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1-19-0462

(MCKINLEYVILLE COMMUNITY SERVICES DISTRICT)

May 14, 2021

APPENDICES

Appendix A – Substantial File Documents

Appendix B – Proposed Mitigation Measures (from adopted CEQA document)

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

1. CDP Application File No. 1-19-0462
2. CDP Application File No. 1-83-41
3. CDP Application File No. 1-01-030
4. CDP Application File No. 1-09-050
5. County of Humboldt Certified Local Coastal Program

APPENDIX B

Proposed Mitigation Measures (from adopted CEQA document)

In addition to the conditions of Coastal Development permit 1-19-0462, the following mitigation measures are required:

Impact	Mitigation Measure
Biological Resources	<p>BIO-1 Isolation of Work Area and Seasonal Window for In-Water Work Isolation of the instream work area and construction related to the backwater off-channel habitat complex shall only occur between July 1st and October 31st when freshwater inflow and groundwater elevations are lowest and when the ground surface is dry and to reduce the chance of stormwater runoff occurring during construction.</p>
Biological Resources	<p>BIO-2 Preconstruction Surveys for Aquatic Species Surveys of freshwater habitat by a qualified biologist for fish, amphibian, and reptile species of concern shall occur two weeks prior to disturbance activities in the areas to be de-watered. Immediately prior (1-3 days) to initiation of construction activities all dewatered channels and adjacent habitat that will have vegetation removed or impacted by project activities should be surveyed by a qualified biologist to detect and re-locate any amphibians that have entered (dewatered ponds, channels) or reside (riparian vegetation) in these areas in the proposed construction boundary. All species observed should be moved to an appropriate, pre-determined relocation site, upstream from the footprint of the proposed construction area. Should construction activities cease for a period greater than two (2) days during damp periods, when amphibians may be moving greater distances, the construction site should be surveyed by a qualified biologist to detect and move and amphibians to an appropriate, pre-determined relocation site, either upstream or downstream from the footprint of the proposed</p>
Biological Resources	<p>BIO-3 Removal of Aquatic Species Prior to Dewatering A fish barrier will be installed at the entrance to the existing ditch to exclude fish from a small wetted area</p>

	<p>within the zone of construction, near the entrance of the constructed off-channel habitat complex. The fish barrier will be fully compliant with all CDFW and NMFS requirements and installed under the supervision of a qualified fisheries biologist.</p> <p>Fish capture and relocation of fish and herpetofauna will occur in accordance with CDFW and NMFS protocols and guidelines to avoid impacts to sensitive species. Reintroduction of stream flow will occur by removing the fish barrier and the final earth plug into the constructed off-channel habitat complex.</p>
<p>Biological Resources</p>	<p>BIO-4 Protection of Botanical Resources Vegetative disturbance shall be contained within the limits of grading and kept to a minimum area. Conduct pre-construction botanical surveys to detect and avoid or minimize impacts by implementing suitable measures for impacting any special status plant species in the proposed project site. If avoidance or minimization is not possible, develop mitigation measures in cooperation with CDFW.</p>
<p>Biological Resources</p>	<p>BIO-5 Seasonal Work Window to Protect Birds No riparian or scrub habitats should be degraded or removed during the general breeding period (February 1st through August 15th) for bird species likely to nest in the proposed project area. No project activities resulting in noise disturbance should be conducted during the general breeding period for birds (February 1st through August 15th) that may potentially occur in or adjacent to the proposed project site. Noise disturbing activities are defined as those resulting in volumes significantly greater than current ambient levels. Should these seasonal restrictions to construction activities be unfeasible to the project proponent, clearance surveys for potentially nesting birds should be conducted by a qualified biologist to survey habitat that will be directly impacted by construction activities and within a 1,000 foot radius of said activities. It is also recommended that should riparian vegetation removal be proposed to occur between August 15th and August 31st, a minimum of one visit by a qualified biologist should occur to detect any late-season active nesting birds immediately prior to vegetation removal activities. This recommendation is based on recent evidence from elsewhere in the proposed project region that native</p>

	<p>nesting birds, primarily residents (e.g., song sparrow) often double brood near the coast and may have active nests beyond August 15th.</p> <p>To the extent possible, minimize removal of large-diameter (≥ 12 inch DBH) riparian trees and any trees with visible cavities capable of supporting breeding birds and roosting bats.</p>
<p>Biological Resources</p>	<p>BIO-6 Protection of Willow Flycatcher Willow flycatcher surveys, using the recommended survey protocol by CDFW (Bombay et al. 2003 in Slauson) during the June and June-July survey periods, should be conducted by a qualified biologist prior to the initiation of construction activities to identify occupied nesting habitat. Because Willow flycatchers are amongst the latest of the migratory species to arrive and initiate nesting activities in Humboldt County, there is the potential that nesting territories may remain active beyond August 15th.</p> <p>Should one or more occupied Willow flycatcher nesting territories be located during these surveys, consultation with CDFW will be necessary to evaluate appropriate mitigation measures to minimize degradation of each nesting territory from proposed project activities that may degrade or remove riparian habitat.</p>
<p>Biological Resources</p>	<p>BIO-7 Protection of Northern Red-legged Frog Construction activities in freshwater wetland habitat located in the percolation ponds work should not occur during the breeding (January-May) and metamorphosis (June-August) periods for the Northern Red-legged Frog. Should the project proponent wish to avoid seasonal restrictions; clearance surveys for potentially breeding frogs should be conducted by a qualified biologist in suitable habitat prior to the initiation of in-pond work (see below). These surveys would need to be conducted within the proposed construction boundary no more than 2 weeks prior to the start of in-stream activities. If larvae or eggs are detected, the biologist will relocate them to a suitable location outside of the proposed construction boundary.</p> <p>In the event that a Northern red-legged frog is observed within the construction boundary during construction activities, in-stream work should be temporarily halted until the frog has been moved to a safe location with suitable habitat outside of the construction area footprint.</p>
<p>Biological Resources</p>	<p>BIO-8 Fish Protection Avoid impacting all fish species present in the main Mad River channel by conducting all construction activities prior to connecting the northern channel of the project to</p>

	<p>the main river channel. If avoidance of aquatic connectivity of the main river channel until the completion of the construction of all features is not possible, utilize a fish screen approved by CDFW to block fish from entering the backwater channel during construction.</p>
<p>Biological Resources</p>	<p>BIO-9 Protection of Lyngby'e Sedge If temporary and/or permanent impacts to Lyngbye's sedge cannot be avoided, it is recommended that a mitigation and monitoring plan be developed with input from permitting and resource agencies.</p>
<p>Cultural Resources</p>	<p>CR-1 Inadvertent Discovery of Archaeological Material The following provides means of responding to the circumstance of a significant discovery during the cultural monitoring of the final implementation of the proposed agricultural development within the project parcel. If cultural materials for example: chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendations for further action.</p>
<p>Cultural Resources</p>	<p>CR-2 Inadvertent Discovery of Human Remains If human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.</p>
	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <p>APPENDIX B CDP Application No. 1-19-0462 (MCSD) Page 4 of 9</p> </div>

<p>Geology and Soils</p>	<p>GEO-1 Inadvertent Discovery of Paleontological Resources If potential paleontological resources are encountered during project subsurface construction activities or geotechnical testing, all work within 50 feet of the find shall be stopped, and a qualified archaeologist shall be contacted to evaluate the find, determine its significance, and identify any required mitigation. The applicant shall be responsible for implementing the mitigation prior to construction activities being re-started at the discovery site.</p>
<p>Hazards and Hazardous Materials</p>	<p>HAZ-1 Management of Hazardous Materials On-Site During construction, the following BMPs will be implemented;</p> <ul style="list-style-type: none"> • Heavy equipment used in the project shall be in good condition and shall be inspected for leakage of coolant and petroleum products and repaired, if necessary, before work is started. • Equipment operators shall be trained in the procedures to be taken should an accidental spill occur. • Prior to the onset of work, the contractor shall prepare a plan for the prompt and effective response to any accidental spills. • Absorbent materials designed for spill containment and cleanup shall be kept at the project site for use in case of an accidental spill. • Refueling of equipment shall occur within the staging area or a minimum of 150 feet away from stream channels or perennial wetlands. All refueling will occur on a pad to capture any drips or spills. • If equipment must be washed, washing shall occur off-site. • Stationary equipment shall be positioned over drip pans.
<p>Hazards and Hazardous Materials</p>	<p>HAZ-2 Spill Prevention Equipment on site during construction shall be required to have emergency spill cleanup kits immediately accessible in the case of any fuel or oil spills. Staging, fueling and maintenance of equipment shall be conducted only in in staging areas or no closer than 150 ft from open water or in any location where hazardous material spills could become entrained in flowing water.</p>
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<p>Hydrology and Water Quality</p>	<p>HWQ-1 Limit Construction Window Construction related to the backwatered off-channel habitat complex shall only occur between July 1 and October 30 when the ground surface is dry and to reduce the chance of stormwater runoff occurring during construction and when background freshwater inputs are at summer baseflow thresholds. Excavated materials shall not be stockpiled overwinter. Sediment control measures shall be in place while materials are being stockpiled to minimize sediment and pollutant transport from the project site.</p>
<p>Hydrology and Water Quality</p>	<p>HWQ-2 Placement of Fill to Protect Water Quality Placement of fill in the project area shall occur when the area is not inundated by water.</p>
<p>Hydrology and Water Quality</p>	<p>HWQ-3 Excavation of Saturated Soils and Erosion Control Excavation shall include handling of saturated soils. Saturated soils shall be dewatered and/or transported saturated in a manner that prevents excess discharge or spillage of soils or water within the construction access areas. A silt fence shall be installed around the perimeter of temporary stockpiles of saturated soils to prevent runoff from leaving the site. During construction, a silt fence shall be deployed to isolate work areas from existing channels, and to trap suspended sediment that might leave the construction site if stormwater runoff were to occur. If the silt fence is not adequately containing sediment, the construction activity shall cease until remedial measures are implemented that prevent sediment from entering the waters below.</p>
<p>Hydrology and Water Quality</p>	<p>HWQ-4 Limits to Materials Storage and Placement to Protect Waters No construction materials, debris, or waste, shall be placed or stored where it may be allowed to enter or be washed by rainfall into waters of the U.S./State. Soil and material stockpiles shall be properly protected to minimize sediment and pollutant transport from the construction site.</p>
<p>Hydrology and Water Quality</p>	<p>HWQ-5 Post-Construction Erosion Control Following completion of excavation, placement of fill, and grading, all ground to the limits of disturbance above the wetted water surface elevation shall be treated for erosion prior to the onset of precipitation capable of generating run-off or the end of the yearly work period, whichever comes first. Treated areas that are not exposed to tidal influence shall be mulched with at least 2 to 4 inches of certified weed-free straw mulch with wheat or other straw for riparian and wetland</p>

	<p>areas and rice straw for uplands and use of a seed mix with coverage equivalent to 100 lbs/acre of native grass seed and appropriate riparian vegetation for immediate erosion control. No annual (Italian) ryegrass (<i>Lolium multiflorum</i>) shall be used. All temporary fill, synthetic mats and silt fences shall be removed from wetlands and waters of the U.S./State immediately on cessation of construction. Biodegradable geotextile fabrics shall be used, where possible.</p>
<p>Hydrology and Water Quality</p>	<p>HWQ-6 Implementation of Stormwater Best Management Practices The following BMPs (California Storm Water Quality Association Storm Water Best Management Practice (BMP) Handbook for Construction 2003) shall be implemented to prevent entry of storm water runoff into the excavation site, the entrainment of excavated contaminated materials leaving the site, and to prevent the entry of polluted storm water runoff into the Mad River during the transportation and storage of excavated contaminated materials:</p> <ul style="list-style-type: none"> • EC-2 Preservation of Existing Vegetation. The best way to prevent erosion is to not disturb the land. To reduce the impacts of new development and redevelopment, projects may be designed to avoid disturbing land in sensitive areas of the site. To the extent feasible, and consistent with the project’s design, goals, and objectives, some existing vegetation will be preserved on the site must be protected from mechanical and other injury while the land is being developed. The purpose of protecting existing vegetation is to ensure the survival of desirable vegetation for shade and erosion control. • EC-6 Straw Mulch. Straw mulch is suitable for soil disturbed areas requiring temporary protection until permanent stabilization is established. Where appropriate, weed-free straw mulch will be used for erosion control on disturbed areas until soils can be prepared for permanent vegetation. Straw mulch is also used in combination with temporary and/or permanent seeding strategies to enhance plant establishment. • EC-7 Geotextile and Mats. Mattings are commonly applied on short, steep slopes where erosion hazard is high and vegetation will be slow to establish. Mattings are also used on stream banks where moving water at velocities between 3 ft/s and 6 ft/s are likely

to wash out new vegetation, and in areas where the soil surface is disturbed and where existing vegetation has been removed. Where appropriate, matting may also be used when seeding cannot occur (e.g., late season construction and/or the arrival of an early rain season). Erosion control matting will be considered in portions of the project area where soils are fine grained and potentially erosive.

- EC-8 Wood Mulching. Wood mulching is suitable for disturbed soil areas requiring temporary protection until permanent stabilization is established. The primary function of wood mulching is to reduce erosion by protecting bare soil from rainfall impact, increasing infiltration, and reducing runoff. Vegetation removed during construction will be chipped on-site and reused as erosion control mulch where feasible and appropriate.

- EC-9 Earth Dikes and Drainage Swales. The temporary earth dike is a berm or ridge of compacted soil, located in such a manner as to divert stormwater to a sediment trapping device or a stabilized outlet, thereby reducing the potential for erosion and offsite sedimentation. Where appropriate, earth dikes will also be used to divert runoff from off site and from undisturbed areas away from disturbed areas and to divert sheet flows away from unprotected slopes.

- SE-1 Silt Fences. Silt fences are suitable for perimeter control, placed below areas where sheet flows discharge from the site. Where appropriate, they will be used as interior controls below disturbed areas where runoff may occur in the form of sheet and rill erosion. Silt fences are generally ineffective in locations where the flow is concentrated and are only applicable for sheet or overland flows. Silt fences are most effective when used in combination with erosion controls.

- NS-5 Clear Water Diversion. Clear water diversion consists of a system of structures and measures that intercept clear surface water runoff upstream of a project, transport it around the work area, and discharge it downstream with minimal water quality

	<p>degradation from either the project construction operations or the construction of the diversion. Dewatering the in-channel work areas and establishing a flow bypass will serve as the clear water diversion for the project.</p> <ul style="list-style-type: none">• WM-3 Stockpile Management. Stockpile Management procedures and practices will be designed to reduce or eliminate air and stormwater pollution from stockpiles of soil excavated from in-channel and floodplain areas.• WM-9 Sanitary/Septic Waste Management. Proper sanitary and septic waste management prevent the discharge of pollutants to stormwater from sanitary and septic waste will be provided via convenient, well-maintained facilities, and arranging for regular service and disposal.
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