

## CALIFORNIA COASTAL COMMISSION

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# W 8a

DATE: June 17, 2010

TO: Coastal Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director  
Robert Merrill, North Coast District Manager  
Melissa B. Kraemer, Coastal Program Analyst

SUBJECT: **HUMBOLDT COUNTY LCP AMENDMENT NO. HUM-MAJ-4-09**  
**(“Barry/Peterson/Chisum” LUP Amendment)**  
For the Commission meeting of July 7, 2010

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## AMENDMENT DESCRIPTION

On July 27, 2009, the Commission received an LCP amendment application transmitted by Humboldt County known as the “Barry/Peterson/Chisum” LUP amendment. As submitted, Humboldt County LCP Amendment No HUM-MAJ-4-09 would amend Section 3.22-B-3 of the certified land use plan (known as the Humboldt Bay Area Plan) to include a road connection between Humboldt Hill Road and Tompkins Hill Road south of Eureka. Specific language to be added as Section 3.22-B-3-j of the LUP would read as follows (text to be added is underlined):

**3.22 PUBLIC SERVICES-RURAL**

...

**B. DEVELOPMENT POLICIES**

...

**3. Public Roadway Projects**

*Public roadway improvement projects shall not, either individually or cumulatively, degrade environmentally sensitive habitats or coastal scenic areas. Improvements (beyond repair and maintenance) shall be consistent with Sections 3.30 et seq. and shall be limited to the following:*

- a. Reconstruction and restoration of existing roadways, including bridge restoration and replacement, highway planting, construction of protective works such as rock slope protection and slope corrections, reconstruction of roadways following damage by storms or other disasters, and improvement of roadside rests.*

- b. *Operational improvements, such as traffic signals, guardrails and curve corrections, and intersection modifications such as the Elk River interchange improvements.*
- c. *Roadside enhancements, such as construction or improvement of roadside rests and vista points consistent with Section 3.40 and removal of roadside signs consistent with Section 3.40.*
- d. *Minor improvement projects, such as modifying encroachments or ramps, construction turnouts, and channelized intersections.*
- e. *Except in coastal scenic areas, climbing and passing lanes.*
- f. *Expansion of substandard roadway shoulders.*
- g. *Construction of bikeways.*
- h. *The Elk River Interchange.*
- i. *Relocation of New Navy Base Road to accommodate major coastal dependent industrial development on and adjacent to Samoa Airport site.*
- j. *Extension of Humboldt Hill Road to Tompkins Hill Road to implement policies in the 1995 Eureka Community Plan, and to improve public safety by providing a secondary access to residential development at the top of Humboldt Hill.*

The subject road extension (which would be approximately 1-mile in length, paved, and a total of 34-foot wide including two 12-foot travelways and two 5-foot bike lanes) is located approximately four miles south of Eureka, on the western side of Humboldt Hill, east of Highway 101, south of Humboldt Hill Road, and north of Tompkins Hill Road. The subject area is currently undeveloped and consists mostly of agricultural land (open pastureland) on hilltop terrain, with some Sitka spruce forest and riparian habitat near the bottom of the hill (near Tompkins Hill Road). An effect of the LCP amendment would be to convert approximately three acres of agricultural (livestock grazing) land to roadway.

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment is deemed submitted (or “filed”), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days (Coastal Act Sections 30510, 30512, 30513, and 30514).

The LCP amendment application was deemed submitted on April 16, 2010. This proposed LCP amendment would amend the Land Use Plan only, and thus the 90-day requirement applies. The 90<sup>th</sup> day after the date this LCP amendment application was deemed submitted is July 15, 2010. Therefore, unless the Commission extends the deadline, the Commission will need to complete its action on the LCP Amendment at or prior to the Commission’s July 7, 2010 hearing.

The need for staff in the Commission's North Coast office to process other LCP amendments and permit applications already pending before the Commission prior to submittal of LCP Amendment No. HUM-MAJ-4-09, coupled with recent state budget cuts and directed furloughs, has lengthened the time needed for staff review of the amendment. Thus, a time extension is necessary to allow staff to conduct further research and analysis of consistency of the proposed LUP amendment with the Coastal Act and to prepare an appropriate staff recommendation for the Commission.

Coastal Act Section 30517 states that the Commission may extend for good cause the 90-day time limit for Commission action on an LCP amendment for a period not to exceed one year.

#### STAFF RECOMMENDATION

Staff recommends that the Commission vote to extend the deadline for Commission action for one year.

#### MOTION:

*I move that the Commission extend the time limit to act on Humboldt County Local Coastal Program Amendment No. HUM-MAJ-4-09 for a period of one year.*

Staff recommends a YES vote. Passage of this motion will result in a one year extension of the period in which the Commission must act on the proposal, changing the deadline for Commission action from July 15, 2010 to July 15, 2011. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.