

CALIFORNIA COASTAL COMMISSION

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Staff: B. Jansen-A
Date: February 18, 2022

ADMINISTRATIVE PERMIT

Application No.: 1-21-0905

Applicant: Hambro Forest Products Inc.

Agent: SHN Engineers & Geologists, Inc.

Project Location: 420 South G Street, Arcata, Humboldt County

Project Description: Develop and operate a CalRecycle Certified California Redemption Value (CRV) Redemption Center in an existing industrial building and develop associated site improvements including elevating and repairing an existing modular building, installing stormwater management features, and minor grading.

EXECUTIVE DIRECTOR'S DETERMINATION

The findings for this determination and any special conditions appear on subsequent pages.

Note: Public Resources Code Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission on March 11, 2022. PLEASE NOTE THAT THIS WILL BE A VIRTUAL MEETING. As a result of the COVID-19 emergency, California Assembly Bill 361, and the Governor's Executive Orders N-15-21, 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 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.

IMPORTANT: Before you may proceed with development, the following must occur:

Pursuant to Title 14, California Administrative code Sections 13150(b) and 13158, **you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office.**

Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

Sincerely,

John Ainsworth
Executive Director

by: Bente Jansen
Coastal Program Analyst

STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicant to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Operational Restrictions.** The permittee shall operate the facility consistent with CalRecycle requirements, proposed project plans, and the conditions of approval of CDP 1-21-0905. Operational restrictions and requirements include, but are not limited to, the following:
 - A. Materials: The facility as proposed will only accept CRV containers. No other recycling materials, solid waste, or compost materials shall be accepted or processed without an amendment to this permit, unless the Executive Director determines that no amendment is legally required.
 - B. Hours of Operation: To minimize the potential for excessive nighttime noise to significantly degrade adjacent environmentally sensitive habitat areas, hours allowed for processing of materials shall be no earlier than 8:00 AM and no later than 7:00 PM.
 - C. Signage: The onsite signage will conform with the proposed signage to be no greater than 20 sq ft and shall be mounted to the fence. Any changes to signage will require an amendment to this permit, unless the Executive Director determines that no amendment is legally required.
 - D. Temporary Generator Use: The use of a generator shall be permitted only until PG&E has completed the 3-phase power connection.
 - E. Noise: The facility shall be operated consistent with the approved final Noise Reduction Plan required by Special Condition 3.
 - F. Off-Street Parking: The applicant shall maintain the minimum number of off-street parking spaces required by the City of Arcata for the life of the development.
 - G. Lighting: All exterior lights, including lights attached to the outside of any structures, shall be low wattage, shielded, and have a directional cast downward such that no light will shine beyond the boundaries of the property. The facility shall be operated consistent with the approved final Lighting Plan required by Special Condition 2.
 - H. Traffic: As needed during periods of high traffic volume during initial facility opening and other times during the life of the authorized use, the permittee

shall manage potential hazards associated with a heavy traffic environment to ensure the safety of traffic, pedestrians, and bicycles on the adjacent street through appropriate measures as needed including, but not limited to: using temporary onsite vehicle queuing; managing traffic into and out of the facility; setting up signs, cones or other necessary traffic management equipment; posting wait times at the gate entrance; and other appropriate measures to minimize the potential for interfering with public access use of the adjacent coastal recreation areas.

- 2. Conformance with Final Approved Lighting Plan.** Exterior lighting associated with the authorized development shall be consistent with the proposed “Hambro Recycling Outdoor Lighting Plan at 420 South G Street” dated January 7, 2022 as approved by the City of Arcata on February 1, 2022 and attached as Exhibit 3. Lighting shall be downcast, shielded, and shall not shine beyond the boundaries of the subject parcel. The permittee shall undertake the authorized use consistent with the approved final lighting plan. Any proposed changes to the approved final Lighting Plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without an amendment to this permit, unless the Executive Director determines that no amendment is legally required.
- 3. Conformance with Noise Reduction Plan.**
 - A. PRIOR TO COMMENCEMENT OF OPERATIONS, the permittee shall submit, for the review and written approval of the Executive Director, a final Noise Reduction Plan that substantially conforms with the “Hambro Group Preliminary Noise Reduction Plan at 420 South G Street” dated January 14, 2022 (Exhibit 4) and is approved by the City of Arcata. The plan shall include provisions for closing both western and eastern bay doors during processing operations, shielding/cover of temporary generator during use, insulation of bay doors as needed to further attenuate noise, and appropriate actions for initiating noise mitigation based on noise readings.
 - B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
- 4. Conformance with Stormwater Management Plan.**
 - A. PRIOR TO COMMENCEMENT OF OPERATIONS, the permittee shall submit, for the review and written approval of the Executive Director, a final Stormwater Management Plan that substantially conforms with the “Conceptual LID Drainage Plan, Hambro Arcata CRV Redemption Center, 420 South G Street, Arcata, CA” dated January 2022 (Exhibit 5) and is approved by the City of Arcata and compliant with the State Water Resources Control Board Industrial General Permit. The plan shall identify a suite of appropriate BMPs to address potential pollutants associated with the site and the authorized operations, including, but not limited to, (1) adding geofabric and clean drain

rock to existing graveled areas to reduce sediment in stormwater runoff, (2) containing and covering recyclable materials; (3) scheduled container maintenance/replacement; (4) maintaining spill kits on site; and (5) stormwater treatment through vegetated the vegetated swales on the norther and/or south perimeters of the facility.

B. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. **Protection of Archeological Resources.** If an area of cultural deposits or human remains is discovered during the course of the project, all construction shall cease and shall not recommence until a qualified cultural resource specialist, in consultation with the Tribal Historic Preservation Officers of the Wiyot Tribe, the Bear River Band of Rohnerville Rancheria, and the Blue Lake Rancheria, analyzes the significance of the find and prepares a supplementary archeological plan for the review and approval of the Executive Director, and either: (a) the Executive Director approves the Supplementary Archeological Plan's recommended changes to the proposed development or mitigation measures are *de minimis* in nature and scope, or (b) the Executive Director reviews the Supplementary Archeological Plan, determines that the changes proposed therein are not *de minimis*, and the permittee has thereafter obtained an amendment to CDP 1-21-0905.
6. **Assumption of Risk, Waiver of Liability and Indemnity.** By acceptance of this permit, the permittee acknowledges and agrees (i) that the site may be subject to hazards, including but not limited to ground shaking, flooding, liquefaction, and tsunami run-up; (ii) to assume the risks to the permittee and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
7. **Length of Development Authorization.** Development authorized by this permit is authorized only so long as (1) the permittee is legally authorized by the property owner to use the site; (2) until the City or any government agency with legal jurisdiction has issued a final order, not overturned through any appeal or writ proceedings, determining that the structures are currently and permanently unsafe for occupancy or use due to damage or destruction from waves, flooding, tsunami run-up, liquefaction, or other hazards related to coastal processes, and that there are no feasible measures that could make the structures suitable for habitation or use without the use of shoreline protective devices; (3) essential services to the site

(e.g., utilities, roads) can no longer feasibly be maintained due to coastal hazards listed above; (4) removal is required pursuant to LCP policies for sea level rise adaptation planning; or (5) the development requires new and/or augmented shoreline protective devices that conflict with relevant LCP or Coastal Act policies. In addition, the development approval does not permit encroachment onto public trust lands, and any future encroachment must be removed unless the Coastal Commission determines that the encroachment is legally permissible pursuant to the Coastal Act and authorizes it to remain. Any future encroachment would also be subject to the State Lands Commission's (or other designated trustee agency's) leasing approval. The permittee shall obtain a coastal development permit for removal of approved development unless the Executive Director determines that no coastal development permit is legally required.

- 8. Tsunami Hazard Safety Plan.** WITHIN 90 DAYS OF ISSUANCE OF THIS PERMIT, the permittee shall submit, for the review and approval of the Executive Director, a plan for mitigating the hazards associated with potential flood inundation of the site from tsunami wave run-up.
- A. The plan shall demonstrate, at a minimum, the following:
- (i) The existence of the threats of inundation of the site related to a tsunami event (both distant and local sources) will be adequately communicated to all employees;
 - (ii) Information will be made available regarding personal safety measures to be undertaken in the event of a potential tsunami event;
 - (iii) Efforts will be provided to assist less physically mobile employees and customers in seeking evacuation from the site during a potential tsunami event; and
 - (iv) Staff will be adequately trained to carry out the safety plan.
- B. The plan shall include, at a minimum, the following:
- (i) Information Component, detailing the provision of informational materials to employees and the posting of placards, flyers, or other materials at conspicuous locations explaining flood risks, the need for evacuation if strong earthquake motion is felt or alarms are sounded, and the location of evacuation routes;
 - (ii) Evacuation Assistance Component, detailing the efforts to be undertaken by property management staff to assist the evacuation of physically less mobile persons during a tsunami event; and
 - (iii) Staff Training Component, detailing the instruction to be provided to all property management/employee staff to assure that the Tsunami Safety Plan is effectively implemented.
- C. The permittee shall undertake development in accordance with the approved final plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur

without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

EXECUTIVE DIRECTOR'S DETERMINATION (CONTINUED):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the policies of Chapter 3 of the California Coastal Act, and will not have any adverse impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

A. Project Description & Background

Hambro Forest Products Inc. proposes to operate a CalRecycle Certified California Redemption Value (CRV) redemption center that would provide residents of Humboldt County the ability to recycle and be reimbursed for deposits required when purchasing CRV products. The facility would allow for customers to bring their recyclables via vehicle, bicycle/trailer/cart, or walk-ins. Sorted recyclable materials would be unloaded into red 30-gallon containers by the customers, inspected by staff and unloaded into gray 30-gallon containers that will be weighed for a redemption fee to be paid to the customer. The materials from the gray containers are then transferred to larger bins that are stockpiled by type for future processing. Cans and plastic bottles will be compressed separately into 4'x4'x6' cubed bales. Glass will be crushed and conveyed into supersacks. Approximately once per week a flatbed truck will be loaded with 25 tons of processed materials and shipped to the Redding area.

The project area is located on the northeastern side of Humboldt Bay in the City of Arcata. The property is one of a string of commercial/industrial developments that line the eastern side of South G Street.

The proposed project would utilize an approximately 23,112-square-foot (or 0.53-acre) portion of an existing developed two-acre parcel that is locally zoned for Industrial-Commercial uses under the City's certified LCP. The property is surrounded to the north and south by other industrial/commercial uses, to the east by Buddy's Auto Center impoundment storage, and to the west by South G Street and the Arcata Marsh and Wildlife Sanctuary. Grazed seasonal wetlands and Highway 101 are further east of the project site beyond Buddy's Auto Center impoundment storage.

The proposed project would utilize an existing building (originally constructed in 1965), and other than non-structural repair and maintenance, no expansion or modifications are proposed. An existing modular building adjacent to the main building also will be modified (elevated slightly and structurally secured) to meet current building code

standards for flood elevation. Low Impact Development (LID) features (i.e., techniques designed to capture, treat, and infiltrate stormwater on site) are proposed on the northern, western and/or southern sides of the leased site to provide onsite stormwater storage and filtration. Approximately one third of the leased site, excluding the existing building, has pre-existing pavement while the other two-thirds is gravel. The gravel areas are proposed to be graded to redirect water flow toward LID features, and overlaid with permeable geofabric topped with clean gravel to minimize the potential for dust and sediment runoff.

The proposed project is located in the Commission's retained jurisdiction. The City of Arcata has a certified local coastal program (LCP), but the site is within an area shown on State Lands Commission maps over which the state retains a public trust interest. Therefore, the standard of review for the project is the Chapter 3 policies of the Coastal Act.

B. Protection of ESHA

The proposed project will occur on an existing, developed area, including repurposed buildings developed prior to the Coastal Act. There is no ESHA onsite, and the project is approximately 200 feet from the offsite ESHA. The project involves the installation of exterior lighting and the operation of a CRV redemption center. Exterior lighting, the transfer of recyclable materials, glass crushing, and other activities associated with operating a CRV redemption center all have the potential to impact the adjacent (across G Street) environmentally sensitive habitat areas (ESHA) of the Arcata Marsh and Wildlife Sanctuary (ARWS) through excess noise and lighting impacts. The wildlife sanctuary includes over 300 acres of freshwater and estuarine wetlands and riparian and upland habitats that together support nesting, roosting, and foraging habitat for over 300 species of birds and numerous other wildlife species, including many rare, threatened, and endangered species.

Protection of ESHA from lighting impacts

Artificial night lighting can have a variety of significant direct and cumulative effects on flora and fauna, including but not limited to, disruption of light-dark photosynthesis cycles and circadian rhythms, disruption of foraging behaviors and increased risks of predation, and interference with vision and migratory orientation. These impacts can result in reductions in biological productivity, reductions in the population of otherwise threatened, endangered, or rare species, elevated incidences of collisions between birds and structures, or fixation of large numbers of arthropods on the lighting source attraction to the point of fatal exhaustion, negatively affecting their populations and reproductive success, as well as the food web they support.

The applicant has submitted plans for exterior lighting on the existing building that depict night-sky-friendly lighting (Exhibit 3). The "Hambro Recycling Outdoor Lighting Plan at 420 South G Street" dated January 7, 2022 proposes to install six exterior lights on the existing building on the site (one on each corner of the building and one in the middle of the front and back of the building). The two corner lights on the front of the building will be photo controlled and the

remaining lights will be motion detection lights. All lights will be 40-watt Above All LED Dark Sky Wall Packs and have a directional cast downward such that no light will shine beyond the boundaries of the property and disrupt nearby wetland habitat and wildlife. The City has confirmed that the plan meets its dark-sky standards and permit requirements. To ensure that lighting is installed as proposed, **Special Condition 2** requires the applicant to comply with the above-mentioned lighting plan as proposed. In addition, **Special Condition 1-G** lists various operational requirements and restrictions, including, among others, provisions for exterior lighting to be low wattage, shielded, and have a directional cast downward such that no light will shine beyond the boundaries of the property. The Executive Director finds that the proposed development, as conditioned, prevents impacts which would significantly degrade adjacent ESHA consistent with the requirements of the Coastal Act section 30240.

Protection of ESHA from noise impacts

The proposed development includes the temporary use of a generator¹ for approximately four months, the unloading of recyclable materials into bins, the use of balers and crusher for processing and the loading of processed materials into transport vehicles. The project has the potential to expose excessive noise to environmentally sensitive habitat areas of the AMWS across the street from the subject site. Increased noise levels reduce the distance and area over which acoustic signals can be perceived by animals and may cause substantial changes in foraging and anti-predator behavior, reproductive success, density and community structure in response to noise. The project also has the potential to expose excessive noise to recreational users of the adjacent park and recreation area (the AMWS).

The applicant has submitted preliminary plans for noise reduction on site (Exhibit 4). The "Hambro Group Preliminary Noise Reduction Plan at 420 South G Street" dated January 14, 2022 outlines the objectives and strategies of controlling noise levels during facility operations. Based on measurements taken at the applicant's existing CRV redemption center facility in Del Norte County, which is similar to the proposed facility in terms of size and materials to be processed, noise levels are expected to be in the 60 decibel range. These levels are similar to existing ambient noise levels in the surrounding industrial area of Arcata, which range between 58 and 63 decibels. Noise reduction measures proposed in the plan include but are not limited to: (a) limiting the hours of operation from 8:00 am to no later than 7:00 pm (b) positioning the proposed temporary generator towards the existing modular building to buffer noise levels to the south (towards the bay and associates sensitive habitats of the AMWS); and (c) closing the bay doors during processing. The plan proposes to monitor noise levels during initial operations of the facility, and if noise levels indicate

¹ The temporary use of a generator is needed while service upgrades are made by PG&E. These upgrades are expected to be completed by July 2022.

further measure are necessary, the plan proposes additional measures, such as insulating the processing equipment and the bay doors.

While the preliminary noise reduction measures outlined in the plan are appropriate, in some cases they do not go far enough or lack sufficient detail to ensure that noise emanating from processing and crushing operations will not significantly degrade the resources of the sensitive habitat areas of the adjacent marsh and wildlife sanctuary. For example, the plan proposes closing only the western-facing bay doors to control noise levels during processing of materials but not the eastern-facing roll-up doors. In addition, the plan suggests that there are methods available to further reduce the noise associated with the temporary generator (i.e., shielding/covering during use) but does not include this provision. Therefore, to ensure that noise levels are sufficiently minimized to prevent impacts that would significantly degrade adjacent ESHA, **Special Condition 3** requires that the applicant submit a final noise reduction plan prior to commencement of operations that has been approved by the City and that substantially conforms with the submitted preliminary noise reduction plan though which is modified to include the additional noise minimization measures discussed above. Additionally, **Special Condition 1-B** limits hours of operation to 8:00 AM to no later than 7:00 PM, which will avoid excessive nighttime noise levels that could degrade adjacent ESHA, and **Special Condition 1-E** requires that the facility shall be operated consistent with the approved final Noise Reduction Plan required by Special Condition 3. The Executive Director thus finds that the proposed development, as conditioned, prevents impacts which would significantly degrade adjacent ESHA consistent with the requirements of the Coastal Act section 30240.

C. Protection of Water Quality and Marine Resources

The proposed project involves use of existing buildings on an upland property zoned and designated for industrial and commercial uses. However, Butcher Slough, which flows into Humboldt Bay, is located directly across South G Street approximately 200 feet to the west and southwest of the subject site. Existing site drainage flows generally southward and westward across the site to existing vegetated area and drainage inlets on and adjacent to the property. As site drainage flows directly into Butcher Slough and Humboldt Bay, the applicant has proposed stormwater management features (Exhibit 5) to minimize the potential for polluted runoff associated with the proposed use to discharge to coastal waters.

The subject 0.53-acre site is currently covered in a combination of paved and graveled surfaces with grassy strips along the western, northern, and southwestern sides of the site. The proposed development includes re-grading existing gravel surfaces (approximately 420 cubic yards), placement of permeable Mirafi (non-woven polypropylene geotextile) geofabric with crushed 2-inch minus gravel overlay within the graveled travel ways, and construction of LID measures including two vegetated bioswale features and one rain garden feature. The development of the site will not result in a net gain or loss of pervious surface.

The proposed conceptual drainage plan notes that the primary constituent of concern will be from total suspended solids (TSS) from the gravel surfaces, which will be increased during wet months by traffic using these travel ways. In addition to the proposed recontouring gravel surfaces so that drainage flows to vegetated swale areas for onsite treatment, straw mulch or planting of sterile barley seed may also be added to vegetated areas to minimize the potential for erosion in these areas. The applicant plans to refine the conceptual plan as it works to develop other stormwater management plans required by other agencies for the project. These include (1) an Industrial Stormwater General Permit required by the State Water Resources Control Board (which requires preparation of a Stormwater Pollution Prevention Plan (SWPPP) for the site, monitoring the flow of pollutants leaving the site, and submittal of annual reporting to the Board); and (2) a Stormwater Management Plan required by the City under the minor use permit approved for the facility. The City's permit, approved December 14, 2021, requires submittal of a plan prior to commencing operations prepared by a qualified professional that includes, but is not limited to, sediment and erosion control measures "with Low Impact Development features." The applicant and City anticipate that the final IGP and associated SWPPP will likely satisfy the City's plan requirements.

To ensure that the proposed project minimizes adverse effect of polluted stormwater discharges and entrainment and controls runoff to protect water quality and marine resources consistent with sections 30230 and 30231 of the Coastal Act, the Executive Director attaches **Special Condition 4**. This condition requires submittal of a final stormwater management plan prior to commencement of operations that conforms with the "Conceptual LID Drainage Plan, Hambro Arcata CRV Redemption Center, 420 South G Street, Arcata, CA" dated January 2022 (Exhibit 5) and is approved by the City of Arcata and compliant with the State Water Resources Control Board Industrial General Permit. The plan shall identify a suite of appropriate BMPs to address potential pollutants associated with the site and the authorized operations, including, but not limited to, (1) adding geofabric and clean drain rock to existing graveled areas to reduce sediment in stormwater runoff, (2) containing and covering recyclable materials; (3) scheduled container maintenance/replacement; (4) maintaining spill kits on site; and (5) stormwater treatment through vegetated the vegetated swales on the norther and/or south perimeters of the facility

The Executive Director thus finds that as proposed project as conditioned will protect the biological productivity and quality of nearby wetlands and coastal waters. consistent with the requirements of Coastal Act sections 30230 and 30231.

D. Coastal Hazards

Section 30253 requires in part that new development minimizes risk to life and property in areas of high geologic and flood hazards, assures structural integrity and stability, and neither creates nor contributes significantly to erosion. The proposed project entails development in an area subject to significant exposure to geologic and flood hazards including strong earthquake shaking, liquefaction, tsunami inundation, and flooding.

Ground Shaking, Rupture, and Liquefaction

The project site is within a seismically active area in which large earthquakes may be expected to occur during the economic lifespan of the development. The site also is an area of high liquefaction potential. However, the proposed project will utilize an existing industrial building constructed in 1965, and no new structures or structural changes to the existing building are proposed. The existing single story, metal structure has a slab foundation. According to the City, the proposed industrial building and land use is considered a non-critical facility with low risk from geologic hazards. As previously mentioned, the existing modular building onsite will be elevated slightly and structurally secured pursuant to City building permit requirements.

Tsunami Hazards

The subject property is shown on emergency planning maps as being within the zone of potential inundation by a tsunami. The Cascadia Subduction Zone (CSZ), which is located approximately 40 miles west of the project site, is capable of producing earthquakes of magnitude 9.0. If the region were to suffer a major seismic event along the CSZ during the life of the proposed development, a local tsunami could hit the Humboldt Bay shoreline within minutes and potentially inundate the area. The precise maximum depth of inundation for a tsunami has not been determined for the subject property. While other development sites with direct beach frontage or proximity to open ocean water have been assessed as being potentially subject to modeled inundation of 30 feet or more above mean sea level, given the sites' distance from the mouth of Humboldt bay, the large mudflat and marsh plain configuration of Arcata Bay, and the intervening fill including railroad embankment, road prism, and City-maintained levees between the subject property and the bay, such a wave height would be expected to at least partially attenuate before reaching the subject site.

The flooding risk from tsunamis can best be minimized through warnings of imminent tsunamis and timely evacuation from tsunami wave run-up zones. The City of Arcata has established tsunami alarms and evacuation routes intended to reduce life-safety risk. In addition, risk can further be minimized by notifying tenants and employees of the site regarding action to be taken in the event of strong ground shaking and evacuation routes. The Executive Director attaches **Special Condition 8** to require submittal of a Tsunami Safety Plan for the facility within 90 days of permit issuance that details (1) the provision for providing informational materials to employees of the facility explaining tsunami risks, the need for evacuation if strong earthquake motion is felt or alarms are sounded, and the location of the evacuation route, (2) efforts to be undertaken by facility employees to assist the evacuation of physically less mobile employees and customers during a tsunami event, and (3) a staff training component, detailing the instruction to be provided to all facility employees to assure that the Tsunami Safety Plan is effectively implemented. With the inclusion of Special Condition 8, the Executive Director finds that the proposed

development as conditioned minimizes risks associated with tsunami hazards consistent with Coastal Act section 30253.

Flood Hazards and sea-level rise

The flat, low-lying project site is located on the eastern side of South G Street on diked and filled former tidelands or northern Humboldt Bay (Arcata Bay). The property is at an elevation of approximately 10 feet relative to vertical datum NAVD88 and lies within the FEMA-mapped 100-year flood zone (in an AE zone with a base flood elevation of 10 feet). In addition to today's flood vulnerabilities, flood risks are expected to worsen and be exacerbated by projected sea level rise (SLR) in the coming decades. Tidally influenced Butcher's Slough and associated wetlands are located directly across South G Street to the west, and the City's wastewater treatment plant (WWTP) and corporation yard lie south of South G Street, abutting the current shoreline of Arcata Bay less than one-quarter mile to the south of the project site. The structures armoring the shoreline include levees that line the Arcata Marsh and Wildlife Sanctuary and City's WWTP, and a historic railroad revetment that travels along the bay ward edge of South G Street. A large agricultural property (75+ acres) comprised of grazed seasonal wetlands lies to the east of the project site between the light industrial properties on South G Street and Highway 101. These grazed wetlands are hydrologically connected to Arcata Bay through culverts under railroad revetment and South G Street and thus are vulnerable to current flood risks and future flood risks as may be exasperated by sea level rise.

While the proposed project has been designed to minimize geologic and flooding risks, the proposed development may become unusable at some point in the future due to flooding exacerbated by expected sea level rise, as recent modelling and sea level rise-predictions indicate is likely to occur in Humboldt Bay and at the site. Failure to remove uninhabitable structures threatens the safety of all people and property in the flood zone, as the structures may break apart and debris carried away in flood waters could injure people and damage structures. Accordingly, **Special Condition 6** requires the applicant to assume all risks from developing at this site. To minimize risks from severe damage to the structures from geologic or flood hazard events, **Special Condition 7** requires removal of the development if (1) the permittee is legally authorized by the property owner to use the site; (2) the City or any government agency with legal jurisdiction has issued a final order determining that the structures are currently and permanently unsafe for occupancy or use due to damage or destruction from waves, flooding, tsunami run-up, liquefaction, or other hazards related to coastal processes; (3) essential services to the site can no longer feasibly be maintained due to coastal hazards; (4) removal is required pursuant to LCP policies for sea level rise adaptation planning; or (5) the development requires new and/or augmented shoreline protective devices that conflict with relevant LCP or Coastal Act policies. Finally, **Special Condition 8** prohibits the construction of shoreline protection in the future to protect the development authorized by this permit.

Thus, the Executive Director finds that as conditioned, the project minimizes risks to life and property in an area of high geologic and flood hazard consistent with Coastal Act section 30253.

E. Public Access

Although the subject site is between the first through public road and the sea, the site is separated from the tidal reaches of Humboldt Bay by intervening development and roadways. The project will not displace any existing public access facilities, as the project will develop a private industrial property where no public access currently exists and there is no history of public use.

The proposed CRV redemption center will be located directly across the street from the Arcata Marsh and Wildlife Sanctuary, a which has five miles of trails used by locals and visitors for hiking, cycling, birdwatching, wildlife viewing, and boating access. To address the anticipated increase in traffic associated with the proposed facility, and to ensure that it does not interfere with parking and biking access to the wildlife sanctuary, especially during initial opening of the facility when traffic volumes are expected to be higher, the applicant has submitted a Special Event Traffic Plan (Exhibit 6) that outlines the traffic control and management procedures proposed during. The proposed objectives of the plan include ensuring the safety of the traffic, pedestrians, bicycles on South G Street and minimizing impacts on users of South G Street, adjacent trail properties and facilities. The City has confirmed that the proposed traffic plan meets its standards and permit requirements, and to ensure that traffic is managed as proposed in a manner that avoids public access impacts for the life of the development, the Executive Director attaches **Special Condition 1-H**. This condition requires the applicant to manage the traffic environment to ensure the safety of traffic, pedestrians, and bicycles on the adjacent street through appropriate measures as needed including, but not limited to: using temporary onsite vehicle queuing; managing traffic into and out of the facility; setting up signs, cones or other necessary traffic management equipment; posting wait times at the gate entrance; and other appropriate measures to minimize the potential for interfering with public access use of the adjacent coastal recreation areas. In addition, **Special Condition 1-F** (Operational Restrictions) requires that the applicant maintain the minimum number of off-street parking spaces for the life of the development, which will minimize the potential for spillover employee parking to displace public access parking in the wildlife sanctuary parking lot across the street from the site.

The Executive Director thus finds that the proposed development, as conditioned, will not have any significant adverse effects on public access and is consistent with the requirements of the Coastal Act sections 30210, 30211, 30212, and 30214.

F. Archaeological Resources

Section 30244 of the Coastal act states:

Where development would adversely impact archeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures may be required.

The project area lies within the traditional territory of the Wiki division of the Wiyot Tribe. The Tribe is understood to have included three tribal divisions (Patawat, Wiki, and Wiyot), each associated with a water-related resource (the Mad River, Humboldt Bay, and the lower Eel River, respectively) and each speaking a common language (Selateluk). Settlements existed all around Humboldt Bay and along the banks of many of the streams and sloughs in the region. Three federally recognized Tribes in the region – the Wiyot Tribe, the Blue Lake Rancheria, and the Bear River Band of the Rohnerville Rancheria – include citizens of Wiyot ancestry that are culturally affiliated with the greater Humboldt Bay region Wiyot ethnographic area as mapped by the Tribes.

Through the City's permit process, the City consulted with local tribes on the proposed project and received comments from the tribes' Tribal Historic Preservation Officers (THPOs) recommending that the standard condition regarding the inadvertent discovery of cultural resources be included on any permits for the site. Thus, to protect Tribal Cultural Resources, **Special Condition 5** requires that if an area of cultural deposits is discovered during the course of the project, all construction must cease and a qualified cultural resource specialist, in conjunction with the three Wiyot area THPOs, must analyze the significance of the find. To recommence construction following discovery of cultural deposits, the applicant is required to submit a supplementary archaeological plan for the review and approval of the Executive Director, who determines whether the changes are *de minimis* in nature and scope, or whether an amendment to this permit is required.

Therefore, the Executive Director finds that the project, as conditioned, is consistent with Coastal Act section 30244.

G. California Environmental Quality Act (CEQA)

The City of Arcata, as the lead agency, determined the project to be categorically exempt under CEQA pursuant to the following exemptions: Class 1, section 15301 Existing Facilities, Class 3 section 15303 Construction or Conversions of Small Structures, and Class 31, section 15331 In-Fill Development Project.

Section 13096 of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as modified by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act ("CEQA").

Section 21080.5(d)(2)(A) of CEQA prohibits approval of a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant impacts that the activity may have on the environment.

The project as conditioned herein incorporates measures necessary to avoid any significant environmental effects under the Coastal Act, either individual or cumulative, and there are no less environmentally damaging feasible alternatives or mitigation measures. Therefore, the proposed project is consistent with CEQA.

ATTACHED EXHIBITS

1. [Vicinity Maps](#)
2. [Site Plan](#)
3. [Lighting Plan](#)
4. [Preliminary Noise Reduction Plan](#)
5. [Conceptual Drainage Plan](#)
6. [Traffic Plan](#)

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Permittee's Signature

Date of Signing