

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT OFFICE  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CALIFORNIA 95521-5967  
(707) 826-8950 FAX (707) 826-8960  
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# W16

**Prepared June 07, 2019 (for the June 12, 2019 Hearing)**

**To:** Commissioners and Interested Parties  
**From:** Alison Dettmer, North Coast District Deputy Director  
**Subject:** **North Coast District Deputy Director's Report for June 2019**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the North Coast District Office are being reported to the Commission on June 12, 2019. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's North Coast District Office in Arcata. Staff is asking for the Commission's concurrence on the items in the North Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on June 12th.

With respect to the June 12th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

**Items being reported on June 12, 2019 (see attached)**

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**Waivers**

- 1-18-1157-W, Mendocino County Exploratory Excavations (Usal Road At Usal Creek, Sinkyone Wilderness State Park, Mendocino County)
- 1-19-0058-W, PG&E - Habitat Mitigation (Along Coastal Trail South of Del Norte Street, Eureka, Humboldt County)
- 1-19-0060-W, PG&E - Cock Robin Island Habitat Mitigation (Cock Robin Island Unit Of The Eel River Wildlife Area, Humboldt County)
- 1-19-0335-W, ADE Crescent City LLC - Solar Carports (Crescent City Harbor Along Citizen's Dock Road, Del Norte County)
- 1-19-0401-W, Ralph - Culvert Repair And Maintenance (On Mad River Slough, Off Of Lanphere Road, 1 Mile West Of Arcata, Humboldt County)

**Immaterial Amendments**

- 1-10-032-A7, Salt River Ecosystem Restoration Project (Along The Salt River Near Ferndale, Humboldt County)

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June 7, 2019

## Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**Waiver:** 1-18-1157-W

**Applicant:** Mendocino County Department of Transportation

**Location:** Usal Road at and around Usal Creek, Sinkyone Wilderness State Park, Mendocino County (APNs: 012-72-010; -011; -012; -016)

**Proposed Development:** Perform subsurface exploratory excavations to gather information for the design of a future bridge replacement project including (1) geotechnical borings and (2) archaeological exploration trenches. The geotechnical borings include the drilling of a total of four 6-inch diameter, 120-foot-deep borings, using a closed circulation system and a combination of solid/hollow-stem auger and mud rotary drilling. Three borings would be located adjacent to the bridge over Usal Creek at the road level. A rubber-tired drill rig truck would use access points to enter dry portions of the stream bed to drill one boring within the channel. The archaeological exploration excavations consist of a total of 5 to 10 trenches to be excavated by a tractor mounted backhoe in upland staging areas adjacent to the County roadway. The trenches would be approximately 3 feet wide by 9 feet long by no more than 5 feet deep.

### Rationale:

All drilling and trenching locations are located outside of wetlands and environmentally sensitive habitat areas, except for one boring site, which will be within the dry portion of the creek bed. All work will be conducted during the dry season and is expected to take up to four days to be complete. Apart from the trenching for the archaeological explorations, only minor grading (approximately 2 to 4 cubic yards) of an upland area adjacent to the existing bridge is required to provide access for construction equipment to the boring site within the dry portion of the creek bed. Drill mud will be hauled away in drums and disposed of at the Yolo Landfill in Sacramento.

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The drillers will use best management practices to protect the water quality of Usal Creek. No trees will be removed, and only minimal vegetation removal is necessary (seasonal grasses). Hydroseeding will be utilized as needed to restore disturbed areas. All work sites will be restored to pre-project conditions following the investigation work. An archaeological monitor will be onsite during the work, as required by Caltrans. The Bear River Band of Rohnerville Rancheria and the Intertribal Sinkyone Wilderness Council have been consulted and will be invited to monitor during the proposed archaeological exploration work. In addition, the applicant has secured, or is in the process of obtaining, permits from the California Department of Fish and Wildlife and State Parks. There will be minimal disruption to public access and recreation as (1) no campground closures will be required, and (2) Usal Road will be kept open during the course of the work. Therefore, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

**This waiver will not become effective until reported to the Commission at its June 12, 2019 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations.** The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth  
Executive Director

A handwritten signature in cursive script that reads "Destiny Preston".

Destiny Preston  
Coastal Program Analyst

Cc: California State Parks  
California Department of Fish and Wildlife  
Mendocino County Department of Planning and Building  
Intertribal Sinkyone Wilderness Council  
Bear River Rancheria of Rohnerville  
Save the Redwoods League  
Usal Redwoods Forest Company

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June 4, 2019

## Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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**Waiver:** 1-19-0058-W

**Applicant:** Pacific Gas & Electric Co. (PG&E) (ATTN: Vick Germany)

**Location:** City of Eureka in Humboldt County (APN: 007-031-02, 007-031-03, 007-031-04, 007-041-03, 007-051-02, 007-051-05, 007-051-09, 007-051-11, 007-091-02, 007-091-03, 007-091-05, 007-091-06, 007-091-07, 007-091-08, 007-091-09, 007-091-10, 007-091-11, 007-091-12, 007-130-16, 019-321-01, 019-321-12, 302-171-01, 302-171-25)

**Proposed Development:** After-the-fact authorization involving coniferous tree planting in three areas from Del Norte Street along the recently constructed Hikshari/Eureka Waterfront Trail system along the southern end of Humboldt Bay to provide habitat mitigation for vegetation impacts associated with the gas transmission line maintenance in the Humboldt Bay region performed under CDP Nos. 9-17-0408 and 9-17-0408-A1. These CDPs required that mitigation be planned and performed at off-site locations under separate applications. A total of 375 coniferous trees were planted in the late fall of 2018, including along the mouth of the Eel River, 202 coniferous trees (Sitka spruce and shore pine), south of the Hikshari trailhead, off of Truesdale Avenue, 96 coniferous trees (Sitka spruce and shore pine) and 77 shore pine were planted on in the northwest section of the Palco Marsh just south of the west end of Del Norte Street.

**Rationale:** The proposed tree planting project was performed by PG&E, in coordination with the City of Eureka (landowner), to mitigate for tree removal impacts related to vegetation maintenance along segments of buried natural gas pipeline within various areas around Humboldt Bay in 2018. The use of heavy equipment was minimized: a mini excavator was used for some of the planting holes at Areas A and C due to poor soil conditions, but was not necessary for planting at Area D. Best Management Practices (BMPs) included, but were not limited to the following: (1) using only native, drought-tolerant plants of local genetic stock; (2) ongoing maintenance provisions for the plantings; (3) application of native grass seed mix – such as red fescue (*Festuca rubra*), tufted hair grass (*Deschampsia cespitosa*), and meadow barley (*Hordeum brachyantherum*); (4) installing biodegradable fiber rolls to prevent erosion; and (5) coordination with local tribal representatives. The planting efforts were carried out in a manner that did not obstruct public access to the adjacent

**Coastal Development Permit De Minimis Waiver**

1-19-0058-W

trail system – two of the locations are inland of the trail, and the third location (Area A) is elevated relative to the surrounding land so no views of the bay are afforded through the site from the segment of the trail located to the east. Consultation with the appropriate Native American tribes was undertaken by PG&E prior to initiation of the work, and all three tribes were satisfied with the proposed measures to avoid impacts to archaeological resources, including, but not limited to, adherence to protocols for inadvertent discovery of archaeological resources.

The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act.

**This waiver will not become effective until reported to the Commission at its June 12, 2019 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations.** The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth  
Executive Director



Clancy DeSmet  
Coastal Program Analyst

cc: Commissioners/File  
City of Eureka

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June 7, 2019

## Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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**Waiver:** 1-19-0060-W

**Applicant:** Pacific Gas and Electric Company (Attn: Vick Germany)

**Location:** Cock Robin Island Unit of the Eel River Wildlife Area, Humboldt County  
(APNs: 100-011-13, 100-011-14)

**Proposed Development:** After-the-fact authorization involving restoration of five acres of riparian vegetation in an open grassy area to provide habitat mitigation for vegetation impacts associated with gas transmission line maintenance in the Humboldt Bay region performed under CDP Nos. 9-17-0408 and 9-17-0408A-1. These CDPs required that mitigation be planned and performed at off-site locations under separate authorizations. A total of 503 trees and 1,576 native riparian shrubs were planted in the fall of 2018.

**Rationale:** The proposed riparian restoration project, carried out by PG&E under a Memorandum of Understanding with the California Department of Fish and Wildlife (CDFW), the landowner, is sited on the banks of the Eel River Estuary in an area devoid of riparian vegetation that is adjacent to a larger riparian restoration area established and managed by CDFW. Since its purchase by CDFW in the mid-1990s, riparian habitat restoration at the site was identified by CDFW as a high priority due to its habitat value for several state and/or federally listed threatened and endangered species that inhabit adjacent Eel River riverine habitats (including three species of salmonids and the Western Yellow-Billed Cuckoo). Only native, regionally appropriate plant species were used in the restoration project, including Black cottonwood (*Populus balsamifera* ssp. *trichocarpa*), Red alder (*Alnus rubra*), Wax myrtle (*Morella californica*), Coyote brush (*Baccharis pilularis*), Red elderberry (*Sambucus racemosa*), Twinberry (*Lonicera involucrata*), Salmonberry (*Rubus spectabilis*), Red-flowering currant (*Ribes sanguineum*), Thimbleberry (*Rubus parviflorus*), and Blue blossom (*Ceanothus thyrsiflorus*). The restoration project did not displace any existing environmentally sensitive habitat, as the site is dominated by nonnative perennial grasses, including velvet grass (*Holcus lanatus*), perennial ryegrass (*Lolium perenne*), orchard grass (*Dactylis glomerata*), and sweet vernal grass (*Anthoxanthum odoratum*). There are no public access trails in the immediate vicinity of the restoration project area, and the restoration work did not create any new demand for

**Coastal Development Permit De Minimis Waiver**

1-19-0060-W

public access or otherwise create any burdens on public access. Consultation with the appropriate Native American tribes was undertaken by PG&E prior to initiation of the work, and all three tribes were satisfied with proposed measures to avoid impacts to archaeological resources, including, but not limited to, adherence to protocols for inadvertent discovery of archaeological resources.

Therefore, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter Three policies of the Coastal Act.

**This waiver will not become effective until reported to the Commission at its June 12, 2019 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations.** The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth  
Executive Director



Melissa Kraemer  
Supervising Analyst

cc: Commissioners/File  
Michael van Hattem, CDFW  
Humboldt County Planning & Building Dept.

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June 7, 2019

## Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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**Waiver:** 1-19-0335-W

**Applicant:** American Diversified Energy (ADE) Crescent City LLC

**Location:** Inner Boat Basin parking lot along Citizen's Dock Road, within Crescent City Harbor near Highway 101, Crescent City (APNs 117-170-011 and 117-020-016)

**Proposed Development:** Construction of three steel carport canopies covering a total of approximately 22,862 square feet and supporting 1,122 solar photovoltaic panels rated for 420.75kW on the canopies. The carport canopies would be approximately 38 feet wide, a maximum of 21 feet tall, constructed in various lengths of approximately 102 feet, 204 feet, and 309 feet and supported by a total of 23 steel columns anchored in reinforced concrete pads 10 feet, 9 inches square and 3 feet deep. High efficiency LED lighting and 120v dual plug outlets would also be added to the carports. No vegetation removal is proposed.

**Procedural Note:** Because this project is bisected by the Commission's retained jurisdiction and the Del Norte County's LCP jurisdiction boundary, the Applicant, the County, and the Executive Director have agreed to process and act upon a consolidated CDP application pursuant to Coastal Act Section 30601.3(a)(2).

**Rationale:** The proposed development is relatively minor in nature and located entirely within a developed portion of Crescent City Harbor, in an existing parking lot. The Inner Boat Basin parking lot is currently open for free public use, with the exception of certain special events throughout the year. No parking spaces will be removed and access to the general public will remain unchanged. Construction activities will not interfere with the public's ability to access the sea and will occur over a short duration. Total construction time for foundation work will take approximately 3 weeks, with another 2 weeks anticipated for construction of the carports. The Inner Boat Basin parking lot will remain open to the public during construction, with temporary closures to the immediate construction zone during peak construction activity. Traffic will be diverted as necessary with safety



**Coastal Development Permit De Minimis Waiver**  
1-19-0335-W

cones and two persons controlling and directing pedestrians and vehicles away from construction zones as necessary.

The project is designed to avoid and/or minimize impacts to visual and biological resources and water quality. The solar-mounted carports will not significantly obstruct views of the marina as seen from Highway 101 or from Citizen's Dock Road. The height of the carports is compatible with the surrounding building heights, which range between 14 and 26 feet tall. A total of 21 high efficiency LED lights will be installed underneath the three carport awnings using soft white 29.3-watt-rated bulbs with a lumen rating of 3,257. All lighting will be downcast and shielded to avoid adversely affecting the view from Highway 101 or Citizens Dock Road. Weatherproof electrical connections will be run through conduits along the arrays to four inverters that will convert the solar DC power to AC power. From the inverters, which will be mounted on the carport columns, conduit will be placed in 1-foot-wide and 18-24-inch-deep trenches that will be directed to existing utility transformers. No vegetation will be removed or disturbed from trenching or installing any solar equipment. All trenching occurs on either asphalt or dirt areas. All the excavated trenches will be backfilled and the surface returned to its previous state and appearance once conduit is laid. All concrete, asphalt, and soil spoils will be disposed at an authorized facility. In addition to concrete and asphalt spoils, the approximately 455 cubic yards of soil excavated from foundation footings and trenches will be disposed of at Del Norte Solid Waste Transfer Station, located approximately 1.5 miles away. Additionally, Best Management Practices will be implemented throughout construction, including placement of sandbags and filter waddles around exposed soil areas during installation of utilities, placement of filter waddles around nearby drains, and use of a constructed washout area on the southeastern portion of the property to manage and dry out concrete slurry before disposal.

Therefore, the proposed development will not result in any significant adverse impacts to sensitive habitat, water quality, visual resources, public access, or other coastal resources and is consistent with all applicable Chapter Three policies of the Coastal Act.

**This waiver will not become effective until reported to the Commission at its June 12, 2019 meeting in San Diego and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations.** The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth  
Executive Director



Tamara Gedik  
Coastal Program Analyst

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June 7, 2019

## Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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**Waiver:** 1-19-0401-W

**Applicant:** Carol and C.J. Ralph

**Location:** On Mad River Slough at 7000 Lanphere Rd., approximately one mile west of Arcata, Humboldt County (APN 506-281-03)

**Proposed Development:** In-kind replacement of the outer (seaward) 20 feet of a 60-foot-long, 18-inch diameter culvert that runs through an existing 12-foot-wide agricultural dike and drains diked agricultural lands into Mad River Slough, a tributary to Humboldt Bay.

**Rationale:** The subject culvert is partially corroded, malfunctioning, and at risk of failure, which eventually, if not repaired, will lead to tidal flooding of over 40 acres of agricultural land. The flap-gate culvert is designed to allow freshwater to drain from the landward (pasture) side of the dike and to prevent tides from flooding the seasonally grazed agricultural pastureland (diked former tideland). The agricultural pastureland supports seasonal freshwater wetlands that provide habitat for various species of frogs and birds. The applicant has coordinated with, and is obtaining permits from, the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers (Nationwide Permit), and the Humboldt Bay Harbor District. The state and federal resource agencies have determined that the proposed project, as proposed, will not adversely affect sensitive fish species, including anadromous salmonids or tidewater goby, which are known to inhabit Mad River Slough. To minimize impacts to sensitive habitat, the applicant has proposed to implement the following mitigation measures: (1) the excavator will access the work site only when the pasture is dry to avoid soft soils and rutting the seasonal pasture wetlands; (2) work will only be conducted during a summer low tide, when the tide is at least minus 1 foot or lower (e.g., around early July), and work will be completed within a single low-tide cycle; (3) freshwater will be excluded from the work site prior to construction by closing a gate valve on the culvert inlet prior to construction; (4) the excavator will only work from the top of the dike, and no equipment will enter the wetted channels on either side of the dike; (5) all excavated material necessary for the in-kind partial removal/ replacement of the culvert will be temporarily stockpiled on the top of the upland dike, and then backfilled in-kind following pipe installation; (6) no excess spoils will be placed or sidecast in

**Coastal Development Permit De Minimis Waiver**

1-19-0401-W

wetlands of any kind; (7) any disturbed soils on the dike resulting from the work will be revegetated with existing native and nonnative species in the adjacent areas such as Cow Parsnip, California Blackberry, pasture grasses, and clover; and (8) fueling of the excavator will occur prior to entering the subject property, and no refueling will occur in or near sensitive habitat areas. The project as proposed will result in no public access impacts, as there currently is no public access on the property, including on the agricultural dike.

Therefore, the proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and the Chapter Three policies of the Coastal Act.

**This waiver will not become effective until reported to the Commission at its June 12, 2019 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations.** The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth  
Executive Director



Melissa Kraemer  
Supervising Analyst

cc: Commissioners/File  
Humboldt County Planning & Building Dept.

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## NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **1-10-032-A7**

May 29, 2019

**To:** All Interested Parties

**From:** John Ainsworth, Executive Director

**Subject:** Permit No. **1-10-032-A7** granted to **Humboldt County Resource Conservation District** for: Implementation of the Salt River Ecosystem Restoration Project, a multi-year, region-wide, collaborative restoration and flood alleviation project comprised of three major components: (1) Phase 1 involves restoring approximately 400 acres of estuarine marsh, estuarine aquatic, riparian, and freshwater wetland habitats on the lower 2.5 miles of the Salt River and on the 440-acre Riverside Ranch former dairy farm property owned by the Department of Fish & Game; (2) Phase 2 involves restoring hydraulic capacity, in-stream fish habitat, riparian vegetation, and improved water quality along an additional approximately 5 miles of the Salt River, ~2,900 feet of lower Francis Creek, and ~500 feet of lower Eastside Drainage; and (3) long-term maintenance and adaptive management activities to ensure the project meets its goals and objectives to be performed over multiple years.

**Project Site:** Across ~808 acres of mostly agricultural properties under a variety of different ownerships, including the 440-acre Riverside Ranch owned by the Department of Fish & Game, along ~7.5 miles of the Salt River near Ferndale, Humboldt County.

**The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):**

Inclusion of ten added parcels in the project area footprint to accommodate (1) minor channel realignment; and (2) additional sites for the beneficial reuse of dredged sediment generated by the 2019 restoration work. The added properties are owned by landowners with whom the applicant currently has signed landowner agreements.

### FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b) this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must

## Notice of Proposed Immaterial Permit Amendment

1-10-032-A7

be reported to the Commission at the next regularly scheduled Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

Refinement of the design plans for Phase 2 of the approved project has resulted in minor adjustments in the previously approved realignment of the Salt River channel, including an approximately 30-foot shift of the northern channel boundary onto another parcel. The minor adjustments to the channel alignment substantially conform to the plans submitted with the original permit application, as required by Special Condition 5-B of the original permit, in terms of cross-sectional channel geometry and longitudinal slope. The proposed amendment adds the new parcels into the project footprint. The adjusted channel location will not result in any additional or changed impacts to agriculture, biological resources, water quality, or public access. The amendment also adds eight properties to the approved list of properties where dredged material from the channel may be placed in upland areas for beneficial reuse. The change is proposed to add land best-suited for reuse and/or those landowners and land managers most willing and committed to working with the District at this time to develop and implement sediment reuse plans. Expansion of the project area footprint to include the additional properties for dredged sediment beneficial reuse will not result in any additional or changed impacts to agricultural resources, wetlands, riparian habitat, sensitive species habitat, water quality, or public access. Suitable upland areas for material placement have been delineated on each of the properties to be added, and final design plans will be provided for each property prior to commencement of Phase 2 construction consistent with the requirements of Special Condition 13 of the original permit. Therefore, the Executive Director has determined that the requested amendment is not a material change to the permit.

**If you have any questions about the proposal or wish to register an objection, please contact Melissa Kraemer at the phone number provided above.**

cc: Commissioners/File  
Humboldt County Planning & Building Dept.