

**CALIFORNIA COASTAL COMMISSION**

NORTH COAST DISTRICT  
1385 EIGHTH STREET, SUITE 130  
ARCATA, CA 95521  
PHONE: (707) 826-8950  
FAX: (707) 826-8960  
WEB: WWW.COASTAL.CA.GOV



# W7

**Prepared April 28, 2017 (for May 13, 2020 Hearing)**

**To:** Coastal Commissioners and Interested Persons  
**From:** Alison Dettmer, North Coast District Director  
**Subject:** **North Coast District Director's Report for May 2020**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, immaterial CDP extensions, and emergency CDPs for the North Coast District Office are being reported to the Commission on May 13, 2020. 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 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 May 13<sup>th</sup>.

**As a result of the COVID-19 emergency and the Governor's Executive Orders [N-29-20](#) and [N-33-20](#), this Coastal Commission meeting will occur virtually through video and teleconference.** Please see the **Coastal Commission's Virtual Hearing Procedures** posted on the Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Virtual Hearing Procedures, please call 415-904-5202.

With respect to the May 13th hearing, interested persons may sign up to address the Commission on items contained in this Report prior to the Commission's consideration of the 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 May 13, 2020 (see attached)**

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#### **CDP Waivers**

- 1-19-1425-W, Caltrans Guardrail Improvements (Trinidad to Patricks Point, Humboldt County)
- 1-20-0118-W, Caltrans Barn Demolition (Arcata, Humboldt County)

**CDP Amendments**

- 1-00-034-A2, Verizon Wireless Removal and Installation of Antennas (Klamath, Del Norte County)
- 1-82-139-A6, City of Eureka Waste Water Treatment Plant Upgrades (Eureka, Humboldt County)

**CDP Extensions**

- None

**Emergency CDPs**

- None

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## NOTICE OF PROPOSED PERMIT WAIVER

**Date:** May 1, 2020  
**To:** All Interested Parties  
**From:** Bob Merrill, North Coast District Manager  
Melissa Kraemer, Supervising Analyst  
**Subject:** **Coastal Development Permit (CDP) Waiver 1-19-1425-W**  
Applicant: California Department of Transportation (Caltrans) – District 1

### Proposed Development

Repair and improve segments of Highway 101 in Humboldt County between post mile (PM) 90.1 near School Road to PM 109.6 near Patricks Point for public safety and public access improvement purposes by (1) removing degraded asphalt and applying new asphalt overlay on the existing roadway, entrance and exit ramps, and Park and Ride facilities; (2) replacing existing pavement delineations; (3) replacing existing metal beam guard railing and associated terminal and end treatments with Midwest Guard Rail system (MGS), including constructing concrete barrier transitions, buried end treatments, and transition railing as needed; (4) removing existing herbaceous ruderal vegetation within the existing guardrail footprint and replacing it with a concrete strip that will anchor the new MGS rail system and control vegetation; (5) repairing shoulder backing; (6) upgrading roadway signage as needed within the same footprint using existing posts; (7) repairing various drainage inlets; (8) replacing two existing Vehicle Classification Stations (VCS) with new VCS; and (8) paving to ADA accessibility standards a 50-foot-long by 6-foot-wide existing gravel trail segment between the Vista Point parking lot near Airport Road and the adjacent Hammond Coastal Trail.

### Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

All proposed work and staging will occur on existing paved and gravel areas and within the existing highway right-of-way. No work or staging will occur within wetlands or other environmentally sensitive habitat areas. Ground disturbance outside of existing paved areas will be minimal, and most disturbed soil will remain onsite and compacted. Any excess soil and debris from the construction work will be disposed of at an authorized facility. Construction Best Management Practices (BMPs) are proposed, including, but not limited to, the use of (a) fiber rolls and silt fencing for erosion control, (b) construction fencing between work areas and adjacent to ESHA, and (c) spill avoidance and containment protocols to protect water quality. To ensure that the proposed

concrete to be installed within the footprint of the MGS will be compatible with the character of the surrounding scenic area, the concrete will be colored to blend with the surrounding setting. The applicant will employ measures to protect documented nesting habitat for marbled murrelet and northern spotted owl, including avoiding construction within a visual line-of-sight from known nests and minimizing the use of high noise generating construction activities during the nesting season. The project as proposed will protect and enhance public access, because (a) the highway will remain open to travel with traffic control measures through the construction zone, with only minimal traffic delays, and (b) the project will provide a new ADA-accessible connection to a segment of the California Coastal Trail. 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.

**Coastal Commission Review Procedure**

This waiver is not valid until it has been reported to the Coastal Commission and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. This waiver is proposed to be reported to the Commission on Wednesday, May 13, 2020. 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 or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

As a result of the COVID-19 emergency and the Governor's Executive Orders N-29-20 and N-33-20, this Coastal Commission meeting will occur virtually through video and teleconference. Please see the Coastal Commission's Virtual Hearing Procedures posted on the Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Virtual Hearing Procedures, please call 415-904-5202.

**If you have any questions about the proposal, please contact Melissa Kraemer in the North Coast District office.**

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# NOTICE OF PROPOSED PERMIT WAIVER

**Date:** May 1, 2020  
**To:** All Interested Parties  
**From:** Bob Merrill, North Coast District Manager  
Melissa Kraemer, Supervising Analyst  
**Subject: Coastal Development Permit (CDP) Waiver 1-20-0118-W**  
Applicant: California Department of Transportation (Caltrans) – District 1

## Proposed Development

(1) Demolish an existing historic farmhouse, barn, and two sheds; and (2) minor grading and major vegetation removal to accommodate proposed demolition activities. The project site is located at 2202 Old Samoa Road, just west of the City of Arcata in Humboldt County (APN 506-021-006).

## Executive Director's Waiver Determination

Pursuant to Title 14, Section 13238 of the California Code of Regulations, and based on project plans and information submitted by the Applicant regarding the proposed development, the Executive Director of the California Coastal Commission hereby waives the requirement for a CDP for the following reasons:

The structures proposed for demolition have been red tagged by the State Fire Marshall and deemed unsafe for occupancy due to fire and life safety hazards, including unsafe structural conditions and damage from previous fires. Caltrans has coordinated the demolition of the historic structures, which were part of a historic 19<sup>th</sup>-20<sup>th</sup>-century dairy farm that operated on the site in the past, with the State Historic Preservation Officer (SHPO). Through a Memorandum of Agreement with SHPO, Caltrans is proposing several mitigation measures to mitigate for impacts to the historic resources of the site, including (1) preparing a Historic American Building Record report prior to demolition to document the historic architecture and materials, (2) salvaging wooden barn materials for donation to the Timber Heritage Association, (3) installing interpretive panels adjacent to the public roadway at the site and along other rural roadways through surrounding agricultural lands to memorialize the Historic Landscape District of the Arcata Bottom region to which the historic barn/dairy were contributing elements, and (4) developing a phone application, within one year of demolition, that provides information for the public on a suggested bike route through the Arcata Bottoms focused on the Historic Landscape District. Lead and Asbestos Compliance Plans will be prepared and implemented to ensure protection of water quality and public health from demolition of the farmhouse, which is known to have lead-based paint and asbestos-containing materials. All hazardous material and other solid waste generated by the proposed work will be handled in compliance with state and federal laws and disposed

of at an authorized disposal facility capable of receiving such material. In addition, Best Management Practices for erosion, sediment, and runoff control will be employed, including the use of fencing between the work area and surrounding sensitive areas, straw wattles, silt fences, gravel bag berms, drainage inlet protection, and straw mulch on disturbed soils. 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.

**Coastal Commission Review Procedure**

This waiver is not valid until it has been reported to the Coastal Commission 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. This waiver is proposed to be reported to the Commission on Wednesday, May 13, 2020. If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

As a result of the COVID-19 emergency and the Governor's Executive Orders N-29-20 and N-33-20, this Coastal Commission meeting will occur virtually through video and teleconference. Please see the Coastal Commission's Virtual Hearing Procedures posted on the Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Virtual Hearing Procedures, please call 415-904-5202.

**If you have any questions about the proposal, please contact Melissa Kraemer in the North Coast District office.**

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# NOTICE OF PROPOSED PERMIT AMENDMENT

**Date:** April 29, 2020  
**To:** All Interested Parties  
**From:** Bob Merrill, North Coast District Manager  
Tamara Gedik, Coastal Planner  
**Subject: Amendment to Coastal Development Permit (CDP) 1-00-034**  
Applicant: Verizon Wireless

## Original CDP Approval

CDP 1-00-034 was originally approved in 2000 for the construction of a 130-foot-high four-legged communication tower with 10-foot antennas, a standby propane generator and security fencing, installation of communication equipment within an existing 15-foot by 37-foot building, and removal of an existing 30-foot tower and antennas at 1410 Patrick J. Murphy Memorial Road, in the Klamath area of Del Norte County. A subsequent immaterial amendment (1-00-034-A1) granted a 20-foot extension in height to the previously permitted 130-foot tower.

## Proposed CDP Amendment

Permit Amendment No. 1-00-034-A2 would authorize the removal of six (6) existing panel antennas from the existing wireless telecommunication facility, and the addition of: (a) six (6) new panel antennas; (b) six (6) new remote radio units; (c) one (1) 1-5/8" hybrid cable; and (d) one (1) new "OVP" surge suppressor on the existing tower.

## Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The proposed development is limited to removing and replacing existing antennas with new antennas and supporting equipment on an existing tower. No trees or vegetation will be removed, and all development will occur within a 400-square-foot area within the larger fenced perimeter of the previously approved telecommunications facility. The project will not result in new impacts to visual resources, as the project will not increase the tower height and the proposed antennas and radio units will not substantially change the physical appearance of the tower. The proposed amended development is an "eligible facility request" that must be permitted under the federal Telecommunications Act as amended, because the development involves removal and replacement of transmission equipment, and does not substantially change the dimensions of the tower or base station. All conditions of the permit will remain in full force and effect, including conditions requiring all future improvements to obtain a

coastal development permit.

As the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, the Executive Director has determined that the proposed amendment is immaterial.

**Coastal Commission Review Procedure**

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to [NorthCoast@coastal.ca.gov](mailto:NorthCoast@coastal.ca.gov). If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission at its meeting on Wednesday, May 13, 2020. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

IMPORTANT! PLEASE NOTE THAT THIS WILL BE A VIRTUAL MEETING.

As a result of the COVID-19 emergency and the Governor's Executive Orders N-29-20 and N-33-20, this Coastal Commission meeting will occur virtually through video and teleconference. Please see the Coastal Commission's Virtual Hearing Procedures posted on the Coastal Commission's webpage at [www.coastal.ca.gov](http://www.coastal.ca.gov) for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Virtual Hearing Procedures, please call 415-904-5202.

**If you have any questions about the proposal or wish to register an objection, please contact Tamara Gedik in the North Coast District office at [Tamara.Gedik@coastal.ca.gov](mailto:Tamara.Gedik@coastal.ca.gov).**

**Cc: Taylor Carsley, Del Norte County Planning & Building Department**



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# NOTICE OF PROPOSED PERMIT AMENDMENT

**Date:** April 29, 2020  
**To:** All Interested Parties  
**From:** Bob Merrill, North Coast District Manager  
Cristin Kenyon, Supervising Analyst  
**Subject: Amendment to Coastal Development Permit (CDP) 1-82-139**  
Applicant: City of Eureka

## Original CDP Approval

The original permit was approved in 1980 for the construction of a sewage treatment plant, support facilities, habitat restoration area, public accessways, and outfall located adjacent to the Elk River near its mouth on Humboldt Bay at the end of Hilfiker Lane, west of Highway 101, Eureka (Humboldt County).

## Proposed CDP Amendment

Permit Amendment No. 1-82-139-A6 would authorize the following modifications to the treatment plant: (1) removal of two existing engine generators and associated heat recovery systems; and (2) installation of one new engine generator (cogeneration system) with new waste heat recovery equipment, one hot water boiler, one digester gas cleaning system, and associated electrical, utilities and piping systems for the above listed equipment.

## Executive Director's Immateriality Determination

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations, the Executive Director of the California Coastal Commission has determined that the proposed CDP amendment is immaterial for the following reasons:

The proposed development will occur on previously disturbed land within the fenced grounds of the existing treatment plant. The two existing engine generators proposed to be removed are located within an existing building at the treatment plant, and the proposed new engine generator and hot water boiler will be installed in their place within the existing building, anchored to the existing building foundation. Work outside the building will be limited to (1) installation of the proposed new gas conditioning unit on a new 8.5-foot-by-21.5-foot concrete slab foundation; (2) excavation of three-foot-wide by four-foot-deep trenches for new gas and electrical lines; and (3) construction staging and stockpiling. The plant is subject to geologic hazards including ground shaking, liquefaction, and dynamic and static settlement, but the gas conditioning unit foundation and utility trenching have been designed by a licensed structural engineer to account for these hazards and ensure stability. The plant is also within an area of high flood hazard, but the new gas conditioning unit foundation will be above 19 feet in elevation (NAVD88) on former fill placed during the construction of the plant, and is therefore not

## **Coastal Development Permit (CDP) Amendment 1-82-139-A6**

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expected to be subject to flood hazards under the most extreme sea level rise projections (from the Ocean Protection Council's State of California Sea-Level Rise Guidance 2018 Update) over the equipment's' thirty year anticipated life.

The City proposes a number of construction best management practices (BMPs) to protect nearby wetlands and the waters of Elk River and Humboldt Bay, including, but not limited to: (1) limiting ground-disturbing activities to dry weather only; (2) containing construction material stockpiles at all times and covering during storm events; (3) installing sediment control BMPs; (4) staging and storing construction equipment in designated grassy areas at least 50 feet from wetlands; (5) seeding all vegetated areas disturbed by the project with a non-invasive native seed mix and mulching to encourage revegetation; and (6) disposing of all excess soil and other materials offsite at a permitted disposal site. The City has referred the project to the Tribal Historic Preservation Officers (THPOs) for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe, and consistent with the THPOs' recommendations, the City will immediately cease construction upon any unanticipated discovery of potential archaeological resources so that a qualified archaeologist, in consultation with the THPOs, can evaluate the significance of the discovery and develop and implement an avoidance or mitigation plan, as appropriate.

As the amended development does not have a potential for adverse impacts, either individually or cumulatively on coastal resources or public access, the Executive Director has determined that the proposed amendment is immaterial.

### **Coastal Commission Review Procedure**

The CDP may be amended as proposed if no written objections are received in the North Coast District office within ten working days of the date of this notice. In addition to the regular means required by the regulations or statute, please make sure that you also send a copy of all correspondence or other documents electronically to [NorthCoast@coastal.ca.gov](mailto:NorthCoast@coastal.ca.gov). If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission at its meeting on Wednesday May 13, 2020. If three or more Commissioners object to the Executive Director's determination of immateriality at that time, then the application shall be processed as a material CDP amendment.

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**If you have any questions about the proposal or wish to register an objection, please contact Bob Merrill in the North Coast District office at [NorthCoast@coastal.ca.gov](mailto:NorthCoast@coastal.ca.gov).**