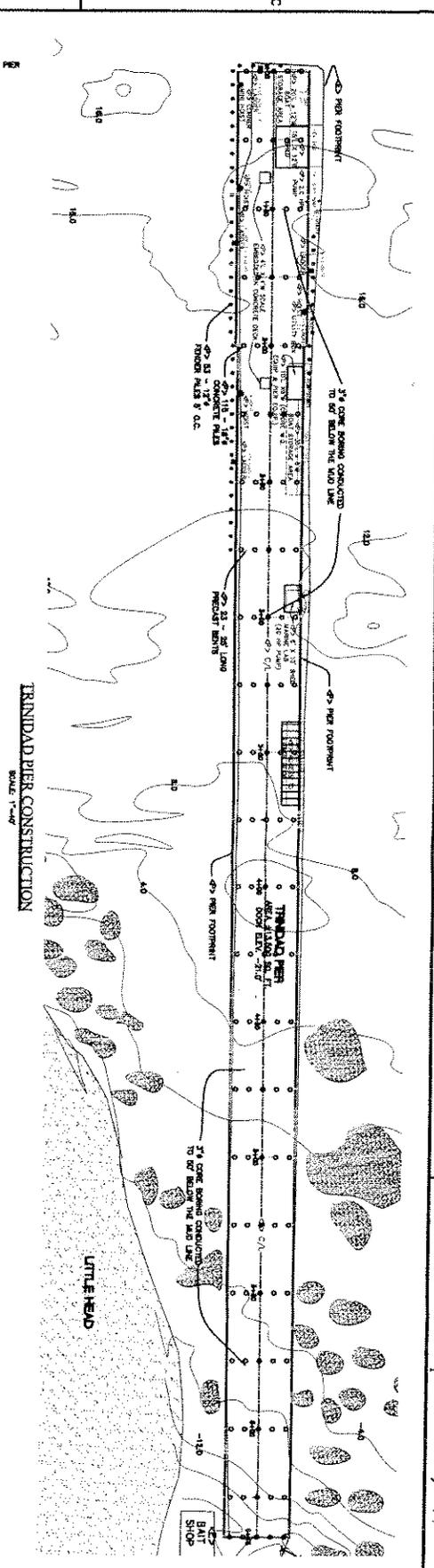
THE MODEL WAS CREATED FROM ANIMATING SURVEY OF THE AREA SUPPLEMENTED BY A LAND BASED GPS SURVEY.

Sheet 5 of 8

PSW 110. 1001-4 0031R

2

END



NOTE: ELEVATIONS ARE REFERENCED TO MEAN LOWER LOW WATER (MULLIN DATUM).
 HORIZONTAL SCALE: 1"=40'
 VERTICAL SCALE: 1"=12'

PROFILE OF EAST SIDE OF TRINIDAD PIER

SHEET NUMBER
5

TRINIDAD PIER
RECONSTRUCTION PROJECT
TRINIDAD RANCHERIA
P.O. BOX 630
TRINIDAD, CA 95570

SITE PLAN &
PROFILE
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or otherwise used without written
consent of Pacific Affiliates, Inc.

ENGINEER
DAVID L. SCHNEIDER
660 WEST WATERFRONT DRIVE
EUREKA, CA 95501
(707) 445-3001



PACIFIC AFFILIATES
A CONSULTING ENGINEERING GROUP
ONE WEST WATERFRONT LIBERTY
EUREKA, CA 95501

REVISIONS	BY
5/16/07	DL
11/1	

