

## CALIFORNIA COASTAL COMMISSION

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

# F 4a



June 12, 1996

**TO:** Commissioners and Interested Persons

**FROM:** Steven F. Scholl, Deputy Director  
Robert S. Merrill, Coastal Planner

**SUBJECT:** PROPOSED DE MINIMIS AMENDMENT (NO. 1-97) TO THE HUMBOLDT COUNTY  
LOCAL COASTAL PROGRAM

Humboldt County is proposing that its certified Local Coastal Program (LCP) be amended to clarify and improve the enforceability of the Beach and Dunes Motor Vehicle Use Ordinance and its restrictions on private vehicle use in the beach and dune areas of the North and South Spits of Humboldt Bay. This LCP amendment request was filed as complete on April 22, under Section 30514 of the Coastal Act and Title 14, Section 13553 of the California Code of Regulations.

The purpose of this notice is to advise interested parties of the determination by the Executive Director that the filed LCP amendment is "de minimis" under Section 30514 of the Coastal Act. A de minimis LCP amendment is a change to a local government's LCP which has no impact, either individually or cumulatively, on coastal resources.

In this case, the proposed LCP amendment involves clarifications to the Beach and Dunes Motor Vehicle Use Ordinance that will improve the ability of the County to enforce the provisions of the ordinance. The ordinance restricts private vehicle use in the beach and dunes area to better protect sensitive habitat and prevent conflicts with other public access users. Changes include modifying the exemption for commercial fishermen to prevent abuse by recreational drivers who are purchasing commercial fishing licenses merely to be exempt from the provisions of the ordinance, clarifying maps attached to the ordinance to provide better detail on the area affected, clarifying the paved areas affected by the ordinance, and clarifying the penalty provisions. A copy of the County's Resolution forwarding the LCP Amendment to the Commission for certification containing as an attachment the full text of the proposed amendment is attached to this notice as Attachment One. A summary of the public testimony received at the Humboldt County Board of Supervisors meeting when the amendment was acted on locally is attached as Attachment Two.

The Executive Director has determined that the proposed amendment will have no impact on coastal resources because the changes proposed in the amendment merely involve clarifications designed to improve the enforceability of an ordinance intended to protect coastal resources. The proposed amendment neither expands nor further restrict allowable vehicle use in the dunes.

SUBJECT: PROPOSED DE MINIMIS AMENDMENT (NO. 1-97) HUMBOLDT COUNTY LOCAL  
COASTAL PROGRAM

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Pursuant to Section 30514 of the Coastal Act, the Executive Director is hereby reporting in writing this determination to the Commission at its June 13, 1997 hearing, located at the Marin County Board of Supervisors Chambers at the Marin County Civic Center in San Rafael. Pursuant to Section 340514(d)(3)(C) of the Coastal Act, if three or more members of the Commission do not object to the de minimis determination, then the LCP amendment will be deemed approved and will take effect ten days after the date of the Commission's meeting. Alternatively, if three or more members of the Commission object to the Executive Director's determination that the proposed amendment is de minimis, then the proposed amendment shall be set for a public hearing at a later date as a major LCP amendment.

For additional information, please contact Robert Merrill at the North Coast office in San Francisco (415)904-5260.

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BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on Feb 11, 1997

Resolution No. 97-21

RESOLUTION APPROVING AMENDMENTS  
TO THE BEACH AND DUNES MOTOR VEHICLE USE  
ORDINANCE FOR SUBMITTAL TO THE CALIFORNIA  
COASTAL COMMISSION

WHEREAS, the Humboldt County Board of Supervisors has noted that more specific language is required to implement its regulations regarding motor vehicle use on the beach and dunes; and,

WHEREAS, the Humboldt County Board of Supervisors has duly considered amendments beach and dunes motor vehicle use on **FEB 11 1997**

NOW THEREFORE BE IT RESOLVED by the Humboldt County Board of Supervisors that:

1. Upon consideration of the above, the Humboldt County Board of Supervisors approves the amendments as contained in Exhibit A as an amendment to the Humboldt Bay Area Plan of the Local Coastal Program Element of the Humboldt County General Plan and its implementing ordinances.
2. The Planning Director has been directed to submit these amendments, together with necessary supporting information, to the California Coastal Commission for consideration as an amendment of Humboldt County's Certified Local Coastal Program, pursuant to the provisions of Public Resources Code 30,000 et seq.
3. The Planning Director is authorized to correct typographical errors, references to draft documents, statutes, and ordinances, page numbers, and maps, and to make similar clerical changes.
4. This Board of Supervisor shall not finally adopt these implementing ordinance amendments until they have been approved by the California Coastal Commission.

Adopted on motion by Supervisor **DIXON**, seconded by Supervisor **KIRK** and the following vote:

AYES: Supervisors-- Dixon, Rodoni, Neely, and Kirk

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings, Meeting on Feb 11, 1997

NOES: Supervisors-- None

ABSTAIN: Supervisors-- None

ABSENT: Supervisors-- Supervisor Woolley

STATE OF CALIFORNIA    )  
                                  ) ss.  
County of Humboldt     )

I, LORA FREDIANI, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors

LORA FREDIANI

Clerk of the Board of Supervisors of the County of Humboldt, State of California

By Moselle Ball  
Deputy     February 11, 1997

## Chapter 7

### Motor Vehicle Use on Designated Beach and Dune Areas

917-1. FINDINGS. The Humboldt County Board of Supervisors finds that in order to protect the public health, safety, and welfare, and to protect the natural resources of the beach and dunes in the designated area for long term public use, benefit and enjoyment, the following restrictions on use on these areas are warranted:

917-2. DEFINITIONS. For purposes of this section, the following terms, phrases, words and their derivatives shall have the meanings given herein:

(a) Vehicle. "Vehicle" is any conveyance whether motor powered, animal-drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description; provided, however, that vehicles shall not be construed to mean bicycles, wheel chairs, or vehicles in the service of the County of Humboldt, any political subdivision or public agency or emergency vehicles not operated by a public agency such as ambulances.

(b) Commercial Fishermen. "Commercial Fishermen" are any persons holding a currently valid California commercial fishing license, and complying with any other requisites as required by law for a person to engage in commercial fishing.

(c) Waveslope. "Waveslope" is the area of the beach that shows evidence of having been washed by waves during the last tidal cycle.

(d) Handicapped Person. A "handicapped person" is any person who qualifies for a motor vehicle handicapped placard issued by the California Department of Motor Vehicles or who would qualify if not for the person's age.

(e) Senior Citizens. "Senior citizens" are any persons 65 years or older.

917-3. MOTOR VEHICLES PROHIBITED ON BEACH AND DUNE AREAS. Except as provided in section 917-4, all motor vehicles including, but not necessarily limited to automobiles, four-wheel-drive motor vehicles, sand buggies, dune buggies, all-terrain vehicles, motorcycles, motor-driven cycles, motor driven three-wheel cycles, motor scooters, trail bikes, mini-bikes are prohibited from the areas as shown in Figures 1, 2, & 3, and as shown on more detailed maps on file at the Humboldt County Planning Department, except for roads, parking areas, and other paved areas.

917-4. VEHICLES PROHIBITED - EXCEPTIONS. The provisions of section 917-3 shall not apply to any of the following while using the waveslope within the areas as shown in Figures 1, 2, & 3, and as shown on more detailed maps on file at the Humboldt County Planning Department:

(a) Commercial fishermen in street licensed four-wheel drive vehicles actively engaged in fishing and/or fishing gear salvage activities. Commercial fishermen wishing to use other vehicle types may apply for a special permit under Section 917-4(e).

(b) Handicapped persons and their legal guardians.

(c) Vehicle use excluded in the definition of "Vehicle" in Section 917-2(a)

(d) Senior citizens.

(e) In addition, by special permit, the Planning Director may waive the requirements of Section 917-3 for any area shown in Figures 1, 2, & 3, and as shown on more detailed maps on file at the Humboldt County Planning Department, if in his or her discretion the applicant for the special permit has demonstrated a reasonable need for such a waiver and the proposed vehicular use of the otherwise restricted area will be conducted in a manner and location that will minimize adverse impacts to coastal resources.

917-5. **VEHICLES PROHIBITED - SNOWY PLOVER HABITAT.** Notwithstanding the provisions of Sections 917-3 and 917-4, all vehicle use is prohibited during the snowy plover nesting season at any posted site within the area shown in Figures 1, 2, & 3, and as shown on more detailed maps on file at the Humboldt County Planning Department, that has been determined by the Planning Director after consultation with the U.S. Fish & Wildlife Service to be needed to protect the seasonal nesting area of the endangered snowy plover bird species.

917-6. **SPEED LIMIT.** Driving allowed by the provisions of Section 917-4 within the area shown in Figures 1, 2, & 3, and as shown on more detailed maps on file at the Humboldt County Planning Department, shall be limited to 15 miles per hour. Driving on the waveslope within the designated recreational driving areas shown shall be limited to 15 miles per hour.

917-7. **NON-CONFORMING USES.** The property described at APN 506-061-24, the Khaloghli property, has had vehicle use on a regular basis over the past twenty (20) years, and such use shall be considered a legal pre-existing non-conforming use for purposes of this vehicle use ordinance. This does not affect the County's ability to regulate development, as defined by the Coastal Zoning Regulations, on this property.

917-8. **PENALTY.** Any person who violates any provisions of this Chapter shall be guilty of an infraction. A violation of this Chapter shall be punishable by a fine of not less than fifty (\$50.00) dollars and not more than two hundred and fifty (\$250.00) dollars.

12/12/96 markup

271-20. TOWING.

No person shall tow or draw any object behind a motor vehicle on a County park beach area in a manner which endangers the safety of persons or property. Not more than one motor vehicle or trailer shall be towed by a motor vehicle on a County park beach area.

271-21. DRIVING UNDER THE INFLUENCE.

No person who is under the influence of intoxicating liquor, any drug, or under the combined influence of intoxicating liquor and any drug, shall operate a motor vehicle upon any County beach area.

271-22. REGISTRATION AND IDENTIFICATION.

Every motor vehicle operated on County park beach area shall be registered or identified as required by the California Vehicle Code.

271-23. DRIVER'S LICENSE.

No person shall operate a motor vehicle upon a County park beach area without having in his or her immediate possession a valid driver's license issued pursuant to law.

271-24. DESIGNATED COUNTY PARK BEACH AREAS.

Four-wheel drive motor vehicles shall be operated only on the following County park beach areas:

(a) Centerville Beach Park. On the wave slope, seaward of the vegetation line. Said area shall be accessible for vehicles from the County park property only by means of the designated vehicle access route north of the restrooms.

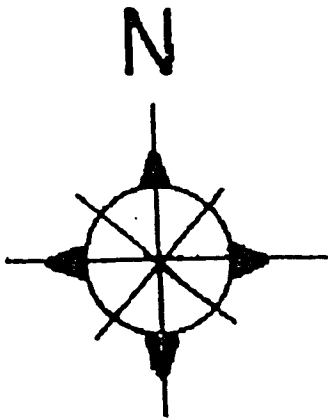
(b) Table Bluff Park. On the wave slope, seaward of the vegetation line only. Said area shall be accessible for vehicles from the County park property only by means of the designated route at the north end of the park.

(c) Clam Beach Park. On the wave slope, seaward of the vegetation line. Said area shall be accessible for vehicles from County park property only from the designated access on Clam Beach Drive.

(d) Mad River Park. As provided in Title 9, Chapter 7 of the Humboldt County Code (sections 917-1 through 917-5).

271-25. ORGANIZATIONAL ACTIVITIES.

Organizational activities and use of any park, including day use, overnight camping, group picnics and other park activities appropriate to the park area for which the permit is sought, are allowed subject to

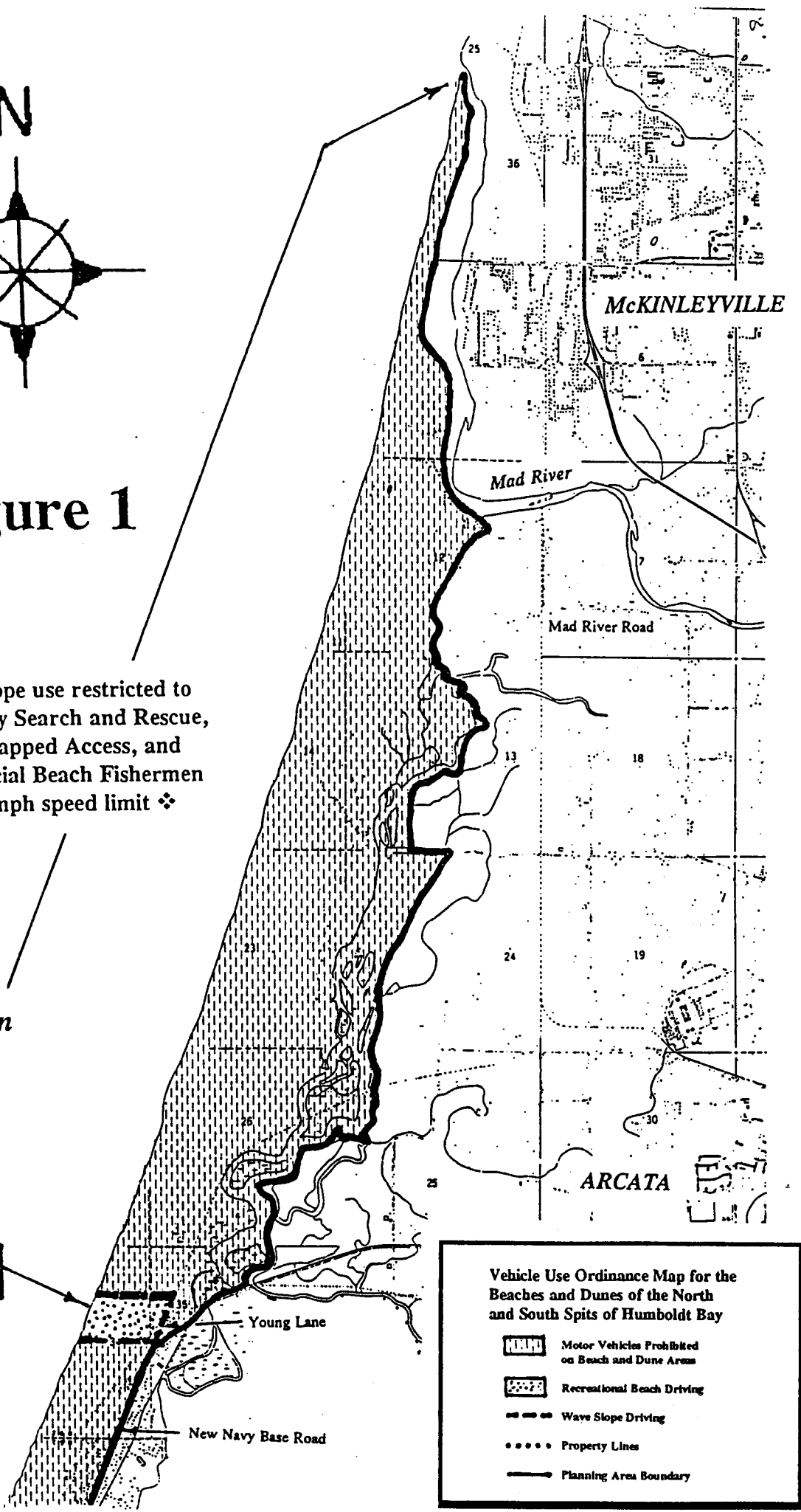


**Figure 1**






Wave slope use restricted to  
 Emergency Search and Rescue,  
 Handicapped Access, and  
 Commercial Beach Fishermen  
 ❖ 15 mph speed limit ❖

*Pacific Ocean*

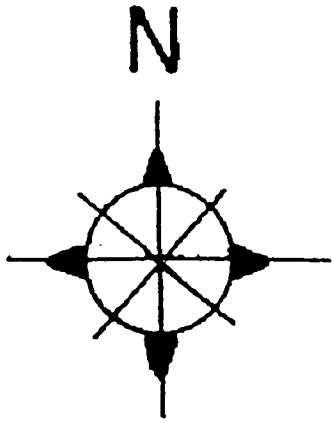
Humboldt Buggy and  
 ATV Assoc. Property



**Vehicle Use Ordinance Map for the Beaches and Dunes of the North and South Spits of Humboldt Bay**

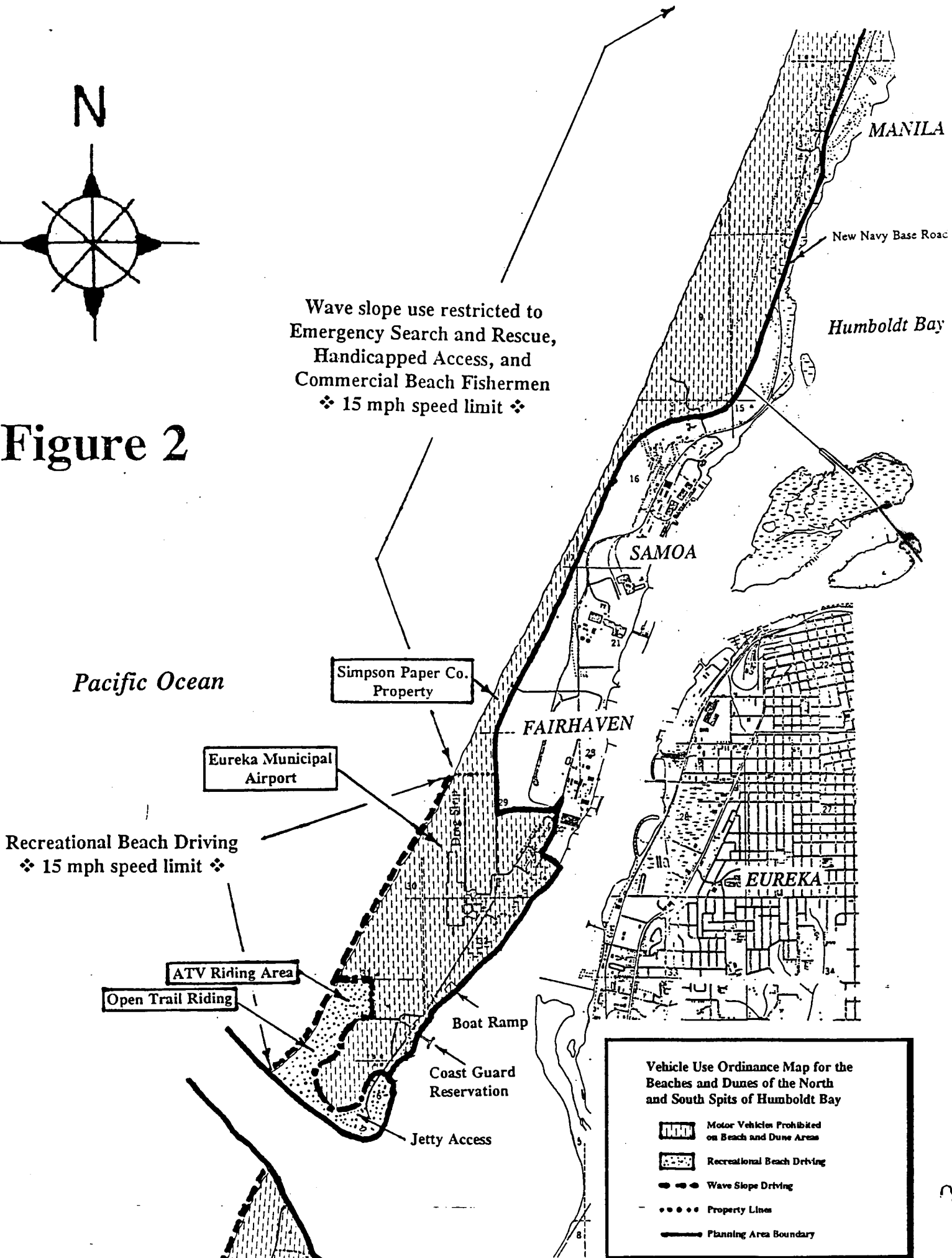
-  Motor Vehicles Prohibited on Beach and Dune Areas
-  Recreational Beach Driving
-  Wave Slope Driving
-  Property Lines
-  Planning Area Boundary

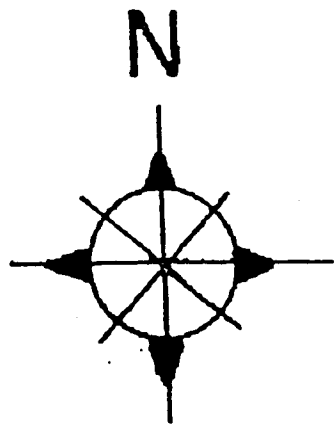




Wave slope use restricted to  
Emergency Search and Rescue,  
Handicapped Access, and  
Commercial Beach Fishermen  
❖ 15 mph speed limit ❖

Figure 2





Recreational Beach Driving  
❖ 15 mph speed limit ❖

ATV Riding Area  
Open Trail Riding

Eureka Municipal Airport

New Navy Base Road

Pacific Ocean

Coast Guard Reservation

Jetty Access

South Jetty

Figure 3

WEST SIDE:

3 posted access corridors from road to the wave slope in consultation with USFWS, CDFG and ORV organizations






Vehicles allowed on wave slope  
❖ 15 mph speed limit ❖

EAST SIDE:

3 gated access corridors from road to the wave slope in consultation with Wiyot Tribal Council, USFWS and CDFG

South Humboldt Bay

Vehicle Use Ordinance Map for the Beaches and Dunes of the North and South Spits of Humboldt Bay

-  Motor Vehicles Prohibited on Beach and Dune Areas
-  Recreational Beach Driving
-  Wave Slope Driving
-  Property Lines
-  Planning Area Boundary

