

CALIFORNIA COASTAL COMMISSION

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W9d

DATE: July 26, 2019

TO: Coastal Commissioners and Interested Persons

FROM: John Ainsworth, Executive Director
Alison Dettmer, Deputy Director
Robert S. Merrill, North Coast District Manager
Melissa Kraemer, Supervising Analyst

SUBJECT: Concurrence with the Executive Director's determination that the action of the County of Humboldt accepting the Commission's certification of LCP Amendment No. LCP-1-HUM-16-0075-2 Part C is legally adequate.

For the Commission meeting of August 7, 2019 in Eureka

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission concur with the Executive Director's determination that the County of Humboldt's action is legally adequate.

BACKGROUND

The Commission acted on County of Humboldt LCP Amendment (LCPA) Application No. LCP-1-HUM-17-0075-2 Part C on May 9, 2019. As submitted, the Implementation Plan (IP) amendment adds regulations specifically pertaining to the commercial cultivation, processing, manufacturing, distribution, testing and sale of cannabis. By a series of unanimous votes, the Commission: (1) rejected the amendment to the IP as submitted; and (2) approved the IP amendment with ten suggested modifications related to land use compatibility, stream protection, visual resources, and other issues. These modifications were necessary to ensure that the proposed new IP standards address potential coastal resource impacts associated with cannabis-related development consistent with the County's six separate certified Land Use Plans (LUPs).

EFFECTIVE CERTIFICATION

On July 23, 2019, the Humboldt County Board of Supervisors held a public hearing and adopted Resolution No. 19-69 acknowledging receipt of the Commission's resolution of certification, accepting and agreeing to the Coastal Commission's modifications (and adopting the suggested modifications through the adoption of Ordinance No. 2634), agreeing to issue permits in conformance with the modified LCP, and formally approving the necessary changes to the County's LCP (Exhibit 2).

As provided in Section 13544 of the California Code of Regulations, for the amendment to become effective, the Executive Director must determine that the County of Humboldt's actions are legally adequate and report that determination to the Commission. Unless the Commission objects to the determination, the certification of LCP Amendment No. LCP-1-HUM-16-0075-2 Part C shall become effective upon the filing of a Notice of Certification for the LCPA with the Secretary of Natural Resources, as provided in Public Resources Code Section 2180.5(2)(V).

STAFF RECOMMENDATION

Staff recommends that the Commission concur with the determination of the Executive Director that the actions of the County of Humboldt to accept the Commission's certification of LCP Amendment No. LCP-1-HUM-16-0075-2 Part C to adopt the necessary changes to the County's Local Coastal Program are legally adequate, as noted in the attached letter, Exhibit 1 (to be sent after Commission concurrence).

EXHIBITS

1. Draft Notification of Effective Certification Letter
2. Resolution No. 19-69 and Ordinance 2634