

CALIFORNIA COASTAL COMMISSION  
NORTH COAST AREA  
45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
(415) 904-5260

RECORD PACKET COPY

F 2a



Filed: November 7, 1996  
49th Day: December 26, 1996  
180th Day: May 6, 1997  
Staff: Robert Merrill-E  
Staff Report: November 27, 1996  
Hearing Date: December 13, 1996

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 1-96-45

APPLICANT: STEVE STROMBECK

PROJECT LOCATION: At the Meadowbrook Apartment Complex, 115 Samoa Blvd., Arcata, Humboldt County (APNs 501-042-02 and 500-151-12).

PROJECT DESCRIPTION: Develop additional apartments by (1) dividing an existing 7.25-acre parcel into a 6.04-acre parcel and a 1.21-acre parcel, (2) constructing an 8,400-sq-ft apartment building containing 14 housing units, (3) installing a 3,575-sq-ft play yard facility, (4) restoring riparian habitat, and (5) installing a 220-foot-long wood fence around the perimeter of the pond.

	Existing		Proposed
Lot Areas:	7.25 acres	Lot 1:	6.04 acres
		Lot 2:	1.21 acres
Building coverage:	21,825 square feet		8,400 square feet
Pavement coverage:	84,271 square feet		84,271 square feet
Landscape coverage:	157,800 square feet		21,158 square feet
Ht abv fin grade:	22 feet		22 feet
Parking spaces:	147 spaces		147 spaces
Zoning:	Coastal Medium-High Density Residential (C-R-MH)		
Plan designation:	Coastal Medium-High Density Residential (C-R-MH)		

LOCAL APPROVALS RECEIVED: City of Arcata Tentative Parcel Map approval No. 967-001-TPM, Coastal Development Permit No. 967-001-CDP, and General Plan Amendment No. 967-001-GPA. The City certified a mitigated negative declaration for the development on September 10, 1996.

SUBSTANTIVE FILE DOCUMENTS: City of Arcata LCP.

**1-96-45**

**STEVE STROMBECK**

Page 2

Staff Notes

1. Standard of Review.

The proposed project is located within the City of Arcata. Arcata has a certified LCP, but the portion of the development that is the subject of Coastal Development Permit Application No. 1-96-45 is within the Commission's retained jurisdictional area. Therefore, the standard of review that the Commission must apply to the project is the Coastal Act.

2. Related LCP Amendment

The proposed project is associated with a proposed amendment to the City of Arcata LCP. The Commission will consider City of Arcata LCP Amendment No. 1-96 during its meeting on December 13, 1996 (Item F7b). The proposed LCP amendment involves a change to the Coastal Wetlands Map portion of the certified Land Use Plan to correct the map's delineation of wetland boundaries on the subject property. Although the two agenda items are related, Commission approval of Coastal Development Permit Application No. 1-96-45 is not dependent on approval of the LCP Amendment as the standard of review the Commission must apply in its review of the coastal development permit is the Coastal Act, and not the certified LCP.

3. City of Arcata Coastal Development Permit.

As the subject property is bisected by the boundary between the coastal development permit jurisdiction of the City of Arcata and that of the Commission, the proposed development also required a coastal development permit from the City of Arcata. The City approved Coastal Development Permit No. 967-001-CDP on September 10, 1996. The permit was not appealed to the Commission.

---

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions. (See Attached)

III. Special Conditions.

1-96-45

STEVE STROMBECK

Page 3

1. Future Development Deed Restriction

PRIOR TO ISSUANCE of the Coastal Development Permit, the applicants shall record a deed restriction, in a form and content acceptable to the Executive Director, over both of the parcels to be created by the proposed subdivision of the 7.25-acre property. The deed restriction shall specify that the subject permit is only for the development herein described in the coastal development permit and that any future additions or other development on the parcel as defined in Public Resources Code Section 30106 that might otherwise be exempt under Public Resources Code Section 30610(a), will require an amendment to this permit or will require an additional coastal development permit from the California Coastal Commission or from its successor agency.

The deed restriction shall be recorded free of any prior liens and encumbrances that the Executive Director determines will affect the interest being conveyed, excepting tax liens, and shall be irrevocable, running from the date of recordation, and shall run with the land binding the landowners, their heirs, assignees and successors in interest to the subject property.

2. Final Site Plan.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the applicant shall submit for the review and approval of the Executive Director a final site plan for the proposed development authorized by Coastal Development Permit No. 1-96-45 that locates the proposed 14-unit apartment building and the associated landscaping, play yard and other improvements not associated with the habitat restoration and enhancement improvements required by Special Condition No. 3 below outside of a 25-foot-wide buffer zone to be established outward of each of the wetland habitats on the property identified in the Preliminary Wetlands Report prepared for the project by R. Chad Roberts, PhD and dated May 9, 1996.

3. Final Wetland Habitat Restoration and Enhancement Plan.

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the applicant shall submit for the review and approval of the Executive Director a final wetland habitat restoration and enhancement plan that provides for the following:

- a. Beith Creek Riparian Area. Within the area extending 25 feet northward from the southern property line of the two parcels to be created by the proposed subdivision, the applicant shall i) remove any existing paving material and underlying base material to a depth of at least six inches, ii) import a minimum depth of one foot of topsoil which shall be incorporated into the upper two feet of the existing material under the areas where the paving material is to be removed, iii) remove invasive exotic plants, iv) plant native riparian plant species which occur in the vicinity (including red alder, Pacific or shining willow, arroyo willow, black cottonwood, Sitka spruce, and western red cedar) in an array such that plants are placed at or close to the nodes of a hexagonal array with the

distance between nodes not greater than eight feet, and v) install a chain link fence no less than five feet in height along the north side of the full length of the 25-foot-wide buffer area.

- b. Grotzman Creek Riparian Area. Within 25 feet of the center line of Grotzman Creek and within the existing drainage easement area, the applicant shall i) plant the area between the stream transition line and the 25-foot perimeter of the area (excluding any pathway area that may be required by the City of Arcata) with native red alder, black cottonwood, Sitka spruce, and/or western red cedar in an array such that plants are placed at or close to the nodes of a hexagonal array with the distance between nodes not greater than eight feet, and (ii) place large stones or other objects which cannot be moved easily to demarcate the outer boundary of the area) install a chain link fence no less than five feet in height along the north side of the full length of the 25-foot-wide buffer area.
- c. Former Pond Area. Within the depression identified in the preliminary wetlands report that formerly contained a pond and within a 25-foot-wide area extending outward from the edge of the depression, the applicant shall i) plant the area within the depression with native alder, cottonwood, Sitka spruce, and/or western red cedar in an array such that plants are placed at or close to the nodes of a hexagonal array with the distance between nodes not greater than six feet, (ii) install at least a three-foot high wood fence around the perimeter of the pond at the top of the slope which forms the "bank" of the pond, and (iii) plant the area extending 25 feet out from "bank" with grass to create a filter strip.

The submitted plan shall incorporate at least the following elements:

- a. Grading Plan. A grading plan that shows the removal of paving and addition of top soil within the Beith Creek riparian area required above.
- b. Planting Details. A planting plan that shows: the locations and numbers of all plants to be planted; sources of the plants comprising the proposed plantings (no source shall occur at a distance greater than 10 miles from the project site); proposed grading and other site preparation work within the revegetation sites; proposed spacings and arrangements/mixtures of plants within the revegetation sites, and the proposed planting schedule which shall provide for planting during the rainy seasons of either 1996-1997 or 1997-1998.
- c. Fencing Details. Plans for the fences to be installed around the Beith Creek and former pond area as required above.

- d. Performance Standard. The riparian revegetation planting will be judged successful if 90% of the planted material survives in a healthy condition during the third growing season after the completion of the restoration/enhancement work and if 80% of the planted material survives in a healthy condition during the fifth growing season after the completion of the restoration/enhancement work.
- e. Monitoring Reports. By October 1 of the third growing season after completion of the restoration/enhancement work and by October 1 of the fifth growing season after the completion of the restoration/enhancement work, the applicant shall submit for the review and approval of the Executive Director monitoring reports prepared by a qualified biologist approved by the Executive Director, containing an assessment of the conditions of the plantings, discussing likely reasons why any of the plantings may have died or are in poor condition, and recommending any necessary corrective actions to achieve the required performance standard for that growing season.
- f. Remedial Action. Within 30 days of approval of the monitoring reports by the Executive Director, the permittee shall apply to the Commission for any necessary amendment to this permit for the corrective actions and shall complete such actions within 60 days of approval of any such amendment or within 60 days of approval of the monitoring report if no amendment is necessary.

The applicant shall implement the plan as approved by the Executive Director.

4. Relocation of Play Yard Fence.

Within six months of Commission approval of the permit, the applicant shall reconfigure the boundaries of the play yard in a manner that will locate the play yard at least 25 feet away from the outer boundary of the former pond wetland site as identified in the Preliminary Wetlands report. The perimeter fence and any play equipment that may exist within the 25-foot-wide buffer area shall be relocated outside of the buffer. Reconfiguration of the play yard shall be performed consistent with the final site plan to be submitted for the review and approval of the Executive Director pursuant to Special Condition No. 2 above.

5. Archaeological Resources.

The project site is located in an area believed to contain archaeological resources. If any additional archaeological resources are discovered on the project site during construction authorized by this permit, all work that could damage or destroy these resources shall be suspended. The applicant shall then have a qualified archaeologist inspect the project site, determine the nature and significance of the archaeological materials, and, if he or she

1-96-45

STEVE STROMBECK

Page 6

deems it necessary, develop appropriate mitigation measures using standards of the State Historic Preservation Office. Should the qualified archaeologist determine that mitigation measures are necessary, the applicant shall apply to the Commission for an amendment to this permit requesting that the permit be amended to include the mitigation plan proposed by the qualified archaeologist. The plan shall provide for monitoring, evaluation, protection, and mitigation of archaeological resources on the project site. Should the archaeologist determine that no mitigation measures are necessary, work on the project site may be resumed.

6. Condition Compliance

All requirements specified in the foregoing conditions that the applicants are required to satisfy as prerequisites to the issuance of the amended permit must be met within 90 days of Commission action on this permit application. Failure to comply with this requirement within the time period specified, or within such additional time as may be granted by the Executive Director for good cause will result in the nullification of this permit approval.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

1. Site Description.

The project site is located at the existing Meadowbrook apartment complex, at 115 Samoa Boulevard in the City of Arcata. The site is approximately three-fourths of a mile east of Highway 101 and Arcata Bay (see Exhibits 1 and 2).

The irregularly-shaped parcel is currently developed with nine separate structures including seven apartment buildings containing a total of 63 units, a manager's residence, and a large workshop/storage building. The workshop storage building is slated for demolition to be performed pursuant to Coastal Development Permit Waiver No. 1-96-64W. The site also is landscaped with lawn areas and trees and contains various paved and gravel parking areas.

The site gently slopes at a less than 3% grade from east to west. The project site is surrounded by Samoa Boulevard and other residential development to the east and northeast, a residence to the southeast, and grazed seasonal wetlands zoned for agricultural use to the south, west and northwest. The site is designated and zoned as "Coastal Medium-High Density Residential."

The entire parcel is within the coastal zone, but the site is bisected by the boundary between the Commission's retained jurisdiction and the coastal development permit jurisdiction of the City. The Commission's permit jurisdiction over the site reflects the fact that part of the site consists of historic tidelands. These tidelands, along with much of the low-lying area around the shores of Humboldt Bay were diked off from the Bay and reclaimed for agricultural use approximately 100 years ago.

The development of the site in the late 1960s and early 1970s later filled much of what had been pasture land containing seasonal wetlands. Today, the remaining wetland features on the site as identified in the wetland delineation prepared by the applicant's consultant include (1) a riparian corridor along Beith Creek, along the southeast property line, (2) Grotzman Creek, which meanders through the southern half of the property, (3) a former pond area that has been filled with sediment by overflows from Grotzman Creek although it still meets the criteria for a wetland, and (4) low areas along the southwestern property line that are seasonally flooded by high ground water each winter.

2. Project Description.

The proposed development consists of a division of a 7.25-acre parcel into two parcels of 6.04 acres and 1.21 acres, and the development of 14-unit residential apartment building and associated improvements.

The proposed apartment building will be constructed on the 1.21 acre parcel resulting from the lot split in the location of the existing workshop/storage building at the southeast end of the property. As noted above, the workshop/storage building has already been approved for demolition. The purpose of the subdivision is to secure bank financing for the apartment development, with the major portion of the existing apartment complex to be placed as collateral for the less developed portion.

As proposed, the 14-unit apartment building will be an 8,400-square-foot two-story structure rising to a maximum height of 22 feet above the existing grade. No other buildings are proposed, and all paving for parking is already existing. The project does include approximately 21,000 square feet of landscaping.

To preserve the habitat values of the former pond that remains a wetland, the applicant proposes to plant the area with riparian vegetation and install a three-foot-high wood fence around the perimeter of the pond. Although the applicant indicates alders and willows will be planted in this area, a final landscaping plan has not yet been prepared.

Finally, the applicant is seeking authorization for an approximately 65-foot-long by 55-foot-wide play yard that has already been constructed without benefit of a coastal development permit adjacent to the south of the former pond. The play yard includes a climbing device, slides, tubes, and other playground equipment.

The proposed apartment building and portions of the proposed landscaping are bisected by the boundary between the Commission's and the City of Arcata's permit jurisdiction. Approximately half of the structure will be located within the Commission's retained jurisdictional area. All of the proposed ripraian restoration work at the former pond site and the play yard for which the applicant is seeking authorization are located within the Commission's jurisdiction.

3. New Development.

Section 30250(a) of the Coastal Act states that new development shall be located in or near existing developed areas able to accommodate it and where it will not have significant adverse effects on coastal resources. The intent of this policy is to channel development toward more urbanized areas where services are provided and potential impacts to resources are minimized.

The proposed apartment development is located on an already developed parcel within a partially developed area of Arcata. The residences will be served by community water and sewer systems operated by the City. The proposed subdivision will divide the existing parcel into two. The resulting 6.04-acre and 1.21-acre parcels will conform to the required minimum parcel sizes specified for the Coastal Medium-High Density Residential zone in which it is located. As discussed in the findings below, the project as conditioned herein, will also not adversely affect environmentally sensitive habitat, visual resources, archaeological resources, and other coastal resources.

Therefore, the Commission finds that the proposed development is consistent with Section 30250(a) in that the development will be located in an existing developed area able to accommodate it, and will have no impact on coastal resources.

4. Environmentally Sensitive Habitat Areas.

Section 30240 of the Coastal Act states the following:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

As noted previously, the applicant's consultant, Dr. Chad Roberts of Oscar Larson & Associates of Eureka, prepared a wetland report for the project. A copy of the wetlands report is attached as Exhibit 4. The report identifies the following environmentally sensitive habitat areas as existing at the site:

1. Beith Creek. This area includes the bed and banks of Beith Creek which runs generally east to west along the southern property boundary of the site. The area supports dense riparian vegetation along most of its length.
2. Grotzman Creek. This area includes the bed and banks of Grotzman Creek, which runs generally northeast to southwest through the



middle of the property before turning south to converge with Beith Creek. The area supports some riparian vegetation, although the vegetation is not nearly as developed as along Beith Creek.

3. Low Areas Along Western and Southern Project Margins. These areas are identified as "Diked Former Wetlands" in the wetlands report and consist of areas along the western and southern project margins that are close to the elevations of the grazed wetlands west of the site. The configuration of these wetlands resembles two peaks or horns. As noted previously, much of the project area and the area to the west consists of historic tidelands that were diked off from Arcata Bay in the late 1800's and reclaimed for agricultural purposes. The author of the report speculates that these wetland areas may display wetland characteristics because they are "flooded from below" by high ground water each winter.
4. Former Pond Location. This area is a former pond area near the center of the property that has been partially filled with sediment from overflows of Grotzman Creek. The pond area is hydrologically isolated from other water bodies in the region, lacks a free water surface, and at the present time, has little vegetation. However, even though the area has been partially filled, the site still displays wetland characteristics.

The wetlands determinations were made based on field sampling at the site and on a review of historical aerial photos. The field sampling included an examination of the vegetational, soil, and hydrological characteristics at nine separate locations. As noted in the wetlands report, the specific methodology used followed standard procedures for such determinations and relied on the more inclusive wetland definition used by the Coastal Commission. Thus, the determination used the proper definition and did not exclude areas that meet the Coastal Act definition of wetlands but don't meet a three-parameter definition of wetlands such as that used by the Army Corps of Engineers.

The wetlands report also examined the question of whether there are any former wetland areas that may have been filled since requirements to obtain coastal permits for fill were instituted. To perform this analysis of historic wetland conditions at the site, the author of the report examined a series of aerial photos dating back to 1968. The analysis determined that sometime between 1970 and 1974, most of the original grazed wetlands that existed at the site (presumably since the area was initially diked off from Arcata Bay in the late 1800s) were graded as part of the development of the existing Meadowbrook Apartment complex that occupies much of the site. However, further review by Commission staff indicates that even though the site is within the coastal development permit jurisdiction of the 1976 Coastal Act, the site is not within the mapped coastal permit jurisdiction of the 1972 Coastal Initiative. The permit jurisdiction map adopted by the North Coast Regional Commission in 1973 shows the boundary line of the Coastal Initiative

permit jurisdiction as being well west of the subject property, running in a roughly north-south line located approximately half way between Samoa Boulevard and Highway 101. Therefore, no coastal development permit was required for the filling and grading work performed for the original development of the Meadowbrook Apartment complex.

As noted in the wetlands report, the 1974 aerial photograph shows the pond feature near the middle of the property clearly existing as a pond. The pond is no longer present, although as noted earlier, the site still displays wetland characteristics and is proposed to be included under the amendment request as a wetland area on the Coastal Wetlands Map. The wetlands report concludes that the pond has been partially filled with sediment from overflows of Grotzman Creek. Such overflows have occurred periodically and as recently as the winter of 1995-1996, when the Executive Director issued an emergency permit to recontour the banks of the creek after a sudden flood event caused the creek to overflow and flooded the pond area and other areas west of the creek, depositing a layer of sediment over the entire area.

The report also investigated an allegation that recent fill may have been placed west and southwest of the pond location. No such fill appeared in a comparison of the most recent aerial photos available to the author. The author notes that a roadway which runs west of the former pond and a possible fill in the area of the proposed parking lot south of the former pond location were introduced since the aerial photos that were examined were taken, but indicates that the aerial photograph information available does not demonstrate that these portions of the site did not already contain fill.

The wetlands report makes certain recommendations as to how to buffer the wetland habitat on the site from the impacts of future development that may occur on the property. The report generally recommends that 25-foot-wide buffers be established around the various wetland features identified above. Although 25 feet is a relatively narrow buffer compared with the width of buffers the Commission often requires, the consultant notes that given the presence of existing development around the wetland areas and the relatively minor "functional value" of some of the wetlands, a 25-foot-wide spatial buffer in combination with riparian plantings and fencing would adequately protect the wetland areas. For example, the consultant notes that the former pond now functions as a degraded "riparian habitat," owing to vegetation removal in the past. In addition, the lack of a direct hydrological connection to other wetlands further reduces the potential value of the former pond. Among the riparian enhancement and fencing improvements recommended by the consultant are recommendations for replanting the former pond and the uplands within 25 feet of the Grotzman Creek and Beith Creek drainages with native riparian species, and installing fencing around the perimeter of the pond and along the outer boundary of the Grotzman Creek and Beith Creek buffer areas.

The recommendations of the wetlands report have been reviewed by the California Department of Fish & Game. Fish & Game staff conducted a joint

site inspection with City staff, the property owner, the applicant's consultants, and the staff of the U.S. Army Corps of Engineers on August 1, 1996. In a letter to the Community Development Department Director dated August 13, 1996, Fish & Game staff concurred with the delineation of wetlands and the proposed mitigations (see Exhibit 6).

Therefore, the Commission finds that the proposed development if conditioned to require the buffer recommendations proposed in the wetlands report would be sited and designed to prevent impacts which would significantly degrade the environmentally sensitive habitat on the site and be compatible with the continuance of that habitat.

As currently proposed, the proposed development encroaches into the recommended setback areas in the location of the play yard. As constructed the play yard extends nearly to the edge of the former pond. Therefore, the Commission attaches Special Condition No. 4 which requires that the play yard be relocated out of the 25-foot-wide setback area within six months of approval of the permit.

To ensure that the final development plan for the project does not locate the proposed apartment building, proposed non-native landscaping, and other development within the 25-foot-wide setback area, Special Condition No. 2 requires the applicant to submit final site plans prior to the commencement of construction showing such development outside of the buffer areas.

The Commission notes that future additions to the complex or other changes to the development that might be exempt from the need for coastal permits under Section 30610(a) of the Coastal Act and the California Code of Regulations, could compromise the planned buffer and lead to degradation of the adjoining wetland habitat. Therefore, the Commission attaches Special Condition No. 1 which requires the applicants to record a deed restriction regarding future development on proposed Parcel A. This deed restriction requires that a coastal development permit be obtained for all future development on the parcel, including development that might otherwise be exempt under the Coastal Act. In this way, the Commission will be able to review all future development to ensure that it will not adversely affect the environmentally sensitive habitat on the site.

To ensure that the riparian planting, installation of fencing, and other buffer recommendations of the wetlands report are carried out, the Commission attaches Special Condition No. 3 which requires the applicant to submit for the review and approval of the Executive Director a final wetland habitat restoration and enhancement plan prior to the commencement of construction. The condition requires that the plan contain certain required elements to ensure that the consultants recommendations are fully carried out. Commission staff has coordinated with the City of Arcata to ensure that the required elements will be as consistent as possible with restoration and enhancement requirements the City is imposing on the project.

The Commission finds that the proposed project as conditioned, is consistent with Section 30240 of the Coastal Act.

**5. Visual Resources.**

Section 30251 of the Coastal Act provides in applicable part that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall: (a) be sited and designed to protect views to and along the ocean and scenic coastal areas, and (b) be visually compatible with the character of surrounding areas.

The proposed project will not block views to and along the coast as the site is located within a partially developed area approximately three-fourths of a mile east of Highway 101 and Arcata Bay in a location where the coastline is not visible. Existing buildings and trees will largely shroud the proposed apartment building from view of pedestrians and motorists along Samoa Boulevard, the nearest public vantage point to the site.

The residential use proposed is consistent with the character of the area as multi-family residential development already exists on the site and in nearby areas. The proposed maximum 22-foot overall height of the building and the proposed mass of the structure will be comparable to the height and mass of other buildings at the site.

Therefore, the Commission finds that the proposed project is consistent with the visual resource policies of Section 30251 of the Coastal Act as the proposed development will not block views to and along the coast and given the consistency of the height and mass of the proposed structure with the height and mass of other buildings on the site the proposed structure will be visually compatible with the character of the area.

**6. Archaeological Resources:**

Section 30244 of the Coastal Act states that where development would adversely affect archaeological resources, reasonable mitigation measures shall be required.

The mitigated negative declaration certified by the City for the proposed project indicates that "archaeological resources could exist and could be encountered during excavation." Many archaeological sites around Humboldt Bay are associated with the Native American Wiyot tribe, part of the Algonkian family. The Wiyots depended heavily upon the fish and shellfish resources of Humboldt Bay, and their heritage is an important resource within the Humboldt Bay area.

It is not known whether or not any archaeological resources actually exist at the project site, and whether any archaeological resources at the site have survived the earth compaction and graveling work that has occurred on the site in the past. However, the possibility exists that important resources may

still be present. Therefore, the Commission attaches Special Condition No. 1 to this permit. Special Condition No. 5 requires that all construction shall cease should any additional archaeological resources be discovered during construction, and that an archaeologist must then inspect the property and recommend appropriate mitigation measures. Therefore, the Commission finds the proposed development, as conditioned, to be consistent with Coastal Act Section 30244.

7. Alleged Violation:

Development of the play yard near the former pond feature on the site has occurred without benefit of a coastal development permit. Although development has taken place prior to submission of this permit amendment application, consideration of the application by the Commission has been based solely upon the policies of Chapter 3 of the Coastal Act. Approval of the permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

8. City of Arcata LCP.

Although the City of Arcata has a certified LCP, the portion of the development that is the subject of Coastal Development Permit Application No. 1-96-45 is within the Commission's retained coastal development permit jurisdiction. Therefore, the standard of review that the Commission is applying in its consideration of the application is the Coastal Act. The City of Arcata LCP policies are considered advisory and are not binding in this case.

As noted above, the LCP designates and zones the project site as "Coastal Medium-High Density Residential." The proposed lot split and apartment development is consistent with this designation and zoning. In approving a tentative parcel map, coastal development permit, and general plan amendment for the project on September 10, 1996, the City of Arcata Planning Commission found the project, as conditioned by the City, to be consistent with City of Arcata LCP requirements.

Coastal Act Section 30604(a) authorizes permit issuance if the Commission finds that the proposed development is in conformity with the provisions of Chapter 3 of the Coastal Act and if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare or implement a local coastal program that is in conformance with Chapter 3 of the Coastal Act. As discussed above, approval of the project, as conditioned, is consistent with Chapter 3 of the Coastal Act, and thus will not prejudice local government's ability to implement a certifiable LCP for this area.

9. CEQA:

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported

**1-96-45**

**STEVE STROMBECK**

Page 14

by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

As discussed above, the project has been mitigated to ensure that the project will not adversely affect the environmentally sensitive habitat found on the site and potential archaeological resources that may be present. The project, as conditioned, will not have a significant adverse effect on the environment, within the meaning of CEQA.

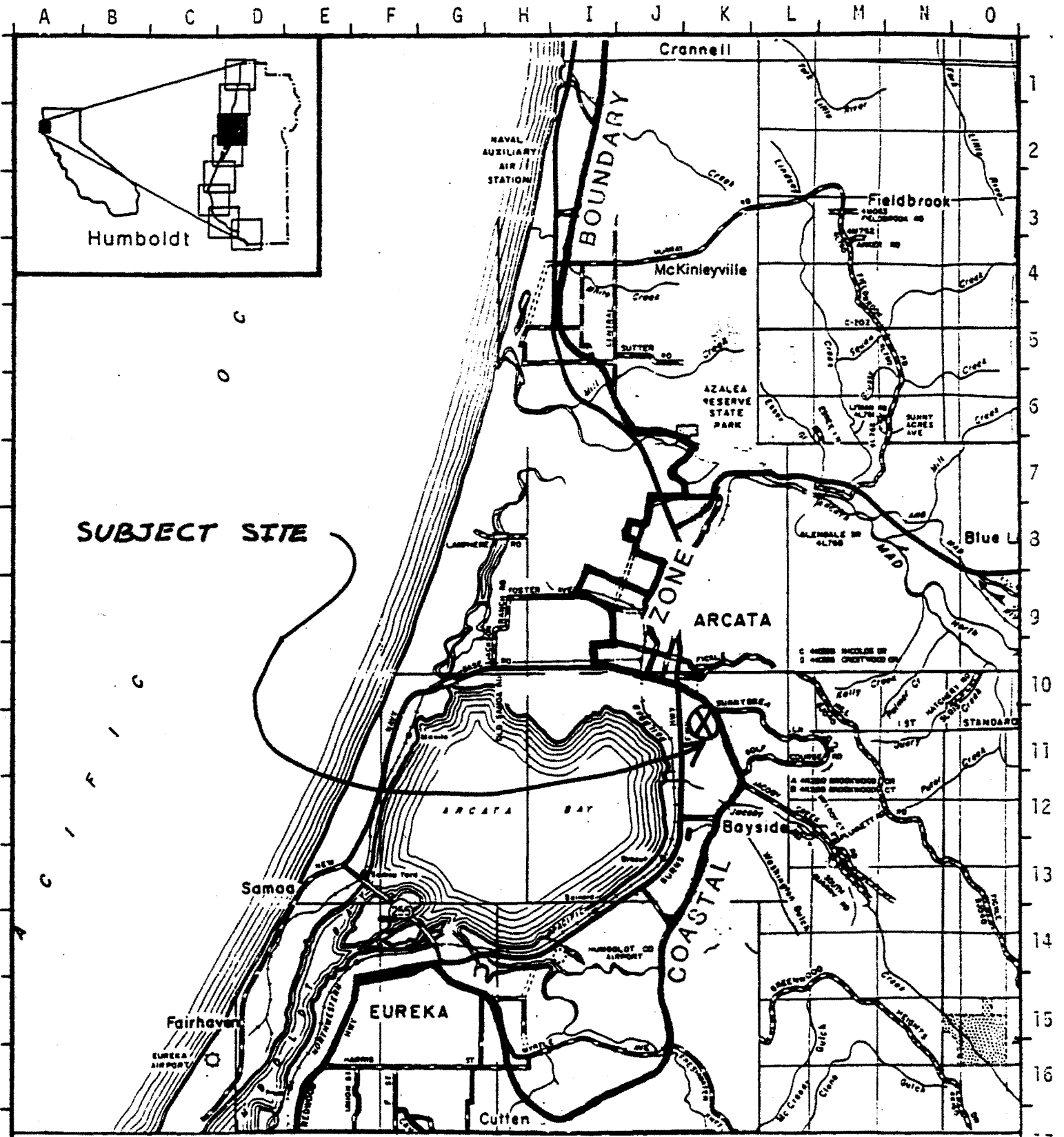
For purposes of CEQA, the lead agency for the project is the City of Arcata. The City adopted a mitigated negative declaration for the project on September 10, 1996.

9144p

ATTACHMENT A

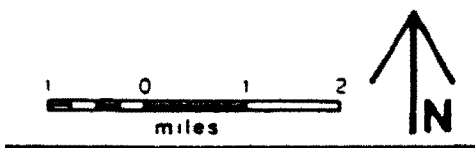
Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent of interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



County of Humboldt

EXHIBIT NO.	1
APPLICATION NO.	
1-96-45 STROMBECK	
Regional Location	



Sheet 3 of 8



LOCATION MAP  
Strombeck Minor Subdivision  
File #967-001-TPM, CDP  
APN-501-042-02 & 500-151-12

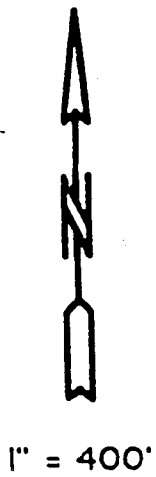


EXHIBIT NO. 2

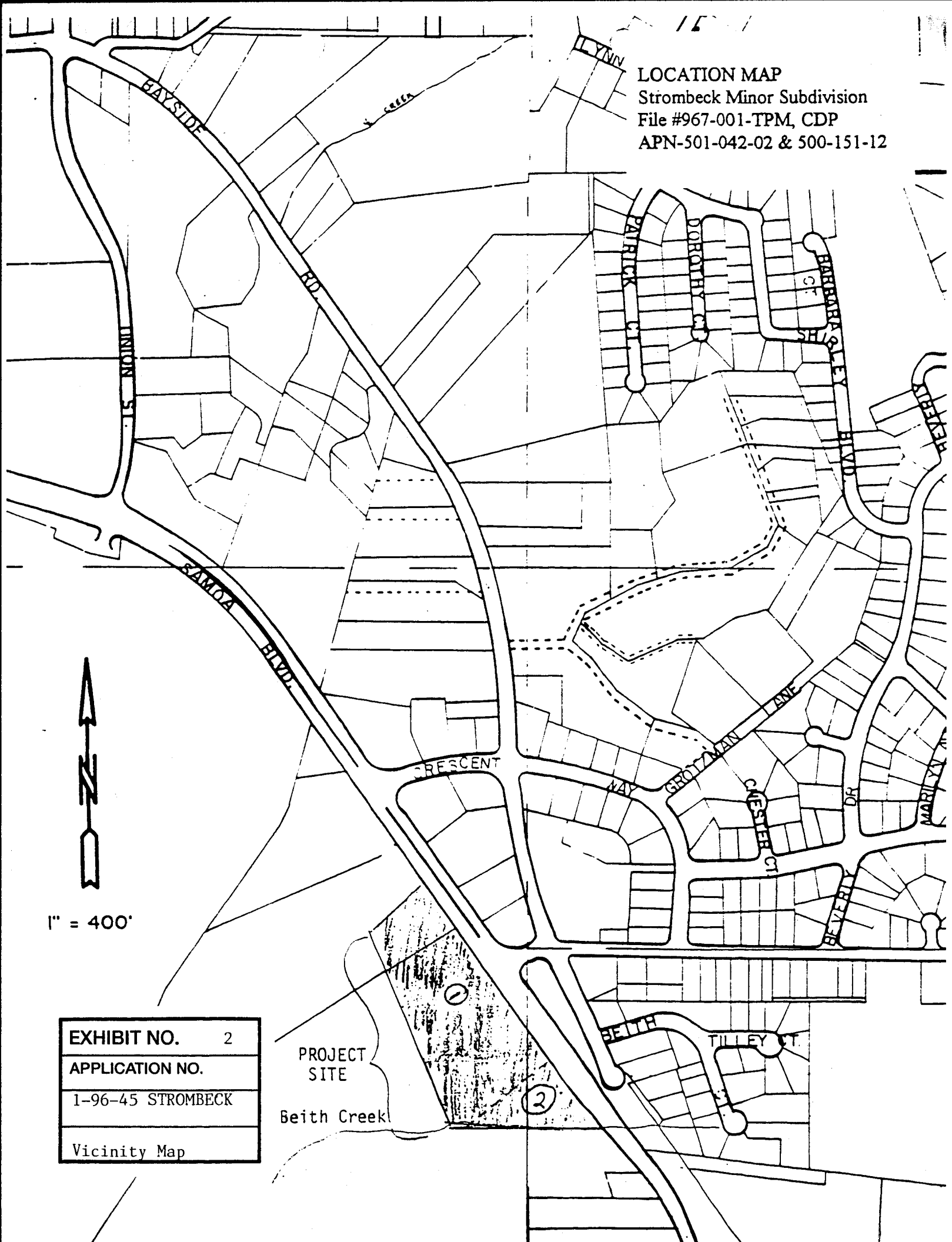
APPLICATION NO.

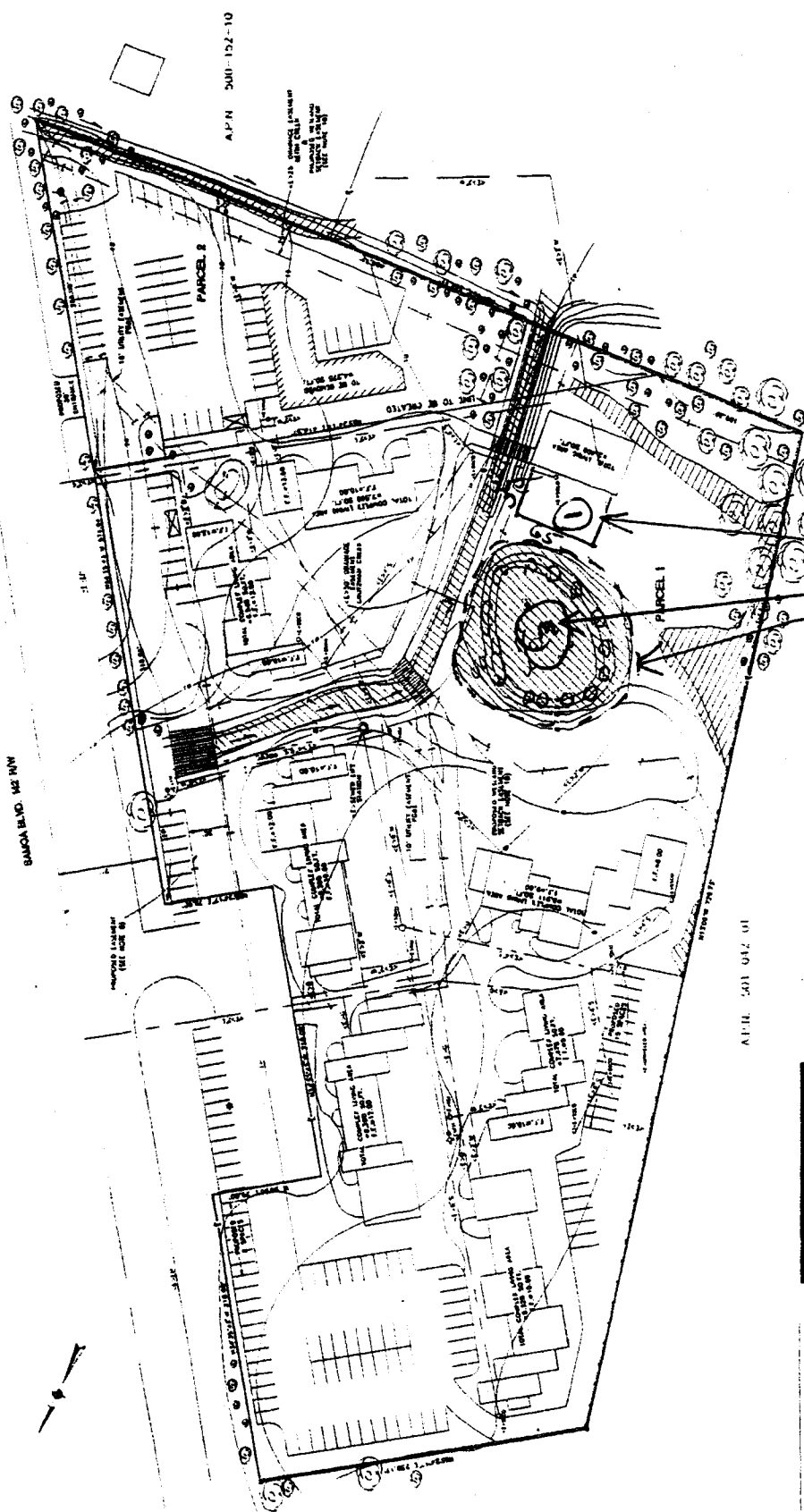
1-96-45 STROMBECK

Vicinity Map

PROJECT SITE

Beith Creek





- ① New playground (55' x 65')
- ② Fenced Area (wood to match)
- ③ Riparian planting

PLOT PLAN

EXHIBIT NO.	3
APPLICATION NO.	1-96-45 STROMBECK
Site Plan	

OWNER: J. J. Strombeck, Jr.  
 1000 S. 10th St.  
 P.O. Box 137  
 Corvallis, OR 97331

DATE: 10/1/96  
 SCALE: 1" = 40' (except as noted)

MAP REFERENCE: Parcel Map No. 100, Map 2 of Parcel Map No. 22

CURRENT ZONING & GENERAL PLAN DESIGNATION:  
 APN 501-042-02 & 501-152-17 R-100, Residential Medium-Density (Strombeck)  
 APN 501-042-03 & 501-152-18 R-100, Residential Medium-Density (Strombeck)  
 APN 501-042-04 & 501-152-19 R-100, Residential Medium-Density (Strombeck)

PREPARED BY:  
 J. J. Strombeck, Jr.  
 1000 S. 10th St.  
 P.O. Box 137  
 Corvallis, OR 97331

For address existing parcel, site plan, general, additional and improved buildings  
 see project report, survey and land area in proposed lot #2

RECEIVED JUN 3 1996

# PRELIMINARY WETLAND REPORT<sup>1</sup>

## MEADOWBROOK APARTMENTS

### ARCATA, CALIFORNIA

Prepared for:  
Steve Strombeck  
Strombeck Construction  
211 West Harris Street  
Eureka CA 95501  
707-442-2233

Prepared by:  
R. Chad Roberts, Ph.D.  
SWS Professional Wetland Scientist No. 268  
Oscar Larson & Associates  
317 Third Street, P.O. Box 3806  
Eureka CA 95502-3806  
707-445-2043

9 May 1996

EXHIBIT NO.	4
APPLICATION NO.	
1-96-45 STROMBECK	
Wetland Report (page 1 of 17)	

## 1.0 INTRODUCTION


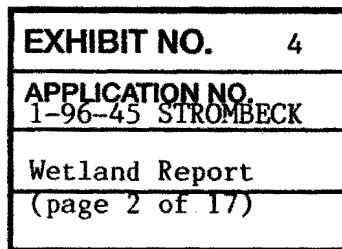
### 1.1 Purposes of This Report

#### 1.1.1 Identify Wetlands on the Project Site

The Meadowbrook Apartments project (Figure 1) is located within the Coastal Zone, the boundary within which the California Coastal Act applies. Consequently, any application for improving the project must cover the subjects mandated for consideration by the Coastal Act. Among these topics is wetlands, and the primary goal of this report is to identify any wetlands within the development area of the project which would be relevant for consideration under the Coastal Act. Moreover, the primary permit jurisdiction has been retained by the Coastal Commission for much of the project site, rather than having been transferred to the City of Arcata (Bob Merrill, pers. comm.). This circumstance generally reflects a determination by the Commission that the area in question is subject to the public trust; in the Humboldt Bay area, such a determination generally means that the area includes diked former tideland or is part of the current Humboldt Bay tidal prism.

---

<sup>1</sup>©Copyright 1996 R.C. Roberts. Permission is granted to copy this report for project-specific environmental or application review purposes. Copying for other purposes without permission from the author is prohibited.



7.001 = "1"

The primary requirements for this report are: (i) identify any area which meets the Coastal Act definition of wetland (see below); and (ii) identify the location of the wetland boundary, since this ultimately will determine the allowable location of development outside of any required buffer zones. This report does not address a rationale for reviewing the proposed project improvements under any other aspect of the Coastal Act, including the Coastal Act sections addressing uses allowed in wetlands.

#### 1.1.2 Identify Buffer Zone Requirements

The Coastal Act addresses the relationship between environmentally sensitive areas and their surroundings in section 30240; however, the Wetland Siting Guideline (see below) specifically addresses the need for buffer areas adjacent to wetlands. The "default" buffer around a wetland is established in the Wetland Siting Guideline at 100 feet in width, beginning at the demarcated wetland boundary. Consequently, this report is required to both identify the approximate (for project review purposes) wetland boundary, as well as to identify an appropriate wetland "setback" or buffer adequate to protect the functional values in the identified wetlands.

#### 1.1.3 Historical Aerial Photo Review

The scope of this report includes reviewing historical aerial photos of the project site. This task is included owing to jurisdictional questions about the project site's compliance with the requirements of the Coastal Initiative [the 1972 precursor (which became effective in January of 1973) to the 1976 Coastal Act] and the Coastal Act itself. The specific questions which must be addressed are: (i) Was the pond in existence at the time the Coastal Initiative became effective? and (ii) Has fill material been placed in the project site recently in areas which are subject to Commission regulation as environmentally sensitive?

### 1.2 Limitations

This report is a preliminary report based on limited field sampling at the project site, and on a review of historical aerial photos that was limited by the time available to complete the report. I believe that the identification of wetland areas on the project site reflected in this report is substantially accurate; however, the conclusions about existing wetland conditions reached in this report could be subject to revision on the basis of further, more-detailed wetland sampling. The conclusions expressed in this report about historical conditions on this site, which are based on limited aerial photo review, also could be subject to revision on the basis of additional aerial photo review. In addition, the scope for this report does not include addressing whether or not any of the historical changes indicated by the aerial photo review or the field work were conducted pursuant to legally granted approvals.

EXHIBIT NO. 4
APPLICATION NO.
1-96-45 STROMBECK
Wetland Report (page 3 of 17)

EXHIBIT NO. 4
APPLICATION NO.
1-96-45 STROMBECK
Wetland Report (page 4 of 17)

## 2.0 METHODS

### 2.1 Sampling and Data Interpretation

Field sampling was conducted on the project site 9 May 1996. Data collection was not random; instead, I concentrated data collection at locations which I felt would help me in meeting the requirements for this report. Field data were collected at nine points within the project site boundary (see map and data forms in Attachment A). The data were collected primarily for documentation purposes, because I also prepared a working map in the field indicating wetland conditions and wetland boundaries, and my field notes included additional information not included in the data forms.

The data collected on the project site are essentially the data required for delineating wetlands under federal jurisdictional questions. The data form in Attachment A is derived from the "unified federal manual" (Environmental Laboratory 1987). In evaluating conditions on the site, I looked at vegetational, soil, and hydrological characters. The interpretation of soil and hydrological characters follows the methodology in the unified federal manual. Soil colors were used as the primary indication of wetland conditions, based on comparisons with the color chips in the Munsell Color Charts (Kollmorgen Corporation 1975), since the soils in Humboldt County have not been classified according to currently accepted classification criteria, and a County Soil Survey has not been prepared. The presence of water in the soil was the primary indicator used to address the hydrology criterion, although I also considered the potential for seasonal soil saturation because of the sample point's proximity to perennial streams.

Vegetational data were collected within a 1m<sup>2</sup> plot at the same location as the soil sample. Dominance was recorded as the estimated percentage of the sample plot "covered" by the species in question. Each species was estimated independently, and total cover may exceed 100 percent. Plant species identification follows the Jepson Manual (Hickman 1993). The classification of plant species according to their prevalence in wetlands follows Reed (1988).

### 2.2 Wetland Identification

#### 2.2.1 Coastal Act Wetland Definition and Wetland Siting Guideline

In the Coastal Act the term "wetland" is defined, by section 30121, as follows:

"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

The criteria to be used under the Coastal Act for identifying wetlands are not included in the Act itself. Rather, the criteria for identifying wetlands are included in the "Statewide Interpretive Guideline for Wetlands and Other Wet Environmentally Sensitive Habitat Areas" (Metz and Zentner 1981; hereafter "Wetland Siting Guideline"), which is incorporated by reference into this report, in full. The Wetland Siting Guideline (particularly in Appendix D) specifically acknowledges the need for addressing vegetation, hydrology, and soil characters in identifying wetland areas subject to regulation under the Coastal Act. The Wetland Siting Guideline also

acknowledges the centrality of saturated soil (or substrate) in making an area a wetland functionally, or in defining it as a wetland.

### 2.2.2 Additional Considerations of Wetland Definitions

The Wetland Siting Guideline incorporates information prepared by federal agencies in the late 1970s and early 1980s about what constitutes wetlands, as well as how to identify wetlands. These federal deliberations later led to a "three-parameter" wetland delineation process for most federal agency wetland deliberations (Environmental Laboratory 1987). The three parameters are the same three identified above: vegetation, hydrology, and soil characters. [The most important functional federal/state delineation difference is that many federal agencies require that at least one positive indicator be present for all three "parameters," whereas state agencies (including the Coastal Commission) may accept a delineation where only two parameters (or even only one) indicate that an area is wetland.]

The preliminary results reported herein are based on evidence obtained at a limited number of points within the project site for each parameter used in the definition (see Attachment A). It is, however, appropriate to note that the determination in this report of what is wetland is partly a professional judgement on my part, based on applications of the several delineation methodologies over a number of years; my experience has led me to weight the hydrology parameter somewhat more heavily than a strict application of the Wetland Siting Guideline might suggest.

### 2.3 Historical Aerial Photo Review

In preliminary discussions about the proposed project, and about the scope for this report, it became clear that the specific history of the project site would become a subject of discussion with respect to wetlands. The project site was reported (reliably) to have contained a pond, which is no longer present, and for which the Commission has no history of documentation. In order to clarify the status of such a pond, it was agreed that this report would incorporate the results of a search for historical aerial photos, which were to be used to identify: (i) Did such a pond exist? (ii) Was it a natural feature? and (iii) If not natural, when was it created? In addition to questions about the pond, the historical aerial photo review was intended to address questions about fill of a much more recent origin, which may have been placed into areas which satisfy the definition as environmentally sensitive habitat, and for which no issued permits are known.

To address the requirement for historical photo evaluation, I contacted the Environmental Services Department of the City of Arcata. The City maintains files of historical aerial photos (at a nominal scale of 1" = 1000'), and also has aerial photo map sets (at a scale of 1" = 100'). I obtained prints of the photo maps for 1968, 1989, and 1993. I borrowed additional historical photos made in 1970 and 1974, to be used for additional analyses summarized below. Owing to the short duration of the preparation process for this report and a lack of schedule concurrence, I was unable to conduct a similar review of aerial photos in the County Department of Public Works files in Eureka in time to include the results in this report.

EXHIBIT NO.	4
APPLICATION NO.	
1-96-45 STROMBECK	
Wetland Report (page 5 of 17)	

### 3.0 RESULTS AND DISCUSSION

#### 3.1 Existing Wetlands on the Project Site

##### 3.1.1 Former Pond Location

The former pond is a wetland area under existing conditions (wetland areas identified within the project site are mapped in Figure 2). Even though most of the former pond volume has been filled with sediment by overflows from Grotzman Creek, the former pond area still meets the delineation criteria (see Attachment A).

##### 3.1.2 Grotzman Creek and Beith Creek Streambed and Riparian Areas

The beds and banks of both Grotzman Creek and Beith Creek are wetlands under the federal and state wetland delineation criteria used in this report. The banks of both creeks, within the project area, have been built up with fill material at several times, and the area above the ordinary high water mark is not wetland.

Both creeks have small remnant floodplain terraces below the tops of the filled banks. These terraces (indicated by sample points 1 and 9 in Attachment A) are also wetland areas. The vegetation is what is characteristically called "riparian," which the Wetland Siting Guideline does not include with wetlands. However, the other criteria for delineation as wetland are also satisfied, and these areas are, in fact, wetlands.

##### 3.1.3 Diked Former Tidelands

Along the western and southern project margins are areas that are at or close to the elevations of the diked former tidelands outside of the project boundary. These areas (which may or may not have received fill material at one or more times in the project's history) still meet the criteria for identification as wetland. Partly this is a result of a relative lack of recent disturbances, but the primary reason is, in my judgement, that the ground elevations are so low that these areas are "flooded from below" by high groundwater each winter.

#### 3.2 Wetland Functional Values on the Project Site

Addressing wetland functions (or "functional values," as they are referred to under the Coastal Act) is largely beyond the scope of this report. However, owing to the small buffer width recommended for this project (see next subsection), it is appropriate to provide a cursory discussion about wetland functions on the site.

In general, the value of wetlands to society at large is proportional to the range of process which may occur in any wetland. The following have been identified as functions generally provided by wetlands: (i) groundwater recharge, (ii) groundwater discharge, (iii) floodflow alteration, (iv) sediment stabilization, (v) sediment or toxicant retention, (vi) nutrient removal or transformation, (vii) productivity export, (viii) aquatic diversity and abundance, (ix) wildlife diversity and abundance, (x) recreation, and (xi) uniqueness or heritage value (an example of how these may be interpreted for wetlands in this region is provided in Roberts 1995).



Figure 2. Areas on the project site identified as wetlands, based on field survey in May 1996.

EXHIBIT NO. 4  
APPLICATION NO.  
1-96-45 STROMBECK  
Wetland Report  
(page 7 of 17)

1" = 100'



The wetlands on the project site do not have substantial functional values under current conditions. The former pond area, in particular, is hydrologically isolated from other water bodies in the region, lacks a free water surface, and (at least at the present time) has little vegetation. It could, in my opinion, have moderate values for the groundwater infiltration, floodflow alteration, sediment retention, nutrient removal, and wildlife diversity and abundance functions, if the vegetation were allowed to regrow into the kind of "riparian forest" vegetation which the aerial photos indicate existed as recently as 1993, and if surface water runoff were directed into the vegetated depression (in fact, I recommend that the site's hydrology be modified so that these conditions occur). However, at this time there is little reason to establish wide buffers around this former pond to protect wetland functions which do not exist.

The small areas of diked former tidelands within the project site have relatively minor functional values, but these should nonetheless be protected to the extent feasible. I doubt that it will be feasible to further protect the isolated wetland tags near the western project boundary, but the larger "horns" protruding into the project site at its southern corner should also have buffers established (see next subsection).

The instream wetlands in Grotzman Creek and Beith Creek (including the remnant floodplains) still are valuable; I recommend that the Coastal Commission follow the precepts in the City of Arcata's Creek and Wetlands Plan (recently adopted as part of the Local Coastal Plan) to protect these functions.

### 3.3 Buffer Requirements

As noted above, the "functional values" of the remnant pond are relatively minor. In essence, the former pond now functions as a degraded "riparian habitat," owing to vegetation removal in the recent past. The Commission identified areas of riparian habitat in the Wetland Siting Guideline as non-wetland environmentally sensitive habitats. The lack of direct hydrological connection to other wetlands further reduces the potential value of the former pond. Based on the relatively low functional value, I do not consider it necessary that the Commission require a "standard" 100-foot wetland buffer between the former pond and adjacent development.

The applicant has agreed to establish: (i) fencing along the perimeter of the former pond, to exclude activities which would further degrade the riparian habitat-like functions provided; and (ii) a 25-foot wide buffer, outward from the fence, which would be maintained as a grassed filter strip to filter and treat site runoff draining into the former pond (the applicant has agreed to restrict activities occurring within the buffer area; specific actions required to accomplish this have not been developed at this time). I also recommend that the applicant replant the former pond with vegetation characteristic of riparian habitats in this region, including both arroyo (*Salix lasiolepis*) and Pacific (*Salix lucida* ssp. *lasiandra*) willows and red alder (*Alnus rubra*). All of these species already occur on the project site.

In my opinion, the proposed 25-foot grassed filter strip around the former pond is adequate to buffer the remaining functional values of the former pond area. In fact, the combination of the filter strip and the hydrologically semi-isolated former pond could function as a detention and infiltration cell for storm water runoff, which would provide more benefit to the remaining

wetlands outside of the project site, than would attempting to protect the former pond with 100-foot buffer zones.

I also recommend 25-foot buffers for the remnant "horns" of diked former tideland in the site's southern corner. Establishing this buffer may require some modification in the proposed project's development plan. These buffers should be re-established with woody riparian vegetation, as in the former pond.

### 3.4 Historical Wetlands and Fill Placement

#### 3.4.1 Conditions Prior to Original Project Construction

Aerial photographic mapping was prepared for the City of Arcata in 1968 (see Figure 3). At that time (which was also close to the end of the construction period for the Samoa Boulevard extension to the Bayside area) the project site was little modified from the pastureland condition it presented prior to the original project construction process. Figure 3 does indicate clearly that some fill material had already been placed on the site by 1968; presumably this fill material was spoil material generated during the Samoa Boulevard construction process (or that of one of the other highway construction processes which occurred in Arcata at the same time).

Figure 3 demonstrates a sloping project site, with elevations ranging from greater than 15 feet (Mean Sea Level datum or MSL) near Samoa Boulevard to approximately 4 feet (MSL) in the site's southern corner. Diked former tidelands around the Humboldt Bay perimeter characteristically range in elevation from slightly below MSL in former tidal sloughs to about 5 feet MSL near the former upper margins of tidal marshes. Based on these approximate historical elevations, the higher part of the project site probably represents the most downstream portion of the valley floodplain sediment (possibly a delta extending into the salt marsh) deposited by Grotzman Creek and/or Beith Creek, and the southernmost part of the site probably was tidal marsh in 1850.

The project vicinity in September of 1970 is shown in Figure 4. No evident changes have occurred in the site since the 1968 photo in Figure 3. This is the latest aerial photo from the City of Arcata files prior to the approval of the Coastal Initiative in 1972. This photo probably represents conditions present on the site at the time the Initiative was adopted.

#### 3.4.2 Conditions in 1974

Conditions on the project site in 1974 (month not identified in the aerial photo) are shown in Figure 5. This photo represents the earliest photo from the City of Arcata files following the date of effectiveness of the Coastal Initiative (January 1993). The photo clearly shows a recently excavated pond on the project site. The photo shows the high reflectivity characteristic of recently graded, bare soil completely surrounding the pond, which suggests that: (i) the pond was constructed not long before the photo was made, and certainly after the beginning of 1973; and (ii) the material excavated to create the pond was graded around the pond's perimeter in order to increase the elevation of the pond margin, which is also the interpretation created by the originally approved grading plan for the project. It is also noteworthy that the graded area does not extend to the site's southernmost boundary.



OSCAR LARSON & ASSOCIATES

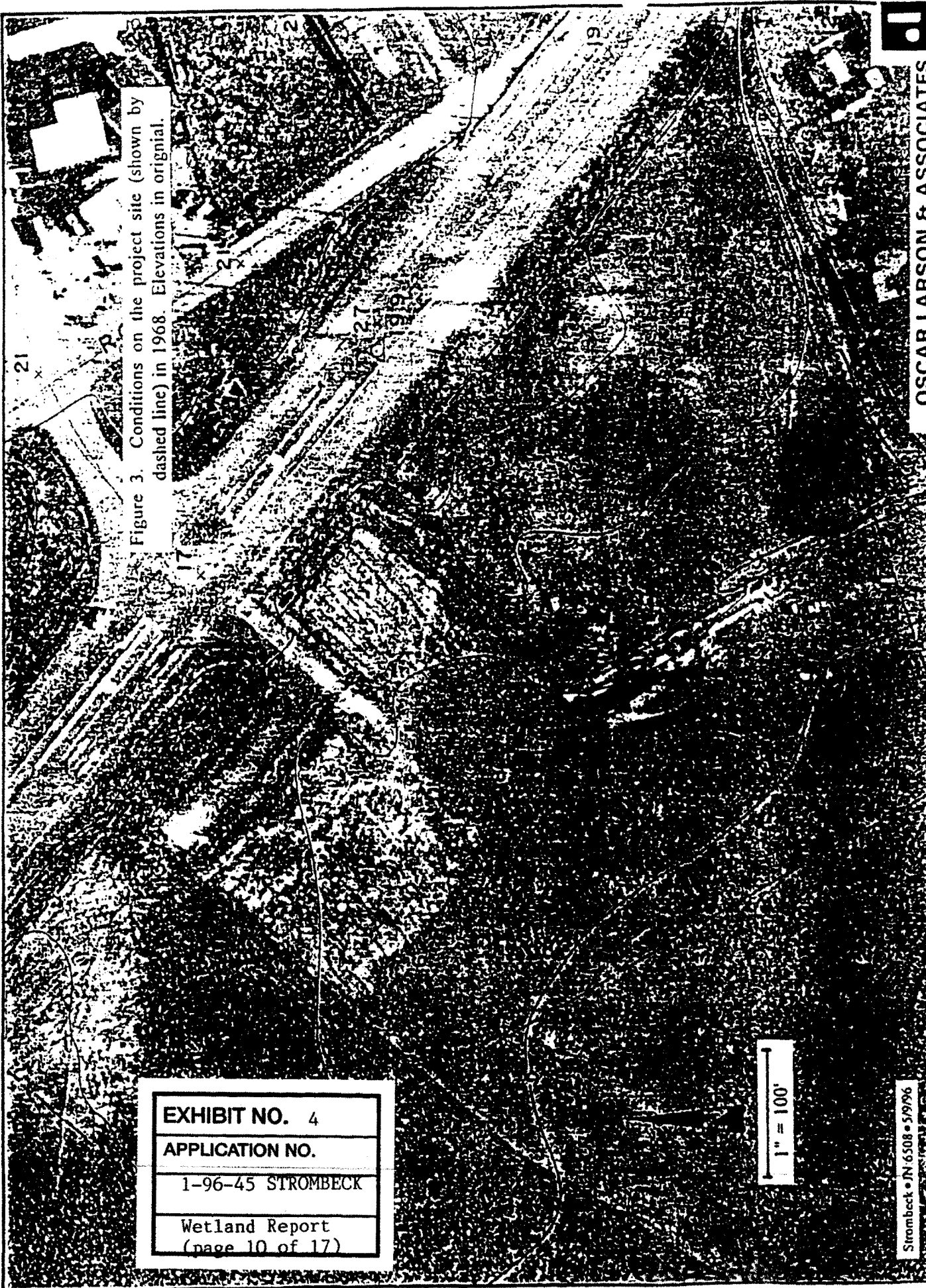


Figure 3. Conditions on the project site (shown by dashed line) in 1968. Elevations in original.

EXHIBIT NO. 4
APPLICATION NO.
1-96-45 STROMBECK
Wetland Report (page 10 of 17)

1" = 100'

Strombeck • JN 6508 • 5/9/96




EXHIBIT NO. 4

APPLICATION NO.

1-96-45 STROMBECK

Wetland Report  
(page 11 of 17)

1" = 500'±

Figure 4. Conditions on the project site and in the general vicinity in 1970. This photo probably represents extant conditions in January of 1973.



EXHIBIT NO. 4

APPLICATION NO.

1-96-45 STROMBECK

Wetland Report  
(page 12 of 17)

1" = 500'±

Figure 5. Conditions on the project site and in the general vicinity in 1974.

The project plans for the original project appear to have been drawn by the project architect in March of 1973, and appear to have been approved by the City no earlier than July of 1973 (see the information on the original record drawings filed with the City). The grading which created the pond appears most likely to have occurred subsequent to City approval, and certainly did not pre-date the effective date of the Coastal Initiative in January of 1973. In other words, the pond was not in existence at the time the Initiative became effective. Absent careful research into the records of the Coastal Commission, I cannot tell whether any approvals were granted by the Commission for the grading.

#### 3.4.3 Recently Placed Wetland Fill

The final question to be addressed through analysis of (recent) historical aerial photos is whether or not additional fill material has been placed in the area west and southwest of the pond location. The City owns aerial photo mapping from both 1989 and 1993 (see Figure 6); analysis of these recent photos does not indicate (to me) the presence of new or recent fill material west or southwest of the pond location. Any recent fill material present on the project site in those areas at this time appears not to have been present in 1989 or 1993, and thus must have been placed subsequent to 19 September 1993. The fill roadway which runs west of the former pond, and possibly the fill in the area of the proposed parking lot south of the former pond location, appears to have been introduced since the photo in Figure 6 was made.

It is appropriate to consider this some of this area as environmentally sensitive, based on the results of the field work on the site. Some of the fill may have been introduced into the "horn" of diked former tideland in the site's southern corner. However, it is also appropriate to recall that most of this area appears to have been filled in the past (see, for example, Figure 5 above), and I cannot be certain that what appears to be recently introduced fill material was not already present, but not clearly visible, in the earlier photos.

## 4.0 REFERENCES

### 4.1 Literature Cited

- Environmental Laboratory. 1987. "Corps of Engineers Delineation Manual." Technical Report Y-87-1, U.S. Army Waterways Experiment Station, Vicksburg, MS.
- Hickman, J. C. (ed.). 1993. The Jepson manual: higher plants of California. University of California Press, Berkeley.
- Kollmorgen Corporation. 1975. Munsell soil color charts. Baltimore MD.
- Reed, P. B. 1988. National list of plant species that occur in wetlands: California. Biological Report 88 (26.10); U.S. Fish & Wildlife Service.
- Metz, E., and J. Zentner (Coastal Commission staff). 1981. Statewide interpretive guideline for wetlands and other wet environmentally sensitive habitat areas.

Figure 6. Conditions on the project site in September of 1993. Note that former pond area is fully vegetated with riparian forest.

EXHIBIT NO. 4

APPLICATION NO.

1-96-45 STROMBECK

Wetland Report  
(page 14 of 17)

1" = 100'

Strombeck • IN 6508 • 5

OSCAR LARSON & ASSOCIATES



Roberts, R. C. 1995. Hydrology and ecology in the Mill Creek corridor, McKinleyville, California. Report prepared for the California Department of Fish & Game, Eureka, California.

4.2   Persons Consulted

Mark Andre, Deputy Director, Environmental Services Department, City of Arcata.

Karen Kovacs, Associate Wildlife Biologist, California Department of Fish & Game.

Bob Merrill, Coastal Staff Analyst, North Coast District, California Coastal Commission.

Steve Strombeck, Strombeck Construction, applicant.

EXHIBIT NO. 4
APPLICATION NO.
1-96-45 STROMBECK
Wetland Report (page 15 of 17)

**ATTACHMENT A**

<b>EXHIBIT NO.</b> 4
<b>APPLICATION NO.</b>
1-96-45 STROMBECK
Wetland Report (page 16 of 17)



OSCAR LARSON & ASSOCIATES

Sample Point Locations, 9 May 1996

EXHIBIT NO. 4
APPLICATION NO.
1-96-45 STROMBECK
Wetland Report (page 17 of 17)

1" = 100'

Strombeck • IN 6508 • 519

## DEPARTMENT OF FISH AND GAME

601 LOCUST STREET  
REDDING, CA 96001  
(916) 225-2300



August 13, 1996

Mr. Kenneth M. Curtis  
Community Development Department  
City of Arcata  
736 F Street  
Arcata, California 95521

RECEIVED  
AUG 19 1996  
City of Arcata  
Planning & Building Dept.

Dear Mr. Curtis:

Strombeck Tentative Parcel Map  
and Coastal Development, #967-001-TPM

The Department of Fish and Game (Department) has reviewed the revised application for the subdivision of an existing lot into two parcels located south of Samoa Boulevard in the Sunnybrae area of Arcata. Parcel One is currently developed with seven apartment buildings. Proposed Parcel Two contains a workshop which will be demolished and replaced with up to 14 residential units.

On August 1, 1996, a joint site review with City of Arcata staff, the applicant, the applicant's consultants, US Army Corps of Engineers staff, and Department staff was conducted.

The Department had previously commented on the above application (letter dated July 29, 1996) indicating an inconsistency between the Preliminary Wetland Report Meadowbrook Apartments, Arcata, California, May 1996 wetlands mapping prepared by Mr. R. Chad Roberts and the July 1996 tentative parcel map prepared by Mr. Walter B. Sweet. The revised tentative parcel map has resolved this discrepancy.

In addition, the wetland report prepared by Mr. Roberts recommends a 25-foot buffer zone outside of the wetland habitat. Based on the high human activity and disturbance of the site, we concur with this recommendation with the condition that imported fill and pavement be removed from within this 25-foot buffer. Further, the applicant had indicated the planting of a lawn in the southwest corner of Parcel One. As the lawn will actually incorporate some wetland habitat, the applicant had also indicated a willingness to revegetate the southwest property boundary with riparian tree species such as red alder (*Alnus rubra*).

EXHIBIT NO.	5
APPLICATION NO.	1-96-45 STROMBECK
Fish & Game letter (page 1 of 2)	

Mr. Kenneth M. Curtis  
Page Two  
August 1~~8~~, 1996

As such, we concur with the mitigated negative declaration. Should you have any questions regarding the above comments, please contact staff biologist Ms. Karen Kovacs at (707) 441-5789.

Sincerely,



*for* Richard L. Elliott  
Regional Manager

cc: Mr. Robert Merrill  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, California 94105-2219

EXHIBIT NO.	5
APPLICATION NO.	1-96-45 STROMBECK
Fish & Game letter (page 2 of 2)	

1911