

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
1385 8<sup>th</sup> STREET, SUITE 130  
ARCATA, CA 95521  
VOICE (707) 826-8950  
FACSIMILE (707) 826-8960



**Th15b**

**LCP AMENDMENT LCP-1-HUM-16-0040-1**

**(COUNTY OF HUMBOLDT INTERIM USES ON  
COASTAL-DEPENDENT INDUSTRIAL LANDS)**

**AUGUST 10, 2017**

**CORRESPONDENCE**

8-3-17

**RECEIVED**

AUG 03 2017

**CALIFORNIA  
COASTAL COMMISSION  
NORTH COAST DISTRICT**

California Coastal Commission  
North Coast District Office  
1385 8<sup>th</sup> Street Suite 130  
Arcata, CA 95521

We are unable to attend your August 10th meeting, however we have concerns regarding Item TH 15A on your agenda.

Please consider the following changes to the proposed text amendments to allow non-coastal dependent uses in the MC-Industrial/Coastal-dependent zone.

1. All parcels on the Samoa peninsula side within 1,000 (one-thousand) feet of an existing dock be kept shovel-ready for coastal-dependent uses or only allow month-to-month rental agreements.
2. All parcels mentioned in item 1 above be required to provide proof of actively pursuing tenants qualifying as MS-Industrial/Coastal-dependent uses.
3. Any land owner who has intentionally illegally violated Coastal Commission regulations by renting or leasing to non-conforming tenants be precluded from benefitting from the interim use allowance.
4. Eliminate the interim conditional permitted use (General Agriculture). We have many thousands of acres unused or underused land in Humboldt County available for General Agriculture. The quality of soil on the Samoa Peninsula side of the bay is far from prime ag land or soils.

Please preserve our prime coastal locations at a minimum to maintain our Bay as a functional port.

Thank you for your consideration of these requests.

Sincerely,



Kent Sawatzky  
P.O. Box 765  
Blue Lake, CA 95525  
707.668-5288/ 707-496-7454

**From:** [REDACTED]  
**To:** [Kraemer, Melissa@Coastal](mailto:Kraemer.Melissa@Coastal); [Merrill, Bob@Coastal](mailto:Merrill.Bob@Coastal)  
**Subject:** LCP Amendment LCP-1-HU  
**Date:** Thursday, August 03, 2017 9:40:50 PM  
**Attachments:** [Coastal Commission LCP Amendment LCP-1-HUM-16-0041-1 Comments 2.docx](#)

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Please consider this letter, thank you.  
Monte Provolt....

August 3, 2017

California Coastal Commissioners  
c/o Melissa Kraemer  
Supervising Planner  
North Coast District Office

Transmitted Via email: [mkraemer@coastal.ca.gov](mailto:mkraemer@coastal.ca.gov)  
[bmerrill@coastal.ca.gov](mailto:bmerrill@coastal.ca.gov)

RE: Agenda Item Th15b - Opposition to proposed LCP Amendment No LCP-1-HUM-16-0040-1 allowing non-coastal dependent businesses to temporarily or permanently locate on properties presently zoned Coastal-Dependent Industrial.

Dear Commissioners,

I want to voice my support for protecting the rare and unique properties that bare Coastal Dependent Industrial zoning in Humboldt Bay and my opposition to any proposal that seeks to allow non-coastal dependent businesses to temporarily or permanently locate on properties presently zoned Coastal Dependent Industrial.

I have carefully reviewed the Staff Report regarding the concept of allowing non-coastal dependent businesses to temporarily or permanently locate on properties presently zoned Coastal-Dependent Industrial. While I am in favor of virtually any proposal that would improve the economy of our area, this particular proposal looks to create a possible short term benefit with uncertain long-term detrimental consequences to one of our most unique economic assets –our harbor. Therefore, I have concluded that changing the uses temporarily or permanently would:

- Reduce the number of properties available for coastal-dependent industrial uses on Humboldt Bay;
- Create unnecessary competition for existing non-coastal industrial parks and industrial properties in various communities including Arcata, Manila, Blue Lake, Eureka, Fortuna, Rio Dell and other areas of the County; and.
- Reduce our ability to attract true coastal-dependent industrial businesses to our area.

Many in the Eureka area have maintained that Humboldt Bay’s deep water harbor has great potential as a regional economic engine. There is an active proposal for a new rail line to act as a land-bridge from the Humboldt Bay eastward to the Sacramento central valley. This easterly rout is before regulatory agencies in Washington and would likely connect Humboldt Bay to the central valley near Red Bluff north of Sacramento . We need not to undermine this potential project by changing the CDI designations of Humboldt Bay lands.

We know that thousands of people were employed in businesses along the bay in the past and we see indications that global trade is going to continue to grow in the future. Lastly, we know that Humboldt Bay is one of only eleven public deepwater seaports in California and the only one of those nine that has the greatest potential for growth because of the availability of coastal dependent industrial land.

**Here are my specific concerns:**

**Uniqueness of Humboldt Bay's CDI property:** As some Coastal Commissioners have said in the past, “you can build a non-coastal industrial business anywhere, but you cannot park a ship anywhere”. CDI in Humboldt Bay is underutilized, but it only accounts for about 15% of Humboldt Bay’s shoreline and thus is a unique and irreplaceable asset to our area. It is my contention that it is underutilized because the County of Humboldt and the Harbor District have not been diligent in their compliance with the coastal act to “modernize and construct necessary facilities within their boundaries in order to minimize or eliminate the necessity for future dredging and filling to create new ports in new areas of the state” (CA Sec. 30701 (b)). On several occasions, the County and the Harbor District have either blocked efforts to promote CDI uses of Humboldt Bay or have used public resources to pursue non-coastal uses rather than putting the energy into promoting the port in direct conflict with the Coastal Act.

Further, the Harbor District was formed, mandated and chartered by the State of California:

*“for the acquisition, construction, maintenance, operation, development, and regulation of harbor works and improvements including rail, water and air terminal facilities for the development, operation, maintenance, control, regulation and management of Humboldt Bay upon the tidelands and lands lying under the inland navigable waters of Humboldt Bay...”* (Section 4, Appendix II CA Harbors and navigation Code).

It was not created, nor given the powers, to be an overall county-wide economic development agency or to work promoting non-coastal activities as it is doing in this case.

**One of our harbor's selling points:** Our harbor already has docks, labor, tugs, Coast Guard, Customs and deep channels - the one thing that sets us apart from most of the other deep-water seaports in CA is that we have underutilized CDI property. If we replace CDI uses with non-CDI uses, even temporarily, the properties will likely never be available for future CDI uses. As CalTrans focuses on improving the landside transportation links to the harbor, we need to be able to say we have that CDI property available. If it is removed from CDI or even allow an interim use on it that ties it up for 5-10 years, we have less to offer and less to attract CDI businesses to our area.

**Already have a justifiable demarcation:** In general, the CDI boundary has historically been bayward of the NWP rail line. On the peninsula, the bay side of the RR is CDI; the ocean side is non-CDI. This line has been in place for years and provides adequate protection for future harbor-related uses and future connections to land side transportation assets.

Based upon the above, I respectfully request that the Coastal Commission reject any proposal to water down, even temporarily, the CDI zoning. If however, the Commission feels compelled to allow non-coastal uses on CDI property, I strongly recommend that you make the follow additions to that approval:

1. Publicly-owned lands should be excluded from this action. As noted above, the Harbor District was created to promote harbor development, not non-coastal activities. Allowing the Harbor District to engage in non-harbor related activities runs afoul of their state-mandated purpose and puts the Commission in the position of encouraging the Harbor District to work beyond its mandate.
2. All properties that are adjacent to an existing dock (whether in use or not) should be not be allowed to have any non-coastal activities. These properties are the most likely to have CDI activities and should be protected from non-coastal activities. This is especially relevant because these are the harbor assets that abut the natural and dredged deep-water channels lining the eastern side of northern Humboldt Bay that the Harbor District has designated as harbor designated.
3. Humboldt County already has generous amounts of vacant or underutilized currently zoned Industrial Lands, therefore it is most prudent ti use those lands before changing the designation of the CDI lands around the harbor portion of Humboldt Bay.

Thank you for your consideration of my comments. I think I speak for many people that believe the Coastal Act was put in place to avoid piecemeal and short term uses of valuable coastal property. Please keep our CDI properties intact and encourage the County and Harbor District to promote them for the benefit of the region and state.

Sincerely,

**From:** [Wilson, Mike](#)  
**To:** [Kraemer, Melissa@Coastal](mailto:Kraemer.Melissa@Coastal)  
**Cc:** [Ford, John](mailto:Ford.John); [jcrider@humboldtby.org](mailto:jcrider@humboldtby.org)  
**Subject:** FW: Support Letters  
**Date:** Monday, August 07, 2017 12:35:52 PM  
**Attachments:** [Support Letters.pdf](#)

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Melissa,

Here are letters of support for the [Humboldt County Coastal Dependent Industry Interim Uses \(LCP Amendment No. LCP-1-HUM-16-0040-1\)](#) from:

- Jared Huffman, US Congressman, 2<sup>nd</sup> District
- Jim Wood, California Assembly, 2<sup>nd</sup> District
- Barbara Hecathorne, President, Humboldt Bay Municipal Water District
- Neil Ewald, Senior Vice President/General Manager, California Redwood Company/Green Diamond Resource Company
- Robert M. Simpson, President, Freshwater Tissue Co.
- Ken Musante, President, Grater Eureka Chamber of Commerce

Thank you for all your work on this important issue.

Mike

JARED HUFFMAN  
2ND DISTRICT, CALIFORNIA

COMMITTEE ON  
NATURAL RESOURCES  
WATER, POWER, AND OCEANS – RANKING MEMBER  
FEDERAL LANDS  
COMMITTEE ON TRANSPORTATION  
AND INFRASTRUCTURE  
HIGHWAYS AND TRANSIT  
WATER RESOURCES AND ENVIRONMENT

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-0502

WASHINGTON OFFICE  
1830 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
PHONE: (202) 225-5181  
FAX: (202) 225-5163  
WEBSITE: huffman.house.gov

July 14, 2016

Mark Lovelace  
Chairman, Humboldt County Board of Supervisors  
825 Fifth Street  
Eureka, CA 95501

Dear Mr. Lovelace:

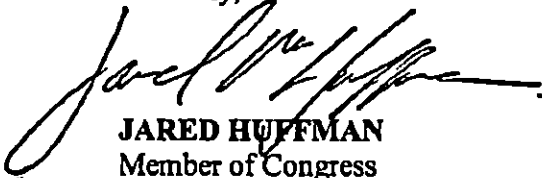
I am writing in support of the Interim Use Local Coastal Program amendment that is under consideration by your board to open up a variety of business opportunities on Humboldt Bay area lands, including the former Samoa pulp mill property. The amendment is an important step in easing strict zoning restrictions currently in place for that property, in which about \$8 million has been invested to clean up environmental contamination since 2010 by the U.S. Environmental Protection Agency and other federal and state agencies.

The Samoa pulp mill was shut down in 2010, following the purchase of the facility from Evergreen Pulp by Freshwater Tissue Co. It was discovered that some four million gallons of caustic and toxic chemicals remained on site in vessels not suitable for long-term storage. The U.S. EPA, U.S. Coast Guard and other federal and state agencies responded and began a years-long process of removing the contaminants. The Humboldt Bay Harbor, Recreation and Conservation District purchased the property, and is looking to attract businesses to the site.

The District and other bay property owners are highly restricted by the current Coastal-Industrial Dependent (CDI) zoning designation. The current proposal to adopt the Interim Use Local Coastal Program amendment would allow certain other uses on these properties – while prioritizing current and future CDI uses.

Thank you for your serious consideration of the Interim Use Local Coast Program amendment.

Sincerely,



JARED HUFFMAN  
Member of Congress

SAN RAFAEL  
999 FIFTH AVENUE, SUITE 290  
SAN RAFAEL, CA 94901  
PHONE: (415) 258-9657  
FAX: (415) 258-9913

PETALUMA  
208 G STREET, #3  
PETALUMA, CA 94952  
PHONE: (707) 981-8967  
FAX: (415) 258-9913

UKIAH  
559 LOW GAP ROAD  
UKIAH, CA 95482  
PHONE & FAX: (707) 671-7449

FORT BRAGG  
430 NORTH FRANKLIN STREET  
P.O. Box 2708  
FORT BRAGG, CA 95437  
PHONE: (707) 982-0933  
FAX: (707) 982-0905

EUREKA  
317 THIRD STREET, SUITE 1  
EUREKA, CA 95501  
PHONE: (707) 407-3585  
FAX: (707) 407-3569



STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0002  
(916) 319-2002  
FAX (916) 319-2102

# Assembly California Legislature



**JIM WOOD**  
ASSEMBLYMEMBER, SECOND DISTRICT

July 18, 2016

Supervisor Mark Lovelace, Chair  
Humboldt County Board of Supervisors  
825 Fifth Street  
Eureka, CA 95501

**RE: Proposed LCP Amendment, Non-coastal Dependent Interim Uses in the Industrial/Coastal Dependent Zone District**

Dear Chair Lovelace and Members of the Board of Supervisors:

I write in support proposal to amend the Humboldt Bay Area plan and Coastal Zoning Regulations to allow non-coastal dependent interim uses in the Industrial/Coastal Dependent Zone District.

I believe the proposed amendments offer the opportunity for near-term economic development while protecting the potential for coastal dependent industrial development in the long-term and further believe that it should be the County's policy to encourage investment in abandoned industrial areas to reverse the degradation of infrastructure on these sites, reduce blight, and encourage investment. While there are many ways to do this, a critical first step is to ensure that our community offers appropriately zoned industrial areas that are attractive for development. Further, it is my understanding that there may be businesses in the subject area that do not conform to the existing zoning. The proposed amendments would give stability and assurance to these businesses.

I do not always weigh in on local matters, however I believe this is a good opportunity for Eureka to open up much needed Industrial space. It is critical that our ports continue to allow access while allowing for flexibility in development for businesses in the Humboldt Bay area. I believe the amendments ensure that when a coastal dependent industrial business opportunity presents itself in the future, that there are sufficient protections to ensure that it can be accommodated--and that harbor related activities continue to be prioritized when they do materialize in the future.

Thank you for your attention to this matter. Please feel free to contact me should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Jim Wood", written over a horizontal line.

Jim Wood  
ASSEMBLYMEMBER, 2<sup>nd</sup> District





## **HUMBOLDT BAY MUNICIPAL WATER DISTRICT**

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502-0095

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)

### **BOARD OF DIRECTORS**

BARBARA HECATHORN, PRESIDENT

ALDARON LAIRD, VICE-PRESIDENT

J. BRUCE RUPP, SECRETARY-TREASURER

SHERI WOO, DIRECTOR

NEAL LATT, DIRECTOR

### **GENERAL MANAGER**

PAUL HELLIKER

July 1, 2016

Honorable Mark Lovelace, Chair  
Humboldt County Board of Supervisors  
825 5<sup>th</sup> Street, Room 111  
Eureka, CA 95501

RE: Proposed LCP Amendment: Non-Coastal Dependent Uses in the Industrial/Coastal Dependent Zone District

Dear Chair Lovelace and Members of the Board:

On behalf of the Board of Directors of the Humboldt Bay Municipal Water District, I would like to express our support for the proposed Local Coastal Plan amendment being considered by the Board of Supervisors. This amendment would allow for noncoastal-dependent interim uses in the Industrial/Coastal-Dependent Zone District.

As noted in the report to the Planning Commission on April 21, 2016, there are 1,178 acres of land (some of which is water and mudflat) zoned as Coastal Dependent Industrial (MC) under jurisdiction of Humboldt County around Humboldt Bay. Of this acreage, approximately 50 acres are currently being utilized by CDI uses. The report includes summaries of a number of studies that have been conducted over the past thirty years, which have analyzed the evolution of coastal-dependent activities around Humboldt Bay. The staff report notes that demand for CDI uses in Humboldt County has been declining for decades, resulting in a substantial amount of vacant or underutilized land zoned for CDI use around Humboldt Bay.

Our organization has been directly affected by this evolution, with the closure of the Samoa Peninsula pulp mills in the 1990's and 2000's. Ironically, the pulp mills, constructed in the late 1950's and early 1960's, would not have qualified as Coastal-Dependent Industrial uses and would have been precluded from being located on the peninsula, were the CDI designation in place at that time. The properties formerly occupied by the pulp mills, which are served by a substantial water supply infrastructure, are currently underutilized due to their CDI zoning. Both we and the Humboldt Bay Harbor, Recreation and Conservation District (the current owner of one of the former pulp mill properties) believe that a redesignation of these properties to allow other industrial and commercial uses is necessary, to make better use of existing infrastructure. At a minimum, we urge the County to adopt the proposed ordinance, which would allow for interim uses of these properties by non-coastal dependent activities.

Thank you for the opportunity to provide our perspective on this topic.

Sincerely,

*Barbara Hecathorn*

Barbara Hecathorn  
President, Board of Directors

July 1, 2016

Supervisor Mark Lovelace, Chair  
Humboldt County Board of Supervisors  
825 Fifth Street  
Eureka, CA 95501

Dear Chair Lovelace and Members of the Board of Supervisors:

I am writing this letter on behalf of the Greater Eureka Chamber of Commerce in support of the proposal to amend the Humboldt Bay Area plan and Coastal Zoning Regulations to allow non-coastal dependent interim uses in the MC – Industrial/Coastal Zone.

The Greater Eureka Chamber of Commerce is an organization of members that develops and promotes trade, commerce, tourism and jobs in Eureka and the north coast region. We represent nearly 600 member businesses, organizations and individuals who are all committed to promoting the economic vitality of our community.

We believe that the proposed amendments offer the opportunity for near-term economic development while protecting the potential for coastal dependent industrial development in the long-term. We further believe that it should be the County's policy to encourage investment in abandoned industrial areas to reverse the degradation of infrastructure on these sites, reduce blight, and encourage investment. While there are many ways to do this, a critical first step is to ensure that our community offers appropriately zoned industrial areas that are attractive for development. Further, it is our understanding that there may be businesses in the subject area that do not conform to the existing zoning. The proposed amendments would give stability and assurance to these businesses.

We have carefully considered this proposed change in policy and have received presentations from representatives of both sides of the issue. While we think it critical that our ports continue to allow access and though these amendments are not perfect, we find them superior to the status quo. We believe that when a coastal dependent industrial business opportunity presents itself in the future, that there are sufficient protections to ensure that it can be accommodated—and that harbor related activities continue to be prioritized when they do materialize in the future.

Thank you for your attention to this matter. Please feel free to contact me should you have any questions.

Sincerely,

*Kenanth J Musante*

Ken Musante  
President, Greater Eureka Chamber of Commerce  
707 476 0570, x202  
kenm@eurekapayments.com



One TCF Drive, P.O. Box 248  
Samoa, California 95564  
(707) 445-7952

July 5, 2016

Supervisor Virginia Bass  
Humboldt County Board of Supervisors  
825 5<sup>th</sup> Street, Room 111  
Eureka, CA 95501

RE: Proposed LCP Amendment: Non-Coastal Dependent Uses in the Industrial/Coastal Dependent Zone District

Dear Supervisor Bass and Members of the Board:

On behalf of Freshwater Tissue Company, I would like to express our support for the proposed Local Coastal Plan amendment being considered by the Board of Supervisors. This amendment would allow for noncoastal-dependent interim uses in the Industrial/Coastal-Dependent Zone District.

There are approximately 1,178 acres of land zoned as Coastal Dependent Industrial (MC) around Humboldt Bay. Freshwater owns two legal parcels totaling 50.77 acres. Both parcels are vacant and listed for sale by J.B. Mathers of Coldwell Banker. According to Mr. Mathers, there is currently no demand for CDI zoned property in Humboldt County and there is no reason to believe demand will increase in the foreseeable future. However, Mr. Mathers believes interim use of CDI properties would increase the opportunity to sell or lease our property and increase employment opportunities in Humboldt County.

I believe it is in the best interest of the citizens of Humboldt County and Samoa landowners to utilize CDI lands on an interim basis to create jobs. If not for the barrier of CDI zoning, Samoa has desirable and rare assets that many industries just can't find. These assets are:

- Large tracts of inexpensive land
- High voltage power
- Natural gas
- 60 million gallons of water/day
- Water treatment plant
- Ocean outfall line
- Access to world class support companies like O&M Industries
- Mild climate

Respectfully, as Supervisors, you have been elected to represent the will of the citizens. I think it is fair to say that the citizens of Humboldt County support interim use of CDI property for both private and public entities.

Sincerely,

Robert M. Simpson  
President - Freshwater Tissue Company



California Timberlands Division  
P O Box 1089 Arcata California  
95518-1089

T (707) 668-4400  
F (707) 668-3710  
greendiamond.com

June 30, 2016

Supervisor Mark Lovelace, Chairperson  
Humboldt County Board of Supervisors  
825 5th Street, Room 111  
Eureka, CA 95501

***RE: Proposed LCP Amendment; Noncoastal-Dependent Interim Uses in the Industrial/Coastal Dependent Zone District***

Dear Chairperson Lovelace and Supervisors:

I am writing this letter in support of the proposed Local Coastal Plan (LCP) Amendment to allow Noncoastal-Dependent Interim Uses in the Industrial/Coastal Dependent Zone District.

California Redwood Company (CRC), a subsidiary of Green Diamond Resource Company (GDRCo), owns property located on the Samoa Peninsula, of which approximately 80 acres are zoned Coastal Dependent Industrial (MC). As a property owner we believe that there is value in having flexibility regarding to the types of allowable uses, especially those related to timber products and timber products processing.

We have carefully reviewed the proposed policy change and believe that there are some limitations that may make it onerous, if not impossible, for a business to permit and construct a timber products or timber product processing facility within the Industrial/Coastal-Dependent Zone District. While we support the concept of maintaining access to the harbor, given the abundant forest resources in close proximity to Humboldt Bay, we believe that forest products and forest products processing should be considered principally permitted uses within the Industrial/Coastal-Dependent Zone District.

It is our understanding that in November of 2014 the Coastal Commission and the OPC awarded a grant of \$35,000 and \$90,000, respectively, to the County to undertake a comprehensive update of the Humboldt Bay Area Plan and to update policies related to tsunami hazards. We respectfully request that the County, as part of the comprehensive update of the Humboldt Bay Area Plan, consider the inclusion of forest products and forest products processing as principally permitted uses within the Industrial/Coastal-Dependent Zone District.

Thank you for your time and consideration with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neal D. Ewald', written in a cursive style.

Neal D. Ewald  
Senior Vice President and General Manager

Uri Driscoll  
15 78 Fickle Hill Rd.  
Arcata CA 95521

Dear Commissioners,

I will be unable to attend the Coastal Commission meeting Aug 10 and would like to offer these comments

Any land owner that has deliberately and illegally violated the existing CDI use regulations should be automatically disallowed to participate in the interim use program and changes proposed to CDI uses. All tenants currently under illegal use shall be required to relocate within 60 days.

CDI parcels on the Samoa spit located within 1000 feet of existing deep water dock facilities should be kept shovel ready and be exempt from any changes in CDI qualifications.

General agriculture should be stricken from the new use ordinance proposed by the County. This county is an area rich with agriculture lands and the Current CDI zones do not have nutrient rich soils. Other agriculture uses such as slaughter houses and feed yards are not appropriate uses for these areas unless it can be shown that they are dependent on port facilities for efficiency and transportation.

Thank you,

Uri Driscoll

8/7/2017