

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT
1385 8TH STREET, SUITE 130
ARCATA, CA 95521
PHONE: (707) 826-8950
WWW.COASTAL.CA.GOV



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Prepared May 5, 2022 (for the May 13, 2022 Hearing)

To: Commissioners and Interested Parties
From: Shana Gray, North Coast District Deputy Director
Subject: **North Coast District Deputy Director's Report for May 2022**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, emergency CDPs, and local government acceptance of modifications for LCP certification for the North Coast District Office are being reported to the Commission on May 13, 2022. 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 waivers, immaterial amendments, and time extensions. The other items are presented for the Commission's information. Staff will report any objections received and any other relevant information on these items to the Commission when it considers the North Coast District Deputy Director's report on May 13th.

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 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 May 13, 2022 (see attached)

Waivers

- 1-22-0150-W, City of Arcata – Expand Interpretive Center Garden (Arcata Marsh, Arcata)

Immaterial Amendments

- 1-90-064-A1, Osborne – Residence Reroof (Elk, Mendocino Co.)

Time Extensions

- 1-17-0200-E2, Loleta Community Services District - Wastewater Treatment Facility Upgrades (Loleta, Humboldt County)

Emergency Permits

- G-1-22-0018, PG&E – Routine Vegetation Maintenance along Trinidad 1102 kV distribution line (Trinidad, Humboldt Co.)
- G-1-22-0019, PG&E – Ongoing Routine Vegetation Maintenance along Trinidad 1102 kV distribution line (Trinidad, Humboldt Co.)

LCP Certifications – None

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NOTICE OF PROPOSED PERMIT WAIVER

Date: May 5, 2022

To: All Interested Parties

From: Melissa B. Kraemer, District Manager
Bente Jansen, Coastal Program Analyst

Subject: Coastal Development Permit (CDP) Waiver 1-22-0150-W

Applicant: City of Arcata, Environmental Services Dept.

Location: Arcata Marsh Interpretive Center, 569 South G Street Arcata (APN: 503-241-001).

Proposed Development

Approximately 1,500-square-foot expansion of the Arcata Marsh Interpretive Center native plant garden including 1) the removal of non-native species; 2) thinning of understory vegetation; 3) tree limbing of one spruce tree and removal of one large ceanothus bush; 4) re-vegetation with native species; 4) minor grading to accommodate an approximate 50-foot-long extension of an existing gravel path; 5) construction of an approximate 60-square-foot storage shed, including the pouring of a concrete slab; and 6) the construction of an osprey nesting platform on an existing pole.

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 purpose of the native plant garden and trail extension project is to enhance public access and interpretive opportunities around the Arcata Marsh Interpretive Center (AMIC). The area proposed to be converted into an extension of the existing native plant garden in front of the AMIC is overgrown with non-native species. Non-native species will be removed by hand, and only native, regionally appropriate plants, including, a diverse mix of ferns, shrubs, and herbs, will be used to re-vegetate the area. Up to one spruce tree will be removed, but the stump will be left intact so as to minimize disturbance to the bank of Butcher Slough. To minimize impacts to surrounding vegetation during construction of the storage shed, the City will implement

several best management practices (BMPs), including, but not limited to, maintaining a designated concrete wash-out station for small tools away from ESHA; ensuring large wash-out activities (i.e. truck wash-outs) occur offsite at a permitted facility; and ensuring no concrete pouring will occur when rain is forecasted to prevent potential runoff.. Pouring of the concrete slab will be done from a cement truck stationed on existing compacted surfaces and will not require any vegetation removal or ground disturbance. There will be no impacts to public access, since the work sites currently are not utilized by the public, and no trails will be closed or blocked during construction. Finally, the proposed osprey nesting platform will be placed on an existing, unutilized pole located near Treatment Marsh No. 3 of the Wastewater Treatment facility and will not affect views or be out of character with the surrounding area.

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 3 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 sec. 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 Friday, May 13, 2022.** If four or more Commissioners object to this waiver at that time, then the application shall be processed as a regular CDP application.

PLEASE NOTE THAT THIS WILL BE A HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED. Please see the Coastal Commission's Hybrid 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 Hybrid Hearing Procedures, please email northcoast@coastal.ca.gov or call 415-904-5202.

The in-person hearing will be held at **Hilton Orange County Costa Mesa, Fountain Terrace Room, 3050 Bristol Street, Costa Mesa, CA, 92626.** The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

If you have any questions about the proposal, please contact Bente Jansen in the North Coast District office at Bente.Jansen@coastal.ca.gov.

cc: Arcata Marsh Interpretive Center
City of Arcata Community Development Dept.

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NOTICE OF PROPOSED PERMIT AMENDMENT

Date: April 29, 2022

To: All Interested Parties

From: Melissa B. Kraemer, North Coast District Manager
Bente Jansen, Coastal Program Analyst

Subject: Amendment to Coastal Development Permit (CDP) **1-90-064**
Applicant: John Osborne

Project Site

7500 South Highway 1, approximately one mile south of the unincorporated community of Elk, Mendocino County (APN: 127-300-04)

Original CDP Approval

Demolish an existing shed and add a total of 1,327 square feet to an existing 870 square foot residence, and add a 376-square-foot garage, decks, a fence and boardwalk, a new septic system, and landscaping.

Proposed CDP Amendment

Re-roof the existing single-family residence with in-kind materials. The Commission's reference number for this proposed amendment is **1-90-064-A1**.

Executive Directors 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 Commission approved the original permit in June of 1992 subject to three special conditions, including, but not limited to: (1) special condition No. 1 requiring that prior to permit issuance the applicant had to execute and record a deed restriction against the property stating that "...any future additions or other development as defined in Public Resources Code Section 30610(a), including the construction of fences, additions, or outbuildings that might otherwise be exempt under Public Resources Code Section 30610(a), will require an amendment to this permit..."; and (2) special condition No. 2 requiring that "all exterior siding of the structure shall be of natural or natural-appearing materials of dark earthtone colors only, and the roof shall also be of dark earthtone color and shall be of a natural-appearing material...". As noted in the adopted findings for the original permit, the subject property is a bluff-top lot west of Highway 1 in an area designated as "highly scenic" under the Mendocino County certified LCP (at the time of

Coastal Development Permit Amendment 1-90-064-A1

Page 2 of 2

the Commission's action only the Land Use Plan element of the LCP was certified). The County's LCP requires that development in highly scenic areas be subordinate to the natural setting through such measures as designing development to be in scale with rural character of the area, prohibiting tree removal that would destroy the ridgeline silhouette, avoiding new development in the middle of large open areas if an alternative site exists, and various other measures. Due to the site's prominent location on an open coastal terrace west of the highway, the permitted development on the property is highly visible to passing motorists. As such, the Commission imposed the design restrictions for roofing and siding in Special Condition 1 cited above to minimize the visual impacts of the permitted structures. To ensure that the Commission would have the opportunity to review the design and siting of any future improvements that might otherwise be exempt from CDP requirements pursuant to Coastal Act section 30610(a), the Commission also imposed Special Condition 2.

The proposed roofing materials for the proposed re-roofing of the existing single-family residence is consistent with Special Condition 1, because the proposed roof will be dark earthtone in color ("hunter green") and of a natural-appearing material (asphalt shingle to match existing approved roofing). Therefore, as the permit amendment does not have a potential for adverse impacts, either individually or cumulatively, on coastal resources or public access, and the proposal is consistent with the Mendocino County certified LCP, 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. If such an objection is received, the objection and the Executive Director's response to it will be reported to the Commission on Friday, May 13, 2022. 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 HYBRID MEETING, WITH BOTH VIRTUAL AND IN PERSON PARTICIPATION ALLOWED. Please see the **Coastal Commission's Hybrid 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 Hybrid Hearing Procedures, please email NorthCoast@coastal.ca.gov or call 415-904-5202.

The in-person hearing will be held at **Hilton Orange County Costa Mesa, Fountain Terrace Room, 3050 Bristol Street, Costa Mesa, CA 92626**. The Commission strongly encourages continued participation virtually through video and teleconferencing due to changing Covid-19 conditions.

If you have any questions about the proposal or wish to register an objection, please contact Bente Jansen in the North Coast District office.

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April 29, 2022

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that the Loleta Community Services District has applied for a one-year extension of 1-17-0200 granted by the California Coastal Commission on April 10, 2021.

for: Application of Loleta Community Services District to improve Loleta's wastewater treatment system to meet discharge standards by: (1) upgrading existing wastewater treatment facility with new influent pump station, pre-screening rotary drum screen, extended aeration secondary treatment, and ultraviolet disinfection system; (2) repairing existing subsurface pipe that discharges treated wastewater to wetland tributary of Eel River; and (3) installing new land application system for irrigation of approx. 50 acres of agricultural land with treated wastewater.

at: 2656 Eel River Rd, Loleta (Humboldt County) (APN(s): 309-191-12, 309-211-02, 309-211-06, 309-211-07, 309-251-02)

Pursuant to Section 13169 of the Commission Regulations, the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive... and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,

John Ainsworth
Executive Director

A handwritten signature in cursive script that reads "C Holloway".

Catherine Holloway
Coastal Program Analyst

cc: Commissioners/File

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**EMERGENCY PERMIT**

Issue Date: April 13, 2022
Emergency Permit Number: G-1-22-0018

APPLICANT:

Pacific Gas and Electric Co. (Attn: Valerie Walker)
2730 Gateway Oaks
Sacramento, CA 95833

LOCATION OF EMERGENCY:

Along the Trinidad 1102 12 kilovolt (kV) distribution lines in Humboldt County

EMERGENCY WORK:

Vegetation maintenance activities, including trimming of one tree at one location and removal of nine trees and nine locations

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your initial emergency permit application that an unexpected occurrence in the form of vegetation growth along power lines and encroachment within the proximity of critical safety minimum clearance requirements poses a threat to electrical distribution and transmission structures in Humboldt County (as identified in the project work areas more specifically identified in Attachment 2 and Attachment 3)¹ and requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 60 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

¹ See emergency permit application file "03_Att_2_LocationTopo_Trinidad 1102_12kV_CEMA_CZ_2021_195891" and "04_Att_3_ProjectWorkAreas_Trinidad 1102_12kV_CEMA_CZ_2021_195891"

Emergency Permit Number:
G-1-22-0018

The emergency work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:

DocuSigned by:

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04/13/2022

Daniel Nathan, Coastal Program Supervisor

cc: John H. Ford, Director, Humboldt County Planning and Building Department
Trevor Estlow, Senior Planner, Humboldt County Planning and Building Department

Enclosures: 1) Acceptance Form

Emergency Permit Number:
G-1-22-0018

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PERMITTEE and returned to our office prior to onset of activity and within 15 days of the date of this permit. This emergency permit is not valid unless and until the acceptance form has been received in the North Coast District Office.
2. Only that work specifically described in this permit and for the specific locations listed above is authorized. Work is further limited to the minimum necessary to abate the emergency and as detailed in the emergency permit application materials received electronically on April 7, 2022. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 60 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
4. The applicant recognizes that the emergency work is considered temporary unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.
5. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
7. All work shall be monitored by a qualified biological resources specialist or California Registered Professional Forester to ensure that work takes place in a time and manner to avoid (where feasible) and minimize any potential damages to any coastal resources, including but not limited to, environmentally sensitive habitat areas (ESHA), water quality, cultural resources, and public access and recreation. The permittee shall use relevant best management practices (BMPs) to protect on-site wetlands and other ESHA from water quality impacts during

Emergency Permit Number:
G-1-22-0018

vegetation removal activities, as detailed in Attachment 7 of PG&E's emergency permit application (see "08_Att_7_MRHCP VM Measures").

8. If it is not feasible to remove vegetation that may provide potential nesting habitat outside of the avian nesting season (mid-March to mid-August), a survey for nesting birds in and adjacent to the project work area shall be conducted by a qualified biologist according to current California Department of Fish and Wildlife (CDFW) protocols no more than seven (7) days prior to the commencement of vegetation removal activities. If any active nest is identified during pre-activity surveys, the biologist, in consultation with CDFW², shall determine the extent of an activity-free buffer zone to be established around the nest, and activity in the buffer zone shall be delayed until after the young have fledged, as determined by additional surveys conducted by a qualified biologist.
9. Herbicide use shall ensure the protection of coastal resources through the implementation of Best Management Practices, as detailed in Attachment 7 of the Permittee's emergency permit application (see "08_Att_7_MRHCP VM Measures"). Herbicide use shall be limited to hand application for cut-stump application only, pursuant to the Herbicide Management Plan submitted as part of the emergency permit application (see "16_Att_15_Herbicide Plan_Trinidad 1102 12kV_CEMA").
10. All staging of equipment and access to work locations shall be limited to existing roads, such as PG&E access roads, maintenance roads, county roads, private driveways, and existing footpaths.
11. Equipment that is used to trim and remove vegetation, including removal of trees, shall be limited to chainsaws, climbers, lift trucks, chippers, and other hand tools.
12. All cut vegetation, including lopped tree branches, shall be chipped and scattered evenly within existing right-of-way segments in a manner that ensures protection of coastal resources. In no event shall cut vegetation, including chipped vegetative debris, be scattered or placed in riparian corridors. Vegetative debris

² Contact CDFW Northern Region staff (Senior Environmental Scientist Michael Van Hattem) at 707-499-9457.

Emergency Permit Number:
G-1-22-0018

that is removed from the project sites shall be disposed of lawfully at licensed disposal facilities.

13. Within 30 days of completion of the authorized emergency work, or as extended by the Executive Director for good cause, the permittee shall submit, for the review and approval of the Executive Director, documentation of the vegetation management work performed pursuant to this emergency permit that includes a summary report and photo-documentation for the authorized emergency work. The summary report shall include a description of (i) the dates of the emergency work conducted; (ii) the vegetation pruning or removal work performed at each specific location within the project area, noting any differences between locations where work was performed and those proposed in the emergency permit application; (iii) the total area (in square feet) of wetland and riparian vegetation affected by the work performed and the total volume (in cubic yards) of vegetation removed; (iv) the BMPs and erosion control measures employed through the course of the emergency work; (v) the location(s) where debris were disposed of; and (vi) any handling of and observed impacts to sensitive, threatened, or endangered plant and animal species that occurred through the course of the authorized emergency work. The photo-documentation shall include representative photographs of locations where vegetation clearing was performed around the transmission lines and distribution lines, including photos showing the project site(s) before the emergency work occurred (if available), during the emergency work, and after the emergency work authorized pursuant to this emergency permit. A map identifying all locations where staging and stockpiling occurred shall be submitted as well for each project site.
14. Within 90 days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall submit a complete follow-up Coastal Development Permit (CDP) application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. This follow-up CDP application may be combined with prior, required follow-up CDP applications, such as the follow-up CDP application required under Emergency CDP No. G-1-22-0004 issued on January 28, 2022, upon the concurrence of the Executive Director or his designee. The application shall additionally include a mitigation and monitoring plan to compensate for temporal and permanent loss of environmentally sensitive habitat areas (ESHA), including riparian wetland habitat, resulting from project activities. The mitigation and monitoring plan shall specify proposed locations for mitigation within the

Emergency Permit Number:
G-1-22-0018

same watershed. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, all affected areas shall be restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 180 days, subject to any regulatory approvals necessary for restoration.

Failure to a) submit a complete follow-up CDP Application that complies with Condition 14 above, or b) restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit³, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP⁴ will constitute a knowing and intentional violation of the Coastal Act⁵ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

³ In some instances, a permit may also be required for removal.

⁴ As noted above, in some instances, a permit may also be required for removal.

⁵ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

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April 13, 2022

EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSION
North Coast District Office
1385 Eighth Street, Suite 130
Arcata, California 95521-5967

RE: Emergency Permit No. G-1-22-0018

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the North Coast District Office within 15 days from the permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that the emergency work is TEMPORARY and that a regular Coastal Development Permit is necessary for any permanent installation. I agree to complete the regular Coastal Development Permit application within 90 days of the date of the emergency permit. Finally, I understand that my failure either to:

- a) Submit a complete follow-up Coastal Development Permit (CDP) Application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations by the date specified in this Emergency Permit, which date may be extended by the Executive Director for good cause, or
- b) Restore all affected areas to their prior condition after consultation with Coastal Commission staff and consistent with the Coastal Act, will constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Commission or the Executive Director.

This formal action could include a recordation of a Notice of Violation on my property; the issuance of a Cease and Desist Order and/or Restoration Order; imposition of administrative penalties for violations involving public access, and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

Emergency Permit Acceptance Form
G-1-22-0018

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:

DocuSigned by:
Daniel Nathan
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04/13/2022

Daniel Nathan
Coastal Program Supervisor

cc: Commissioners/File

DocuSigned by:
Valerie Walker
0E01E950656E477...

Signature of Permittee or
Authorized Representative

valerie walker

Print Name

Address: 2730 Gateway Oaks, Sacramento, CA

04/19/2022

Date of Signing

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**EMERGENCY PERMIT**

Issue Date: April 13, 2022
Emergency Permit Number: G-1-22-0019

APPLICANT:

Pacific Gas and Electric Co. (Attn: Valerie Walker)
2730 Gateway Oaks
Sacramento, CA 95833

LOCATION OF EMERGENCY:

Along the Trinidad 1102 12 kilovolt (kV) distribution lines in Humboldt County

EMERGENCY WORK:

Vegetation maintenance activities, including removal of 22 trees at 6 locations, trimming of 3 trees at 3 locations, and removal of 50 brush units at 1 location, for a total of 10 work locations

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your initial emergency permit application that an unexpected occurrence in the form of vegetation growth along power lines and encroachment within the proximity of critical safety minimum clearance requirements poses a threat to electrical distribution and transmission structures in Humboldt County (as identified in the project work areas more specifically identified in Attachment 2 and Attachment 3)¹ and requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to 14 Cal. Admin. Code Section 13009. The Executive Director of the California Coastal Commission hereby finds that:

(a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 60 days unless otherwise specified by the terms of this Emergency Permit; and

(b) Public comment on the proposed emergency development has been reviewed if time allows.

¹ See emergency permit application file "03_Att_2_LocationTopo_Trinidad 1102_12kV_Routine_192519" and "04_Att_3_ProjectWorkAreas_Trinidad 1102_12kV_Routine_192519"


Emergency Permit Number:
G-1-22-0019

The emergency work is hereby approved, subject to the conditions listed on the attached pages.

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:

DocuSigned by:

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04/13/2022

Daniel Nathan, Coastal Program Supervisor

cc: John H. Ford, Director, Humboldt County Planning and Building Department
Trevor Estlow, Senior Planner, Humboldt County Planning and Building Department

Enclosures: 1) Acceptance Form

Emergency Permit Number:
G-1-22-0019

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PERMITTEE and returned to our office prior to onset of activity and within 15 days of the date of this permit. This emergency permit is not valid unless and until the acceptance form has been received in the North Coast District Office.
2. Only that work specifically described in this permit and for the specific locations listed above is authorized. Work is further limited to the minimum necessary to abate the emergency and as detailed in the emergency permit application materials received electronically on April 7, 2022. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed within 60 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
4. The applicant recognizes that the emergency work is considered temporary unless and until a regular coastal development permit permanently authorizing the work is approved. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.
5. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
7. All work shall be monitored by a qualified biological resources specialist or California Registered Professional Forester to ensure that work takes place in a time and manner to avoid (where feasible) and minimize any potential damages to any coastal resources, including but not limited to, environmentally sensitive habitat areas (ESHA), water quality, cultural resources, and public access and recreation. The permittee shall use relevant best management practices (BMPs) to protect on-site wetlands and other ESHA from water quality impacts during

Emergency Permit Number:
G-1-22-0019

vegetation removal activities, as detailed in Attachment 7 of PG&E's emergency permit application (see "08_Att_7_MRHCP VM Measures").

8. If it is not feasible to remove vegetation that may provide potential nesting habitat outside of the avian nesting season (mid-March to mid-August), a survey for nesting birds in and adjacent to the project work area shall be conducted by a qualified biologist according to current California Department of Fish and Wildlife (CDFW) protocols no more than seven (7) days prior to the commencement of vegetation removal activities. If any active nest is identified during pre-activity surveys, the biologist, in consultation with CDFW², shall determine the extent of an activity-free buffer zone to be established around the nest, and activity in the buffer zone shall be delayed until after the young have fledged, as determined by additional surveys conducted by a qualified biologist.
9. Herbicide use shall ensure the protection of coastal resources through the implementation of Best Management Practices, as detailed in Attachment 7 of the Permittee's emergency permit application (see "08_Att_7_MRHCP VM Measures"). Herbicide use shall be limited to hand application for cut-stump application only, pursuant to the Herbicide Management Plan submitted as part of the emergency permit application (see "16_Att_15_Herbicide Plan_Dist Routine_121021").
10. All staging of equipment and access to work locations shall be limited to existing roads, such as PG&E access roads, maintenance roads, county roads, private driveways, and existing footpaths.
11. Equipment that is used to trim and remove vegetation, including removal of trees, shall be limited to chainsaws, climbers, lift trucks, chippers, and other hand tools.
12. All cut vegetation, including lopped tree branches, shall be chipped and scattered evenly within existing right-of-way segments in a manner that ensures protection of coastal resources. In no event shall cut vegetation, including chipped vegetative debris, be scattered or placed in riparian corridors. Vegetative debris

² Contact CDFW Northern Region staff (Senior Environmental Scientist Michael Van Hattem) at 707-499-9457.

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that is removed from the project sites shall be disposed of lawfully at licensed disposal facilities.

13. Within 30 days of completion of the authorized emergency work, or as extended by the Executive Director for good cause, the permittee shall submit, for the review and approval of the Executive Director, documentation of the vegetation management work performed pursuant to this emergency permit that includes a summary report and photo-documentation for the authorized emergency work. The summary report shall include a description of (i) the dates of the emergency work conducted; (ii) the vegetation pruning or removal work performed at each specific location within the project area, noting any differences between locations where work was performed and those proposed in the emergency permit application; (iii) the total area (in square feet) of wetland and riparian vegetation affected by the work performed and the total volume (in cubic yards) of vegetation removed; (iv) the BMPs and erosion control measures employed through the course of the emergency work; (v) the location(s) where debris were disposed of; and (vi) any handling of and observed impacts to sensitive, threatened, or endangered plant and animal species that occurred through the course of the authorized emergency work. The photo-documentation shall include representative photographs of locations where vegetation clearing was performed around the transmission lines and distribution lines, including photos showing the project site(s) before the emergency work occurred (if available), during the emergency work, and after the emergency work authorized pursuant to this emergency permit. A map identifying all locations where staging and stockpiling occurred shall be submitted as well for each project site.
14. Within 90 days of issuance of this Emergency Permit, or as extended by the Executive Director through correspondence, for good cause, the applicant shall submit a complete follow-up Coastal Development Permit (CDP) application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations. This follow-up CDP application may be combined with prior, required follow-up CDP applications, such as the follow-up CDP application required under Emergency CDP No. G-1-22-0004 issued on January 28, 2022, upon the concurrence of the Executive Director or his designee. The application shall additionally include a mitigation and monitoring plan to compensate for temporal and permanent loss of environmentally sensitive habitat areas (ESHA), including riparian wetland habitat, resulting from project activities. The mitigation and monitoring plan shall specify proposed locations for mitigation within the

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same watershed. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, all affected areas shall be restored to their prior condition, after consultation with CCC staff and consistent with the Coastal Act, within 180 days, subject to any regulatory approvals necessary for restoration.

Failure to a) submit a complete follow-up CDP Application that complies with Condition 14 above, or b) restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit³, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP⁴ will constitute a knowing and intentional violation of the Coastal Act⁵ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

³ In some instances, a permit may also be required for removal.

⁴ As noted above, in some instances, a permit may also be required for removal.

⁵ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET, SUITE 130
ARCATA, CALIFORNIA 95521-5967
PH (707) 826-8950 FAX (707) 826-8960
WWW.COASTAL.CA.GOV



April 13, 2022

EMERGENCY PERMIT ACCEPTANCE FORM

TO: CALIFORNIA COASTAL COMMISSION
North Coast District Office
1385 Eighth Street, Suite 130
Arcata, California 95521-5967

RE: Emergency Permit No. G-1-22-0019

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the North Coast District Office within 15 days from the permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that the emergency work is TEMPORARY and that a regular Coastal Development Permit is necessary for any permanent installation. I agree to complete the regular Coastal Development Permit application within 90 days of the date of the emergency permit. Finally, I understand that my failure either to:

- a) Submit a complete follow-up Coastal Development Permit (CDP) Application that satisfies the requirements of Section 13056 of Title 14 of the California Code of Regulations by the date specified in this Emergency Permit, which date may be extended by the Executive Director for good cause, or
- b) Restore all affected areas to their prior condition after consultation with Coastal Commission staff and consistent with the Coastal Act, will constitute a knowing and intentional violation of the Coastal Act and may result in formal enforcement action by the Commission or the Executive Director.

This formal action could include a recordation of a Notice of Violation on my property; the issuance of a Cease and Desist Order and/or Restoration Order; imposition of administrative penalties for violations involving public access, and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

Emergency Permit Acceptance Form
G-1-22-0019

Sincerely,

John Ainsworth
Executive Director

DocuSigned by:

DocuSigned by: 04/13/2022
Daniel Nathan
02DB1BC8B261449...

Daniel Nathan
Coastal Program Supervisor

cc: Commissioners/File

DocuSigned by:
Valerie Walker
0F01E950656E477...

Signature of Permittee or
Authorized Representative

valerie walker

Print Name

2730 Gateway Oaks, Sacramento, CA

Address: _____

04/19/2022

Date of Signing