



VENTURA  
PORT DISTRICT  
*Established 1952*

# BOARD OF PORT COMMISSIONERS

## JULY 3, 2019

### CONSENT AGENDA ITEM B

APPROVAL OF NEW PROFESSIONAL  
SERVICES AGREEMENT WITH PLAUCHÉ &  
CARR, LLP FOR CONTINUED SUPPORT OF  
THE 2018 NOAA SEA GRANT TASKS

**VENTURA PORT DISTRICT  
BOARD COMMUNICATION**

**CONSENT AGENDA ITEM B**  
Meeting Date: July 3, 2019

---

TO: Board of Port Commissioners  
FROM: Brian Pendleton, General Manager  
SUBJECT: Ventura Shellfish Enterprise: Approval of New Professional Services Agreement with Plauché & Carr, LLP for Continued Support of the 2018 NOAA Sea Grant Tasks

---

**RECOMMENDATION:**

That the Board of Port Commissioners approve a new Professional Services Agreement with Plauché & Carr, LLP in the amount of \$40,000 for continued support for Ventura Shellfish Enterprise (VSE) project 2018 Sea Grant tasks.

**SUMMARY:**

The Professional Service Agreement (PSA) with Plauché & Carr, LLP is for legal services pertaining to the Ventura Shellfish Enterprise (VSE) project and related 2018 NOAA Sea Grant for FY 2019-2020. The estimated budget is based on anticipated costs above and beyond the funding allocated by the 2018 Sea Grant.

**BACKGROUND:**

At the November 14, 2018 Commission meeting, the Board of Port Commissioners authorized the General Manager to sign the Cost Reimbursement Research Sub-Award Agreement for \$169,860 for the Ventura Shellfish Enterprise Project. This represents the first year's grant amount of the two-year award. The 2018 Sea Grant is for a two year period on a one-plus-one yearly basis and second year grant funds is contingent upon funding availability. The year one grant period is from September 1, 2018 to August 31, 2019. The total two-year sub-award is \$266,660. As a follow-up to this action, on January 16, 2019, the Board approved a PSA with Plauché & Carr, LLP in the amount of \$40,000 for Task 4 pertaining to the 2018 NOAA Sea Grant utilizing grant funds allocated to legal services.

Increasing the supply of safe, sustainably produced domestic seafood is a priority of the State Legislature, NOAA and the U.S. Department of Commerce. The VSE project is a multi-party initiative that seeks to permit twenty 100-acre plots for growing the Mediterranean mussel (*Mytilus galloprovincialis*) via submerged long lines within the Santa Barbara Channel near Ventura Harbor. The Ventura Port District received a substantial NOAA Sea Grant sub-award of \$300,000 in 2015 for the proposed project in support of these goals. As part of the 2015 grant, the VSE team developed a Strategic Permitting Plan previously provided to the Board and made available to stakeholders and the public. This Strategic Permitting Plan provides a great deal of information about project goals, objectives and regulatory requirements and can be found online at [venturashellfishenterprises.com](http://venturashellfishenterprises.com). The VSE project objectives include:

- To increase the supply of safe, sustainably produced, and locally-grown shellfish while minimizing potential negative environmental impacts;
- To enhance and sustain Ventura Harbor as a major west coast fishing port and support the local economy;
- To provide economies of scale, pre-approved sub-permit area, and technical support to include small local producers who would not otherwise be able to participate in shellfish aquaculture;
- To provide an entitlement and permitting template for aquaculture projects state-wide;

- To enhance public knowledge and understanding of sustainable shellfish farming practices and promote community collaboration in achieving VSE objectives;
- To advance scientific knowledge and state of the art aquaculture practices through research and innovation.

The proposed project goals and objectives further several of the District's fundamental mission and objectives, as summarized below:

- Maintaining a safe and navigable harbor;
- Diversification of commercial fishing opportunities to benefit the fishing industry and local and regional economies;
- Continued priority (as a commercial fishing harbor) for federal funding appropriations for annual dredging of the federal harbor entrance.

The VSE project, now sited for regulatory review in federal waters proximate to Ventura Harbor, seeks to address several regulatory and planning challenges that create impediments to the expansion of a domestic marine shellfish culture industry in California. The key objectives of the 2018 Sea Grant include:

- Permit Assignment Strategy
- Environmental Review
- Seafood Safety and Quality
- Grower/Producer Compliance Training Program and Information Dissemination
- Project Summary

**FISCAL IMPACTS:**

The Board approved \$40,000 in the FY19-20 budget on June 19, 2019 for project related legal professional services and expenses to supplement the grant funding described above for the VSE project.

**ATTACHMENTS:**

None.